



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 1464 (Cy. 145)

2014 No. 1464 (W. 145)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Cyngor Cyllido
Addysg Uwch Cymru
(Swyddogaethau Atodol) 2014

The Higher Education Funding
Council for Wales (Supplementary
Functions) Order 2014

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae adran 69(5) o Ddeddf Addysg Bellach ac Uwch 1992 yn darparu y caiff Gweinidogion Cymru, drwy orchymyn, roi i Gyngor Cyllido Addysg Uwch Cymru unrhyw swyddogaethau atodol yn ymwneud â darparu addysg sy'n briodol yn eu barn hwy neu osod y swyddogaethau atodol hynny arno.

Section 69(5) of the Further and Higher Education Act 1992 provides that the Welsh Ministers may, by order, confer or impose on the Higher Education Funding Council for Wales such supplementary functions relating to the provision of education as they think fit.

Mae'r Gorchymyn hwn yn rhoi swyddogaethau atodol i Gyngor Cyllido Addysg Uwch Cymru. Mae'r swyddogaethau a roddir gan y Gorchymyn hwn yn swyddogaethau sy'n arferadwy gan Weinidogion Cymru mewn rheoliadau a wneir o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998.

This Order confers supplementary functions on the Higher Education Funding Council for Wales. The functions conferred by this Order are functions exercisable by the Welsh Ministers in regulations made under section 22 of the Teaching and Higher Education Act 1998.

Mae'r swyddogaethau a roddir i Gyngor Cyllido Addysg Uwch Cymru gan erthygl 2 o'r Gorchymyn hwn yn ymwneud â thalu'r grant newydd at ffioedd i sefydliadau sy'n darparu addysg uwch (ac adennill gordaliadau o'r grant hwnnw) a gofyn am wybodaeth sy'n gysylltiedig â thalu'r grant newydd at ffioedd, a chael yr wybodaeth honno. Mae'r swyddogaethau hyn yn gymwys mewn cysylltiad â myfyrwyr sy'n dechrau cyrsiau addysg uwch dynodedig ar 1 Medi 2014 neu ar ôl hynny.

The functions conferred on the Higher Education Funding Council for Wales by article 2 of this Order relate to the payment of the new fee grant to institutions delivering higher education (and the recovery of overpayments of such grant) and requesting and receiving information connected to the payment of the new fee grant. These functions apply in respect of students starting designated higher education courses on or after 1 September 2014.

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Council for Wales (Supplementary
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Gwnaed 5 Mehefin 2014
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 9 Mehefin 2014
Yn dod i rym 31 Awst 2014

Made 5 June 2014
Laid before the National Assembly for Wales
9 June 2014
Coming into force 31 August 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 69(5) a 89(4) o Ddeddf Addysg Bellach ac Uwch 1992(1), ac sydd bellach yn arferadwy ganddynt hwy(2), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 69(5) and 89(4) of the Further and Higher Education Act 1992(1), and now exercisable by them(2) make the following Order:

Enwi, cychwyn, cymhwyso a dehongli

Title, commencement, application and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyngor Cyllido Addysg Uwch Cymru (Swyddogaethau Atodol) 2014 a daw i rym ar 31 Awst 2014.

1.—(1) The title of this Order is the Higher Education Funding Council for Wales (Supplementary Functions) Order 2014 and it comes into force on 31 August 2014.

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

(2) This Order applies in relation to Wales.

(3) Yn y Gorchymyn hwn—

(3) In this Order—

- (a) ystyr “Rheoliadau 2013” (“*the 2013 Regulations*”) yw Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2013(3); a
- (b) ystyr “grant newydd at ffioedd” (“*new fee grant*”) yw grant a wnaed gan Weinidogion Cymru o dan reoliad 20 o Reoliadau 2013.

- (a) “the 2013 Regulations” (“*Rheoliadau 2013*”) means the Education (Student Support) (Wales) Regulations 2013(3); and
- (b) “new fee grant” (“*grant newydd at ffioedd*”) means a grant made by the Welsh Ministers under regulation 20 of the 2013 Regulations.

(1) 1992 p. 13; diwygiwyd adran 89(4) gan Ddeddf Addysg Bellach a Hyfforddi 2007 (p. 25), adran 29 ac Atodlen 1, paragraff 11.

(1) 1992 c. 13; section 89(4) was amended by the Further Education and Training Act 2007 (c. 25), section 29 and Schedule 1, paragraph 11.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 69(5), i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau hynny'n arferadwy gan Weinidogion Cymru.

(2) The functions of the Secretary of State under section 69(5) were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) those functions are exercisable by the Welsh Ministers.

(3) O.S. 2013/3177 (Cy. 316).

(3) S.I. 2013/3177 (W. 316).

Swyddogaethau Atodol

2. Mae'r swyddogaethau a ganlyn, sef swyddogaethau Gweinidogion Cymru o dan Reoliadau 2013, wedi eu rhoi i Gyngor Cyllido Addysg Uwch Cymru(1)—

- (a) swyddogaethau sy'n ymwneud â thalu'r grant newydd at ffioedd o dan reoliad 69 o Reoliadau 2013;
- (b) swyddogaethau sy'n ymwneud ag adennill gordaliad o'r grant newydd at ffioedd o dan reoliad 74 o Reoliadau 2013; ac
- (c) swyddogaethau sy'n ymwneud â chais am wybodaeth o dan Atodlen 3 i Reoliadau 2013 a chael yr wybodaeth honno, i'r graddau y mae'r swyddogaethau hynny yn ymwneud â thalu neu adennill y grant newydd at ffioedd.

3. Nid oes dim yn y Gorchymyn hwn yn atal Gweinidogion Cymru rhag arfer y swyddogaethau a ddisgrifir yn erthygl 2.

Supplementary Functions

2. The following functions, being functions of the Welsh Ministers under the 2013 Regulations, are conferred on the Higher Education Funding Council for Wales(1)—

- (a) functions relating to the payment of the new fee grant under regulation 69 of the 2013 Regulations;
- (b) functions relating to the recovery of an overpayment of the new fee grant under regulation 74 of the 2013 Regulations; and
- (c) functions relating to a request for and receipt of information under Schedule 3 to the 2013 Regulations, in so far as those functions relate to the payment or recovery of the new fee grant.

3. Nothing in this Order prevents the Welsh Ministers from exercising the functions described in article 2.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

5 Mehefin 2014

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Minister for Education and Skills, one of the Welsh Ministers

5 June 2014

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(1) Sefydlwyd gan adran 62 o Ddeddf Addysg Bellach ac Uwch 1992.

(1) Established by section 62 of the Further and Higher Education Act 1992.

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£4.25

W1978/06/14

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ISBN 978-0-348-10953-5



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