OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 708 (Cy. 159)

ADDYSG, CYMRU

Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Diwygiadau Amrywiol) (Cymru) (Rhif 2) 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan Ddeddf Addysgu ac Addysg Uwch 1998 ("Deddf 1998") ac maent yn diwygio—

(a) Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2017 ("Rheoliadau 2017"), a

(b) Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2018 ("Rheoliadau 2018").

Mae Rheoliadau 2017 yn darparu ar gyfer cymorth ariannol i fyfyrwyr cymwys sy'n dilyn cyrsiau addysg uwch dynodedig sy'n dechrau cyn 1 Medi 2018. Mae Rhan 2 o'r Rheoliadau hyn yn diwygio rheoliad 62 o Reoliadau 2017 sy'n ymwneud, ymhlith pethau eraill, ag adennill gan Weinidogion Cymru ordaliadau o fenthyciadau at gostau byw. Nid yw'r ffordd y caiff Gweinidogion Cymru adennill gordaliadau o'r fath yn dibynnu mwyach ar ba un a yw myfyriwr wedi methu â darparu gwybodaeth neu wedi darparu gwybodaeth anghywir. Mae rheoliad 62 hefyd yn galluogi Gweinidogion Cymru i'w gwneud yn ofynnol i fyfyriwr ad-dalu gordaliad yn unol â rheoliadau a wneir o dan adran 22 o Ddeddf 1998.

Mae Rheoliadau 2018 yn darparu ar gyfer cymorth ariannol i fyfyrwyr cymwys sy'n dilyn cyrsiau addysg uwch dynodedig sy'n dechrau ar neu ar ôl 1 Medi 2018. Mae Rhan 3 o'r Rheoliadau hyn yn diwygio Rheoliadau 2018.

2020 No. 708 (W. 159)

EDUCATION, WALES

The Education (Student Support) (Miscellaneous Amendments) (Wales) (No. 2) Regulations 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Teaching and Higher Education Act 1998 ("the 1998 Act") and they amend—

(a) The Education (Student Support) (Wales) Regulations 2017 ("the 2017 Regulations"), and

(b) The Education (Student Support) (Wales) Regulations 2018 ("the 2018 Regulations").

The 2017 Regulations provide for financial support for eligible students taking designated higher education courses which begin before 1 September 2018. Part 2 of these Regulations amends regulation 62 of the 2017 Regulations which concerns, amongst other things, the recovery by the Welsh Ministers of overpayments of loans for living costs. The way in which the Welsh Ministers may recover such overpayments no longer depends on whether a student has failed to provide information or has provided inaccurate information. Regulation 62 also enables the Welsh Ministers to require a student to repay an overpayment in accordance with regulations made under section 22 of the 1998 Act.

The 2018 Regulations provide for financial support for eligible students taking designated higher education courses which begin on or after 1 September 2018. Part 3 of these Regulations amends the 2018 Regulations.

Mae rheoliad 5 yn diwygio rheoliad 19 (terfynu cymhwystra yn gynnar) fel y bydd myfyriwr sy’n ymgymryd â chwrs dysgu o bell y tu allan i’r Deyrnas Unedig am reswm sy’n ymwneud â’r coronafeirws yn parhau i fod yn gymwys i gael cyllid.

Mae rheoliad 6 yn diwygio rheoliad 39 (amodau cymhwyso i gael benthyciad at ffioedd dysgu) i ddileu’r gofyniad i fyfyriwr sy’n ymgymryd â chwrs dysgu o bell fod yng Nghymru ar ddiwrnod cyntaf y cwrs hwnnw, mewn achosion pan fo’r absenoldeb yn ymwneud â’r coronafeirws.

Mae rheoliad 7 yn diwygio rheoliad 44 (amodau cymhwyso i gael y grant sylfaenol a’r grant cynhaliaeth) i ddileu’r gofyniad i fyfyriwr sy’n ymgymryd â chwrs dysgu o bell fod yng Nghymru ar ddiwrnod cyntaf y cwrs hwnnw, mewn achosion pan fo’r absenoldeb yn ymwneud â’r coronafeirws.

