



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2007 Rhif 2312 (Cy.183)

2007 No. 2312 (W.183)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Grantiau a
Benthyciadau Dysgu y Cynulliad
(Addysg Uwch) (Cymru)
(Diwygio) 2007

The Assembly Learning Grants and
Loans (Higher Education) (Wales)
(Amendment) Regulations
2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Grantiau a Benthyciadau Dysgu y Cynulliad (Addysg Uwch) (Cymru) 2006 ("Rheoliadau 2006") a Rheoliadau Grantiau a Benthyciadau Dysgu y Cynulliad (Addysg Uwch) (Cymru) 2007 ("Rheoliadau 2007").

These Regulations amend the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006 ("the 2006 Regulations") and the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007 ("the 2007 Regulations").

Newidir darpariaethau cyfatebol Rheoliadau 2006 a Rheoliadau 2007 fel a ganlyn -

Changes are made to the corresponding provisions of the 2006 and 2007 Regulations as follows -

Cyrsiau Gradd Cywasgedig;

Compressed Degree Courses;

Mae rheoliadau 5-8, 10-13, 18 a 21 o'r Rheoliadau hyn yn diwygio Rheoliadau 2006 o ran cyrsiau gradd "cywasgedig" newydd. Caiff yr Ysgrifennydd Gwladol ddyfarnu cyrsiau sy'n gyrsiau gradd cywasgedig a ddarperir gan sefydliadau addysg yn Lloegr drwy gyllid cyhoeddus. Gall myfyrwyr cymwys fod yn gymwys i gael cymorth am hyd y cyrsiau hynny. Mae newidiadau i Rheoliadau 2006 yn gwneud darpariaeth mewn perthynas â myfyrwyr sydd fel arfer yn preswyllo yng Nghymru sy'n ymgymryd â'r cyfryw gyrsiau. Mae rheoliadau 27, 28, 32, 34, 42, 44-48 a 51 o'r Rheoliadau hyn yn gwneud diwygiadau tebyg i Rheoliadau 2007.

Regulations 5-8, 10-13, 18 and 21 of these Regulations amend the 2006 Regulations in relation to new "compressed" degrees. The Secretary of State may determine courses which are compressed degree courses provided by publicly funded educational institutions in England. Eligible students may qualify for support for the duration of those courses. Changes to the 2006 Regulations make provision in respect of students who are ordinarily resident in Wales undertaking such courses. Regulations 27, 28, 32, 34, 42, 44-48 and 51 of these Regulations make similar amendments to the 2007 Regulations.

Cymhwystera Gwladolion o Dwrci;

Eligibility of Turkish Nationals;

Mae rheoliadau 5, 9, 11, 12, 19, 22-25 a 26 o'r Rheoliadau hyn yn diwygio Rheoliadau 2006 o ran cymhwystera gwladolion o Dwrci. Diwygir Rheoliadau 2006 er mwyn cydymffurfio ag erthygl 9 o Benderfyniad Rhif 1/80 Cyngor y Gymdeithas ar 19 Medi 1980 ar ddatblygiad y Gymdeithas rhwng y Gymuned Ewropeaidd a Thwrci.

Regulations 5, 9, 11, 12, 19, 22-25 and 26 of these Regulations amend the 2006 Regulations in relation to the eligibility of Turkish nationals. The 2006 Regulations are amended to comply with article 9 of Decision No. 1/80 of the Association Council of 19 September 1980 on the development of the Association between the European Community and Turkey.

Crëwyd Cyngor y Gymdeithas gan y cytundeb a sefydlodd gymdeithas rhwng y Gymuned Ewropeaidd a Thwrci a lofnodwyd yn Ankara ar 12 Medi 1963 gan Weriniaeth Twrci ar y naill law ac Aelod-wladwriaethau'r EEC a'r Gymuned ar y llaw arall. Cwblhawyd y cytundeb, a'i gymeradwyo a'i gadarnhau ar ran y Gymuned gan Benderfyniad y Cyngor 64/732/EEC ar 23 Rhagfyr 1963 (OJ 1973 C 113 t.1).

Mae Erthygl 9 o Benderfyniad Rhif 1/80 o Gyngor y Gymdeithas ar 19 Medi 1980 ar ddatblygiad y gymdeithas yn darparu: "Turkish children residing legally in a Member State of the Community with their parents who are or have been legally employed in that member State, shall be admitted to courses of general education, apprenticeship and vocational training under the same educational entry qualifications as the children of nationals of that member State. They may in that Member State be eligible to benefit from the advantages provided for under the national legislation in this area.". Mae rheoliadau 27, 33, 35, 41, 49, 52, 56, 57, 62 a 63 o'r Rheoliadau hyn yn gwneud diwygiadau tebyg i Reoliadau 2007.

Newidiadau eraill;

Mae rheoliadau 20 a 50 o'r Rheoliadau hyn yn diwygio rheoliad 46 o Reoliadau 2006 a rheoliad 54 o Reoliadau 2007 yn eu trefn o ran y diffiniad o grant at ffioedd at ddibenion Rhan 9 o Reoliadau 2006 a 2007.

Mae rheoliad 24 o'r Rheoliadau hyn yn diwygio rheoliad 62 o Reoliadau 2006 i bennu'r rheolau o ran myfyriwr sy'n dod yn gymwys i gael cymorth ôl-radd yn ystod blwyddyn academaidd.

Mae rheoliadau 29-31 o'r Rheoliadau hyn yn diwygio rheoliad 6 (hyd y cyfnod cymhwysra) a rheoliad 7 (astudio blaenorol) o Reoliadau 2007 o ran y diffiniad o gwrs blaenorol.

Mae rheoliadau 36 a 37 o'r Rheoliadau hyn yn diwygio rheoliad 15 o Reoliadau 2007 fel y bydd myfyriwr sy'n parhau, yn gymwys i gael grant at ffioedd dim ond os dyfarnwyd eisoes ei fod yn gymwys i gael cymorth o ran cwrs dynodedig.

Mae rheoliad 58 o'r Rheoliadau hyn yn diwygio rheoliad 75 o Reoliadau 2007 o ran y diffiniad o "cwrs amser-llawn cyfatebol" a "cyfnod y mae ei angen fel arfer i gwblhau'r cwrs amser-llawn cyfatebol" o ran cyrsiau ôl-radd dynodedig.

Mae'r newidiadau a wneir gan reoliadau 59 a 60 o'r Rheoliadau hyn i reoliad 76 o Reoliadau 2007 yn egluro'r rheolau ynghylch cyfnod cymhwysra o ran myfyrwr ôl-raddedig.

The Association Council was created by the agreement establishing an association between the European Community and Turkey which was signed in Ankara on 12 September 1963 by the Republic of Turkey on the one hand and the Member States of the EEC and the Community on the other. The agreement was concluded, approved and confirmed on behalf of the Community by Council Decision 64/732/EEC of 23 December 1963 (OJ 1973 C. 113 p.1).

Article 9 of Decision No. 1/80 of the Association Council of 19 September 1980 on the development of the association provides: "Turkish children residing legally in a Member State of the Community with their parents who are or have been legally employed in that member State, shall be admitted to courses of general education, apprenticeship and vocational training under the same educational entry qualifications as the children of nationals of that Member State. They may in that Member State be eligible to benefit from the advantages provided for under the national legislation in this area.". Regulations 27, 33, 35, 41, 49, 52, 56, 57, 62 and 63 of these Regulations make similar amendments to the 2007 Regulations

Other Changes;

Regulations 20 and 50 of these Regulations amend regulation 46 of the 2006 Regulations and regulation 54 of the 2007 Regulations respectively in relation to the definition of a grant for fees for the purpose of Part 9 of the 2006 and 2007 Regulations.

Regulation 24 of these Regulations amends regulation 62 of the 2006 Regulations to specify the rules in relation to a student who becomes eligible for postgraduate support during the course of an academic year.

Regulations 29-31 of these Regulations amend regulation 6 (duration of period of eligibility) and regulation 7 (previous study) of the 2007 Regulations in relation to the definition of a previous course.

