



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 1727 (Cy. 169)

2013 No. 1727 (W. 169)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Corfforaeth Addysg
Bellach Coleg Powys (Diddymu)
2013

The Coleg Powys Further
Education Corporation
(Dissolution) Order 2013

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diddymu'r gorfforaeth addysg bellach a sefydlwyd i redeg Coleg Powys a hynny'n effeithiol o 1 Awst 2013. Mae'n darparu ar gyfer trosglwyddo eiddo, hawliau a rhwymedigaethau Corfforaeth Addysg Bellach Coleg Powys i Gorfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot. Mae'r Gorchymyn hefyd yn diogelu hawliau cyflogaeth personau sy'n cael eu cyflogi gan Gorfforaeth Addysg Bellach Coleg Powys drwy gymhwyso, gydag addasiadau, adran 26(2) i (4) o Ddeddf Addysg Bellach ac Uwch 1992 (p.13) ("y Ddeddf").

This Order dissolves the further education corporation established to conduct Coleg Powys with effect from 1 August 2013. It provides for the transfer of the property, rights and liabilities of Coleg Powys Further Education Corporation to Neath Port Talbot College Further Education Corporation. The Order also secures the employment rights of persons employed by Coleg Powys Further Education Corporation by applying, with modifications, section 26(2) to (4) of the Further and Higher Education Act 1992 (c.13) ("the Act").

Effaith cymhwyso adran 26(2) i (4) o'r Ddeddf yw cadw contractau cyflogaeth cyflogeion Corfforaeth Addysg Bellach Coleg Powys fel petai'r contractau cyflogaeth wedi eu gwneud yn wreiddiol rhwng y cyflogeion a Chorfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot. Daw cyflogeion Corfforaeth Addysg Bellach Coleg Powys yn gyflogeion Corfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot o 1 Awst 2013 ymlaen.

The application of section 26(2) to (4) of the Act has the effect of preserving the employment contracts of employees of Coleg Powys Further Education Corporation as if the contracts of employment were originally made between the employees and Neath Port Talbot College Further Education Corporation. The employees of Coleg Powys Further Education Corporation will become employees of Neath Port Talbot College Further Education Corporation from 1 August 2013.

Ni luniwyd Asesiad Effaith Rheoleiddiol ar gyfer yr offeryn hwn, gan nad oes ganddo effaith ar gostau busnes.

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on the costs of business.

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Bellach Coleg Powys (Diddymu)
2013**

**The Coleg Powys Further
Education Corporation
(Dissolution) Order 2013**

Gwnaed 9 Gorffennaf 2013

Made 9 July 2013

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 11 Gorffennaf 2013

Laid before the National Assembly for Wales
11 July 2013

Yn dod i rym 1 Awst 2013

Coming into force 1 August 2013

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd gan adran 27C o Ddeddf Addysg Bellach ac Uwch 1992(1).

The Welsh Ministers make the following Order in exercise of the powers conferred by section 27C of the Further and Higher Education Act 1992(1).

Yn unol ag adran 27C(2) o'r Ddeddf honno, mae Corfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot ("*Neath Port Talbot College Further Education Corporation*")(2) wedi cydsynio i'r trosglwyddiad o eiddo, hawliau a rhwymedigaethau Corfforaeth Addysg Bellach Coleg Powys ("*Coleg Powys Further Education Corporation*")(3).

In accordance with section 27C(2) of that Act, Neath Port Talbot College Further Education Corporation ("*Corfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot*")(2) has consented to the transfer of the property, rights and liabilities of Coleg Powys Further Education Corporation ("*Corfforaeth Addysg Bellach Coleg Powys*")(3).

Mae Gweinidogion Cymru wedi ymgynghori â Chorfforaeth Addysg Bellach Coleg Powys ("*Coleg Powys Further Education Corporation*") yn unol ag adran 27C(6) o'r Ddeddf.

The Welsh Ministers have consulted with Coleg Powys Further Education Corporation ("*Corfforaeth Addysg Bellach Coleg Powys*") in accordance with section 27C(6) of the Act.

