



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 764 (Cy. 166)

2022 No. 764 (W. 166)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Cyllid
Myfyrwyr) (Gwladolion
Wcreinaidd ac Aelodau o'u
Teuluoedd) (Diwygiadau
Amrywiol) (Cymru) 2022

The Education (Student Finance)
(Ukrainian Nationals and Family
Members) (Miscellaneous
Amendments) (Wales) Regulations
2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio:

- (a) Rheoliadau Addysg (Ffioedd a Dyfarniadau) (Cymru) 2007 (gweler Rhan 2 o'r Rheoliadau),
- (b) Rheoliadau Addysg (Athrofa Brifysgol Ewropeaidd) (Cymru) 2014 (gweler Rhan 3 o'r Rheoliadau),
- (c) Rheoliadau Addysg Uwch (Cyrsiau Cymhwysol, Personau Cymhwysol a Darpariaeth Atodol) (Cymru) 2015 (gweler Rhan 4 o'r Rheoliadau),
- (d) Rheoliadau Addysg (Cymorth i Fyfirwyr) (Cymru) 2017 (gweler Rhan 5 o'r Rheoliadau),
- (e) Rheoliadau Addysg (Cymorth i Fyfirwyr) (Cymru) 2018 (gweler Rhan 6 o'r Rheoliadau),
- (f) Rheoliadau Addysg (Benthyciadau at Radd Ddoethurol Ôl-raddedig) (Cymru) 2018 (gweler Rhan 7 o'r Rheoliadau), ac
- (g) Rheoliadau Addysg (Cymorth i Fyfirwyr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019 (gweler Rhan 8 o'r Rheoliadau).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend:

- (a) the Education (Fees and Awards) (Wales) Regulations 2007 (see Part 2 of the Regulations),
- (b) the Education (European University Institute) (Wales) Regulations 2014 (see Part 3 of the Regulations),
- (c) the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015 (see Part 4 of the Regulations),
- (d) the Education (Student Support) (Wales) Regulations 2017 (see Part 5 of the Regulations),
- (e) the Education (Student Support) (Wales) Regulations 2018 (see Part 6 of the Regulations),
- (f) the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018 (see Part 7 of the Regulations), and
- (g) the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019 (see Part 8 of the Regulations).

Mae'r diwygiadau a wneir gan y Rheoliadau hyn yn ymwneud yn bennaf â gwladolion Wcreinaidd ac aelodau o'u teuluoedd y rhoddwyd caniatâd iddynt i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi yn rhinwedd y Cynllun Teuluoedd o Wcráin, y Cynllun Noddi Cartrefi i Wcráin, y Cynllun Estyn Cyfnod Gwladolion o Wcráin neu sydd â chaniatâd y tu allan i'r rheolau mewnfudo mewn cysylltiad â'r ymosodiad gan Rwsia ar Wcráin ("gwladolion Wcreinaidd a ddiogelir").

Mae'r diwygiadau a wneir yn Rhan 2 o'r Rheoliadau yn darparu i wladolion Wcreinaidd a ddiogelir gael eu trin fel myfyrwyr cartref at ddiben Rheoliadau Addysg (Ffioedd a Dyfarniadau) (Cymru) 2007.

Mae Rhan 4 o'r Rheoliadau yn diwygio Rheoliadau Addysg Uwch (Cyrsiau Cymhwysol, Personau Cymhwysol a Darpariaeth Atodol) (Cymru) 2015 i ddarparu i'r terfyn ffioedd dysgu fod yn gymwys i wladolion Wcreinaidd a ddiogelir.

Mae Rhan 3 a Rhannau 5 i 8 yn diwygio'r Rheoliadau cymorth i fyfyrwyr a bennir drwy wneud gwladolion Wcreinaidd a ddiogelir yn gymwys i gael cymorth i fyfyrwyr, ar yr amod eu bod yn bodloni'r holl ofynion eraill.

