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OFFERYNNAU STATUDOL  
CYMRU

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**2012 Rhif 1703 (Cy.221)**

**ADDYSG, CYMRU**

Gorchymyn Esgobaeth Abertawe  
ac Aberhonddu (Gwaddolion  
Addysgol) (Llandegley) (Cymru)  
2012

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn yn penodi Ymddiriedolaeth Esgobaethol Abertawe ac Aberhonddu yn ymddiriedolwr gwaddol y sefydliad addysgol a adwaenid fel Sefydliad Ysgol Llandeglau (a adwaenid yn ddiweddarach fel Neuadd Bentref Llandeglau). Mae'n gwneud darpariaeth newydd sef bod yr ymddiriedolwr i ddal yr asedau sy'n cynrychioli'r gwaddol ar yr ymddiriedolaethau statudol unffurf, fel a bennir yn yr Atodlen, er budd ysgolion gwirfoddol a sefydledig yr Eglwys yng Nghymru yn yr Esgobaeth.

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WELSH STATUTORY  
INSTRUMENTS

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**2012 No. 1703 (W.221)**

**EDUCATION, WALES**

The Diocese of Swansea & Brecon  
(Educational Endowments)  
(Llandegley) (Wales) Order 2012

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order appoints Swansea & Brecon Diocesan Trust as trustee of the endowment of the educational foundation known as the Llandegley School Foundation (more recently known as Llandegley Church Hall). It authorises sale of the site of the school and school house. It also makes new provision for the trustee to hold the assets representing the endowment on the uniform statutory trusts, as set out in the Schedule, for the benefit of the Church in Wales voluntary and foundation schools in the Diocese.

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2012**

**The Diocese of Swansea & Brecon  
(Educational Endowments)  
(Llandegley) (Wales) Order 2012**

*Gwnaed* 27 Mehefin 2012  
*Yn dod i rym* 1 Awst 2012

*Made* 27 June 2012  
*Coming into force* 1 August 2012

Dangoswyd er boddhad i Weinidogion Cymru bod y Gwaddol yn cael ei ddefnyddio, neu wedi ei ddefnyddio mewn cysylltiad â darparu addysg grefyddol yn unol â daliadau'r Eglwys yng Nghymru mewn ysgol wirfoddol o fewn ystyr "voluntary school" yn adran 32 o Ddeddf Addysg 1996, y peidiwyd â defnyddio ei mangre at ddibenion ysgol o'r fath, a bod gofynion adran 554(3) o Ddeddf Addysg 1996(1) wedi eu bodloni.

The Endowment has been shown to the satisfaction of the Welsh Ministers to be or to have been used in connection with the provision of religious education in accordance with the tenets of the Church in Wales at a voluntary school within the meaning of section 32 of the Education Act 1996, the premises of which have ceased to be used for the purposes of such a school, and that the requirements of section 554(3) of the Education Act 1996(1) are fulfilled.

Mae cais i Weinidogion Cymru am Orchymyn i wneud darpariaeth newydd ar gyfer defnyddio'r Gwaddol wedi ei wneud gan Ymddiriedolaeth Esgobaethol Abertawe ac Aberhonddu, sef corff y mae'n ymddangos i Weinidogion Cymru ei fod yn awdurdod priodol yr Eglwys yng Nghymru at y diben hwnnw.

Application for an Order making new provision for the use of the Endowment has been made to the Welsh Ministers by the Swansea & Brecon Diocesan Trust, which body appears to the Welsh Ministers to be the appropriate authority of the Church in Wales for that purpose.

Mae hysbysiad o'r Gorchymyn arfaethedig, ac o hawl personau sydd â buddiant i gyflwyno sylwadau, wedi ei roi yn unol â darpariaethau adran 555 o Ddeddf Addysg 1996.

Notice of the proposed Order and of the right of persons interested to make representations has been given in accordance with the provisions of section 555 of the Education Act 1996.

Ni chyflwynwyd unrhyw sylwadau ynglŷn â'r Gorchymyn arfaethedig.

No representations have been made on the proposed Order.

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(1) 1996 p.56. Amnewidiwyd adran 554(1) gan baragraff 168(2) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.15). Amnewidiwyd adran 554(3)(a) gan baragraff 168(3) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998. Diwygiwyd adran 554(3)(b) gan baragraff 168(3)(b) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998. Diwygiwyd adran 556(2)(a) gan baragraff 169(a) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998. Diwygiwyd adran 556(2)(b) gan baragraff 169(b) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998.

