



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 712 (Cy. 169)

2017 No. 712 (W. 169)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Addysg (Benthyciadau
at Radd Feistr Ôl-raddedig)
(Cymru) (Diwygio) 2017**

**The Education (Postgraduate
Master's Degree Loans) (Wales)
(Amendment) Regulations 2017**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae Rheoliadau Addysg (Benthyciadau at Radd Feistr Ôl-raddedig) (Cymru) 2017 (“Rheoliadau 2017”) yn darparu ar gyfer gwneud benthyciadau i fyfyrwyr sy’n preswyllo fel arfer yng Nghymru ar gyfer cyrsiau gradd feistr ôl-raddedig sy’n dechrau ar neu ar ôl 1 Awst 2017.

The Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017 (“the 2017 Regulations”) provide for the making of loans to students who are ordinarily resident in Wales for postgraduate master’s degree courses which begin on or after 1 August 2017.

Mae rheoliad 3 yn diwygio rheoliad 3 o Reoliadau 2017 er mwyn galluogi Gweinidogion Cymru, o dan amgylchiadau penodol, i farnu bod person sydd wedi cael benthyciad at radd feistr ôl-raddedig o dan Reoliadau 2017 neu fenthyciad (ac eithrio o dan Reoliadau 2017) mewn cysylltiad â chwrs gradd feistr ôl-raddedig gan awdurdod llywodraeth yn y Deyrnas Unedig yn gymwys i gael cymorth o dan Reoliadau 2017.

Regulation 3 amends regulation 3 of the 2017 Regulations to enable the Welsh Ministers, in certain circumstances, to deem a person who has received a postgraduate master’s degree loan under the 2017 Regulations or a loan (other than under the 2017 Regulations) in respect of a postgraduate master’s degree course from a government authority in the United Kingdom to be eligible for support under the 2017 Regulations.

Mae rheoliadau 4 a 5 yn cywiro gwallau teipograffyddol neu wallau gramadegol.

Regulations 4 and 5 correct typographical or grammatical errors.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Education (Postgraduate
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Gwnaed 27 Mehefin 2017

Made 27 June 2017

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 30 Mehefin 2017

Laid before the National Assembly for Wales
30 June 2017

Yn dod i rym 28 Gorffennaf 2017

Coming into force 28 July 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 22 a 42(6) o Ddeddf Addysgu ac Addysg Uwch 1998(1), ac sydd bellach yn arferadwy ganddynt hwy(2), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 22 and 42(6) of the Teaching and Higher Education Act 1998(1), and now exercisable by them(2) make the following Regulations:

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Benthyciadau at Radd Feistr Ôl-raddedig) (Cymru) (Diwygio) 2017.

1.—(1) The title of these Regulations is the Education (Postgraduate Master's Degree Loans) (Wales) (Amendment) Regulations 2017.

(2) Daw'r Rheoliadau hyn i rym ar 28 Gorffennaf 2017 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 28 July 2017 and apply in relation to Wales.

(1) 1998 p. 30; diwygiwyd adran 22 gan Ddeddf Dysgu a Sgiliau 2000 (p. 21), adran 146 ac Atodlen 11, Deddf Treth Incwm (Enillion a Phensiynau) 2003 (p. 1), Atodlen 6, Deddf Cyllid 2003 (p. 14), adran 147, Deddf Addysg Uwch 2004 (p. 8), adrannau 42 a 43 ac Atodlen 7, Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22), adran 257 a Deddf Addysg 2011 (p. 21), adran 76 ac O.S. 2013/1881. *Gweler* adran 43(1) o Ddeddf Addysgu ac Addysg Uwch 1998 am y diffiniad o "prescribed" a "regulations".

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998 (ac eithrio i'r graddau y maent yn ymwneud â gwneud unrhyw ddarpariaeth a awdurdodir gan is-adran (2)(a), (c), (j) neu (k), (3)(e) neu (f) neu (5) o adran 22) i Gynulliad Cenedlaethol Cymru gan adran 44 o Ddeddf Addysg Uwch 2004 a Gorchymyn Deddf Addysg Uwch 2004 (Cychwyn Rhif 2 a Darpariaeth Drosiannol) (Cymru) 2005 (O.S. 2005/1833 (Cy. 149) (C. 79)) fel y'i diwygiwyd gan Orchymyn Deddf Addysg Uwch 2004 (Cychwyn Rhif 2 a Darpariaeth Drosiannol) (Cymru) (Diwygio) 2006 (O.S. 2006/1660 (Cy. 159) (C. 56)). 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).