Mae rheoliad 8 yn diwygio rheoliad 54 (amodau cymhwyso i gael benthyciad cynhaliaeth) i ddileu’r gofyniad i fyfyriwr sy’n ymgymryd â chwrs dysgu o bell fod yng Nghymru ar ddiwrnod cyntaf y cwrs hwnnw, mewn achosion pan fo’r absenoldeb yn ymwneud â’r coronafeirws.

Mae rheoliad 9 yn diwygio rheoliad 62 (amodau cymhwyso i gael grant myfyriwr anabl) i ddileu’r gofyniad i fyfyriwr sy’n ymgymryd â chwrs dysgu o bell fod yng Nghymru ar ddiwrnod cyntaf y cwrs hwnnw, mewn achosion pan fo’r absenoldeb yn ymwneud â’r coronafeirws.

Mae rheoliad 10 yn rhoi rheoliad 91 newydd (adennill benthyciadau cynhaliaeth sydd wedi cael eu gordalu) yn Rheoliadau 2018 yn lle’r un presennol. Nid yw’r ffordd y caiff Gweinidogion Cymru adennill gordaliadau o’r fath yn dibynnu mwyach ar ba un a yw myfyriwr wedi methu â darparu gwybodaeth neu wedi darparu gwybodaeth anghywir. Mae rheoliad 91 hefyd yn galluogi Gweinidogion Cymru i’w gwneud yn ofynnol i fyfyriwr ad-dalu gordaliad yn unol â rheoliadau a wneir o dan adran 22 o Ddeddf 1998.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â’r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o’r costau a’r manteision sy’n debygol o ddeillio o gydymffurfio â’r Rheoliadau hyn. Gellir cael copi oddi wrth: yr Is-adran Addysg Uwch, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Regulation 5 amends regulation 19 (early termination of eligibility) so that a student undertaking a distance learning course outside the United Kingdom for a reason related to coronavirus will remain eligible for funding.

Regulation 6 amends regulation 39 (qualifying conditions for tuition fee loan) to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of that course, in cases where the absence relates to coronavirus.

Regulation 7 amends regulation 44 (qualifying conditions for base grant and maintenance grant) to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of that course, in cases where the absence relates to coronavirus.

Regulation 8 amends regulation 54 (qualifying conditions for maintenance loan) to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of that course, in cases where the absence relates to coronavirus.

Regulation 9 amends regulation 62 (qualifying conditions for disabled student’s grant) to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of that course, in cases where the absence relates to coronavirus.

Regulation 10 substitutes a new regulation 91 (recovery of overpayments of maintenance loans) into the 2018 Regulations. The way in which the Welsh Ministers may recover such overpayments no longer depends on whether a student has failed to provide information or has provided inaccurate information. Regulation 91 also enables the Welsh Ministers to require a student to repay an overpayment in accordance with regulations made under section 22 of the 1998 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Higher Education Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 708 (Cy. 159)

ADDYSG, CYMRU

Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Diwygiadau Amrywiol) (Cymru) (Rhif 2) 2020

Gwnaed	*8 Gorffennaf 2020*
Gosodwyd gerbron Senedd Cymru	*9 Gorffennaf 2020*
Yn dod i rym	*31 Gorffennaf 2020*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 22(2)(a), (e) ac (g) 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:

(**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; Deddf Addysg 2011 (p. 21), adran 76; O.S. 2013/1881 a Deddf Addysg Uwch ac Ymchwil 2017 (p. 29), adran 88. *Gweler* adran 43(1) o Ddeddf Addysgu ac Addysg Uwch 1998 am y diffiniad o "prescribed" a "regulations".

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 22(2)(a) i (i) a (k) o Ddeddf Addysgu ac Addysg Uwch 1998 i Gynulliad Cenedlaethol Cymru i'r graddau y maent yn ymwneud â gwneud darpariaeth o ran Cymru gan adran 44 o Ddeddf Addysg Uwch 2004 (p. 8), ac mae is-adran (2)(a), (c) a (k) yn arferadwy yn gydredol â'r Ysgrifennydd Gwladol. Trosglwyddwyd swyddogaeth yr Ysgrifennydd Gwladol yn adran 42, i'r graddau y mae'n arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672. Trosglwyddwyd holl swyddogaethau Cynulliad Cenedlaethol Cymru uchod i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