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(1) 1996 c.56. Section 554(1) was substituted by paragraph 168(2) of Schedule 30 to the School Standards and Framework Act 1998 (c.15). Section 554(3)(a) was substituted by paragraph 168(3) of Schedule 30 to the School Standards and Framework Act 1998. Section 554(3)(b) was amended by paragraph 168(3)(b) of Schedule 30 to the School Standards and Framework Act 1998. Section 556(2)(a) was amended by paragraph 169(a) of Schedule 30 to the School Standards and Framework Act 1998. Section 556(2)(b) was amended by paragraph 169(b) of Schedule 30 to the School Standards and Framework Act 1998.

Mae asedau'r Sefydliad yn cynnwys y safle a ddaeth wedyn yn safle'r ysgol a thŷ'r ysgol uchod a gynhwyswyd yn y weithred Sefydlu, a'r adeiladau ar y safle hwnnw (neu'r enillion net o'u gwerthiant) yn ogystal ag unrhyw incwm a ddeilliodd o'r asedau hynny cyn i'r Gorchymyn hwn ddod i rym.

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 554 a 556(2) o Ddeddf Addysg 1996 ac a freiniwyd bellach ynddynt hwy, yn gwneud y Gorchymyn canlynol(1):

### Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Esgobaeth Abertawe ac Aberhonddu (Gwaddolion Addysgol) (Llandeigley) (Cymru) 2012, a daw i rym ar 1 Awst 2012.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

### Dehongli

2. Yn y Gorchymyn hwn, oni fydd y cyd-destun yn mynnu fel arall—

ystyr "asedau'r Sefydliad" ("*the Foundation assets*") yw'r asedau sy'n cynrychioli'r Gwaddol ar hyn o bryd;

ystyr "yr Esgobaeth" ("*the Diocese*") yw Esgobaeth Abertawe ac Aberhonddu, a rhaid dehongli "yr Ymddiriedolaeth Esgobaethol" ("*the Diocesan Trust*") yn unol â hynny;

ystyr "y Gwaddol" ("*the Endowment*") yw'r gwaddol a gynhwyswyd yn y weithred Sefydlu;

ystyr "y Sefydliad" ("*the Foundation*") yw'r sefydliad addysgol a adwaenid fel Sefydliad Ysgol Llandeglau (a adwaenid yn ddiweddarach fel Neuadd Bentref Llandeglau) a sefydlwyd gan y weithred Sefydlu;

ystyr "y weithred Sefydlu" ("*the Founding deed*") yw'r weithred dyddiedig 11 March 1869 ac y credir iddi gael ei gwneud rhwng tenantiaid y clastir rheithorol a pherchnogion degymau i Reithor, Ficer a Wardeiniaid Eglwys Llandeglau;

mae i "ysgol sefydledig" ("*foundation school*") yr ystyr a roddir i "foundation school" yn Neddf Safonau a Fframwaith Ysgolion 1998(2); ac y

mae i "ysgol wirfoddol" ("*voluntary school*") yr ystyr a roddir i "voluntary school" yn Neddf Safonau a Fframwaith Ysgolion 1998.

(1) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 554 a 556 o Ddeddf Addysg 1996 ac adran 5 o Ddeddf Dychweliad Safleoedd 1987 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/6722) ac wedyn i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(2) 1998 p.31.

The Foundation assets consist of the site of what became the above school and school house comprised in the Founding deed, and buildings thereon (or their net proceeds of sale), and also any income derived from those assets before the coming into force of this Order.

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 554 and 556(2) of the Education Act 1996 and now vested in them make the following Order(1):

### Title, commencement and application

1.—(1) The title of this Order is the Diocese of Swansea & Brecon (Educational Endowments) (Llandeigley) (Wales) Order 2012 and it comes into force on 1 August 2012.

(2) This Order applies in relation to Wales.

