



Cynulliad Cenedlaethol Cymru

National Assembly for Wales

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2000 Rhif 2560 (Cy. 169)

2000 No. 2560 (W. 169)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Cymhellion Hyfforddi
Athrawon (Cymru)
2000**

**The Teacher Training Incentive
(Wales) Regulations
2000**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Yr oedd Rheoliadau Addysg (Cymhelliant Hyfforddi Athrawon Mathemateg a Gwyddoniaeth) (Cymru) 1999 yn darparu ar gyfer talu grantiau yn gymhellion i annog mwy o bobl i ddilyn cyrsiau ôl-raddedig o hyfforddiant athrawon yn y coleg i addysgu mathemateg neu wyddoniaeth ar lefel uwchradd. Mae Rheoliadau 1999 yn cael eu diddymu gan y Rheoliadau hyn, ac eithrio yn achos y rhai sydd eisoes wedi cael taliad grant o dan Rheoliadau 1999 cyn 22 Medi 2000.

The Education (Mathematics and Science Teacher Training Incentive) (Wales) Regulations 1999 provided for the payment of grants by way of incentives to encourage more people to undergo college-based post-graduate teacher training courses to teach mathematics or science at secondary level. The 1999 Regulations are revoked by the present Regulations save in the case of those who have already received a payment of grant under the 1999 Regulations before 22nd September 2000.

O dan y Rheoliadau newydd hyn, gall grantiau cymhelliant gael eu talu mewn perthynas â chyrsiau o'r fath ar gyfer addysgu pob pwnc. Os caiff person unrhyw randaliadau grant mewn perthynas â chwrs mewn sefydliad yn Lloegr y mae grantiau cymhelliant yn daladwy ar ei gyfer o dan drefniadau cyfochrog, mae'r Rheoliadau yn galluogi'r Cynulliad Cenedlaethol i dalu unrhyw randaliadau eraill y byddai gan y person hwnnw hawl i'w cael yn rhinwedd y Rheoliadau hyn pe bai wedi cwblhau cwrs yng Nghymru y telid grant mewn perthynas ag ef o dan y Rheoliadau hyn.

Under these new Regulations incentive grants may be paid in respect of such courses to teach all subjects. Where a person receives any instalments of grant in respect of a course at an institution in England for which incentive grants are payable under parallel arrangements, the Regulations enable the National Assembly to pay any remaining instalments to which that person would have been entitled by virtue of these Regulations had he or she completed a course in Wales in respect of which grant was paid under these Regulations.

Mae yn y Rheoliadau ddarpariaeth gwbl newydd sy'n fodd i grantiau gael eu talu i annog ysgolion i gyflogi athrawon graddedig a'u hyfforddi.

The Regulations include an entirely new provision enabling grants to be paid to encourage schools to take on and train graduate teachers.

Mae yna esboniad manylach ar y Rheoliadau isod.

The Regulations are explained in more detail below.

Mae Rheoliadau 1999 yn cael eu diddymu, ond bydd unrhyw berson sydd wedi cael taliad o dan y Rheoliadau hynny yn dal yn cael ei gynnwys o dan y

The 1999 Regulations are revoked but any person who has received a payment under those Regulations will continue to be covered by those Regulations (regulation 1).

Rheoliadau hynny (rheoliad 1).

Mae rheoliad 2 yn cynnwys diffiniadau o dermau sy'n cael eu defnyddio yn y Rheoliadau.

Gall grantiau gael eu talu yn gymhellion mewn perthynas â phersonau sy'n gymwys i gael cymorth i fyfyrwyr er mwyn iddynt ymgymryd â hyfforddiant ôl-raddedig i athrawon mewn coleg i addysgu unrhyw bwn (rheoliad 3).

Yn rheoliad 4 nodir nifer o achosion lle na all grant gael ei dalu o dan reoliad 3.

Mae rheoliad 5 yn caniatáu i'r Cynulliad Cenedlaethol dalu grant o dan reoliad 3 ar yr amod ei bod yn ofynnol ei ad-dalu o dan amgylchiadau penodedig.

