



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1605 (Cy. 203) (C. 93)

2015 No. 1605 (W. 203) (C. 93)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Deddf Hawliau
Defnyddwyr 2015 (Cychwyn Rhif 1
a Darpariaeth Drosiannol) (Cymru)
2015

The Consumer Rights Act 2015
(Commencement No. 1 and
Transitional Provision) (Wales)
Order 2015

NODYN ESBONIADOL

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

Mae erthygl 2 o'r Gorchymyn hwn yn dwyn i rym, o ran Cymru, adran 89 o Ddeddf Hawliau Defnyddwyr 2015 ("y Ddeddf") sy'n diwygio adrannau 11 a 12 o Ddeddf Addysg Uwch 2004(1) drwy ehangu'r rhestr o ddarparwyr addysg uwch y mae'n ofynnol iddynt ymuno â'r cynllun ymdrin â chwynion addysg uwch.

Mae erthygl 3 o'r Gorchymyn yn gwneud darpariaeth drosiannol mewn cysylltiad â'r sefydliadau newydd hynny sy'n cael eu dwyn o dan y cynllun cwynion addysg uwch, sef mai dim ond am weithredoedd neu anweithiau sy'n digwydd ar 1 Medi 2015 neu ar ôl hynny, neu pan fo gweithred neu anwaith yn digwydd cyn 1 Medi 2015 ac yn parhau ar ôl y dyddiad hwnnw, y mae modd cwyno mewn perthynas â'r sefydliadau newydd hynny.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force, in relation to Wales, section 89 of the Consumer Rights Act 2015 ("the Act") which amends sections 11 and 12 of the Higher Education Act 2004(1) by expanding the list of higher education providers which are required to join the higher education complaints handling scheme.

Article 3 of the Order makes transitional provision in respect of those new institutions being brought into the higher education complaints scheme, namely that complaints in relation to those new institutions can only be brought about acts or omissions occurring on or after 1 September 2015, or where an act or omission occurs prior to 1 September 2015 and continues after that date.

(1) 2004 p. 8.

(1) 2004 c. 8.

**NODYN AM Y GORCHMYNION CYCHWYN
CYNHARACH**

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

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym drwy orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

<i>Y ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
Adran 77 (yn rhannol)	27 Mai 2015	O.S. 2015/1333
Adran 81 (yn rhannol)	3 Awst 2015	O.S. 2015/1584
Adran 82	27 Mai 2015	O.S. 2015/1333
Atodlen 5 (yn rhannol)	27 Mai 2015	O.S. 2015/1333
Paragraffau 12, 18, 20 i 22, a 28 i 35 o Atodlen 8 (yn rhannol)	3 Awst 2015	O.S. 2015/1584

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 77 (partially)	27 May 2015	S.I. 2015/1333
Section 81 (partially)	3 August 2015	S.I. 2015/1584
Section 82	27 May 2015	S.I. 2015/1333
Schedule 5 (partially)	27 May 2015	S.I. 2015/1333
Paragraphs 12, 18, 20 to 22 and 28 to 35 of Schedule 8 (partially)	3 August 2015	S.I. 2015/1584

2015 Rhif 1605 (Cy. 203) (C. 93)

ADDYSG, CYMRU

**Gorchymyn Deddf Hawliau
Defnyddwyr 2015 (Cychwyn Rhif 1
a Darpariaeth Drosiannol) (Cymru)
2015**

Gwnaed

10 Awst 2015

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 97(2) a 100(3)(b) o Ddeddf Hawliau Defnyddwyr 2015(1), yn gwneud y Gorchymyn a ganlyn.

Enwi, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Hawliau Defnyddwyr 2015 (Cychwyn Rhif 1 a Darpariaeth Drosiannol) (Cymru) 2015.

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

(3) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("the Act") yw Deddf Hawliau Defnyddwyr 2015.

Y darpariaethau sy'n dod i rym ar 1 Medi 2015

2. Daw adran 89 o'r Ddeddf i rym ar 1 Medi 2015.

Trefniadau trosiannol

3.—(1) Ni all gweithredwr dynodedig ond adolygu cwyn gymhwysol am weithred neu anwaith sefydliad cymhwysol sy'n dod o fewn adran 11(e) neu (f) o Ddeddf Addysg Uwch 2004(2) pan fo'r weithred neu'r anwaith y cynwir amdani neu amdano—

(a) yn digwydd ar 1 Medi 2015 neu ar ôl hynny; neu

(b) yn digwydd cyn y dyddiad hwnnw ond yn parhau ar y dyddiad hwnnw neu ar ei ôl.

(1) 2015 p. 15.
(2) 2004 p. 8.

2015 No. 1605 (W. 203) (C. 93)

EDUCATION, WALES

**The Consumer Rights Act 2015
(Commencement No. 1 and
Transitional Provision) (Wales)
Order 2015**

Made

10 August 2015

The Welsh Ministers, in exercise of the powers conferred by sections 97(2) and 100(3)(b) of the Consumer Rights Act 2015(1) make the following Order.

Title, application and interpretation

1.—(1) The title of this Order is the Consumer Rights Act 2015 (Commencement No. 1 and Transitional Provision) (Wales) Order 2015.

(2) This Order applies in relation to Wales only.

(3) In this Order, "the Act" ("y Ddeddf") means the Consumer Rights Act 2015.

Provisions coming into force on 1 September 2015

2. Section 89 of the Act comes into force on the 1 September 2015.

Transitional arrangements

3.—(1) A qualifying complaint about an act or omission of a qualifying institution falling within section 11(e) or (f) of the Higher Education Act 2004(2) can only be reviewed by the designated operator where the act or omission complained of—

(a) occurs on or after 1 September 2015; or

(b) occurs before that date but continues on or after it.

(1) 2015 c. 15.
(2) 2004 c. 8.

(2) Yn yr erthygl hon, mae i'r termau "gweithredwr dynodedig", "cwyn gymhwysol" a "sefydliad cymhwysol" yr un ystyr ag a roddir i "designated operator", "qualifying complaint" a "qualifying institution" yn eu tro yn Rhan 2 o Ddeddf Addysg Uwch 2004.

(2) In this article the terms "qualifying complaint" ("cwyn gymhwysol"), "qualifying institution" ("sefydliad cymhwysol") and "designated operator" ("gweithredwr dynodedig") bear the same meanings as they bear in Part 2 of the Higher Education Act 2004.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion
Cymru

Minister for Education and Skills, one of the Welsh
Ministers

10 Awst 2015

10 August 2015

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