### Interpretation

2. In this Order unless the context otherwise requires—

"the Diocese" ("*yr Esgobaeth*") means the Diocese of Swansea & Brecon and "the Diocesan Trust" is to be construed accordingly;

"the Endowment" ("*y Gwaddol*") means the endowment comprised in the Founding deed;

"the Foundation" ("*y Sefydliad*") means the educational foundation known as the Llandeigley School (more recently known as Llandeigley Church Hall) Foundation established by the Founding deed;

"the Foundation assets" ("*asedau'r Sefydliad*") means the assets currently representing the Endowment;

"foundation school" ("*ysgol sefydledig*") has the same meaning as in the School Standards and Framework Act 1998(2);

"the Founding deed" ("*y weithred Sefydlu*") means the deed dated 11 March 1869 and believed to have been made between the tenants of the rectorial glebe land and the tithe owners to the Rector, Vicar and Churchwardens of Llandeigley; and

"voluntary school" ("*ysgol wirfoddol*") has the same meaning as in the School Standards and Framework Act 1998.

(1) The functions of the Secretary of State under sections 554 and 556 of the Education Act 1996 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Function) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(2) 1998 c.31.

## Ymddiriedolwr a breinio

3.—(1) Mae'r Gorchymyn hwn yn penodi'r Ymddiriedolaeth Esgobaethol i fod yn Ymddiriedolwr—

- (a) y Sefydliad; a
- (b) asedau'r Sefydliad.

(2) Rhaid trosglwyddo i'r Ymddiriedolaeth Esgobaethol yr holl gronfeydd sydd, yn union cyn dyddiad y Gorchymyn hwn, yn eiddo i'r Sefydliad, neu a ddelir mewn ymddiriedolaeth ar gyfer y Sefydliad (ac eithrio unrhyw gronfeydd a ddelir eisoes gan yr Ymddiriedolaeth Esgobaethol), a rhaid i unrhyw berson sy'n dal cronfeydd o'r fath gyflawni pob gweithred sy'n angenrheidiol at y diben o'u trosglwyddo.

## Gweinyddu'r Sefydliad

4.—(1) Awdurdodir yr Ymddiriedolaeth Esgobaethol i werthu unrhyw eiddo rhydd-ddaliadol neu lesddaliadol sy'n gynwysedig yn asedau'r Sefydliad, a rhaid iddi, hyd nes gwerthir eiddo o'r fath, ei osod a'i reoli fel arall yn unol â'r gyfraith gyffredinol sy'n gymwys i reolaeth eiddo a ddelir mewn ymddiriedolaeth at ddibenion elusennol.

(2) Rhaid i'r Ymddiriedolaeth Esgobaethol ddal asedau'r Sefydliad ar yr ymddiriedolaethau statudol unffurf, er budd ysgolion gwirfoddol neu ysgolion sefydledig yr Eglwys yng Nghymru o fewn yr Esgobaeth.

(3) Yn yr erthygl hon ystyr "ymddiriedolaethau statudol unffurf" ("*uniform statutory trusts*") yw'r ymddiriedolaethau a bennir yn yr Atodlen (sef yr ymddiriedolaethau statudol unffurf a bennir yn Atodlen 36 i Ddeddf Addysg 1996 fel y maent yn gymwys mewn perthynas ag asedau'r Sefydliad.

## Cyfuno

5. Caniateir cyfuno asedau'r Sefydliad gydag unrhyw waddol presennol a ddelir at y dibenion a bennir yn yr Atodlen.

## Trustee and vesting

3.—(1) This Order appoints the Diocesan Trust to be Trustee of—

- (a) the Foundation, and
- (b) the Foundation assets.

(2) All funds which immediately before the date of this Order belong to or are held in trust for the Foundation, (other than any funds already held by the Diocesan Trust) are to be transferred to the Diocesan Trust, and all acts necessary for that purpose are to be done by any person holding such funds.

## Administration of Foundation

4.—(1) The Diocesan Trust is authorised to sell any of the freehold or leasehold property comprised in the Foundation assets and must, until sale, let and otherwise manage such property according to the general law applicable to the management of property held on trust for charitable purposes.

(2) The Diocesan Trust is to hold the Foundation assets on the uniform statutory trusts for the benefit of Church in Wales voluntary or foundation schools within the Diocese.

(3) In this article "uniform statutory trusts" ("*ymddiriedolaethau statudol unffurf*") means the trusts set out in the Schedule (being the uniform statutory trusts set out in Schedule 36 to the Education Act 1996 as they apply in relation to the Foundation assets).

## Consolidation

5. The Foundation assets may be consolidated with any existing endowment held for the purposes specified in the Schedule.