Regulations 36 and 37 of these Regulations amend regulation 15 of the 2007 Regulations so that a continuing student will be eligible for a grant for fees only where he or she has previously been determined as eligible for support in respect of a designated course.

Regulation 58 of these Regulations amends regulation 75 of the 2007 Regulations in relation to the definition of "full-time equivalent" and "period ordinarily required to complete the full-time equivalent" in respect of designated postgraduate courses.

Changes effected by regulations 59 and 60 of these Regulations to regulation 76 of the 2007 Regulations clarify the rules relating to period of eligibility in relation to postgraduate students.

Mae rheoliadau 53-55 o'r Rheoliadau hyn yn diwygio'r ffigurau yn Rheoliadau 2007 fel a ganlyn;

Rheoliadau 16(5), 37(4)(c), 65(1)(b), 65(5)(e), 65(5)(f), 65(5)(ff) a 65(6)(a).

Regulations 53-55 of these Regulations amend the figures in regulations 16(5), 37(4)(c), 65(1)(b), 65(5)(g), 65(5)(h), 65(5)(i) and 65(6)(a) of the 2007 Regulations.

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**Rheoliadau Grantiau a
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(Addysg Uwch) (Cymru)
(Diwygio) 2007**

**The Assembly Learning Grants and
Loans (Higher Education) (Wales)
(Amendment) Regulations
2007**

Wedi'u gwneud 4 Awst 2007
*Wedi'u gosod gerbron Cynulliad
Cenedlaethol Cymru* 7 Awst 2007
Yn dod i rym 31 Awst 2007

Made 4 August 2007
*Laid before the National Assembly
for Wales* 7 August 2007
Coming into force 31 August 2007

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 22, 42(6) a 43(1) o Ddeddf Addysgu ac Addysg Uwch 1998(1) ac sydd bellach yn arferadwy ganddynt(2), yn gwneud y Rheoliadau canlynol:

The Welsh Ministers, in exercise of the powers conferred upon the National Assembly for Wales by sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998(1), and now exercisable by them(2) make the following Regulations:

RHAN 1

PART 1

CYFFREDINOL

GENERAL

Enwi, cychwyn a chymhwysu

Title, commencement and application

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau a Benthyciadau Dysgu y Cynulliad (Addysg Uwch) (Cymru) (Diwygio) 2007.

1.-(1) The title of these Regulations is the Assembly Learning Grants and Loans (Higher Education) (Wales) (Amendment) Regulations 2007.

(2) Mae'r Rheoliadau hyn yn dod i rym ar 31 Awst 2007 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 31 August 2007 and apply in relation to Wales.

(1) 1998 p. 30; mewnosodwyd adran 22 gan Ddeddf Dysgu a Medrau 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 a Deddf Addysg Uwch 2004 (p. 8), adran 42. Diwygiwyd adran 42 ac adran 43 gan Ddeddf Addysg 2002 (p. 32), Atodlen 12.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998 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) (p.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)(a) 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 and the Higher Education Act 2004 (c. 8), section 42. Section 42 and section 43 were amended by the Education Act 2002 (c. 32), Schedule 12.

(2) The functions of the Secretary of State under section 22 of the Teaching and Higher Education Act 1998 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)(a) of Schedule 11 of the Government of Wales Act 2006 (c.32).

Dehongli

2. Yn y Rheoliadau hyn -

ystyr "Rheoliadau 2006" ("*the 2006 Regulations*") yw Rheoliadau Grantiau a Benthyciadau Dysgu y Cynulliad (Addysg Uwch) (Cymru) 2006(1).

ystyr "Rheoliadau 2007" ("*the 2007 Regulations*") yw Rheoliadau Grantiau a Benthyciadau Dysgu y Cynulliad (Addysg Uwch) (Cymru) 2007(2).

Diwygio Rheoliadau 2006 a Rheoliadau 2007

3. Diwygir Rheoliadau 2006 yn unol â Rhan 2.

4. Diwygir Rheoliadau 2007 yn unol â Rhan 3.

RHAN 2

DIWYGIADAU I REOLIADAU 2006

5. Yn rheoliad 2(1) -

(a) yn y man priodol yn ôl trefn yr wyddor, mewnosoder-

"ystyr "cwrws gradd cywasgedig" ("*compressed degree course*") yw cwrws a ddyfernir yn unol â paragraff (1A);

ystyr "myfyriwr cwrws gradd cywasgedig" ("*compressed degree student*") yw myfyriwr cymwys-

- (a) sy'n ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig (y "cwrws");
- (b) sy'n dechrau'r cwrws ar neu ar ôl 1 Medi 2006; ac
- (c) naill ai-
 - (i) mae'n ofynnol iddo fod yn bresennol ar y cwrws am ran o'r flwyddyn academaidd y mae'n gwneud cais am gymorth ar ei chyfer; neu
 - (ii) mae'n fyfyriwr anabl nad yw'n ofynnol iddo fod yn bresennol ar y cwrws am nad yw'n gallu bod yn bresennol am reswm sy'n ymwneud â'i anabledd;"

(b) yn y man priodol yn ôl trefn yr wyddor, mewnosoder-

(1) O.S. 2006/126 (Cy. 19) a ddiwygiwyd gan O.S. 2006/1863 (Cy. 196).

(2) O.S. 2007/1045 (Cy. 104).

Interpretation

2. In these Regulations-

"the 2006 Regulations" ("*Rheoliadau 2006*") means the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006(1).

"the 2007 Regulations" ("*Rheoliadau 2007*") means the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007(2).

Amendment to the 2006 Regulations and the 2007 Regulations

3. The 2006 Regulations are amended in accordance with Part 2.

4. The 2007 Regulations are amended in accordance with Part 3.

PART 2

AMENDMENTS TO THE 2006 REGULATIONS

5. In regulation 2(1)-

(a) in the appropriate place in the alphabetical order insert-

""compressed degree course" ("*cwrws gradd cywasgedig*") means a course determined in accordance with paragraph (1A);

"compressed degree student" ("*myfyriwr cwrws gradd cywasgedig*") means an eligible student who-

- (a) is undertaking a compressed degree course in the United Kingdom (the "course");
- (b) begins the course on or after 1 September 2006; and
- (c) either-
 - (i) is required to be in attendance on the course for part of the academic year for which he or she is applying for support; or
 - (ii) is a disabled student who is not required to be in attendance on the course because he or she is unable to attend because of a reason which relates to his or her disability;"

(b) in the appropriate place in the alphabetical order, insert-

(1) S.I. 2006/126 (W. 19) amended by S.I. 2006/1863 (W. 196).

(2) S.I. 2007/1045 (W. 104).

"ystyr "cwrs dwys" (*intensive course*) yw cwrs carlam neu gwrs gradd cywasgedig;"

(c) yn y man priodol yn ôl trefn yr wyddor, mewnosoder-

"ystyr "Gweithiwr o Dwrci" ("*Turkish Worker*") yw gwladolyn o Dwrci-

- (a) sydd fel arfer yn preswyllo yn y Deyrnas Unedig a'r Ynysoedd; a
- (b) sydd neu sydd wedi bod mewn cyflogaeth gyfreithlon yn y Deyrnas Unedig;"

6. Ar ôl rheoliad 2(1), mewnosoder-

""(1A) Caiff yr Ysgrifennydd Gwladol ddyfarnu bod cwrs yn gwrs gradd cywasgedig os yw'r cwrs hwnnw, yn ei farn-

- (a) yn gwrs ar gyfer gradd gyntaf (heblaw gradd sylfaen);
- (b) yn gwrs amser-llawn a ddynodir o dan reoliad 5(1); ac
- (c) yn para am ddwy flynedd academiaidd."

7. Yn rheoliad 7(5), ar ôl "yn bresennol arno", mewnosoder "neu, yn achos cwrs gradd cywasgedig, yr ymgymerodd ag ef yn y Deyrnas Unedig".