WELSH STATUTORY INSTRUMENTS

2020 No. 708 (W. 159)

EDUCATION, WALES

The Education (Student Support) (Miscellaneous Amendments) (Wales) (No. 2) Regulations 2020

Made	*8 July 2020*
Laid before Senedd Cymru	*9 July 2020*
Coming into force	*31 July 2020*

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

(**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; the Education Act 2011 (c. 21), section 76; S.I. 2013/1881 and the Higher Education and Research Act 2017 (c. 29), section 88. *See* section 43(1) of the Teaching and Higher Education Act 1998 for the definition of "prescribed" and "regulations".

(**2**) The Secretary of State's functions in section 22(2)(a) to (i) and (k) of the Teaching and Higher Education Act 1998 were transferred to the National Assembly for Wales so far as they relate to making provision in relation to Wales by section 44 of the Higher Education Act 2004 (c. 8), with subsection (2)(a), (c) and (k) exercisable concurrently with the Secretary of State. The Secretary of State's function in section 42 was transferred, in so far as exercisable in relation to Wales, to the National Assembly for Wales by S.I. 1999/672. All the above functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

RHAN 1

ENWI, CYCHWYN A CHYMHWYSO

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Diwygiadau Amrywiol) (Cymru) (Rhif 2) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 31 Gorffennaf 2020 ac maent yn gymwys i ddarparu cymorth i fyfyrwyr mewn perthynas â blwyddyn academaidd sy'n dechrau ar neu ar ôl 1 Awst 2020.

PART 1

TITLE, COMMENCEMENT AND APPLICATION

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Student Support) (Miscellaneous Amendments) (Wales) (No. 2) Regulations 2020.

(2) These Regulations come into force on 31 July 2020 and apply to the provision of support to students in relation to an academic year which begins on or after 1 August 2020.

RHAN 2

DIWYGIADAU I REOLIADAU ADDYSG (CYMORTH I FYFYRWYR) (CYMRU) 2017

Diwygiadau i Reoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2017

2. Mae Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2017([1]) wedi eu diwygio yn unol â rheoliad 3.

Diwygiadau i reoliad 62

3. Yn rheoliad 62—

(a) yn lle paragraff (10) rhodder—

"(10) Caiff Gweinidogion Cymru adennill unrhyw ordaliad o fenthyciad at gostau byw mewn perthynas ag unrhyw flwyddyn academaidd—

(a) drwy dynnu i ffwrdd y gordaliad o swm unrhyw fenthyciad sy'n daladwy i'r myfyriwr o bryd i'w gilydd o dan y Rheoliadau hyn neu unrhyw reoliadau eraill a wnaed gan Weinidogion Cymru o dan adran 22 o Ddeddf 1998;

(b) drwy ei gwneud yn ofynnol i'r myfyriwr ad-dalu'r gordaliad yn unol â rheoliadau a wnaed o dan adran 22 o Ddeddf 1998;

PART 2

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2017

Amendments to the Education (Student Support) (Wales) Regulations 2017

2. The Education (Student Support) (Wales) Regulations 2017([1]) are amended in accordance with regulation 3.

Amendments to regulation 62

3. In regulation 62—

(a) for paragraph (10) substitute—

"(10) Any overpayment of a loan for living costs in respect of any academic year may be recovered by the Welsh Ministers—

(a) by subtracting the overpayment from the amount of any loan payable to the student from time to time under these Regulations or any other regulations made by the Welsh Ministers under section 22 of the 1998 Act;

(b) by requiring the student to repay the overpayment in accordance with regulations made under section 22 of the 1998 Act;

(1) O.S. 2017/47 (Cy. 21), a ddiwygiwyd gan O.S. 2018/191 (Cy. 42); O.S. 2018/814 (Cy. 165); O.S. 2019/235 (Cy. 54); O.S. 2019/424 (Cy. 98) (o ddiwrnod cwblhau'r cyfnod gweithredu ymlaen, fel y diffinnir "IP completion day" gan Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1), adran 39(1) i (5)); O.S. 2019/1192 (Cy. 209); O.S. 2020/142 (Cy. 25) ac O.S. 2020/153 (Cy. 27).