*Leighton Andrews*

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

Minister for Education and Skills, one of the Welsh Ministers

27 Mehefin 2012

27 June 2012

## Erthygl 3(4)

## Article 3(4)

1. Caiff yr Ymddiriedolaeth Esgobaethol, ar ôl talu unrhyw dreuliau a achosir iddi mewn cysylltiad â gweinyddu'r Sefydliad, ddefnyddio cyfalaf ac incwm y Sefydliad at unrhyw rai o'r dibenion canlynol—

- (a) ar gyfer prynu, neu tuag at brynu, safle ar gyfer, neu adeiladu, gwella neu ehangu mangre unrhyw ysgol berthnasol yn yr Esgobaeth;
- (b) ar gyfer cynnal unrhyw ysgol berthnasol yn yr Esgobaeth;
- (c) ar gyfer prynu, neu tuag at brynu, safle ar gyfer, neu adeiladu, gwella neu ehangu mangre unrhyw dŷ athro neu athrawes ar gyfer ei ddefnyddio mewn cysylltiad ag unrhyw ysgol berthnasol yn yr Esgobaeth; ac
- (d) ar gyfer cynnal unrhyw dŷ athro neu athrawes ar gyfer ei ddefnyddio mewn cysylltiad ag ysgol berthnasol yn yr Esgobaeth.

2. Caiff yr Ymddiriedolaeth Esgobaethol hefyd, ar ôl talu unrhyw dreuliau a achosir iddi mewn cysylltiad â gweinyddu'r Sefydliad, ddefnyddio incwm y Sefydliad at unrhyw rai o'r dibenion canlynol—

- (a) ar gyfer darparu, neu tuag at ddarparu, cyngor, arweiniad ac adnoddau (gan gynnwys deunyddiau) mewn cysylltiad ag unrhyw fater sy'n ymwneud â rheolaeth unrhyw ysgol berthnasol yn yr Esgobaeth, neu'r addysg a ddarperir mewn unrhyw ysgol o'r fath;
- (b) darparu gwasanaethau ar gyfer cynnal unrhyw arolygiad o unrhyw ysgol berthnasol yn yr Esgobaeth sy'n ofynnol o dan Ran 1 o Ddeddf Addysg 2005(1); ac
- (c) talu'r gost o gyflogi staff neu eu cymryd ymlaen mewn cysylltiad ag—
  - (i) defnyddio incwm asedau'r Sefydliad ar gyfer y naill neu'r llall o'r dibenion y cyfeirir atynt yn is-baragraffau (a) a (b) uchod,
  - (ii) defnyddio cyfalaf ac incwm asedau'r Sefydliad ar gyfer unrhyw rai o'r dibenion y cyfeirir atynt ym mharagraff 1 uchod.

3. Ystyr "ysgol berthnasol" ("*relevant school*") yw ysgol o'r math y cyfeirir ato yn erthygl 4(2).

1. The Diocesan Trust may, after payment of any expenses incurred in connection with the administration of the Foundation, apply the capital and income of the Foundation assets for any of the following purposes—

- (a) in or towards the purchase of a site for, or the erection, improvement or enlargement of, the premises of any relevant school in the Diocese;
- (b) for the maintenance of any relevant school in the Diocese;
- (c) in or towards the purchase of a site for, or the erection, improvement or enlargement of, the premises of a teacher's house for use in connection with any relevant school in the Diocese; and
- (d) for the maintenance of a teacher's house for use in connection with any relevant school in the Diocese.

2. The Diocesan Trust may also, after payment of any expenses incurred in connection with the administration of the Foundation, apply the income of the Foundation assets for any of the following purposes—

- (a) in or towards the provision of advice, guidance and resources (including materials) in connection with any matter related to the management of, or education provided at, any relevant school in the Diocese;
- (b) the provision of services for the carrying out of any inspection of any relevant school in the Diocese required by Part 1 of the Education Act 2005(1); and
- (c) to defray the cost of employing or engaging staff in connection with—
  - (i) the application of income of the Foundation assets for either of the purposes referred to in sub-paragraph (a) and (b) above,
  - (ii) the application of capital or income of the Foundation assets for any of the purposes referred to in paragraph 1 above.

3. "Relevant school" ("*ysgol berthnasol*") means a school of the type referred to in article 4(2).





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