Mae rheoliad 6 yn darparu mai'r Cynulliad Cenedlaethol sy'n penderfynu ar swm y grant, a all gael ei dalu mewn un swm neu mewn rhandaliadau (y gall rhai ohonynt gael eu gohirio tan ar ôl i'r person ymgymhwyso yn athro neu'n athrawes ac ymgymryd â swydd addysgu).

Gall taliadau cymhelliant gael eu talu i gyrff llywodraethu ysgolion a gynhelir i'w hannog i gyflogi athrawon graddedig a'u hyfforddi o dan y cynllun a elwir y "Rhaglen Athrawon Graddedig" (rheoliad 7).

Regulation 2 contains definitions of terms used in the Regulations.

Grants may be paid by way of incentives for persons eligible for student support to undertake college-based post-graduate teacher training to teach any subject (regulation 3).

Regulation 4 sets out a number of cases where grant may not be paid under regulation 3.

Regulation 5 allows the National Assembly to make payment of grant under regulation 3 subject to a requirement that it shall be repaid in specified circumstances.

Regulation 6 provides for the National Assembly to determine the amount of grant, which may be paid in a lump sum or in instalments (some of which may be deferred until after the person qualifies as a teacher and has taken up a teaching post).

Incentive payments may be paid to the governing bodies of maintained schools to encourage them to take on and train graduate teachers under the scheme known as "the Graduate Teachers' Programme" (regulation 7).

2000 Rhif 2560 (Cy. 169)

ADDYSG, CYMRU

**Rheoliadau Cymhellion Hyfforddi
Athrawon (Cymru) 2000**

Wedi'u gwneud 21 Medi 2000
Yn dod i rym 22 Medi 2000

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 50 a 63(3) o Ddeddf Addysg (Rhif 2) 1986(a), ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru(b), drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, diddymu ac eithrio

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymhellion Hyfforddi Athrawon (Cymru) 2000 a deuant i rym ar 22 Medi 2000.

(2) Yn ddarostyngedig i baragraff (3), mae Rheoliadau Addysg (Cymhelliant Hyfforddi Athrawon Mathemateg a Gwyddoniaeth) (Cymru) 1999(c) wedi'u diddymu.

(3) Er hynny, bydd y Rheoliadau hynny yn dal yn gymwys mewn perthynas ag unrhyw berson y dyfarnwyd grant iddo o danynt os cafodd unrhyw daliad grant ei dalu gan y Cynulliad Cenedlaethol (neu gan yr Ysgrifennydd Gwladol o dan drefniadau cyfatebol a oedd yn gymwys yn Lloegr) cyn 22 Medi 2000 a bod y person yn parhau i ddilyn y cwrs y dyfarnwyd y grant mewn perthynas ag ef, neu wedi'i gwblhau.

Dehongli

2. Yn y Rheoliadau hyn –

ystyr “athro neu athrawes gymwysedig” (“*qualified teacher*”) yw person sydd –

(a) yn athro neu athrawes gymwysedig yn unol â darpariaeth a wnaed gan neu o dan reoliadau a wnaed ar gyfer naill ai Cymru neu Loegr o dan

(a) 1986 p.61. Diwygiwyd adran 63(3) gan baragraff 107(a) o Atodlen 19 i Ddeddf Addysg 1993 (p.35).

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1999/2816 (Cy.17).

2000 No. 2560 (W. 169)

EDUCATION, WALES

**The Teacher Training Incentive
(Wales) Regulations 2000**

Made 21st September 2000
Coming into force 22nd September 2000

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 50 and 63(3) of the Education (No. 2) Act 1986(a), and now vested in the National Assembly for Wales(b), hereby makes the following Regulations:

Citation, commencement, revocation and savings

1.-(1) These Regulations may be cited as the Teacher Training Incentive (Wales) Regulations 2000 and shall come into force on 22nd September 2000.

