



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 1733 (Cy. 172)

2013 No. 1733 (W. 172)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Cyngor Cyllido
Addysg Uwch Cymru
(Swyddogaethau Atodol) 2013

The Higher Education Funding
Council for Wales (Supplementary
Functions) Order 2013

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae adran 69(5) o Ddeddf Addysg Bellach ac Uwch 1992 yn darparu y caiff Gweinidogion Cymru, drwy orchymyn, roi i Gyngor Cyllido Addysg Uwch Cymru unrhyw swyddogaethau atodol yn ymwneud â darparu addysg sydd yn eu barn hwy yn briodol neu osod y swyddogaethau atodol hynny arno.

Section 69(5) of the Further and Higher Education Act 1992 provides that the Welsh Ministers may, by order, confer or impose on the Higher Education Funding Council for Wales such supplementary functions relating to the provision of education as they think fit.

Mae'r Gorchymyn hwn yn rhoi swyddogaethau atodol i Gyngor Cyllido Addysg Uwch Cymru. Mae'r swyddogaethau a roddir gan y Gorchymyn hwn yn swyddogaethau y caiff Gweinidogion Cymru eu harfer mewn rheoliadau a wneir o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998.

This Order confers supplementary functions on the Higher Education Funding Council for Wales. The functions conferred by this Order are functions exercisable by the Welsh Ministers in regulations made under section 22 of the Teaching and Higher Education Act 1998.

Mae'r swyddogaethau a roddir i Gyngor Cyllido Addysg Uwch Cymru gan erthygl 2 o'r Gorchymyn hwn yn ymwneud â thalu'r grant newydd at ffioedd i sefydliadau addysg uwch (ac adennill gordaliadau o'r grant hwnnw) a gofyn am wybodaeth sy'n gysylltiedig â thalu'r grant newydd at ffioedd, a chael yr wybodaeth honno. Mae'r swyddogaethau hyn yn gymwys mewn cysylltiad â myfyrwyr sy'n dechrau cyrsiau addysg uwch dynodedig ar 1 Medi 2013 neu ar ôl hynny.

The functions conferred on the Higher Education Funding Council for Wales by article 2 of this Order relate to the payment of the new fee grant to higher education institutions (and the recovery of overpayments of such grant) and requesting and receiving information connected to the payment of the new fee grant. These functions apply in respect of students starting designated higher education courses on or after 1 September 2013.

2013 Rhif 1733 (Cy. 172)

ADDYSG, CYMRU

**Gorchymyn Cyngor Cyllido
Addysg Uwch Cymru
(Swyddogaethau Atodol) 2013**

Gwnaed 9 Gorffennaf 2013

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 15 Gorffennaf 2013

Yn dod i rym 31 Awst 2013

2013 No. 1733 (W. 172)

EDUCATION, WALES

**The Higher Education Funding
Council for Wales (Supplementary
Functions) Order 2013**

Made 9 July 2013

Laid before the National Assembly for Wales
15 July 2013

Coming into force 31 August 2013

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 69(5) ac 89(4) o Ddeddf Addysg Bellach ac Uwch 1992(1), ac sydd bellach yn arferadwy ganddynt hwy(2) yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyngor Cyllido Addysg Uwch Cymru (Swyddogaethau Atodol) 2013 a daw i rym ar 31 Awst 2013.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Yn y Gorchymyn hwn—

(a) ystyr “Rheoliadau 2012” (“*the 2012 Regulations*”) yw Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2012(3); a

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 69(5) and 89(4) of the Further and Higher Education Act 1992(1), and now exercisable by them(2) make the following Order:

Title, commencement, application and interpretation

1.—(1) The title of this Order is the Higher Education Funding Council for Wales (Supplementary Functions) Order 2013 and it comes into force on 31 August 2013.

(2) This Order applies in relation to Wales.

(3) In this Order—

(a) “the 2012 Regulations” (“*Rheoliadau 2012*”) means the Education (Student Support) (Wales) Regulations 2012(3); and

(1) 1992 p.13; diwygiwyd adran 89(4) gan Ddeddf Addysg Bellach a Hyfforddi 2007 (p.25), adran 29 ac Atodlen 1, paragraff 11.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 69(5), 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'n arferadwy gan Weinidogion Cymru.

(3) O.S. 2012/3097 (Cy.313) fel y'i diwygiwyd gan O.S. 2013/765 (Cy.91).

(1) 1992 c.13; section 89(4) was amended by the Further Education and Training Act 2007 (c.25), section 29 and Schedule 1, paragraph 11.

(2) The functions of the Secretary of State under section 69(5) 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) S.I. 2012/3097 (W.313) as amended by S.I. 2013/765 (W.91).

- (b) mae i “grant newydd at ffioedd” (“*new fee grant*”) yr ystyr a roddir iddo gan reoliad 2(1) o Reoliadau 2012.

- (b) “new fee grant” (“*grant newydd at ffioedd*”) has the meaning given by regulation 2(1) of the 2012 Regulations.

Swyddogaethau Atodol

2. Mae’r swyddogaethau a ganlyn, sef swyddogaethau Gweinidogion Cymru o dan Reoliadau 2012, wedi eu rhoi i Gyngor Cyllido Addysg Uwch Cymru(1)—

- (a) swyddogaethau sy’n ymwneud â thalu grant newydd at ffioedd o dan reoliad 69 o Reoliadau 2012;
- (b) swyddogaethau sy’n ymwneud ag adennill gordaliad o grant newydd at ffioedd o dan reoliad 74 o Reoliadau 2012; ac
- (c) swyddogaethau sy’n ymwneud â chais am wybodaeth o dan Atodlen 3 i Reoliadau 2012 a chael yr wybodaeth honno, i’r graddau y mae’r swyddogaethau hynny yn ymwneud â thalu neu adennill grant newydd at ffioedd.

3. Nid oes dim yn y Gorchymyn hwn yn atal Gweinidogion Cymru rhag arfer y swyddogaethau a ddisgrifir yn erthygl 2.

Supplementary Functions

2. The following functions, being functions of the Welsh Ministers under the 2012 Regulations, are conferred on the Higher Education Funding Council for Wales(1)—

- (a) functions relating to the payment of new fee grant under regulation 69 of the 2012 Regulations;
- (b) functions relating to the recovery of an overpayment of new fee grant under regulation 74 of the 2012 Regulations; and
- (c) functions relating to a request for and receipt of information under Schedule 3 to the 2012 Regulations, in so far as those functions relate to the payment or recovery of a new fee grant.

3. Nothing in this Order prevents the Welsh Ministers from exercising the functions described in article 2.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

Minister for Education and Skills, one of the Welsh Ministers

9 Gorffennaf 2013

9 July 2013

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(1) Sefydlwyd gan adran 62 o Ddeddf Addysg Bellach ac Uwch 1992.

(1) Established by section 62 of the Further and Higher Education Act 1992.

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