8. Yn lle rheoliad 8(2) rhodder -

"(2) Dyma'r rhesymau dros drosglwyddo -

- (a) bod y myfyriwr cymwys, ar argymhelliad yr awdurdod academiaidd, yn dechrau-
 - (i) bod yn bresennol ar gwrs dynodedig arall yn y sefydliad;
 - (ii) ymgymryd â chwrs gradd cywasgedig arall yn y Deyrnas Unedig yn y sefydliad; neu
 - (iii) ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig yn y sefydliad.
- (b) bod y myfyriwr cymwys yn dechrau-
 - (i) bod yn bresennol ar gwrs dynodedig mewn sefydliad arall; neu
 - (ii) ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig mewn sefydliad arall;
- (c) ar ôl cychwyn ar gwrs ar gyfer y Dystysgrif mewn Addysg, bod y myfyriwr cymwys, wrth gwblhau'r cwrs hwnnw neu cyn hynny, yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd Baglor mewn Addysg naill ai yn yr un sefydliad neu mewn sefydliad arall;
- (ch) ar ôl cychwyn ar gwrs ar gyfer gradd (heblaw gradd anrhydedd) Baglor mewn Addysg, bod y myfyriwr cymwys, wrth gwblhau'r cwrs hwnnw neu cyn hynny,

"intensive course" ("*cwrs dwys*") means an accelerated course or a compressed degree course;"

(c) in the appropriate place in the alphabetical order insert-

"Turkish Worker" ("*Gweithiwr o Dwrci*") means a Turkish national who-

- (a) is ordinarily resident in the United Kingdom and Islands; and
- (b) is, or has been, lawfully employed in the United Kingdom;"

6. After regulation 2(1), insert-

""(1A) the Secretary of State may determine that a course is a compressed degree course, if in his opinion, that course is-

- (a) a course for a first degree (other than a foundation degree);
- (b) a full-time course designated under regulation 5(1); and
- (c) of two academic years' duration."

7. In regulation 7(5), after "attended", insert "or, in the case of a compressed degree course, undertook in the United Kingdom".

8. For regulation 8(2) substitute-

"(2) The grounds for transfer are -

- (a) on the recommendation of the academic authority the eligible student starts to-
 - (i) attend another designated course at the institution;
 - (ii) undertake another compressed degree course in the United Kingdom at the institution; or
 - (iii) undertake a compressed degree course in the United Kingdom at the institution.
- (b) the eligible student starts to-
 - (i) attend a designated course at another institution; or
 - (ii) undertake a compressed degree course in the United Kingdom at another institution;
- (c) after starting a course for the Certificate in Education, the eligible student is, on or before the completion of that course, admitted to a designated course for the degree of Bachelor of Education either at the same institution or at another institution;
- (d) after starting a course for the degree (other than an honours degree) of Bachelor of Education, the eligible student is, on or before the completion of

yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd anrhydedd Baglor mewn Addysg naill ai yn yr un sefydliad neu mewn sefydliad arall; neu

- (d) ar ôl cychwyn ar gwrs ar gyfer gradd gyntaf (heblaw gradd anrhydedd) bod y myfyriwr cymwys, cyn cwblhau'r cwrs hwnnw, yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd anrhydedd yn yr un pwnc neu bynciau yn y sefydliad."

9. Ar ôl rheoliad 10(2)(d) mewnosoder-

"(da) os yw'r ceisydd yn berson a grybwyllir ym mharagraff 12 o Ran 2 o Atodlen 1, ac os felly rhaid i'r cais gyrraedd Gweinidogion Cymru erbyn 3 Mawrth 2008 neu o fewn cyfnod o naw mis gan ddechrau ar ddiwrnod cyntaf y flwyddyn academaidd y cyflwynir y cais ar ei chyfer, p'un bynnag yw'r dyddiad diweddaraf;"

10. Ar ôl rheoliad 11A(2) mewnosoder-

"(3) Ymdrinnir â myfyriwr y mae'r rheoliad hwn yn gymwys iddo fel pe bai'n bresenol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer cymorth ffioedd.

(4) Mae'r rheoliad hwn yn gymwys i'r canlynol -

- (a) myfyriwr cwrs gradd cywasgedig;
- (b) myfyriwr anabl-
 - (i) nad yw'n fyfyrwr cwrs gradd cywasgedig; a
 - (ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."

11. Ar ôl rheoliad 11C(d), mewnosoder-

"(da) pan fydd y myfyriwr yn dod yn blentyn i weithwr o Dwrci;"

12. Ar ôl rheoliad 18(8)(ch), mewnosoder-

"(cha) pan fydd y myfyriwr yn dod yn blentyn i weithwr o Dwrci;"

13. Ar ôl rheoliad 18(8), mewnosoder-

"(9) Ymdrinnir â myfyriwr y mae'r paragraff hwn yn gymwys iddo fel pe bai'n bresennol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer y grantiau canlynol-

- (a) grantiau ar gyfer dibynyddion;
- (b) grant cynhaliaeth neu grant cymorth arbennig;
- (c) grant addysg uwch.

(10) Mae paragraff (9) yn gymwys ar gyfer-

- (a) myfyriwr cwrs gradd cywasgedig;

that course, admitted to a designated course for the honours degree of Bachelor of Education either at the same institution or another institution; or

- (e) after starting a course for a first degree (other than an honours degree) the eligible student is, before the completion of that course, admitted to a designated course for an honours degree in the same subject or subjects at the institution."

9. After regulation 10(2)(e), insert-

"(ea) the applicant is a person mentioned in paragraph 12 of Part 2 of Schedule 1, in which case the application must reach the Welsh Ministers by 3 March 2008 or within a period of nine months beginning with the first day of the academic year in respect of which it is submitted, whichever is the later;"

10. After regulation 11A(2) insert -

"(3) A student to whom this regulation applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for fee support.

(4) This regulation applies to-

- (a) a compressed degree student;
- (b) a disabled student who-
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."

11. After regulation 11C(e), insert-

"(ea) the student becomes the child of a Turkish worker;"

12. After regulation 18(8)(d), insert-

"(da) the student becomes the child of a Turkish worker;"

13. After regulation 18(8), insert-

"(9) A student to whom this paragraph applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for the following grants-

- (a) grants for dependants;
- (b) maintenance grant or special support grant;
- (c) higher education grant.

(10) Paragraph (9) applies to -

- (a) a compressed degree student;

- (b) myfyriwr anabl-
 - (i) nad yw'n fyfyrwr cwrs gradd cywasgedig; a
 - (ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."

14. Ar ôl rheoliad 31(3), mewnosoder-

"(4) Ymdrinnir â myfyriwr y mae'r paragraff hwn yn gymwys iddo fel pe bai'n bresennol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer benthyciad at gostau byw.

- (5) Mae paragraff (4) yn gymwys ar gyfer-
 - (a) myfyriwr cwrs gradd cywasgedig; a
 - (b) myfyriwr anabl-
 - (i) nad yw'n fyfyrwr cwrs gradd cywasgedig; a
 - (ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."

15. Yn rheoliad 32, yn lle "cwrs carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrs dwys".

16. Yn rheoliad 33 yn lle "cwrs carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrs dwys".

17. Yn rheoliad 35 yn lle "cwrs carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrs dwys".

18. Yn lle rheoliad 37, rhodder-

"(1) Yn ddarostyngedig i reoliad 39, mae'r benthyciad at gostau byw yn daladwy mewn perthynas â thri chwarter y flwyddyn academaidd.

(2) Nid yw'r benthyciad at gostau byw yn daladwy -

- (a) yn achos myfyriwr cwrs gradd cywasgedig, o ran y chwarter a enwebwyd gan Weinidogion Cymru;
- (b) ym mhob achos arall, o ran y chwarter pan fydd, ym marn Gweinidogion Cymru, y gwyliau hiraf o unrhyw wyliau yn digwydd."

19. Ar ôl rheoliad 39(2)(ch) mewnosoder-

"(cha) pan fydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

20. Ar ôl rheoliad 46(4)(d), mewnosoder-

"(dd) GFF yw swm y grant at ffioedd, os oes un, y mae'r myfyriwr cymwys yn dod yn gymwys i'w gael o dan Ran 4;"

- (b) a disabled student who-

- (i) is not a compressed degree student; and
- (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."