(2) Subject to paragraph (3), the Education (Mathematics and Science Teacher Training Incentive) (Wales) Regulations 1999(c) are revoked.

(3) Those Regulations shall, however, continue to apply in relation to any person who has been awarded a grant under them if any payment of grant was made by the National Assembly (or the Secretary of State under corresponding arrangements applying in England) before 22nd September 2000 and the person is continuing to undergo, or has completed, the course in respect of which the grant was awarded.

Interpretation

2. In these Regulations –

“accredited institution” (“*sefydliad achrededig*”) means an institution accredited by the Higher Education Funding Council for Wales as a provider of courses satisfying such provisions as to curricula and other criteria as may be from time to time specified by

(a) 1986 c.61. Section 63(3) is amended by paragraph 107(a) of Schedule 19 to the Education Act 1993 (c. 35).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 1999/2816 (W.17).

adran 218 o Ddeddf Diwygio Addysg 1988(a);
neu

(b) yn ôl penderfyniad y Cynulliad Cenedlaethol neu benderfyniad yr Ysgrifennydd Gwladol yn athro neu athrawes gymwysedig yn unol ag unrhyw ddarpariaeth a wnaed felly;

ystyr “cwrs ôl-raddedig o hyfforddiant athrawon” (“*post-graduate teacher training course*”) yw cwrs ôl-raddedig o hyfforddiant cychwynnol i athrawon sydd –

- (a) yn cael ei ddarparu mewn sefydliad achrededig yng Nghymru; a
- (b) yn golygu bod person sy'n ei gwblhau yn llwyddiannus yn dod yn athro neu athrawes gymwysedig;

ystyr “y Cynulliad Cenedlaethol” (“*the National Assembly*”) yw Cynulliad Cenedlaethol Cymru;

ystyr “sefydliad achrededig” (“*accredited institution*”) yw sefydliad sydd wedi'i achredu gan Gyngor Cyllido Addysg Uwch Cymru yn ddarparwydd cyrsiau sy'n bodloni unrhyw ddarpariaethau ynghylch cwricwla ac unrhyw feini prawf eraill a bennir o dro i dro gan y Cynulliad Cenedlaethol(b);

ystyr “ysgol a gynhelir” (“*maintained school*”) yw ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol, neu ysgol arbennig gymunedol neu sefydledig (o fewn ystyr Deddf Safonau a Fframwaith Ysgolion 1998)(c).

Cymhellion i bersonau ddilyn hyfforddiant athrawon

3.-(1) Caiff y Cynulliad Cenedlaethol dalu grantiau o dan y rheoliad hwn yn gymhellion i bersonau cymwys ddilyn cwrs ôl-raddedig o hyfforddiant athrawon.

(2) Mae'r pŵer a roddwyd i'r Cynulliad Cenedlaethol gan baragraff (1) uchod yn cynnwys pŵer i dalu grant i berson cymwys os yw'r person hwnnw –

- (a) wedi cwblhau cwrs ôl-raddedig o hyfforddiant cychwynnol athrawon yn llwyddiannus mewn sefydliad yn Lloegr;
- (b) wedi cael swm llawn unrhyw randaliadau grant a oedd yn daladwy mewn perthynas â'r cyfnod pryd yr oedd yn dilyn y cwrs o dan unrhyw drefniadau a oedd yn berthnasol yn Lloegr y mae'r Cynulliad Cenedlaethol wedi'i fodloni eu bod yn cyfateb i'r trefniadau a

(a) 1988 p.40. Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999 (O.S. 1999/2817 (Cy.18)) a Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Lloegr) 1999 (O.S. 1999/2166) yw'r Rheoliadau cyfredol.

(d) Gellir cael rhestr o'r sefydliadau dynodedig cyfredol oddi wrth Gyngor Cyllido Addysg Uwch Cymru, Linden Court, The Orchards, Ty Glas Avenue, Llanisien, Caerdydd, CF4 5DZ.