Mae Rhannau 5 a 6 hefyd yn gwneud diwygiadau i'r Rheoliadau cymorth i fyfyrwyr i ddileu'r cyfyngiad presennol sy'n atal myfyrwyr sy'n dysgu o bell rhag bod yn gymwys i gael grantiau ar gyfer dibynyddion.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Is-adran Addysg Uwch, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

The amendments made by these Regulations principally relate to Ukrainian nationals and their family members granted leave to enter or remain in the United Kingdom by virtue of the Ukraine Family Scheme, the Homes for Ukraine Sponsorship Scheme, the Ukraine Extension Scheme or who have leave outside the immigration rules in connection with the Russian invasion of Ukraine ("protected Ukrainian nationals").

The amendments made in Part 2 of the Regulations provide for protected Ukrainian nationals to be treated as home students for the purpose of the Education (Fees and Awards) (Wales) Regulations 2007.

Part 4 of the Regulations amends the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015 to provide for the tuition fee limit to apply to protected Ukrainian nationals.

Part 3 and Parts 5 to 8 amend the student support Regulations specified by making protected Ukrainian nationals eligible for student support, subject to them meeting all other requirements.

Parts 5 and 6 also make amendments to the student support Regulations to remove the existing restriction preventing distance learning students from qualifying for grants for dependants.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Higher Education Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2022 Rhif 764 (Cy. 166)

2022 No. 764 (W. 166)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Cyllid
Myfyrwyr) (Gwladolion
Wcreinaidd ac Aelodau o'u
Teuluoedd) (Diwygiadau
Amrywiol) (Cymru) 2022

The Education (Student Finance)
(Ukrainian Nationals and Family
Members) (Miscellaneous
Amendments) (Wales) Regulations
2022

Gwnaed 5 Gorffennaf 2022
Gosodwyd gerbron *Senedd*
Cymru 7 Gorffennaf 2022
Yn dod i rym 24 Gorffennaf 2022

Made 5 July 2022
Laid before Senedd Cymru 7 July 2022
Coming into force 24 July 2022

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 1 a 2 o Ddeddf Addysg (Ffioedd a Dyfarnaldiadau) 1983(1) ac adrannau 22(1)(a), 22(2)(a) a (d) a 42(6) o Ddeddf Addysgu ac Addysg Uwch 1998(2) ac sydd bellach yn

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 1 and 2 of the Education (Fees and Awards) Act 1983(1) and sections 22(1)(a), 22(2)(a) and (d) and 42(6) of the Teaching and Higher Education Act 1998(2) and now

-
- (1) 1983 p. 40; diwygiwyd adran 1 gan Ddeddf Diwygio Addysg 1988 (p. 40), Atodlen 12, paragraff 91; Deddf Addysg Bellach ac Uwch 1992 (p. 13), Atodlen 8, paragraff 19; Deddf Addysg 1994 (p. 30), Atodlen 2, paragraff 7; Deddf Addysg 1996 (p. 56), Atodlen 37, paragraff 57; Deddf Dysgu a Sgiliau 2000 (p. 21), Atodlen 9, paragraffau 1 ac 11; Deddf Addysg 2002 (p. 32), Atodlen 21, paragraff 5 ac Atodlen 22; Deddf Addysg 2005 (p. 18), Atodlen 14, paragraff 9; O.S. 2005/3238, Atodlen 1, paragraff 9; O.S. 2010/1080, Atodlen 1, paragraff 12; O.S. 2010/1158, Atodlen 2, paragraff 1; Deddf Addysg 2011 (p. 21), Atodlen 5, paragraff 5 ac Atodlen 16, paragraff 5; a Deddf Dadreoleiddio 2015 (p. 20), Atodlen 14, paragraff 33. Diwygiwyd adran 2 gan Ddeddf Addysgu ac Addysg Uwch 1998 (p. 30), adran 44 ac Atodlen 4.
- (2) 1998 p. 30; diwygiwyd adran 22(1) gan Ddeddf Dysgu a Sgiliau 2000 (p. 21), adran 146(2)(a). Gweler adran 43(1) o Ddeddf Addysgu ac Addysg Uwch 1998 am y diffiniadau o "prescribed" a "regulations".