14. After regulation 31(3), insert-

"(4) A student to whom this paragraph applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for the loan for living costs.

- (5) Paragraph (4) applies to -
 - (a) a compressed degree student; and
 - (b) a disabled student who-
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."

15. In regulation 32 for "an accelerated course" in each place it occurs, substitute "an intensive course".

16. In regulation 33 for "an accelerated course" in each place it occurs, substitute "an intensive course".

17. In regulation 35 for "an accelerated course" in each place it occurs, substitute "an intensive course".

18. For regulation 37, substitute-

"(1) Subject to regulation 39, the loan for living costs is payable in respect of three quarters of the academic year.

- (2) The loan for living costs is not payable -
 - (a) in the case of a compressed degree student, in respect of the quarter nominated by the Welsh Ministers;
 - (b) in any other case, in respect of the quarter in which, in the opinion of the Welsh Ministers, the longest of any vacation occurs."

19. After regulation 39(2)(d) insert-

"(da) the student becomes the child of a Turkish worker;"

20. After regulation 46(4)(e), insert-

"(f) GFF is the amount, if any, of grant for fees for which the eligible student qualifies under Part 4".

21. Yn rheoliad 46(6) yn lle "cwrw carlam", rhodder "cwrw dwys".

22. Yn rheoliad 50, ar ôl paragraff 14(dd) rhodder-
"(dda) pan fydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

23. Ar ôl rheoliad 55(3)(b), mewnosoder-
"(ba) os nad yw'r ceisydd yn berson a grybwyllir ym mharagraff 12 o Ran 2 o Atodlen 1, ac os felly rhaid i'r cais gyrraedd y Gweinidogion Cymru erbyn 1 Rhagfyr 2007 neu o fewn cyfnod o chwe mis sy'n dechrau gyda diwrnod cyntaf y flwyddyn academaidd y cyflwynir y cais ar ei chyfer, p'un bynnag yw'r dyddiad diweddaraf;"

24. Ar ôl rheoliad 62(12), mewnosoder-
""(13) Os bydd un o'r digwyddiadau a restrir ym mharagraff (14) yn digwydd yn ystod blwyddyn academaidd -

- (a) gall myfyriwr fod yn gymwys i gael grant o dan y Rhan hon o ran y flwyddyn academaidd honno yn unol â'r Rhan hon; a
- (b) nid yw grant o'r math sydd ar gael o dan y Rhan hon ar gael o ran unrhyw flwyddyn academaidd sy'n dechrau cyn y flwyddyn academaidd pan ddigwyddodd y digwyddiad perthnasol ynddi.

(14) Dyma'r digwyddiadau-

- (a) mae cwrw y myfyriwr yn dod yn gwrw ôl-radd dynodedig;
- (b) pan gydnabyddir bod y myfyriwr, ei briod, ei bartner sifil neu ei riant yn ffoadur neu pan fydd yn dod yn berson sydd â chaniatâd ganddo i ddod i mewn neu aros fel y'i diffinnir yn Rhan 1 o Atodlen 1;
- (c) pan fydd y wladwriaeth y mae'r myfyriwr yn wladolyn ynddi yn ymaelodi â'r Gymuned Ewropeaidd os yw'r myfyriwr wedi preswyllo'n arferol yn y Deyrnas Unedig a'r Ynysoedd drwy'r cyfnod o dair blynedd yn union o flaen diwrnod cyntaf blwyddyn academaidd gyntaf y cwrw;
- (ch) pan fydd y myfyriwr yn caffael yr hawl i breswyllo'n barhaol fel y'i diffinnir yn Rhan 1 o Atodlen 1;
- (d) pan fydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;
- (dd) pan fydd y myfyriwr yn dod yn berson a ddisgrifir ym mharagraff 6(1)(a) o Atodlen 1; neu

21. In regulation 46(6) for "an accelerated course", substitute "an intensive course".

22. In regulation 50, after paragraph 14(f), insert-
"(fa) the student becomes the child of a Turkish worker;"

23. After regulation 55(3)(b), insert-
"(ba)the applicant is a person mentioned in paragraph 12 of Part 2 of Schedule 1, in which case the application must reach the Welsh Ministers by 1 December 2007 or within a period of six months beginning with the first day of the academic year in respect of which it is submitted, whichever is the later;"

24. After regulation 62(12), insert-
"(13) Where one of the events listed in paragraph (14) occurs in the course of an academic year-

- (a) a student may qualify for a grant under this Part in respect of that academic year in accordance with this Part; and
- (b) a grant of the kind available under this Part is not available in respect of any academic year beginning before the academic year in which the relevant event occurred.

(14) The events are-

- (a) the student's course becomes a designated postgraduate course;
- (b) the student, his or her spouse, his or her civil partner or his or her parent is recognised as a refugee or becomes a person with leave to enter or remain as defined in Part 1 of Schedule 1;
- (c) the state of which the student is a national accedes to the European Community where the student has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course;
- (d) the student acquires the right of permanent residence as defined in Part 1 of Schedule 1;
- (e) the student becomes the child of a Turkish worker;
- (f) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or

(e) pan fydd y myfyriwr yn dod yn blentyn gwladolyn o'r Swistir.

(g) the student becomes a child of the Swiss national.

25. Yn Atodlen 1 -

(a) yn lle paragraff 1(4), rhodder-

"(4) At ddibenion yr Atodlen hon, dylid ymdrin â pherson fel rhywun sy'n preswyllo'n arferol yng Nghymru, y Deyrnas Unedig a'r Ynysoedd, y diriogaeth sydd yn yr Ardal Economaidd Ewropeaidd a'r Swistir neu'r diriogaeth sydd yn yr Ardal Economaidd Ewropeaidd, y Swistir a Thwrci fel pe bai'n breswyllydd felly oni bai am y ffaith bod -

- (a) y person hwnnw;
- (b) ei briod neu ei bartner sifil;
- (c) ei riant; neu
- (ch) yn achos perthynas uniongyrchol dibynnol yn y llinach esgynnol, ei blentyn neu blentyn ei briod neu ei bartner sifil;

yn gyflogedig dros dro neu wedi bod yn gyflogedig dros dro yn yr ardal o dan sylw.";

(b) yn lle paragraff 1(5), rhodder-

"(5) At ddibenion is-baragraff (4), mae cyflogaeth dros dro y tu allan i Gymru, y Deyrnas Unedig a'r Ynysoedd, y diriogaeth sydd yn yr Ardal Economaidd Ewropeaidd a'r Swistir neu'r diriogaeth sydd yn yr Ardal Economaidd Ewropeaidd, y Swistir a Thwrci yn cynnwys-

- (a) yn achos aelodau o luoedd rheolaidd y llynges, y fyddin neu'r llu awyr o dan y Goron, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r Deyrnas Unedig fel aelodau o'r cyfryw luoedd;
- (b) yn achos aelodau o luoedd arfog rheolaidd Gwladwriaeth AEE neu'r Swistir, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r diriogaeth sydd yn yr Ardal Economaidd Ewropeaidd a'r Swistir fel aelodau o'r cyfryw luoedd; ac
- (c) yn achos aelodau o luoedd arfog rheolaidd Twrci, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci fel aelodau o'r cyfryw luoedd;"

(c) ar ôl paragraff 11, mewnosoder-

"12. Person-

- (a) sydd yn blentyn i weithiwr o Dwrci;
- (b) sydd fel arfer yn preswyllo yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs; ac

25. In Schedule 1-

(a) for paragraph 1(4), substitute-

"(4) For the purposes of this Schedule, a person is to be treated as ordinarily resident in Wales, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey if he or she would have been so resident but for the fact that-

- (a) he or she;
- (b) his or her spouse or civil partner;
- (c) his or her parent; or
- (d) in the case of a dependent direct relative in the ascending line, his or her child or his or her child's spouse or civil partner,

is or was temporarily employed outside the area in question.";

(b) for paragraph 1(5), substitute-

"(5) For the purposes of sub-paragraph (4), temporary employment outside of Wales, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey includes-

- (a) in the case of members of the regular naval, military or air forces of the Crown, any period which they serve outside the United Kingdom as members of such forces;
- (b) in the case of members of the regular armed forces of an EEA State or Switzerland, any period which they serve outside of the territory comprising the European Economic Area and Switzerland as members of such forces; and
- (c) in the case of members of the regular armed forces of Turkey, any period which they serve outside of the territory comprising the European Economic Area, Switzerland and Turkey as members of such forces.";

(c) after paragraph 11, insert-

"Children of Turkish workers

"12. A person who-

- (a) is the child of a Turkish worker;
- (b) is ordinarily resident in Wales on the first day of the first academic year of the course; and

(c) sydd wedi preswyllo fel arfer yn y diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci drwy'r cyfnod o dair blynedd yn union o flaen diwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs."