(c) 1998 p.31.

the National Assembly(a);`

“maintained school” (“*ysgol a gynhelir*”) means a community, foundation or voluntary school or a community or foundation special school (within the meaning of the School Standards and Framework Act 1998 (b));

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“post-graduate teacher training course” (“*cwrs ôl-raddedig o hyfforddiant athrawon*”) means a post-graduate course of initial training for teachers which –

- (a) is provided at an accredited institution in Wales; and
- (b) leads to a person who completes it successfully becoming a qualified teacher;

“qualified teacher” (“*athro neu athrawes gymwysedig*”) means a person who –

- (a) is a qualified teacher in accordance with provision made by or under regulations made for either Wales or England under section 218 of the Education Reform Act 1988(c); or
- (b) is determined to be a qualified teacher by the National Assembly or the Secretary of State in accordance with any provision so made.

Incentives for persons to undergo teacher training

3.-(1) The National Assembly may pay grants under this regulation by way of incentives for eligible persons to undergo a post-graduate teacher training course.

(2) The power conferred on the National Assembly by paragraph (1) above includes power to pay grant to an eligible person if that person has –

- (a) successfully completed a post-graduate course of initial training for teachers at an institution in England;
- (b) received the full amount of any instalments of grant payable in respect of the period when he or she was undergoing the course under any arrangements applying in England which the National Assembly is satisfied correspond to

(a) A list of currently designated institutions may be obtained from the Higher Education Funding Council for Wales at Linden Court, The Orchards, Ty Glas Avenue, Llanishen, Cardiff, CF4 5DZ.

(b) 1998 c.31.

(c) 1988 c.40. The current Regulations are the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 (S.I. 1999/2817 (W.18)) and the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166).

wnaed yn unol â'r Rheoliadau hyn; ac

- (c) wedi ymgymryd â swydd addysgu mewn ysgol a gynhelir yng Nghymru.

(3) Ym mharagraffau (1) a (2), ystyr "cymwys" yw cymwys i gael cymorth i fyfyrwyr o dan reoliadau a wnaed o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998(a).

Amodau

4.-(1) Ni thelir unrhyw daliad o dan reoliad 3 i berson –

- (a) sydd eisoes wedi cwblhau cwrs o hyfforddiant cychwynnol i athrawon cyn 1 Medi 2000 neu sy'n dilyn cwrs o'r fath a ddechreuodd cyn 1 Medi 2000;
- (b) a gyflogir i addysgu mewn unrhyw ysgol neu sefydliad addysgol arall (ac nad yw'n athro neu athrawes gymwysedig); neu
- (c) y mae'r Rheoliadau y cyfeirir atynt ym mharagraff (2) o reoliad 1 yn dal yn gymwys mewn perthynas â'r person yn rhinwedd paragraff (3) o'r Rheoliad hwnnw.

(2) Ni thelir unrhyw grant o dan reoliad 3 i berson oni bai ei fod wedi gwneud cais i'r Cynulliad Cenedlaethol yn y fath ffurf, ac ar y pryd a chan gynnwys unrhyw fanylion y gall y Cynulliad Cenedlaethol benderfynu arnynt.

(3) Ni chymerir bod dim yn y rheoliad hwn yn cyfyngu pŵer y Cynulliad Cenedlaethol i fabwysiadu meini prawf ar gyfer cymhwyster i gael grantiau o dan reoliad 3.

Amodau Pellach

5.-(1) Caiff y Cynulliad Cenedlaethol osod gofynion y bydd grant a delir yn unol â rheoliad 3 yn ad-daladwy o danynt.