-
- (1) 1983 c. 40; section 1 was amended by the Education Reform Act 1988 (c. 40), Schedule 12, paragraph 91; the Further and Higher Education Act 1992 (c. 13), Schedule 8, paragraph 19; the Education Act 1994 (c. 30), Schedule 2, paragraph 7; the Education Act 1996 (c. 56), Schedule 37, paragraph 57; the Learning and Skills Act 2000 (c. 21), Schedule 9, paragraphs 1 and 11; the Education Act 2002 (c. 32), Schedule 21, paragraph 5 and Schedule 22; the Education Act 2005 (c. 18), Schedule 14, paragraph 9; S.I. 2005/3238, Schedule 1, paragraph 9; S.I. 2010/1080, Schedule 1, paragraph 12; S.I. 2010/1158, Schedule 2, paragraph 1; the Education Act 2011 (c. 21), Schedule 5, paragraph 5 and Schedule 16, paragraph 5; and the Deregulation Act 2015 (c. 20), Schedule 14, paragraph 33. Section 2 was amended by the Teaching and Higher Education Act 1998 (c. 30), section 44 and Schedule 4.
- (2) 1998 c. 30; section 22(1) was amended by the Learning and Skills Act 2000 (c. 21), section 146(2)(a). See section 43(1) of the Teaching and Higher Education Act 1998 for the definitions of "prescribed" and "regulations".

arferadwy ganddynt hwy(1) a phwerau a roddir iddynt o dan adrannau 5(5)(b) a 55(2) o Ddeddf Addysg Uwch (Cymru) 2015(2), yn gwneud y Rheoliadau a ganlyn:

RHAN 1

Enwi, cychwyn a chymhwyso

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cyllid Myfyrwr) (Gwladolion Wcreinaidd ac Aelodau o'u Teuluoedd) (Diwygiadau Amrywiol) (Cymru) 2022.

2. Daw'r Rheoliadau hyn i rym ar 24 Gorffennaf 2022.

Cymhwyso

3. Mae'r Rheoliadau hyn y gymwys mewn perthynas â darparu cymorth i fyfyrwr mewn perthynas â blwyddyn academiaidd sy'n dechrau ar neu ar ôl 1 Awst 2022, pa un a wneir unrhyw beth a wneir o dan y Rheoliadau hyn cyn, ar neu ar ôl y dyddiad hwnnw.

exercisable by them(1) and powers conferred on them under sections 5(5)(b) and 55(2) of the Higher Education (Wales) Act 2015(2), make the following Regulations:

PART 1

Title, commencement and application

Title and commencement

1. The title of these Regulations is the Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022.

2. These Regulations come into force on 24 July 2022.

Application

3. These Regulations apply in relation to the provision of support to a student in relation to an academic year which begins on or after 1 August 2022, whether or not anything done under these Regulations is done before, on or after that date.

(1) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 1 o Ddeddf 1983 i Gynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy o ran Cymru gan O.S. 2006/1458 gydag effaith o 8 Mehefin 2006. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 2 o Ddeddf 1983 i Gynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy o ran Cymru gan O.S. 1999/672. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 22(1)(a) o Ddeddf Addysgu ac Addysg Uwch 1998 i Gynulliad Cenedlaethol Cymru, i'r graddau y maent yn ymwneud â gwneud darpariaeth o ran Cymru, gan adran 44 o Ddeddf Addysg Uwch 2004. Darparodd adran 44 o'r Ddeddf honno hefyd fod y swyddogaethau yn adran 22(2)(a) o Ddeddf Addysgu ac Addysg Uwch 1998 i fod i gael eu harfer gan Gynulliad Cenedlaethol Cymru yn gyddredol â'r Ysgrifennydd Gwladol, i'r graddau y maent yn ymwneud â gwneud darpariaeth o ran Cymru. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 42(6) o Ddeddf Addysgu ac Addysg Uwch 1998, i'r graddau y mae'n arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, erthygl 2 ac Atodlen 1 (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(2) 2015 decc 1. Gweler adran 57(1) am y diffiniadau o "rhagnodedig" ac "a ragnodir" a "rheoliadau".