26. Ar ôl paragraff 8(ch) o Atodlen 3A, mewnosoder-

"(cha) os bydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

(c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and Turkey throughout the three-year period preceding the first day of the first academic year of the course."

26. After paragraph 8(d) of Schedule 3A, insert-

"(da) the student becomes the child of a Turkish worker;"

RHAN 3

DIWYGIADAU I REOLIADAU 2007

27. Yn rheoliad 2(1) -

(a) yn y man priodol yn ôl trefn yr wyddor, mewnosoder-

"ystyr "cwrs gradd cywasgedig" ("*compressed degree course*") yw cwrs a ddyfernir yn unol â pharagraff (1A);

ystyr "myfyriwr cwrs gradd cywasgedig" ("*compressed degree student*") yw myfyriwr cymwys -

(a) sy'n ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig (y "cwrs");

(b) naill ai-

(i) a ddechreuodd ar y cwrs ar neu ar ôl 1 Medi 2006 ac sy'n parhau ar y cwrs hwnnw ar ôl 31 Awst 2007; neu

(ii) sy'n dechrau ar y cwrs ar neu ar ôl 1 Medi 2007; ac

(c) naill ai-

(i) mae'n ofynnol iddo fod yn bresennol ar y cwrs am ran o'r flwyddyn academiaidd y mae'n gwneud cais am gymorth ar ei chyfer; neu

(ii) mae'n fyfyrwr anabl nad yw'n ofynnol iddo fod yn bresennol ar y cwrs am nad yw'n gallu bod yn bresennol am reswm sy'n ymwneud â'i anabledd;"

(b) yn y man priodol ôl trefn yr wyddor, mewnosoder-

"ystyr "cwrs dwys" ("*intensive course*") yw cwrs carlam neu gwrs gradd cywasgedig;"

(c) yn y man priodol yn ôl trefn yr wyddor, mewnosoder-

"ystyr "Gweithiwr o Dwrci" ("*Turkish Worker*") yw gwladolyn o Dwrci-

PART 3

AMENDMENTS TO THE 2007 REGULATIONS

27. In regulation 2(1)-

(a) in the appropriate place in the alphabetical order insert-

"compressed degree course" ("*cwrs gradd cywasgedig*") means a course determined in accordance with paragraph (1A);

"compressed degree student" ("*myfyriwr cwrs gradd cywasgedig*") means an eligible student who-

(a) is undertaking a compressed degree course in the United Kingdom (the "course");

(b) either-

(i) began the course on or after 1 September 2006 and is continuing on that course after 31 August 2007; or

(ii) begins the course on or after 1 September 2007; and

(c) either-

(i) is required to be in attendance on the course for part of the academic year for which he or she is applying for support; or

(ii) is a disabled student who is not required to be in attendance on the course because he or she is unable to attend because of a reason which relates to his or her disability;"

(b) in the appropriate place in the alphabetical order insert-

"intensive course" ("*cwrs dwys*") means an accelerated course or a compressed degree course;"

(c) in the appropriate place in the alphabetical order insert-

"Turkish Worker" ("*Gweithiwr o Dwrci*") means a Turkish national who-

- (a) sydd fel arfer yn preswyllo yn y Deyrnas Unedig a'r Ynysoedd; a
- (b) sydd neu sydd wedi bod mewn cyflogaeth gyfreithlon yn y Deyrnas Unedig;"

28. Ar ôl rheoliad 2(1), mewnosoder-

""(1A) Caiff yr Ysgrifennydd Gwladol ddyfarnu bod cwrs yn gwrs gradd cywasgedig os yw'r cwrs hwnnw, yn ei farn-

- (a) yn gwrs ar gyfer gradd gyntaf (heblaw gradd sylfaen);
- (b) yn gwrs amser-llawn a ddynodir o dan reoliad 5(1); ac
- (c) yn para am ddwy flynedd academaidd."

29. Mewnosoder ar ôl paragraff (18) o reoliad 6, y paragraffau canlynol-

"(19) At ddibenion y rheoliad hwn ac yn ddarostyngedig i'r eithriadau ym mharagraffau (21), (22) a (23) "cwrs blaenorol" yw unrhyw gwrs addysg uwch amser-llawn neu unrhyw gwrs rhan-amser ar gyfer hyfforddiant cychwynnol i athrawon y dechreuodd y myfyriwr ei fynychu neu, yn achos cwrs gradd cywasgedig, y dechreuodd ymgymryd ag ef yn y Deyrnas Unedig ac sy'n bodloni un neu fwy o'r amodau ym mharagraff (20).

(20) Dyma'r amodau-

- (a) darperir y cwrs gan sefydliad yn y Deyrnas Unedig a gafodd gyllid cyhoeddus am rywfaent o'r blynyddoedd academaidd neu'r cyfan ohonynt pan oedd y myfyriwr yn dilyn y cwrs; neu
- (b) unrhyw ysgoloriaeth, arddangostal, bwrsari, grant, lwfans neu ddyfarndal o unrhyw ddisgrifiad a dalwyd mewn perthynas â phresenoldeb y myfyriwr ar y cwrs i dalu ffioedd wedi'i dalu o gronfeydd cyllid cyhoeddus neu a oedd o gronfeydd cyllid a oedd i'w priodoli i gyllid cyhoeddus.

(21) Nid ymdrinnir â chwrs a fyddai fel arall yn gwrs blaenorol fel y cyfryw-

- (b) os yw'r cwrs presennol yn gwrs ar gyfer hyfforddiant cychwynnol i athrawon;
- (b) os nad yw hyd y cwrs presennol yn hwy na dwy flynedd (mynegir hyd cwrs rhan-amser fel hyd y cwrs amser-llawn cyfatebol); ac
- (c) os nad yw'r myfyriwr yn athro cymwysedig neu'n athrawes gymwysedig.

(22) Nid ymdrinnir â chwrs ar gyfer Tystysgrif mewn Addysg a fyddai fel arall yn gwrs blaenorol fel y cyfryw-

- (a) is ordinarily resident in the United Kingdom and Islands; and
- (b) is, or has been, lawfully employed in the United Kingdom;"

28. After regulation 2 (1), insert-

""(1A) The Secretary of State may determine that a course is a compressed degree course, if in his opinion, that course is-

- (a) a course for a first degree (other than a foundation degree);
- (b) a full-time course designated under regulation 5(1); and
- (c) of two academic years' duration."

29. Insert after paragraph (18) of regulation 6, the following paragraphs -

"(19) For the purposes of this regulation and subject to the exceptions in paragraphs (21), (22) and (23) a "previous course" is any full-time higher education course or any part-time course for the initial training of teachers which the student began to attend or, in the case of a compressed degree course, undertake in the United Kingdom and which meets one or both of the conditions in paragraph (20).

(20) The conditions are-

- (a) the course is provided by an institution in the United Kingdom which was publicly funded for some or all of the academic years during which the student took the course; or
- (b) any scholarship, exhibition, bursary, grant, allowance or award of any description which was paid in respect of the student's attendance on the course to defray fees was from public funds or funds attributable to public funds.

