OFFERYNNAU STATUDOL CYMRU

2012 Rhif 1630 (Cy.209)

ADDYSG, CYMRU

Rheoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) (Diwygio) 2012

NODYN ESBONIADOL

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

Mae Rheoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) 2011 ("y prif Reoliadau") yn rhagnodi'r cyrsiau cymhwysol a'r personau cymhwysol at ddibenion adran 28 o Ddeddf Addysg Uwch 2004 ("Deddf 2004"). Mae cwrs yn gwrs cymhwysol at ddibenion adran 28 os yw wedi ei ragnodi at y diben hwnnw.

Nid oedd y diffiniad o "course" yn adran 41 o Ddeddf 2004, fel y'i deddfwyd yn wreiddiol, yn cynnwys cyrsiau rhan-amser. Diwygiwyd yr adran honno gan adran 77 o Ddeddf Addysg 2011 i gynnwys cyrsiau rhan-amser.

Mae'r Rheoliadau hyn yn diwygio'r prif Reoliadau drwy eithrio cyrsiau rhan-amser rhag cael eu rhagnodi yn gyrsiau cymhwysol at ddibenion adran 28 o Ddeddf 2004.

WELSH STATUTORY INSTRUMENTS

2012 No. 1630 (W.209)

EDUCATION, WALES

The Student Fees (Qualifying Courses and Persons) (Wales) (Amendment) Regulations 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Student Fees (Qualifying Courses and Persons) (Wales) Regulations 2011 ("the principal Regulations") prescribe the qualifying courses and qualifying persons for the purposes of section 28 of the Higher Education Act 2004 ("the 2004 Act"). A course is a qualifying course for the purposes of section 28 if it is prescribed for that purpose.

The definition of "course" in section 41 of the 2004 Act, as originally enacted, did not include part-time courses. That section was amended by section 77 of the Education Act 2011 to include part-time courses.

These Regulations amend the principal Regulations by excluding part-time courses from being prescribed as qualifying courses for the purposes of section 28 of the 2004 Act.

OFFERYNNAU STATUDOL CYMRU

2012 Rhif 1630 (Cy.209)

ADDYSG, CYMRU

Rheoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) (Diwygio) 2012

Gwnaed	*20 Mehefin 2012*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*22 Mehefin 2012*
Yn dod i rym	*1 Medi 2012*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 28(6) a 47(5) o Ddeddf Addysg Uwch 2004(**1**), ac sydd bellach yn arferadwy ganddynt hwy(**2**), yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) (Diwygio) 2012 a deuant i rym ar 1 Medi 2012.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio

2. Yn rheoliad 3 o Reoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) 2011(**3**) ar ôl paragraff (5) mewnosoder—

"(6) Nid yw cwrs yn gwrs cymhwysol os yw'n gwrs rhan-amser."

(**1**) 2004 p.8. Mae diwygiadau i adran 28 nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd paragraffau 30(1) a 30(2)(c) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**3**) O.S. 2011/691 (Cy.103), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2012 No. 1630 (W.209)

EDUCATION, WALES

The Student Fees (Qualifying Courses and Persons) (Wales) (Amendment) Regulations 2012

Made	*20 June 2012*
Laid before the National Assembly for Wales	*22 June 2012*
Coming into force	*1 September 2012*

The Welsh Ministers in exercise of the powers conferred on the National Assembly for Wales by sections 28(6) and 47(5) of the Higher Education Act 2004(**1**) and now exercisable by them(**2**), make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Student Fees (Qualifying Courses and Persons) (Wales) (Amendment) Regulations 2012 and they come into force on 1 September 2012.

(2) These Regulations apply in relation to Wales.

Amendment

2. In regulation 3 of the Student Fees (Qualifying Courses and Persons) (Wales) Regulations 2011(**3**) after paragraph (5) insert—

"(6) A course is not a qualifying course if it is a part-time course."

(**1**) 2004 c.8. There are amendments to section 28 which are not relevant to these Regulations.

(**2**) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraphs 30(1) and 30(2)(c) of Schedule 11 to the Government of Wales Act 2006 (c.32).

(**3**) S.I. 2011/691 (W.103), to which there are amendments not relevant to these Regulations.

Leighton Andrews

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

20 Mehefin 2012

Minister for Education and Skills, one of the Welsh Ministers

20 June 2012

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2012 Rhif 1630 (Cy.209)

ADDYSG, CYMRU

Rheoliadau Ffioedd Myfyrwyr (Cyrsiau a Phersonau Cymhwysol) (Cymru) (Diwygio) 2012

WELSH STATUTORY INSTRUMENTS

2012 No. 1630 (W.209)

EDUCATION, WALES

The Student Fees (Qualifying Courses and Persons) (Wales) (Amendment) Regulations 2012

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