

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 11 Medi 2017
Tabled on 11 September 2017

Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) Additional Learning Needs and Education Tribunal (Wales) Bill

***Darren Millar**

Gyda chefnogaeth / Supported by: Llyr Gruffydd 37

Section 2, page 3, line 17, after 'disability', insert '(whether the learning difficulty or disability arises from a medical condition or otherwise)'.

Adran 2, tudalen 3, llinell 20, ar ôl 'anabledd', mewnosoder '(pa un a yw'r anhawster dysgu neu'r anabledd yn deillio o gyflwr meddygol ai peidio)'.

***Darren Millar**

Gyda chefnogaeth / Supported by: Llyr Gruffydd 38

Page 6, after line 37, insert a new section –

[] Duty to have regard to the United Nations Convention on the Rights of the Child

- (1) A person exercising functions under this Part in relation to a child or young person must have due regard to Part 1 of the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 ("the Convention").
- (2) For the purposes of subsection (1), Part 1 of the Convention is to be treated as having effect –
 - (a) as set out for the time being in Part 1 of the Schedule to the Rights of Children and Young Persons (Wales) Measure 2011, but
 - (b) subject to any declaration or reservation as set out for the time being in Part 3 of that Schedule.



- (3) Subsection (1) does not apply to the Welsh Ministers (see, instead, the Rights of Children and Young Persons (Wales) Measure 2011).'

Tudalen 6, ar ôl llinell 36, mewnosoder adran newydd –

[] Dyletswydd i roi sylw i Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn

- (1) Rhaid i berson sy'n arfer swyddogaethau o dan y Rhan hon mewn perthynas â phlentyn neu berson ifanc roi sylw dyledus i Ran 1 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn a fabwysiadwyd ac a agorwyd i'w lofnodi, ei gadarnhau a'i dderbyn gan benderfyniad 44/25 y Cynulliad Cyffredinol ar 20 Tachwedd 1989 ("y Confensiwn").
- (2) At ddibenion is-adran (1), mae Rhan 1 o'r Confensiwn i'w drin fel petai iddo effaith –
- (a) fel y'i rhoddir am y tro yn Rhan 1 o'r Atodlen i Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011, ond
- (b) yn ddarostyngedig i unrhyw ddatganiad neu neilltuad fel y'u rhoddir am y tro yn Rhan 3 o'r Atodlen honno.
- (3) Nid yw is-adran (1) yn gymwys i Weinidogion Cymru (gweler, yn hytrach, Fesur Hawliau Plant a Phobl Ifanc (Cymru) 2011).'

***Darren Millar**

Gyda chefnogaeth / Supported by: Llyr Gruffydd

39

Page 6, after line 37, insert a new section –

[] Duty to have regard to the United Nations Convention on the Rights of Persons with Disabilities

- (1) A person exercising functions under this Part in relation to a disabled child or young person must have due regard to the United Nations Convention on the Rights of Persons with Disabilities and its optional protocol adopted on 13 December 2006 by General Assembly resolution A/RES/61/106 and opened for signature on 30 March 2007.
- (2) The Convention is to be treated as having effect subject to any declaration or reservation made by the United Kingdom Government upon ratification, save where the declaration or reservation has subsequently been withdrawn.'

Tudalen 6, ar ôl llinell 36, mewnosoder adran newydd –

[] Dyletswydd i roi sylw i Gonfensiwn y Cenhedloedd Unedig ar Hawliau Pobl ag Anableddau

- (1) Rhaid i berson sy'n arfer swyddogaethau o dan y Rhan hon mewn perthynas â phlentyn neu berson ifanc anabl roi sylw dyledus i Gonfensiwn y Cenhedloedd Unedig ar Hawliau Pobl ag Anableddau a'i brotocol dewisol a fabwysiadwyd ar 13 Rhagfyr 2006 gan benderfyniad A/RES/61/106 y Cynulliad Cyffredinol ac a agorwyd i'w lofnodi ar 30 Mawrth 2007.
- (2) Mae'r Confensiwn i'w drin fel petai iddo effaith yn ddarostyngedig i unrhyw ddatganiad neu neilltuad a wnaed gan Lywodraeth y Deyrnas Unedig ar ôl ei gadarnhau, oddigerth pan fo'r datganiad neu'r neilltuad wedi'i dynnu yn ôl wedi hynny.'



***Darren Millar**

Gyda chefnogaeth/ Supported by: Llyr Gruffydd 40

Section 7, page 7, line 2, after 'with', insert 'independent'.

Adran 7, tudalen 7, llinell 2, ar ôl 'chyngor', mewnosoder 'annibynnol'.

Darren Millar 41

Section 54, page 38, line 13, after 'a', insert 'maintained'.

Adran 54, tudalen 38, llinell 14, ar ôl 'ysgol', mewnosoder 'a gynhelir'.

Darren Millar 42

Section 54, page 38, line 13, leave out 'that is –

- (i) a community, foundation or voluntary school,
- (ii) a maintained nursery school, or
- (iii) a pupil referral unit;

Adran 54, tudalen 38, hepgorer llinellau 15 hyd at 17.

Darren Millar 43

Section 62, page 42, after line 25, insert –

- '(d) refer any parent (not falling within paragraph (c)) of a child for whom it is responsible and who requests independent advocacy services to an independent advocacy service provider.'

Adran 62, tudalen 42, ar ôl llinell 25, mewnosoder –

- '(d) atgyfeirio unrhyw riant (nad yw'n dod o fewn paragraff (c)) plentyn y mae'n gyfrifol amdano ac sy'n gofyn am wasanaethau eirioli annibynnol i ddarparwr gwasanaeth eirioli annibynnol.'

Darren Millar 44

Section 62, page 42, line 27, after 'person', insert ', parent'.

Adran 62, tudalen 42, llinell 27, ar ôl 'ifanc', mewnosoder ', rhiant'.

Darren Millar 45

Section 85, page 56, line 25, after '37(2)(b)', insert '54(4)'.

Adran 85, tudalen 56, llinell 24, ar ôl '37(2)(b)', mewnosoder '54(4)'.