(21) A course which would otherwise be a previous course will not be treated as such if -

- (a) the present course is a course for the initial training of teachers;
- (b) the duration of the present course does not exceed two years (the duration of a part-time course being expressed as its full-time equivalent); and
- (c) the student is not a qualified teacher.

(22) A course for the Certificate in Education which would otherwise be a previous course will not be treated as such if -

- (a) os yw'r cwrs presennol yn gwrs ar gyfer gradd (gan gynnwys gradd anrhydedd) Baglor mewn Addysg;
 - (b) os trosglwyddodd y myfyriwr i'r cwrs presennol o gwrs ar gyfer Tystysgrif mewn Addysg cyn cwblhau'r cwrs hwnnw neu os dechreuodd ar y cwrs presennol ar ôl cwblhau'r cwrs ar gyfer Tystysgrif mewn Addysg.
- (23) Nid ymdrinnir a chwrs ar gyfer gradd (heblaw gradd anrhydedd) Baglor mewn Addysg fel cwrs blaenorol-

- (a) os yw'r cwrs presennol yn gwrs ar gyfer gradd anrhydedd Baglor mewn Addysg;
- (b) os trosglwyddodd y myfyriwr i'r cwrs presennol o gwrs ar gyfer gradd (heblaw gradd anrhydedd) Baglor mewn Addysg cyn cwblhau'r cwrs hwnnw neu os dechreuodd ar y cwrs presennol ar ôl cwblhau'r cwrs ar gyfer gradd (heblaw gradd anrhydedd) Baglor mewn Addysg."

30. Ym mharagraffau (1) a (2) o reoliad 7, hepgorer y geiriau "yn sgil ei bresenoldeb ar gwrs blaenorol neu gwrs rhan-amser dynodedig".

31. Yn rheoliad 7, hepgorer paragraffau (6) a (7).

32. Yn lle rheoliad 8(2) rhodder -

"(2) Dyma'r rhesymau dros drosglwyddo -

- (a) bod y myfyriwr cymwys, ar argymhelliad yr awdurdod academiaidd, yn dechrau-
 - (i) bod yn bresennol ar gwrs dynodedig arall yn y sefydliad;
 - (ii) ymgymryd â chwrs gradd cywasgedig arall yn y Deyrnas Unedig yn y sefydliad; neu
 - (iii) ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig yn y sefydliad;
- (b) bod y myfyriwr cymwys yn dechrau-
 - (i) bod yn bresennol ar gwrs dynodedig mewn sefydliad arall; neu
 - (ii) ymgymryd â chwrs gradd cywasgedig yn y Deyrnas Unedig mewn sefydliad arall;
- (c) ar ôl cychwyn ar gwrs ar gyfer y Dystysgrif mewn Addysg, bod y myfyriwr cymwys, wrth gwblhau'r cwrs hwnnw neu cyn hynny, yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd Baglor mewn Addysg naill ai yn yr un sefydliad neu mewn sefydliad arall;
- (ch) ar ôl cychwyn ar gwrs ar gyfer gradd (heblaw gradd anrhydedd) Baglor mewn

- (a) the present course is a course for the degree (including an honours degree) of Bachelor of Education;
- (b) the student transferred to the present course from the course for the Certificate in Education before the completion of that course or began the present course on completion of the course for the Certificate in Education.

(23) A course for the degree (other than an honours degree) of Bachelor of Education will not be treated as a previous course if -

- (a) the present course is a course for the honours degree of Bachelor of Education;
- (b) the student transferred to the present course from the course for the degree (other than an honours degree) of Bachelor of Education before the completion of that course or began the present course on completion of the course for the degree (other than an honours degree) of Bachelor of Education."

30. In paragraphs (1) and (2) of regulation 7, omit the words "following attendance on a previous course or a designated part-time course".

31. In regulation 7, omit paragraphs (6) and (7).

32. For regulation 8(2) substitute-

"(2) The grounds for transfer are -

- (a) on the recommendation of the academic authority the eligible student starts to-
 - (i) attend another designated course at the institution;
 - (ii) undertake another compressed degree course in the United Kingdom at the institution; or
 - (iii) undertake a compressed degree course in the United Kingdom at the institution;
- (b) the eligible student starts to-
 - (i) attend a designated course at another institution; or
 - (ii) undertake a compressed degree course in the United Kingdom at another institution;
- (c) after starting a course for the Certificate in Education, the eligible student is, on or before the completion of that course, admitted to a designated course for the degree of Bachelor of Education either at the same institution or another institution;
- (d) after starting a course for the degree (other than an honours degree) of

Addysg, bod y myfyriwr cymwys, wrth gwblhau'r cwrs hwnnw neu cyn hynny, yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd anrhydedd Baglor mewn Addysg naill ai yn yr un sefydliad neu mewn sefydliad arall; neu

- (d) ar ôl cychwyn ar gwrs ar gyfer gradd gyntaf (heblaw gradd anrhydedd) bod y myfyriwr cymwys, cyn cwblhau'r cwrs hwnnw, yn cael ei dderbyn ar gwrs dynodedig ar gyfer gradd anrhydedd yn yr un pwnc neu bynciau yn y sefydliad."

33. Ar ôl rheoliad 10(2)(c) mewnosoder-

"(ca) os yw'r ceisydd yn berson a grybwyllir ym mharagraff 12 o Ran 2 o Atodlen 1, ac os felly rhaid i'r cais gyrraedd Gweinidogion Cymru erbyn 3 Mawrth 2008 neu o fewn cyfnod o naw mis gan ddechrau ar ddiwrnod cyntaf y flwyddyn academaidd y cyflwynodd y cais ar ei chyfer, p'un bynnag yw'r dyddiad diweddaraf;"

34. Ar ôl rheoliad 12(3) mewnosoder-

"(4) Ymdrinnir â myfyriwr y mae'r rheoliad hwn yn gymwys iddo fel pe bai'n bresennol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer cymorth ffioedd.

(5) Mae'r rheoliad hwn yn gymwys i'r canlynol -

- (a) myfyriwr cwrs gradd cywasgedig;
(b) myfyriwr anabl-
(i) nad yw'n fyfyriwr cwrs gradd cywasgedig; a
(ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."

35. Ar ôl rheoliad 14(d), mewnosoder-

"(da) pan fydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

36. Yn rheoliad 15(1), ar ôl y geiriau "yn ddarostyngedig i", mewnosoder y geiriau "baragraff (4) a".

37. Ar ôl rheoliad 15(3), mewnosoder-

"(4) Nid yw myfyriwr sy'n parhau yn cymhwyso i gael grant at ffioedd o ran unrhyw flwyddyn academaidd o'r cwrs sy'n dechrau ar neu ar ôl 1 Medi 2007 pan ddyfarnodd y Cynulliad Cenedlaethol yn ystod y cyfnod o asesu cais am gymorth o ran blwyddyn academaidd o'r cwrs dynodedig a ddechreuodd cyn 1 Medi 2006 yn unol â rheoliadau a wnaed ganddo o dan adran 22 o'r Ddeddf nad oedd y myfyriwr yn cymhwyso i gael cymorth ffi o ran y cwrs dynodedig.

Bachelor of Education, the eligible student is, on or before the completion of that course, admitted to a designated course for the honours degree of Bachelor of Education either at the same institution or another institution; or

- (e) after commencing a course for a first degree (other than an honours degree) the eligible student is, before the completion of that course, admitted to a designated course for an honours degree in the same subject or subjects at the institution."

33. After regulation 10(2)(c), insert-

"(ca) the applicant is a person mentioned in paragraph 12 of Part 2 of Schedule 1, in which case the application must reach the Welsh Ministers by 3 March 2008 or within a period of nine months beginning with the first day of the academic year in respect of which it is submitted, whichever is the later;"

34. After regulation 12(3) insert -

"(4) A student to whom this regulation applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for fee support.

(5) This regulation applies to-

- (a) a compressed degree student;
(b) a disabled student who-
(i) is not a compressed degree student; and
(ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."

