CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2005 Rhif 1722 (Cy.134)

ADDYSG, CYMRU

Rheoliadau Cyfrifon Dysgu Unigol Cymru (Diwygio) 2005

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cyfrifon Dysgu Unigol Cymru 2003 ("Rheoliadau 2003") yn y ddwy ffordd ganlynol.

Mewnosodir y term "partner sifil" yn Rheoliadau 2003. O ganlyniad i hynny, mae partner sifil yn gyfartal â phriod, plentyn neu lysblentyn o ran cymhwyster o dan reoliad 4 o Reoliadau 2003. Diffinnir "civil partner" yn adran 1(1) o Ddeddf Partneriaethau Sifil 2004.

Diwygir rheoliad 4(5) o Reoliadau 2003 i wneud personau sy'n cael budd-daliadau neu lwfansau penodedig, neu'u dibynyddion, yn gymwys i gael Cyfrif Dysgu Unigol Cymru, ni waeth pa lefel o addysg y maent wedi'i chyrraedd. Mewnosodir Atodlen yn Rheoliadau 2003 sy'n pennu pa fudd-daliadau a lwfansau sy'n gymwys.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2005 No. 1722 (W.134)

EDUCATION, WALES

The Individual Learning Accounts Wales (Amendment) Regulations 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Individual Learning Accounts Wales Regulations 2003 ("the 2003 Regulations") in the following two ways.

The term "civil partner" is inserted into the 2003 Regulations. A civil partner as a consequence is placed on an equal footing with a spouse, child or stepchild with regards eligibility under regulation 4 of the 2003 Regulations. "civil partner" is defined in section 1(1) of the Civil Partnership Act 2004.

Regulation 4(5) of the 2003 Regulations is amended to make persons who are in receipt of specified benefits or allowances, or their dependants, eligible for Individual Learning Account Wales, regardless of their level of educational attainment. A Schedule is inserted into the 2003 Regulations specifying the eligible benefits and allowances.

OFFERYNNAU STATUDOL

2005 Rhif 1722 (Cy.134)

ADDYSG, CYMRU

Rheoliadau Cyfrifon Dysgu Unigol Cymru (Diwygio) 2005

Wedi'u gwneud *28 Mehefin 2005*

Yn dod i rym *15 Gorffennaf 2005*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddo gan adrannau 105, 108, 150 a 152 o Ddeddf Dysgu a Medrau 2000(**1**):

Enwi, cychwyn, cymhwyso a dehongli

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyfrifon Dysgu Unigol Cymru (Diwygio) 2005 a deuant i rym ar 15 Gorffennaf 2005.

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

(3) Yn y Rheoliadau hyn ystyr "Rheoliadau 2003" ("*2003 Regulations*") yw Rheoliadau Cyfrifon Dysgu Unigol Cymru 2003(**2**).

Diwygio Rheoliadau Cyfrifon Dysgu Unigol Cymru 2003

2. Yn rheoliad 1(2) o Reoliadau 2003 rhodder y diffiniad a ganlyn lle bynnag y bo'n briodol -

"mae i "partner sifil" yr ystyr a roddir i "*civil partner*" yn adran 1(1) o Ddeddf Partneriaethau Sifil 2004(**3**)".

3. Mewnosodir y geiriau "yn bartner sifil," ar ôl y geiriau "yn briod," yn rheoliad 4(3)(c), (ch) a (d) o Reoliadau 2003.

4. Rhodder y testun a ganlyn yn lle rheoliad 4(5) o Reoliadau 2003 -

"(5) Y pedwerydd amod yw bod y person heb gyrraedd safon cymhwyster addysgol sy'n uwch na Lefel 2 neu ei chyfwerth fel a nodwyd yn y

(**1**) 2000 p.21.

(**2**) O.S. 2003/918 (Cy.119).

(**3**) 2004 p.33.

STATUTORY INSTRUMENTS

2005 No. 1722 (W.134)

EDUCATION, WALES

The Individual Learning Accounts Wales (Amendment) Regulations 2005

Made *28 June 2005*

Coming into force *15 July 2005*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by sections 105, 108, 150 and 152 of the Learning and Skills Act 2000(**1**):

Title, commencement, application and interpretation

1.-(1) The title of these Regulations is the Individual Learning Accounts Wales (Amendment) Regulations 2005 and they come into force on 15 July 2005.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations "2003 Regulations" ("*Rheoliadau 2003*") means the Individual Learning Accounts Wales Regulations 2003(**2**).

Amendment of the Individual Learning Accounts Wales Regulations 2003

2. In regulation 1(2) of the 2003 Regulations the following definition is to be inserted where appropriate -

""civil partner" ("*partner sifil*") has the meaning given to it in section 1(1) of the Civil Partnership Act 2004 (**3**)".

3. Insert the words "civil partner" after the word "spouse" in regulation 4(3)(c), (d) and (e) of the 2003 Regulations.

4. The following text is substituted for regulation 4(5) of the 2003 Regulations -

"(5) The fourth condition is that the person has not attained a level of educational qualification above Level 2 or equivalent as set out in the

(**1**) 2000 c.21.

(**2**) S.I. 2003/918 (W.119).

(**3**) 2004 c.33.

fframwaith cymwysterau cenedlaethol, oni bai bod y person hwnnw yn cael budd-daliadau neu lwfansau a restrir yn yr Atodlen i'r Rheoliadau hyn, neu ei fod yn ddibynnydd person o'r fath."

5. Yn Rheoliadau 2003 mewnosoder yr Atodlen fel a geir yn yr Atodlen i'r Rheoliadau hyn.

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

28 Mehefin 2005

Llywydd y Cynulliad Cenedlaethol

national qualifications framework, unless that person is in receipt of benefits or allowances listed in the Schedule to these Regulations, or is a dependant of such a person."

5. In the 2003 Regulations insert the Schedule as set out in the Schedule to these Regulations.

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

28 June 2005

D. Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) 1998 p.38.

(**1**) 1998 c.38.

ATODLEN

Rheoliad 4

ATODLEN NEWYDD I REOLIADAU CYFRIFON DYSGU UNIGOL CYMRU 2003

"ATODLEN

Rheoliad 4(5)

BUDD-DALIADAU NEU LWFANSAU CYMWYS

1. Budd-dal Treth Gyngor
2. Budd-dal Tai
3. Cymhorthdal Incwm
4. Lwfans Ceisio Gwaith (Ar Sail Incwm)
5. Credyd Pensiwn (Cynilion)
6. Credyd Pensiwn (Gwarant)
7. Credyd Treth Gwaith."

SCHEDULE

Regulation 4

NEW SCHEDULE TO THE INDIVIDUAL LEARNING ACCOUNTS WALES REGULATIONS 2003

"SCHEDULE

Regulation 4(5)

QUALIFYING BENEFITS OR ALLOWANCES

1. Council Tax Benefit
2. Housing Benefit
3. Income Support
4. Job Seekers Allowance (Income Based)
5. Pension Credit (Savings)
6. Pension Credit (Guarantee)
7. Working Tax Credit."

©ⓗ Hawlfraint y Goron 2005

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

© Crown copyright 2005

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-091160-1

9 780110 911601

£3.00

W99/7/05 ON