(1) S.I. 2017/47 (W. 21), amended by S.I. 2018/191 (W. 42); S.I. 2018/814 (W. 165); S.I. 2019/235 (W. 54); S.I. 2019/424 (W. 98) (as from IP completion day, as defined by the European Union (Withdrawal Agreement) Act 2020 (c. 1), section 39(1) to (5)); S.I. 2019/1192 (W. 209); S.I. 2020/142 (W. 25) and S.I. 2020/153 (W. 27).

(c) drwy unrhyw ddull arall sydd ar gael iddynt.”,

(b) hepgorer paragraff (11), ac

(c) hepgorer paragraff (12).

RHAN 3

DIWYGIADAU I REOLIADAU ADDYSG (CYMORTH I FYFYRWYR) (CYMRU) 2018

Diwygiadau i Reoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2018

4. Mae Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Cymru) 2018(**1**) wedi eu diwygio yn unol â rheoliadau 5 i 11.

Diwygiad i reoliad 19

5. Yn rheoliad 19, yn lle paragraff (3) rhodder—

“(3) Ond nid yw paragraff (2) yn gymwys os yw P yn ymgymryd â chwrs dysgu o bell y tu allan i’r Deyrnas Unedig oherwydd—

(a) bod P neu berthynas agos i P yn gwasanaethu fel aelod o’r lluoedd arfog, neu

(b) nad yw P yn gallu bod yn y Deyrnas Unedig am reswm sy’n ymwneud â’r coronafeirws.”

Diwygiad i reoliad 39

6. Yn rheoliad 39, yn lle *Eithriad 4* rhodder—

“*Eithriad 4*

Mae’r cwrs presennol yn gwrs dysgu o bell ac nid yw’r myfyriwr (“M”) yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

Ond nid yw’r eithriad hwn yn gymwys pan—

(a) na fo M yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs oherwydd bod M, neu berthynas agos i M, yn gwasanaethu fel aelod o’r lluoedd arfog y tu allan i Gymru, neu

(**1**) O.S. 2018/191 (Cy. 42), a ddiwygiwyd gan O.S. 2018/813 (Cy. 164); O.S. 2018/814 (Cy. 165); O.S. 2019/235 (Cy. 54); O.S. 2019/424 (Cy. 98) (o ddiwrnod cwblhau’r cyfnod gweithredu ymlaen, fel y diffinnir “IP completion day” gan Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1), adran 39(1) i (5)); O.S. 2019/1192 (Cy. 209); O.S. 2020/142 (Cy. 25) ac O.S. 2020/153 (Cy. 27).

(c) by any other method available to them.”,

(b) omit paragraph (11), and

(c) omit paragraph (12).

PART 3

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2018

Amendments to the Education (Student Support) (Wales) Regulations 2018

4. The Education (Student Support) (Wales) Regulations 2018(**1**) are amended in accordance with regulations 5 to 11.

Amendment to regulation 19

5. In regulation 19, for paragraph (3) substitute—

“(3) But paragraph (2) does not apply if P is undertaking a distance learning course outside the United Kingdom because—

(a) P or a close relative of P is serving as a member of the armed forces, or

(b) P is unable to be in the United Kingdom for a reason related to coronavirus.”

Amendment to regulation 39

6. In regulation 39, for *Exception 4* substitute—

“*Exception 4*

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

(a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or

(**1**) S.I. 2018/191 (W. 42), amended by S.I. 2018/813 (W. 164); S.I. 2018/814 (W. 165); S.I. 2019/235 (W. 54); S.I. 2019/424 (W. 98) (as from IP completion day, as defined by the European Union (Withdrawal Agreement) Act 2020 (c. 1), section 39(1) to (5)); S.I. 2019/1192 (W. 209); S.I. 2020/142 (W. 25) and S.I. 2020/153 (W. 27).

(b) na fo M yn gallu bod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs am reswm sy'n ymwneud â'r coronafeirws."