(1) The functions of the Secretary of State in section 1 of the 1983 Act were transferred to the National Assembly for Wales so far as exercisable in relation to Wales by S.I. 2006/1458 with effect from 8 June 2006. The functions of the Secretary of State in section 2 of the 1983 Act were transferred to the National Assembly for Wales so far as exercisable in relation to Wales by S.I. 1999/672. The functions of the Secretary of State in section 22(1)(a) of the Teaching and Higher Education Act 1998 were transferred to the National Assembly for Wales, so far as they relate to making provision in relation to Wales, by section 44 of the Higher Education Act 2004. Section 44 of that Act also provided that the functions in section 22(2)(a) of the Teaching and Higher Education Act 1998 were to be exercised by the National Assembly for Wales concurrently with the Secretary of State, so far as they relate to making provision in relation to Wales. The Secretary of State's functions in section 42(6) of the Teaching and Higher Education Act 1998, in so far as being exercisable in relation to Wales, was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, article 2 and Schedule 1 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(2) 2015 anaw 1. See section 57(1) for the definitions of "prescribed" and "regulations".

RHAN 2

Diwygiadau i Reoliadau Addysg (Ffioedd a Dyfarniadau) (Cymru) 2007

Cyflwyniad

4. Mae Rheoliadau Addysg (Ffioedd a Dyfarniadau) (Cymru) 2007(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiadau i reoliadau 4 i 8

5. Yn rheoliad 4(1)(a), ar ôl "4B," mewnosoder "4C,".

6. Yn rheoliad 5(1)—

- (a) yn is-baragraff (b)(i), ar ôl "4B," mewnosoder "4C,";
- (b) yn is-baragraff (c)(i), ar ôl "4B," mewnosoder "4C,".

7. Yn rheoliad 6—

- (a) ym mharagraff (2)(a), ar ôl "4B," mewnosoder "4C,";
- (b) ym mharagraff (3)(a), ar ôl "4B," mewnosoder "4C,".

8. Yn rheoliad 7—

- (a) ym mharagraff (2)(a), ar ôl "4B," mewnosoder "4C,";
- (b) ym mharagraff (3)(a), ar ôl "4B," mewnosoder "4C,".

9. Yn rheoliad 8—

- (a) ym mharagraff (1)(a), ar ôl "4B," mewnosoder "4C,";
- (b) ym mharagraff (2)(a), ar ôl "4B," mewnosoder "4C,".

Diwygiad i'r Atodlen

10. Yn yr Atodlen—

- (a) ym mharagraff 1, yn y lle priodol mewnosoder—
"ystyr "gwladolyn Wcreinaidd a ddiogelir" ("*protected Ukrainian national*") yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—

PART 2

Amendments to the Education (Fees and Awards) (Wales) Regulations 2007

Introduction

4. The Education (Fees and Awards) (Wales) Regulations 2007(1) are amended in accordance with this Part.

Amendments to regulations 4 to 8

5. In regulation 4(1)(a), after "4B," insert "4C,".

6. In regulation 5(1)—

- (a) in sub-paragraph (b)(i), after "4B," insert "4C,";
- (b) in sub-paragraph (c)(i), after "4B," insert "4C,".

7. In regulation 6—

- (a) in paragraph (2)(a), after "4B," insert "4C,";
- (b) in paragraph (3)(a), after "4B," insert "4C,".

8. In regulation 7—

- (a) in paragraph (2)(a), after "4B," insert "4C,";
- (b) in paragraph (3)(a), after "4B," insert "4C,".

9. In regulation 8—

- (a) in paragraph (1)(a), after "4B," insert "4C,";
- (b) in paragraph (2)(a), after "4B," insert "4C,".

Amendment to the Schedule

10. In the Schedule—

- (a) in paragraph 1, at the appropriate place insert—
"“protected Ukrainian national” ("*gwladolyn Wcreinaidd a ddiogelir*") means a person granted leave to enter or remain in the United Kingdom—

(1) O.S. 2007/2310 (Cy. 181); y diwygiadau perthnasol yw O.S. 2011/1978 (Cy. 218), O.S. 2018/814 (Cy. 165), O.S. 2019/235 (Cy. 54), O.S. 2021/481 (Cy. 148) ac O.S. 2021/1365 (Cy. 360).

