



---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH STATUTORY  
INSTRUMENTS

---

**2013 Rhif 1729 (Cy. 170)**

**2013 No. 1729 (W. 170)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Corfforaeth Addysg  
Uwch Prifysgol Fetropolitan  
Abertawe (Diddymu) 2013**

**The Swansea Metropolitan  
University Higher Education  
Corporation (Dissolution) Order  
2013**

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn yn diddymu'r gorfforaeth addysg uwch a sefydlwyd i redeg Prifysgol Fetropolitan Abertawe. Sefydlwyd Prifysgol Fetropolitan Abertawe fel corfforaeth addysg uwch o'r enw Athrofa Addysg Uwch Abertawe o dan adran 122 o Ddeddf Diwygio Addysg 1988 a newidiodd ei henw i Brifysgol Fetropolitan Abertawe gyda chydysyniad y Cyfrin Gyngor.

Mae'r Gorchymyn hwn yn darparu i'r holl eiddo, hawliau a rhwymedigaethau yr oedd gan Brifysgol Fetropolitan Abertawe hawlogaeth iddynt neu yr oedd yn ddarostyngedig iddynt yn union cyn ei diddymu, gael eu trosglwyddo i Brifysgol Cymru y Drindod Dewi Sant.

Mae'r Gorchymyn hwn hefyd yn gwneud darpariaeth i adran 127 o Ddeddf Diwygio Addysg 1988 fod yn gymwys mewn perthynas â phersonau a gyflogwyd gan Brifysgol Fetropolitan Abertawe yn union cyn 1 Awst 2013. Mae adran 127 o Ddeddf 1988, fel y'i cymhwysir gan y Gorchymyn hwn, yn gwneud darpariaeth ar gyfer trosglwyddo'r cyflogeion hynny i Brifysgol Cymru y Drindod Dewi Sant ar 1 Awst 2013 ac mewn cysylltiad â hawliau a dyletswyddau cysylltiedig Prifysgol Cymru y Drindod Dewi Sant a'r cyflogeion a drosglwyddir.

Mae Prifysgol Cymru y Drindod Dewi Sant yn gorfforaeth a sefydlwyd o dan Siarter Frenhinol.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order dissolves the higher education corporation established to conduct Swansea Metropolitan University. Swansea Metropolitan University was established as a higher education corporation under section 122 of the Education Reform Act 1988 as Swansea Institute of Higher Education and changed its name to Swansea Metropolitan University with the consent of the Privy Council.

This Order provides for all property, rights and liabilities to which Swansea Metropolitan University was entitled or subject to immediately before its dissolution to be transferred to the University of Wales Trinity Saint David.

This Order also makes provision for section 127 of the Education Reform Act 1988 to apply in relation to persons who were employed by Swansea Metropolitan University immediately before 1 August 2013. Section 127 of the 1988 Act, as applied by this Order, makes provision for the transfer of such employees to the University of Wales Trinity Saint David on 1 August 2013 and in respect of associated rights and duties of the University of Wales Trinity Saint David and the transferred employees.

The University of Wales Trinity Saint David is a corporation established under Royal Charter.

2013 Rhif 1729 (Cy. 170)

2013 No. 1729 (W. 170)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Corfforaeth Addysg  
Uwch Prifysgol Fetropolitan  
Abertawe (Diddymu) 2013

The Swansea Metropolitan  
University Higher 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 i'r Ysgrifennydd Gwladol gan adran 128 o Ddeddf Diwygio Addysg 1988(1) ac sy'n arferadwy bellach ganddynt hwy(2).

The Welsh Ministers make the following Order in exercise of the powers conferred on the Secretary of State by section 128 of the Education Reform Act 1988(1) and now exercisable by them(2).

Yn unol ag adran 128(2) o Ddeddf Diwygio Addysg 1988, mae Prifysgol Cymru y Drindod Dewi Sant (“*the University of Wales Trinity Saint David*”)(3), sef corff corfforaethol a sefydlwyd at ddibenion sy'n cynnwys darparu cyfleusterau neu wasanaethau addysgol o fewn ystyr adran 128(1)(b)(ii) o'r Ddeddf honno, wedi cydsynio i eiddo, hawliau a rhwymedigaethau Corfforaeth Addysg Uwch Prifysgol Fetropolitan

In accordance with section 128(2) of the Education Reform Act 1988, the University of Wales Trinity Saint David(3) (“*Prifysgol Cymru y Drindod Dewi Sant*”), being a body corporate established for purposes which include the provision of educational facilities or services within the meaning of section 128(1)(b)(ii) of that Act, has consented to the transfer to it of the property, rights and liabilities of the

- (1) 1988 p.40. Diwygiwyd adran 128 gan Ddeddf Addysg Bellach ac Uwch 1992 (p.13), Atodlen 8, paragraff 34; Deddf Dysgu a Medrau 2000 (p.21), Atodlen 9, paragraffau 1 ac 16; Deddf Addysg 2011 (p.21), adran 67 ac Atodlen 16, paragraff 8; Deddf Elusennau 2011 (p.25), Atodlen 7, paragraff 51; Gorchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005 (O.S. 2005/3238) (Cy.243), Atodlen 1, paragraff 12 a Gorchymyn Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Diwygiadau Canlyniadol) (Cymru a Lloegr) 2010 (O.S. 2010/1080), paragraffau 15 ac 16.
- (2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 128, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30 o Atodlen 11 iddi mae'r swyddogaethau hynny yn arferadwy gan Weinidogion Cymru.
- (3) Mae Prifysgol Cymru y Drindod Dewi Sant yn gorfforaeth a sefydlwyd o dan Siarter Frenhinol.

