OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1761 (Cy.166)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Bellach Coleg Llysfasi College (Diddymu) 2010

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn diddymu'r gorfforaeth addysg bellach a sefydlwyd i gynnal y sefydliad addysgol o'r enw Coleg Llysfasi College ac yn cael effaith o 1 Awst 2010. Mae'n darparu ar gyfer trosglwyddo'i eiddo, ei hawliau a'i rwymedigaethau i Gorfforaeth Addysg Bellach Glannau Dyfrdwy (Deeside College Further Education Corporation) ac yn sicrhau hawliau ei chyflogeion drwy gymhwyso, gydag addasiadau, adran 26(2) i (4) o Ddeddf Addysg Bellach ac Uwch 1992 (p. 13).

WELSH STATUTORY INSTRUMENTS

2010 No. 1761 (W.166)

EDUCATION, WALES

The Coleg Llysfasi College Further Education Corporation (Dissolution) Order 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the further education corporation established to conduct the educational institution called Coleg Llysfasi College with effect from 1 August 2010. It provides for the transfer of its property, rights and liabilities to Deeside College Further Education Corporation (Corfforaeth Addysg Bellach Coleg Glannau Dyfrdwy) and secures the rights of its employees by applying, with modification, section 26(2) to (4) of the Further and Higher Education Act 1992 (c. 13).

OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1761 (Cy.166)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Bellach Coleg Llysfasi College (Diddymu) 2010

Gwnaed	*6 Gorffennaf 2010*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*8 Gorffennaf 2010*
Yn dod i rym	*1 Awst 2010*

Gwneir y Gorchymyn hwn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 27 o Ddeddf Addysg Bellach ac Uwch 1992(**1**) ac sydd bellach yn arferadwy gan Weinidogion Cymru(**2**).

Yn unol ag adran 27(2) o'r Ddeddf honno, mae Corfforaeth Addysg Bellach Coleg Glannau Dyfrdwy (Deeside College Further Education Corporation)(**3**) wedi cydsynio â throsglwyddo eiddo, hawliau a rhwymedigaethau Corfforaeth Addysg Bellach Coleg Llysfasi College(**4**).

(**1**) 1992 p.13; diwygiwyd adran 27 o Ddeddf Addysg Bellach ac Uwch 1992 gan erthygl 9 o Orchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005 a pharagraffau 13 ac 16(a)-(c) o Atodlen 1 iddo (O.S. 2005/3238); gan adran 29 o Ddeddf Addysg Bellach a Hyfforddi 2007 (p. 25) a pharagraffau 6 ac 8 o Atodlen 1 iddi; gan adran 30 o Ddeddf Addysg Bellach a Hyfforddi 2007 ac Atodlen 2 iddi ond ar adeg gwneud y Gorchymyn hwn nid oedd y darpariaethau hynny wedi eu cychwyn; a chan erthygl 2 o Orchymyn Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Diwygiadau Canlyniadol) (Cymru a Lloegr) 2010 a pharagraffau 18 ac 19 o Atodlen 1 iddo (O.S. 2010/1080).

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 27 o Ddeddf Addysg Bellach ac Uwch 1992 i Gynulliad Cenedlaethol Cymru yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**3**) Sefydlwyd gan Orchymyn Addysg (Corfforaethau Addysg Bellach) 1993 (O.S. 1993/97).

(**4**) Sefydlwyd gan Orchymyn Addysg (Corfforaethau Addysg Bellach) 1992 (O.S. 1992/2097).

WELSH STATUTORY INSTRUMENTS

2010 No. 1761 (W.166)

EDUCATION, WALES

The Coleg Llysfasi College Further Education Corporation (Dissolution) Order 2010

Made	*6 July 2010*
Laid before the National Assembly for Wales	*8 July 2010*
Coming into force	*1 August 2010*

This Order is made in exercise of the powers conferred on the Secretary of State by section 27 of the Further and Higher Education Act 1992(**1**) and now exercisable by the Welsh Ministers(**2**).

In accordance with section 27(2) of that Act, Deeside College Further Education Corporation (Corfforaeth Addysg Bellach Coleg Glannau Dyfrdwy)(**3**) has consented to the transfer of the property, rights and liabilities of Coleg Llysfasi College Further Education Corporation(**4**).