35. After regulation 14(e), insert-

"(ea) the student becomes the child of a Turkish worker;"

36. In regulation 15(1), after the words "subject to", insert the words "paragraph (4) and".

37. After regulation 15(3), insert-

"(4) A continuing student does not qualify for a grant for fees in respect of any academic year of the course that begins on or after 1 September 2007 where in the course of assessing an application for support in respect of an academic year of the designated course that began before 1 September 2006 the National Assembly determined in accordance with regulations made by it under section 22 of the Act that the student did not qualify for fee support in respect of the designated course.

- (5) Mae'r rheoliad hwn yn gymwys i fyfyrwr o dan yr hen drefn a ddechreuodd ar y cwrs presennol cyn 1 Medi 2006 ac sy'n parhau i ddilyn y cwrs hwnnw ar ôl 31 Awst 2007 ("myfyriwr sy'n parhau")."
- 38.** Ar ôl rheoliad 16(5), yn lle "£4,445", rhodder "£4,455."
- 39.** Yn rheoliad 18(1), ar ôl y geiriau "Yn ddarostyngedig i baragraff (2)" mewnosoder y geiriau, "a rheoliadau 6 a 7".
- 40.** Yn rheoliad 20(1), hepgorer y geiriau, "Yn ddarostyngedig i baragraff (7)".
- 41.** Ar ôl rheoliad 23(11)(ch), mewnosoder-
 "(cha) bod y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"
- 42.** Ar ôl rheoliad 23(11), mewnosoder-
 "(12) Ymdrinnir â myfyriwr y mae'r paragraff hwn yn gymwys iddo fel pe bai'n bresennol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer y grantiau canlynol-
- (a) grantiau ar gyfer dibynyddion;
 - (b) grant cynhaliaeth neu grant cymorth arbennig;
 - (c) grant addysg uwch.
- (13) Mae paragraff (12) yn gymwys ar gyfer-
- (a) myfyriwr cwrs gradd cywasgedig;
 - (b) myfyriwr anabl-
 - (i) nad yw'n fyfyrwr cwrs gradd cywasgedig; a
 - (ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."
- 43.** Yn rheoliad 37(4)(c), yn lle "£615" rhodder "£610".
- 44.** Ar ôl rheoliad 38(4), mewnosoder-
 "(5) Ymdrinnir â myfyriwr y mae'r paragraff hwn yn gymwys iddo fel pe bai'n bresennol ar y cwrs dynodedig at ddibenion cymhwyso ar gyfer benthyciad at gostau byw.
- (6) Mae paragraff (5) yn gymwys ar gyfer-
 - (a) myfyriwr cwrs gradd cywasgedig; a
 - (b) myfyriwr anabl-
 - (i) nad yw'n fyfyrwr cwrs gradd cywasgedig; a
 - (ii) sy'n ymgymryd â chwrs dynodedig yn y Deyrnas Unedig ond nad yw'n bresennol am na all fod yn bresennol am reswm sy'n ymwneud â'i anabledd."
- (5) This regulation applies to an old system student who started the present course before 1 September 2006 and is continuing on that course after 31 August 2007 (a "continuing student")."
- 38.** After regulation 16(5), for "£4,445", substitute "£4,455."
- 39.** In regulation 18(1), after the words "Subject to paragraph (2)" insert the words, "and regulations 6 and 7".
- 40.** In regulation 20(1), omit the words, "Subject to paragraph (7)".
- 41.** After regulation 23(11)(d), insert-
 "(da) the student becomes the child of a Turkish worker;"
- 42.** After regulation 23(11), insert-
 "(12) A student to whom this paragraph applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for the following grants-
- (a) grants for dependants;
 - (b) maintenance grant or special support grant;
 - (c) higher education grant.
- (13) Paragraph (12) applies to -
- (a) a compressed degree student;
 - (b) a disabled student who-
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."
- 43.** In regulation 37(4)(c), for "£615" substitute "£610".
- 44.** After regulation 38(4), insert-
 "(5) A student to whom this paragraph applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for the loan for living costs.
- (6) Paragraph (5) applies to -
 - (a) a compressed degree student; and
 - (b) a disabled student who-
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability."

45. Yn rheoliad 39, yn lle "cwrw carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrw dwys".

46. Yn rheoliad 40 yn lle "cwrw carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrw dwys".

47. Yn rheoliad 42 yn lle "cwrw carlam" ym mhob man lle y mae'n digwydd, rhodder "cwrw dwys".

48. Yn lle rheoliad 44, rhodder-

"(1) Yn ddarostyngedig i reoliad 46, mae'r benthyciad at gostau byw yn daladwy mewn perthynas â thri chwarter o'r flwyddyn academaidd.

(2) Nid yw'r benthyciad at gostau byw yn daladwy -

(a) yn achos myfyriwr cwrw gradd cywasgedig, o ran y chwarter a enwebwyd gan Weinidogion Cymru;

(b) ym mhob achos arall, o ran y chwarter pan fydd, ym marn Gweinidogion Cymru, y gwyliau hiraf o unrhyw wyliau yn digwydd ynddo."

49. Ar ôl rheoliad 46(2)(ch)-

"(cha) bod y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

50. Ar ôl rheoliad 54(4)(d), mewnosoder-

"(dd) GFF yw swm y grant at ffioedd, os oes un, y mae'r myfyriwr cymwys yn dod yn gymwys i'w gael o dan Ran 4."

51. Yn rheoliad 54(6) yn lle "cwrw carlam", rhodder "cwrw dwys".

52. Yn rheoliad 62, ar ôl paragraff 15(dd) rhodder-

"(dda) pan fydd y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

53. Yn rheoliad 65(1)(b), yn lle "£1,000" rhodder "£1,025".

54. Yn rheoliad 65(5)(e), 65(5)(f) a 65(5)(ff), pa le bynnag y daw'r ffigur "£26,260" yn ei le rhodder "£26,265".

55. Yn rheoliad 65(6)(a), yn lle'r ffigurau "£15.92", "£12.79" a "£9.94", rhodder y ffigurau "£15.81", "£12.78" a "£9.92", yn eu trefn.

56. Ar ôl rheoliad 67(4)(a), mewnosoder-

"(aa) os nad yw'r ceisydd yn berson a grybwyllir ym mharagraff 12 o Ran 2 o Atodlen 1, ac os felly rhaid i'r cais gyrraedd Gweinidogion Cymru erbyn 1 Rhagfyr 2007 neu o fewn cyfnod o chwe mis sy'n dechrau gyda diwrnod cyntaf y flwyddyn academaidd y cyflwynir y cais ar ei chyfer, p'un bynnag yw'r dyddiad diweddaraf;"

45. In regulation 39 for "an accelerated course" in each place it occurs, substitute "an intensive course".

46. In regulation 40 for "an accelerated course" in each place it occurs, substitute "an intensive course".

47. In regulation 42 for "an accelerated course" in each place it occurs, substitute "an intensive course".

48. For regulation 44 substitute-

"(1) Subject to regulation 46, the loan for living costs is payable in respect of three quarters of the academic year.

(2) The loan for living costs is not payable -

(a) in the case of a compressed degree student, in respect of the quarter nominated by the Welsh Ministers;

(b) in any other case, in respect of the quarter in which, in the opinion of the Welsh Ministers, the longest of any vacation occurs."

49. After regulation 46(2)(d), insert-

"(da) the student becomes the child of a Turkish worker;"

50. After regulation 54(4)(e), insert-

"(f) GFF is the amount, if any, of grant for fees for which the eligible student qualifies under Part 4."

51. In regulation 54(6) for "an accelerated course", substitute "an intensive course".

52. In regulation 62, after paragraph 15(f), insert-

"(fa) the student becomes the child of a Turkish worker;"

53. In regulation 65(1)(b), for "£1,000" substitute "£1,025".

54. In regulation 65(5)(g), 65(5)(h) and 65(5)(i), wherever the figure "£26,260" appears substitute "£26,265".

55. In regulation 65(6)(a), for the figures, "£15.92", "£12.79," and "£9.94" substitute the figures, "£15.81", "£12.78" and "£9.92" respectively.