- (1) 1988 c.40. Section 128 was amended by the Further and Higher Education Act 1992 (c.13), Schedule 8, paragraph 34; the Learning and Skills Act 2000 (c.21), Schedule 9, paragraphs 1 and 16; the Education Act 2011 (c.21), section 67 and Schedule 16, paragraph 8; the Charities Act 2011 (c.25), Schedule 7, paragraph 51; the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238) (W.243), Schedule 1, paragraph 12 and the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), paragraphs 15 and 16.
- (2) The functions of the Secretary of State under section 128 were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32) those functions are exercisable by the Welsh Ministers.
- (3) The University of Wales Trinity Saint David is a corporation established under Royal Charter.

Abertawe (“Swansea Metropolitan University Higher Education Corporation”)(1) gael eu trosglwyddo iddi.

Mae Gweinidogion Cymru wedi ymgynghori â Chorfforaeth Addysg Uwch Prifysgol Fetropolitan Abertawe ac â Chyngor Cyllido Addysg Uwch Cymru yn unol ag adran 128(4) o’r Ddeddf honno.

### Enwi a chychwyn

1. Enw’r Gorchymyn hwn yw Gorchymyn Corfforaeth Addysg Uwch Prifysgol Fetropolitan Abertawe (Diddymu) 2013 a daw i rym ar 1 Awst 2013.

### Dehongli

2. Yn y Gorchymyn hwn—

ystyr “Corfforaeth Fetropolitan Abertawe” (“*the Swansea Metropolitan Corporation*”) yw Corfforaeth Addysg Uwch Prifysgol Fetropolitan Abertawe.

### Diddymu Prifysgol Fetropolitan Abertawe

3. Ar 1 Awst 2013 mae Corfforaeth Fetropolitan Abertawe wedi ei diddymu ac mae ei holl eiddo, hawliau a rhwymedigaethau wedi eu trosglwyddo i Brifysgol Cymru y Drindod Dewi Sant.

4. Mae adran 127 o Ddeddf Diwygio Addysg 1988 yn gymwys i unrhyw berson a gyflogwyd gan Gorfforaeth Fetropolitan Abertawe 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 a gyflogwyd felly;
- (b) at y dyddiad trosglwyddo yn gyfeiriadau at 1 Awst 2013;
- (c) at yr awdurdod sy’n trosglwyddo yn gyfeiriadau at Gorfforaeth Fetropolitan Abertawe;
- (d) at y gorfforaeth yn gyfeiriadau at Brifysgol Cymru y Drindod Dewi Sant.

Swansea Metropolitan University Higher Education Corporation(1) (“*Corfforaeth Addysg Uwch Prifysgol Fetropolitan Abertawe*”).

The Welsh Ministers have consulted the Swansea Metropolitan University Higher Education Corporation and the Higher Education Funding Council for Wales in accordance with section 128(4) of that Act.

### Title and commencement

1. The title of this Order is the Swansea Metropolitan University Higher Education Corporation (Dissolution) Order 2013 and it comes into force on 1 August 2013.

### Interpretation

2. In this Order—

“the Swansea Metropolitan Corporation” (“*Corfforaeth Fetropolitan Abertawe*”) means the Swansea Metropolitan University Higher Education Corporation.

### Dissolution of Swansea Metropolitan University

3. On 1 August 2013 the Swansea Metropolitan Corporation is dissolved and all of its property, rights and liabilities are transferred to the University of Wales Trinity Saint David.

4. Section 127 of the Education Reform Act 1988 applies to any person employed by the Swansea Metropolitan Corporation immediately before 1 August 2013 as if references in that section to—

- (a) a person to whom that section applies were to a person so employed;
- (b) the transfer date were to 1 August 2013;
- (c) the transferor authority were to the Swansea Metropolitan Corporation;
- (d) the corporation were to the University of Wales Trinity Saint David.

---

(1) Sefydlwyd fel corfforaeth addysg uwch o dan adran 122(1) o Ddeddf Diwygio Addysg 1988 yn rhinwedd O.S. 1991/1976.

---

(1) Established as a higher education corporation under section 122(1) of the Education Reform Act 1988 by virtue of S.I. 1991/1976.

*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

---

© Hawlfraint y Goron 2013

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 2013

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.

£4.00

W1652/07/13

ON

ISBN 978-0-348-10768-5



9 780348 107685