(2) Dim ond o dan yr amgylchiadau canlynol y gellir gosod gofyniad o dan baragraff (1) –

- (a) os yw'n ofyniad sydd â'r nod o sicrhau bod diben rhoi'r grant yn cael ei gyflawni;
- (b) os yw'n darparu ar gyfer ad-dalu'r grant os yw'r derbynnydd, ar ôl cael unrhyw randaliad grant, yn methu â bodloni unrhyw un o'r meini prawf cymhwyster a fabwysiadwyd gan y Cynulliad Cenedlaethol mewn perthynas â rhandaliad dilynol; neu
- (c) os yw'n darparu ar gyfer ad-dalu grant os yw'r derbynnydd wedi rhoi gwybodaeth sy'n ffug neu yn sylweddol gamarweiniol yn ei gais am grant neu mewn perthynas ag ef.

those made in pursuance of these Regulations; and

- (c) taken up a teaching post at a maintained school in Wales.

(3) In paragraphs (1) and (2) "eligible" means eligible for student support under regulations made under section 22 of the Teaching and Higher Education Act 1998(a).

Conditions

4.-(1) No payment shall be made under regulation 3 to a person –

- (a) who has already completed a course of initial training for teachers before 1st September 2000 or who is undertaking such a course which commenced before 1st September 2000;
- (b) who is employed to teach at any school or other educational institution (and who is not a qualified teacher); or
- (c) in relation to whom the Regulations referred to in paragraph (2) of regulation 1 continue to apply by virtue of paragraph (3) of that Regulation.

(2) No grant shall be paid under regulation 3 to a person unless he or she has made an application to the National Assembly in such form, at such time and containing such particulars as the National Assembly may determine.

(3) Nothing in this regulation shall be taken as limiting the power of the National Assembly to adopt criteria for eligibility for grants under regulation 3.

Further Conditions

5.-(1) The National Assembly may impose requirements under which grant paid in pursuance of regulation 3 shall be repayable.

(2) A requirement may be imposed under paragraph (1) only if –

- (a) it is a requirement which has as its objective ensuring that the purpose of making the grant is fulfilled;
- (b) it provides for repayment of grant where, after receiving any instalment of grant, the recipient fails to meet any eligibility criteria adopted by the National Assembly in relation to a subsequent instalment; or
- (c) it provides for repayment of grant where the recipient has provided in, or in connection with, his or her application for grant information which is false or materially misleading.

(a) 1998 p.30; Rheoliadau Addysg (Cymorth i Fyfirwyr) 2000 (O.S. 2000/1121) yw'r Rheoliadau cyfredol.

(a) 1998 c.30; the current Regulations are the Education (Student Support) Regulations 2000 (S.I. 2000/1121).

Swm y grant a thaliadau grant

6.-(1) Rhaid i grantiau o dan reoliad 3 beidio â bod yn fwy nag unrhyw symiau y penderfynir arnynt gan y Cynulliad Cenedlaethol.

(2) Gellir penderfynu ar wahanol symiau o dan baragraff (1) ar gyfer gwahanol achosion ac amgylchiadau.

(3) Yn achos grant sy'n daladwy i berson yn rhinwedd rheoliad 3(2), rhaid i'r cyfanswm sy'n daladwy gan y Cynulliad Cenedlaethol beidio â bod yn fwy na'r gwahaniaeth rhwng swm y grant y mae wedi'i gael oddi wrth yr Ysgrifennydd Gwladol o dan y trefniadau cyfatebol sy'n gymwys yn Lloegr a'r swm y penderfynir arno gan y Cynulliad Cenedlaethol o dan baragraff (1) uchod fel yr uchafswm sy'n daladwy i berson sydd –

- (a) yn cwblhau yn llwyddiannus, mewn sefydliad achrededig, gwrs o'r un disgrifiad â'r cwrs yn y sefydliad yn Lloegr;
- (b) yn bodloni'r holl amodau perthnasol a geir yn y Rheoliadau hyn; ac
- (c) yn bodloni unrhyw feini prawf perthnasol ar gyfer cymhwyster i gael grantiau o dan reoliad 3 a fabwysiadwyd gan y Cynulliad Cenedlaethol.