56. After regulation 67(4)(a), insert-

"(aa) the applicant is a person mentioned in paragraph 12 of Part 2 of Schedule 1, in which case the application must reach the Welsh Ministers by 1 December 2007 or within a period of six months beginning with the first day of the academic year in respect of which it is submitted, whichever is the later;"

57. Ar ôl rheoliad 74(17)(ch), mewnosoder-

"daw'r myfyriwr yn blentyn i weithiwr o Dwrci;".

58. Yn lle is-baragraffau (a) a (b) o reoliad 75(3), rhodder-

"(a) ystyr "cwrs amser-llawn cyfatebol" ("full-time equivalent") yw cwrs ôl-radd amser-llawn sy'n arwain at yr un cymhwyster â'r cwrs ôl-radd rhan-amser o dan sylw;

"(b) ystyr "cyfnod y mae ei angen fel arfer i gwblhau'r cwrs amser-llawn cyfatebol" ("period ordinarily required to complete the full-time equivalent") yw'r cyfnod fyddai'n ofynnol i fyfyriwr amser-llawn safonol i gwblhau'r cwrs amser-llawn cyfatebol;".

59. Yn rheoliad 76(1), hepgorer y geiriau, "rheoliadau 4 a 6" a mewnosoder y geiriau, "rheoliad 74".

60. Yn lle rheoliad 76(7), rhodder-

"(7) Pan fo'r cyfnod cymhwysra'n dod i ben-

(a) cyn diwedd y flwyddyn academiaidd y mae'r myfyriwr ôl-raddedig cymwys yn cwblhau'r cwrs ôl-radd dynodedig ynddi;
a

(b) mewn modd heblaw o dan baragraff (8), caiff Gweinidogion Cymru, ar unrhyw adeg, adnewyddu neu estyn y cyfnod cymhwysra am ba gyfnod bynnag a ddyfermir ganddynt."

61. Ar ôl rheoliad 76(7), mewnosoder-

"(8) Pan fo'r myfyriwr cymwys ôl-raddedig yn ymgymryd â chwrs ôl-radd dynodedig sy'n gwrs rhan-amser, daw cyfnod y cymhwysra i ben ar ddiwedd y flwyddyn academiaidd berthnasol nad yw'n gallu cwblhau'r cwrs ynddi o fewn y cyfnod a bennir yn rheoliad 75(1)(b)(ii).

(9) At ddibenion paragraff (8), ystyr "blwyddyn academiaidd berthnasol" yw'r flwyddyn academiaidd pan ddaw'n amhosibl i'r myfyriwr gwblhau'r cwrs ynddi neu ar ei diwedd o fewn y cyfnod a bennir yn rheoliad 75(1)(b)(ii)."

62. Yn Atodlen 1 -

(a) yn lle paragraff 1(3), rhodder-

"(3) At ddibenion yr Atodlen hon, dylid ymdrin â pherson fel rhywun sy'n preswyllo fel arfer yng Nghymru, y Deyrnas Unedig a'r Ynysoedd, y diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd a'r Swistir neu'r diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci fel pe bai'n breswyllydd felly oni bai am y ffaith bod -

(a) y person hwnnw;

57. After regulation 74(17)(d), insert-

"(da) the student becomes the child of a Turkish worker;".

58. For sub-paragraphs (a) and (b) of regulation 75(3), substitute-

"(a) "full-time equivalent" ("cwrs amser-llawn cyfatebol") means a full-time postgraduate course leading to the same qualification as the part-time postgraduate course in question;

"(b) "period ordinarily required to complete the full-time equivalent" ("cyfnod y mae ei angen fel arfer i gwblhau'r cwrs amser-llawn cyfatebol") means the period that a standard full-time student would require to complete the full-time equivalent;".

59. In regulation 76(1), omit the words, "regulations 4 and 6" and insert the words, "regulation 74".

60. For regulation 76(7), substitute-

"(7) Where the period of eligibility terminates-

(a) before the end of the academic year in which the eligible postgraduate student completes the designated postgraduate course; and

(b) otherwise than under paragraph (8),

the Welsh Ministers may, at any time, renew or extend the period of eligibility for such period as they determine."

61. After regulation 76(7), insert-

"(8) Where the eligible postgraduate student is undertaking a designated postgraduate course that is a part-time course, the period of eligibility terminates at the end of the relevant academic year where he or she cannot complete the course within the period specified in regulation 75(1)(b)(ii).

(9) For the purposes of paragraph (8), "relevant academic year" means the academic year during or at the end of which it becomes impossible for the student to complete the course within the period specified in regulation 75(1)(b)(ii)."

62. In Schedule 1-

(a) for paragraph 1(3), substitute-

"(3) For the purposes of this Schedule, a person is to be treated as ordinarily resident in Wales, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey if he or she would have been so resident but for the fact that-

(a) he or she;

- (b) ei briod neu ei bartner sifil;
- (c) ei riant; neu
- (ch) yn achos perthynas uniongyrchol dibynnol yn y llinach esgynnol, ei blentyn neu blentyn ei briod neu ei bartner sifil,

yn gyflogedig dros dro neu wedi bod yn gyflogedig dros dro yn yr ardal o dan sylw.";

(b) yn lle paragraff 1(4), rhodder-

"(4) At ddibenion is-baragraff (3), mae cyflogaeth dros dro y tu allan i Gymru, y Deyrnas Unedig a'r Ynysoedd, y diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd a'r Swistir neu'r diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci yn cynnwys-

- (a) yn achos aelodau o luoedd rheolaidd y llynges, y fyddin neu llu awyr y Goron, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r Deyrnas Unedig fel aelodau o'r cyfryw luoedd;
- (b) yn achos aelodau o luoedd arfog rheolaidd Gwladwriaeth AEE neu'r Swistir, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd a'r Swistir fel aelodau o'r cyfryw luoedd; ac
- (c) yn achos aelodau o luoedd arfog rheolaidd Twrci, unrhyw gyfnod pan fyddant yn gwasanaethu y tu allan i'r diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci fel aelodau o'r cyfryw luoedd.";

(c) ar ôl paragraff 11, mewnosoder-

" Children of Turkish workers

12. Person-

- (a) sydd yn blentyn i weithiwr o Dwrci;
- (b) sydd fel arfer yn preswyllo yng Nghymru ar ddiwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs; ac
- (c) sydd wedi preswyllo fel arfer yn y diriogaeth sydd yn ffurfio'r Ardal Economaidd Ewropeaidd, y Swistir a Thwrci drwy'r cyfnod o dair blynedd yn union o flaen diwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs."

63. Ar ôl paragraff 5(ch) o Atodlen 4, mewnosoder-

"(cha) bod y myfyriwr yn dod yn blentyn i weithiwr o Dwrci;"

- (b) his or her spouse or civil partner;
- (c) his or her parent; or
- (d) in the case of a dependent direct relative in the ascending line, his or her child or his or her child's spouse or civil partner,

is or was temporarily employed outside the area in question.";

(b) for paragraph 1(4), substitute-

"(4) For the purposes of sub-paragraph (3), temporary employment outside of Wales, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey includes-

- (a) in the case of members of the regular naval, military or air forces of the Crown, any period which they serve outside the United Kingdom as members of such forces;
- (b) in the case of members of the regular armed forces of an EEA State or Switzerland, any period which they serve outside of the territory comprising the European Economic Area and Switzerland as members of such forces; and
- (c) in the case of members of the regular armed forces of Turkey, any period which they serve outside of the territory comprising the European Economic Area, Switzerland and Turkey as members of such forces.";

(c) after paragraph 11, insert-

" Children of Turkish workers

12. A person who-

- (a) is the child of a Turkish worker;
- (b) is ordinarily resident in Wales on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and Turkey throughout the three-year period preceding the first day of the first academic year of the course."

63. After paragraph 5(d) of Schedule 4, insert-

"(da) the student becomes the child of a Turkish worker;"

Jane E Hart

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a
Sgiliau, un o Weinidogion Cymru

Minister for Children, Education, Lifelong Learning
and Skills, one of the Welsh Ministers

4 Awst 2007

4 August 2007

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