(1) 1998 c. 30; section 22 was amended by the Learning and Skills Act 2000 (c. 21), section 146 and Schedule 11, the Income Tax (Earnings and Pensions) Act 2003 (c. 1), Schedule 6, the Finance Act 2003 (c. 14), section 147, the Higher Education Act 2004 (c. 8), sections 42 and 43 and Schedule 7, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 257 and the Education Act 2011 (c. 21), section 76 and S.I. 2013/1881. *See* section 43(1) of the Teaching and Higher Act 1998 for the definition of "prescribed" and "regulations".

(2) The functions of the Secretary of State under section 22 of the Teaching and Higher Education Act 1998 (except so far as they relate to the making of any provision authorised by subsection (2)(a), (c), (j) or (k), (3)(e) or (f) or (5) of section 22) were transferred to the National Assembly for Wales by section 44 of the Higher Education Act 2004 and the Higher Education Act 2004 (Commencement No. 2 and Transitional Provision) (Wales) Order 2005 (S.I. 2005/1833 (W. 149) (C.79)) as amended by the Higher Education Act 2004 (Commencement No. 2 and Transitional Provision) (Wales) (Amendment) Order 2006 (S.I. 2006/1660 (W. 159) (C. 56)). 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).

Diwygiadau

2. Mae Rheoliadau Addysg (Benthyciadau at Radd Feistr Ôl-raddedig) (Cymru) 2017(1) wedi eu diwygio fel a ganlyn.

3. Yn rheoliad 3 (myfyrwyr cymwys)—

(a) ar ddechrau paragraff 3(k), mewnosoder “yn ddarostyngedig i baragraff (8),”;

(b) yn lle paragraff (8), rhodder—

“(8) Caiff Gweinidogion Cymru farnu bod person a ddisgrifir ym mharagraff (3)(i) neu (3)(k) yn fyfyrwr cymwys pan fo Gweinidogion Cymru o’r farn nad oedd y person wedi gallu cwblhau’r cwrs yr oedd y benthyciad blaenorol yn ymwneud ag ef o ganlyniad i resymau personol cadarn.”

4. Yn rheoliad 14(3) o’r testun Saesneg, ar ôl “payment of”, hepgorer “the”.

5. Yn Atodlen 1 (Myfyrwyr Cymwys), is-paragraff 9(1)—

(a) yn y testun Saesneg, ar ôl “person”, hepgorer “who”;

(b) yn y testun Saesneg, ar ddechrau paragraff (a), mewnosoder “who”;

(c) ym mharagraff (a), hepgorer “naill ai”;

(d) ar ddechrau paragraff (b), hepgorer “yn” a mewnosoder “sy’n”;

(e) ar ddiwedd paragraff (b), hepgorer “neu”;

(f) ar ddechrau paragraff (c), mewnosoder “sydd”.

Amendments

2. The Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017(1) are amended as follows.

3. In regulation 3 (eligible students) —

(a) at the beginning of paragraph (3)(k), insert “subject to paragraph (8),”;

(b) for paragraph (8), substitute —

“(8) The Welsh Ministers may deem a person described in paragraph (3)(i) or (3)(k) to be an eligible student where the Welsh Ministers are of the view that the person had not been able to complete the course to which the previous loan related due to compelling personal reasons.”

4. In regulation 14(3), after “payment of”, omit “the”.

5. In Schedule 1 (Eligible Students), sub-paragraph 9(1)—

(a) after “person”, omit “who”;

(b) at the beginning of paragraph (a) insert “who”;

(c) in paragraph (a), omit “either”;

(d) at the beginning of paragraph (b) insert “who”;

(e) at the end of paragraph (b) omit “or”;

(f) at the beginning of paragraph (c) insert “who”.

Kirsty Williams

Ysgrifennydd y Cabinet dros Addysg, un o
Weinidogion Cymru
27 Mehefin 2017

Cabinet Secretary for Education, one of the Welsh
Ministers
27 June 2017

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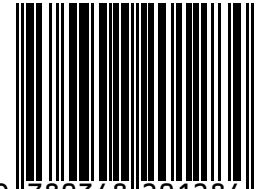
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