Enwi a chychwyn

Title and commencement

1. Enw'r Gorchymyn hwn yw Gorchymyn Corfforaeth Addysg Bellach Coleg Powys (Diddymu) 2013 a daw i rym ar 1 Awst 2013.

1. The title of this Order is the Coleg Powys Further Education Corporation (Dissolution) Order 2013 and it comes into force on 1 August 2013.

(1) 1992 p.13; rhoddwyd adran 27C yn lle adran 27 fel y'i deddfwyd yn wreiddiol, gan Ddeddf Addysg 2011 (p.21), adran 49, Atodlen 12, paragraffau 1 a 7.

(2) A sefydlwyd fel "*Neath College*" gan Orchymyn Addysg (Corfforaethau Addysg Bellach) 1992 (O.S. 1992/2097).

(3) A sefydlwyd gan Orchymyn Addysg (Corfforaethau Addysg Bellach) 1992 (O.S. 1992/2097).

(1) 1992 c.13; section 27C was substituted for section 27 as originally enacted by the Education Act 2011 (c.21), section 49, Schedule 12 paragraphs 1 and 7.

(2) Established as "*Neath College*" by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

(3) Established by the Education (Further Education Corporations) Order 1992 (S.I. 1992/2097).

Dehongli

2. Yn y Gorchymyn hwn, ystyr “y Ddeddf” (“*the Act*”) yw Deddf Addysg Bellach ac Uwch 1992.

Diddymu a throsglwyddo

3. Ar 1 Awst 2013 mae Corfforaeth Addysg Bellach Coleg Powys (“*Coleg Powys Further Education Corporation*”) wedi ei diddymu a throsglwyddir ei heiddo, ei hawliau a’i rhwymedigaethau yn unol ag adran 27C(2) o’r Ddeddf i Gorfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot (“*Neath Port Talbot College Further Education Corporation*”), sef corff corfforaethol sydd wedi ei sefydlu at ddibenion sy’n cynnwys darparu cyfleusterau neu wasanaethau addysgol.

Trosglwyddo staff

4. Mae adran 26(2), (3) a (4) o’r Ddeddf yn gymwys i unrhyw berson a gyflogir gan Gorfforaeth Addysg Bellach Coleg Powys (“*Coleg Powys Further Education Corporation*”) yn union cyn 1 Awst 2013 fel petai’r cyfeiriadau yn yr adran honno—

- (a) at berson y mae’r adran honno yn gymwys iddo yn gyfeiriadau at berson sy’n gyflogedig fel hynny;
- (b) at y dyddiad gweithredol yn gyfeiriadau at 1 Awst 2013;
- (c) at y trosglwyddwr yn gyfeiriadau at Gorfforaeth Addysg Bellach Coleg Powys (“*Coleg Powys Further Education Corporation*”); a
- (d) at y gorfforaeth yn gyfeiriadau at Gorfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot (“*Neath Port Talbot College Further Education Corporation*”).

Interpretation

2. In this Order “the Act” (“*y Ddeddf*”) means the Further and Higher Education Act 1992.

Dissolution and transfer

3. On 1 August 2013 Coleg Powys Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Powys*”) is dissolved and its property, rights and liabilities are transferred in accordance with section 27C(2) of the Act to Neath Port Talbot College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot*”), being a body corporate established for purposes which include the provision of educational facilities or services.

Transfer of staff

4. Section 26(2), (3) and (4) of the Act applies to any person employed by Coleg Powys Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Powys*”) immediately before 1 August 2013 as if the references in that section—

- (a) to a person to whom that section applies were to a person so employed;
- (b) to the operative date were to 1 August 2013;
- (c) to the transferor were to Coleg Powys Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Powys*”); and
- (d) to the corporation were to Neath Port Talbot College Further Education Corporation (“*Corfforaeth Addysg Bellach Coleg Castell-nedd Port Talbot*”).

Huw Lewis

Y Gweinidog Addysg a Sgiliau,
un o Weinidogion Cymru

9 Gorffennaf 2013

Minister for Education and Skills,
one of the Welsh Ministers

9 July 2013

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£4.00

W1647/07/13

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ISBN 978-0-348-10775-3



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