OFFERYNNAU STATUDOL CYMRU

2013 Rhif 664 (Cy.77)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd (Diddymu) 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 Cymru, Casnewydd ("Prifysgol Casnewydd"). Sefydlwyd Prifysgol Casnewydd fel corfforaeth addysg uwch o'r enw Coleg Addysg Uwch Gwent o dan adran 122 o Ddeddf Diwygio Addysg 1988 a newidodd ei henw i Goleg Prifysgol Cymru, Casnewydd ac wedi hynny i Brifysgol Cymru, Casnewydd gyda chydsyniad y Cyfrin Gyngor.

Mae'r Gorchymyn hwn yn darparu i'r holl eiddo, hawliau a rhwymedigaethau yr oedd gan Brifysgol Casnewydd hawlogaeth iddynt neu yr oedd yn ddarostyngedig iddynt yn union cyn ei diddymu, gael eu trosglwyddo i Gorfforaeth Addysg Uwch Prifysgol Morgannwg ("Prifysgol Morgannwg").

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 Casnewydd yn union cyn 1 Ebrill 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 Morgannwg ar 1 Ebrill 2013 ac mewn cysylltiad â hawliau a dyletswyddau cysylltiedig Prifysgol Morgannwg a'r cyflogeion a drosglwyddir.

Ymgorfforwyd Prifysgol Morgannwg fel corfforaeth addysg uwch o'r enw Polytechnig Cymru ym 1982 a newidodd ei henw gyda chydsyniad y Cyfrin Gyngor.

WELSH STATUTORY INSTRUMENTS

2013 No. 664 (W.77)

EDUCATION, WALES

The University of Wales, Newport Higher Education Corporation (Dissolution) Order 2013

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the higher education corporation established to conduct the University of Wales, Newport ("the University of Newport"). The University of Newport was established as a higher education corporation under section 122 of the Education Reform Act 1988 as Gwent College of Higher Education and changed its name to the University of Wales College, Newport and subsequently to the University of Wales, Newport with the consent of the Privy council.

This Order provides for all property, rights and liabilities to which the University of Newport was entitled or subject to immediately before its dissolution to be transferred to the University of Glamorgan Higher Education Corporation ("the University of Glamorgan").

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

The University of Glamorgan was incorporated as a higher education corporation in 1992 as the Polytechnic of Wales and changed its name with the consent of the Privy Council.

OFFERYNNAU STATUDOL CYMRU

2013 Rhif 664 (Cy.77)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd (Diddymu) 2013

Gwnaed	*19 Mawrth 2013*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*20 Mawrth 2013*
Yn dod i rym	*11 Ebrill 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**).

Yn unol ag adran 128(2) o Ddeddf Diwygio Addysg 1988, mae Corfforaeth Addysg Uwch Prifysgol Morgannwg ("*the University of Glamorgan Higher Education Corporation*")(**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 Cymru, Casnewydd ("*University of Wales, Newport Higher Education Corporation*")(**4**) gael eu trosglwyddo iddi.

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

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

WELSH STATUTORY INSTRUMENTS

2013 No. 664 (W.77)

EDUCATION, WALES

The University of Wales, Newport Higher Education Corporation (Dissolution) Order 2013

Made	*19 March 2013*
Laid before the National Assembly for Wales	*20 March 2013*
Coming into force	*11 April 2013*

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**).

In accordance with section 128(2) of the Education Reform Act 1988, the University of Glamorgan Higher Education Corporation(**3**) ("*Corfforaeth Addysg Uwch Prifysgol Morgannwg*"), 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 University of Wales, Newport Higher Education Corporation(**4**) ("*Corfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd*").

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

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

Mae Gweinidogion Cymru wedi ymgynghori â Chorfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd 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 Cymru, Casnewydd (Diddymu) 2013 a daw i rym ar 11 Ebrill 2013.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "Corfforaeth Casnewydd" ("*the Newport Corporation*") yw Corfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd;

ystyr "Prifysgol Morgannwg" ("*University of Glamorgan*") yw Corfforaeth Addysg Uwch Prifysgol Morgannwg.

Diddymu Prifysgol Cymru, Casnewydd

3. Ar 1 Ebrill 2013 mae Corfforaeth Casnewydd wedi ei diddymu ac mae ei holl eiddo, hawliau a rhwymedigaethau wedi eu trosglwyddo i Brifysgol Morgannwg.

4. Mae adran 127 o Ddeddf Diwygio Addysg 1988 yn gymwys i unrhyw berson a gyflogwyd gan Gorfforaeth Casnewydd yn union cyn 1 Ebrill 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 Ebrill 2013;

(c) at yr awdurdod sy'n trosglwyddo yn gyfeiriadau at Gorfforaeth Casnewydd;

(d) at y gorfforaeth yn gyfeiriadau at Brifysgol Morgannwg.

The Welsh Ministers have consulted the University of Wales Newport 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 University of Wales, Newport Higher Education Corporation (Dissolution) Order 2013 and it comes into force on 11 April 2013.

Interpretation

2. In this Order—

"the Newport Corporation" ("*Corfforaeth Casnewydd*") means the University of Wales, Newport Higher Education Corporation;

"University of Glamorgan" ("*Prifysgol Morgannwg*") means the University of Glamorgan Higher Education Corporation.

Dissolution of the University of Wales, Newport

3. On 1 April 2013 the Newport Corporation is dissolved and all of its property, rights and liabilities are transferred to the University of Glamorgan.

4. Section 127 of the Education Reform Act 1988 applies to any person employed by the Newport Corporation immediately before 1 April 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 April 2013;

(c) the transferor authority were to the Newport Corporation;

(d) the corporation were to the University of Glamorgan.

Leighton Andrews

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

19 Mawrth 2013

Minister for Education and Skills, one of the Welsh Ministers

19 March 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.

OFFERYNNAU STATUDOL CYMRU

2013 Rhif 664 (Cy.77)

ADDYSG, CYMRU

Gorchymyn Corfforaeth Addysg Uwch Prifysgol Cymru, Casnewydd (Diddymu) 2013

WELSH STATUTORY INSTRUMENTS

2013 No. 664 (W.77)

EDUCATION, WALES

The University of Wales, Newport Higher Education Corporation (Dissolution) Order 2013

£4.00

W1550/04/13 ON