Diwygiad i reoliad 44

7. Yn rheoliad 44, yn lle *Eithriad 5* rhodder—

"*Eithriad 5*

Mae'r cwrs presennol yn gwrs dysgu o bell ac nid yw'r myfyriwr ("M") yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

Ond nid yw'r eithriad hwn yn gymwys pan—

(a) na fo M yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs oherwydd bod M, neu berthynas agos i M, yn gwasanaethu fel aelod o'r lluoedd arfog y tu allan i Gymru, neu

(b) na fo M yn gallu bod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs am reswm sy'n ymwneud â'r coronafeirws."

Diwygiad i reoliad 54

8. Yn rheoliad 54, yn lle *Eithriad 4* rhodder—

"*Eithriad 4*

Mae'r cwrs presennol yn gwrs dysgu o bell ac nid yw'r myfyriwr ("M") yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

Ond nid yw'r eithriad hwn yn gymwys pan—

(a) na fo M yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs oherwydd bod M, neu berthynas agos i M, yn gwasanaethu fel aelod o'r lluoedd arfog y tu allan i Gymru, neu

(b) na fo M yn gallu bod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs am reswm sy'n ymwneud â'r coronafeirws."

Diwygiad i reoliad 62

9. Yn rheoliad 62, yn lle *Eithriad 5* rhodder—

"*Eithriad 5*

Mae'r cwrs presennol yn gwrs dysgu o bell ac nid yw'r myfyriwr ("M") yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

(b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus."

Amendment to regulation 44

7. In regulation 44, for *Exception 5* substitute—

"*Exception 5*

The present course is a distance learning course and the student ("S") is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

(a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or

(b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus."

Amendment to regulation 54

8. In regulation 54, for *Exception 4* substitute—

"*Exception 4*

The present course is a distance learning course and the student ("S") is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

(a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or

(b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus."

Amendment to regulation 62

9. In regulation 62, for *Exception 5* substitute—

"*Exception 5*

The present course is a distance learning course and the student ("S") is not in Wales on the first day of the first academic year of the course.

Ond nid yw'r eithriad hwn yn gymwys pan—

(a) na fo M yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs oherwydd bod M, neu berthynas agos i M, yn gwasanaethu fel aelod o'r lluoedd arfog y tu allan i Gymru, neu

(b) na fo M yn gallu bod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs am reswm sy'n ymwneud â'r coronafeirws."

But this exception does not apply where—

(a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or

(b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus."

Amnewid rheoliad 91

10. Yn lle rheoliad 91 rhodder—

"**91.** Pan fo benthyciad cynhaliaeth wedi cael ei ordalu caiff Gweinidogion Cymru adennill y gordaliad—

(a) drwy ddidynnu'r gordaliad o unrhyw fenthyciad cynhaliaeth sy'n daladwy i'r myfyriwr cymwys o bryd i'w gilydd o dan y Rheoliadau hyn neu unrhyw reoliadau eraill a wneir gan Weinidogion Cymru o dan adran 22 o Ddeddf 1998;

(b) drwy ei gwneud yn ofynnol i'r myfyriwr cymwys ad-dalu'r gordaliad yn unol â rheoliadau a wneir o dan adran 22 o Ddeddf 1998;

(c) drwy unrhyw ddull arall sydd ar gael iddynt."

Substitution of regulation 91

10. For regulation 91 substitute—

"**91.** Where a maintenance loan has been overpaid the Welsh Ministers may recover the overpayment—

(a) by subtracting it from any maintenance loan payable to the eligible student from time to time under these Regulations or any other regulations made by the Welsh Ministers under section 22 of the 1998 Act;

(b) by requiring the eligible student to repay the overpayment in accordance with regulations made under section 22 of the 1998 Act;

(c) by any other method available to them. "

Diwygiad i Atodlen 1

11. Yn Atodlen 1, ym mharagraff 6(1), yn y lle priodol mewnosoder—

"ystyr "coronafeirws" ("*coronavirus*") yw coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2);".

Amendment to Schedule 1

11. In Schedule 1, in paragraph 6(1), at the appropriate place insert—

""coronavirus" ("*coronafeirws*") means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);".

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
8 Gorffennaf 2020

Minister for Education, one of the Welsh Ministers
8 July 2020

©ⓗHawlfraint y Goron 2020

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-348-20582-4

£6.90

W202007081001 07/2020

http://www.legislation.gov.uk/id/wsi/2020/708