(**1**) 1992 c.13; section 27 of the Further and Higher Education Act 1992 was amended by article 9 of and paragraphs 13 and 16(a)-(c) of Schedule 1 to the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238); by section 29 of and paragraphs 6 and 8 of Schedule 1 to the Further Education and Training Act 2007 (c. 25); by section 30 of and Schedule 2 to the Further Education and Training Act 2007 but at the time of making this Order those provisions had not been commenced; and by article 2 of and paragraphs 18 and 19 of Schedule 1 to the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080).

(**2**) The functions of the Secretary of State under section 27 of the Further and Higher Education Act 1992 were transferred to the National Assembly for Wales by virtue of article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(**3**) Established by the Education (Further Education Corporations) Order 1993 (S.I. 1993/97).

(**4**) Established by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

Mae Gweinidogion Cymru wedi ymgynghori â Chorfforaeth Addysg Bellach Coleg Llysfasi College yn unol ag adran 27(7) o'r Ddeddf honno.

Gan hynny, mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn:

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Corfforaeth Addysg Bellach Coleg Llysfasi College (Diddymu) 2010 a daw i rym ar 1 Awst 2010.

Diddymu a Throsglwyddo

2. Ar 1 Awst 2010 fe ddiddymir Corfforaeth Addysg Bellach Coleg Llysfasi College a throsglwyddir ei eiddo, ei hawliau a'i rwymedigaethau i Gorfforaeth Addysg Bellach Coleg Glannau Dyfrdwy (Deeside College Further Education Corporation), sef corff corfforaethol sy'n ymwneud yn gyfan gwbl neu'n bennaf â darparu cyfleusterau neu wasanaethau addysgol.

Trosglwyddo Staff

3. Mae adran 26(2), (3) a (4) o Ddeddf Addysg Bellach ac Uwch 1992 yn gymwys i unrhyw berson a gyflogid gan Gorfforaeth Addysg Bellach Coleg Llysfasi College yn union cyn 1 Awst 2010 fel pe bai'r cyfeiriadau yn yr adran honno–

(a) at berson y mae'r adran honno'n gymwys iddo yn gyfeiriadau at berson a gyflogid felly;

(b) at y dyddiad gweithredol yn gyfeiriadau at 1 Awst 2010;

(c) at y trosglwyddwr yn gyfeiriadau at Gorfforaeth Addysg Bellach Coleg Llysfasi College; ac

(ch) at y gorfforaeth yn gyfeiriadau at Gorfforaeth Addysg Bellach Coleg Glannau Dyfrdwy (Deeside College Further Education Corporation).

The Welsh Ministers have consulted with Coleg Llysfasi College Further Education Corporation in accordance with section 27(7) of that Act.

Accordingly, the Welsh Ministers make the following Order:

Title and commencement

1. The title of this Order is the Coleg Llysfasi College Further Education Corporation (Dissolution) Order 2010 and it comes into force on 1 August 2010.

Dissolution and Transfer

2. On 1 August 2010 Coleg Llysfasi College Further Education Corporation is dissolved and its property, rights and liabilities are transferred to Deeside College Further Education Corporation (Corfforaeth Addysg Bellach Coleg Glannau Dyfrdwy), being a corporate body wholly or mainly engaged in the provision of educational facilities or services.

Transfer of Staff

3. Section 26(2), (3) and (4) of the Further and Higher Education Act 1992 applies to any person employed by Coleg Llysfasi College Further Education Corporation immediately before 1 August 2010 as if the references in that section to–

(a) a person to whom that section applies were to a person so employed;

(b) the operative date were to 1 August 2010;

(c) the transferor were to Coleg Llysfasi College Further Education Corporation; and

(d) the corporation were to Deeside College Further Education Corporation (Corfforaeth Addysg Bellach Coleg Glannau Dyfrdwy).

Leighton Andrews

Y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes, un o Weinidogion Cymru

6 Gorffennaf 2010

Minister for Children, Education and Lifelong Learning, one of the Welsh Ministers

6 July 2010

©ⓗ Hawlfraint y Goron 2010

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2010

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1761 (Cy.166)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Bellach Coleg Llysfasi College (Diddymu) 2010

WELSH STATUTORY INSTRUMENTS

2010 No. 1761 (W.166)

EDUCATION, WALES

The Coleg Llysfasi College Further Education Corporation (Dissolution) Order 2010

£4.00

W722/07/10 ON