(4) Gall grantiau o dan reoliad 3 gael eu talu mewn un swm neu mewn unrhyw randaliadau ac ar unrhyw adegau y penderfynir arnynt gan y Cynulliad Cenedlaethol, a chaiff y Cynulliad Cenedlaethol benderfynu yn benodol fod rhandaliadau yn daladwy ar ddyddiadau ar ôl i'r person ymgymryd â swydd addysgu fel athro neu athrawes gymwysedig.

(5) Yn achos unrhyw grant sy'n daladwy tra bydd person yn dilyn cwrs ôl-raddedig o hyfforddiant athrawon, caiff y Cynulliad Cenedlaethol roi arian i sefydliad achrededig i'w dalu i'r person hwnnw ar unrhyw adegau a gyfarwyddir gan y Cynulliad Cenedlaethol.

Talu cymhellion i gyrrff llywodraethu ysgolion am gyflogi athrawon graddedig

7.-(1) Yn unol â'r paragraffau canlynol yn y rheoliad hwn, caiff y Cynulliad Cenedlaethol dalu grantiau o dan y paragraff hwn yn gymhellion i annog cyrrff llywodraethu ysgolion a gynhelir i gyflogi personau sy'n ceisio dod yn athrawon cymwysedig drwy gwblhau'r cyfnod angenrheidiol o wasanaeth fel athro neu athrawes raddedig yn unol â pharagraff 7 o Atodlen 3 i Reoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999, ac i sicrhau hyfforddiant ar eu cyfer.

Amount and payment of grant

6.-(1) Grants under regulation 3 shall not exceed such amounts as the National Assembly may determine.

(2) Different amounts may be determined under paragraph (1) for different cases and circumstances.

(3) In the case of grant payable to a person by virtue of regulation 3(2), the total amount payable by the National Assembly shall not exceed the difference between the amount of grant he or she received from the Secretary of State under corresponding arrangements applying in England and the amount determined by the National Assembly under paragraph (1) above as the maximum amount of grant payable to a person who –

- (a) successfully completes, at an accredited institution, a course of the same description as the course at the institution in England;
- (b) meets all relevant conditions contained in these Regulations; and
- (c) meets any relevant criteria for eligibility for grants under regulation 3 adopted by the National Assembly.

(4) Grants under regulation 3 may be paid in a lump sum or in such instalments and at such times as the National Assembly determines, and the National Assembly may in particular determine that instalments shall be payable on dates which are after the person has taken up a teaching post as a qualified teacher.

(5) In the case of any grant payable while a person is undergoing a post-graduate teacher training course, the National Assembly may provide funds to an accredited institution for payment to that person at such times as it may direct.

Payment of incentives to school governing bodies for taking on graduate teachers

7.-(1) The National Assembly may, in accordance with the following paragraphs of this regulation, pay grants under this paragraph by way of incentives to encourage governing bodies of maintained schools to employ, and secure the provision of training for, persons seeking to become qualified teachers by completing, in accordance with paragraph 7 of Schedule 3 to the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999, the requisite period of service as a graduate teacher.

(2) Bydd grantiau o dan baragraff (1) yn daladwy mewn un swm neu mewn unrhyw randaliadau, ac ar unrhyw adegau, a wêl y Cynulliad Cenedlaethol yn dda.

(3) Mae rheoliad 5 yn gymwys mewn perthynas â grantiau o dan baragraff (1) fel y mae'n gymwys mewn perthynas â grantiau o dan reoliad 3.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

21 Medi 2000

Prif Ysgrifennydd
Cynulliad Cenedlaethol Cymru

(2) Grants under paragraph (1) shall be payable in a lump sum or in such instalments, and at such times, as the National Assembly thinks fit.

(3) Regulation 5 applies in relation to grants under paragraph (1) as it applies in relation to grants under regulation 3.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

21st September 2000

Rhodri Morgan

First Secretary
National Assembly For Wales

Cynulliad Cenedlaethol Cymru

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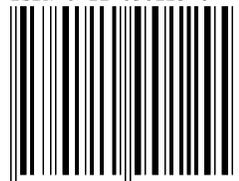
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