(1) S.I. 2007/2310 (W. 181); relevant amendments are S.I. 2011/1978 (W. 218), S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2021/481 (W. 148) and S.I. 2021/1365 (W. 360).

(a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu

(b) y tu allan i'r rheolau mewnfudo—

(i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a

(ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022;”;

(b) ar ôl paragraff 4B mewnoder—

“4C. Person—

- (a) sy'n wladolyn Wcreinaidd a ddiogelir;
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a'r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir; ac
- (c) sy'n preswyllo fel arfer yn y Deyrnas Unedig ar ddiwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs.”

RHAN 3

Diwygiadau i Reoliadau Addysg (Athrofa Brifysgol Ewropeaidd) (Cymru) 2014

Cyflwyniad

11. Mae Rheoliadau Addysg (Athrofa Brifysgol Ewropeaidd) (Cymru) 2014(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiad i reoliad 3

12. Yn rheoliad 3(1), yn y lle priodol mewnoder—

“ystyr “gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”) yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—

(a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y

(a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or

(b) outside the immigration rules, where the person—

(i) was residing in Ukraine immediately before 1 January 2022; and

(ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”;

(b) after paragraph 4B insert—

“4C. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”

PART 3

Amendments to the Education (European University Institute) (Wales) Regulations 2014

Introduction

11. The Education (European University Institute) (Wales) Regulations 2014(1) are amended in accordance with this Part.

Amendment to regulation 3

12. In regulation 3(1), at the appropriate place insert—

““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”) means a person granted leave to enter or remain in the United Kingdom—

(a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine

(1) O.S. 2014/3037 (Cy. 303); y diwygiadau perthnasol yw O.S. 2018/814 (Cy. 165), O.S. 2019/235 (Cy. 54), O.S. 2019/1192 (Cy. 209), O.S. 2021/9 (Cy. 4), O.S. 2021/1294 (Cy. 328), O.S. 2022/49 (Cy. 18) ac O.S. 2022/79 (Cy. 28).

(1) S.I. 2014/3037 (W. 303); relevant amendments are S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2019/1192 (W. 209), S.I. 2021/9 (W. 4), S.I. 2021/1294 (W. 328), S.I. 2022/49 (W. 18) and S.I. 2022/79 (W. 28).

Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu

- (b) y tu allan i'r rheolau mewnfudo—
- (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a
 - (ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022;”.

Diwygiad i reoliad 6

13. Yn rheoliad 6—

- (a) ym mharagraff (2)(b)—
- (i) yn lle paragraff (i) rhodder—
“(i) ym mharagraffau 2, 2A, 3, 4, 4ZA, 4ZB, 4ZC, 5, 6A, 8A, 9A, 9B, 9BA, 9C, 9D, 10A, 11A a 12A o Ran 2 o Atodlen 1, neu”;
 - (ii) yn lle paragraff (ii) rhodder—
“(ii) ym mharagraffau 6, 7, 8, 9, 10, 11 a 12 o Ran 2 o Atodlen 1, pan fo paragraff (2A) yn gymwys.”;
- (b) ar ôl paragraff (10F) mewnosoder—
- “(10G) Pan fo—
- (a) Gweinidogion Cymru wedi penderfynu bod person (“A” yn y paragraff hwn), yn rhinwedd y ffaith ei fod yn wladolyn Wcreinaidd a ddiogelir, yn fyfyrwr cymwys mewn cysylltiad â chais am gymorth ar gyfer un o flynyddoedd cynharach y cwrs cyfredol neu mewn cysylltiad â chais am gymorth ar gyfer cwrs dynodedig yn yr Athrofa y trosglwyddwyd statws A fel myfyrwr cymwys ohono i'r cwrs cyfredol; a
 - (b) ar y diwrnod cyn bod y flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn cysylltiad â hi yn dechrau, y cyfnod y caniateir i A aros yn y Deyrnas Unedig fel gwladolyn Wcreinaidd a ddiogelir wedi dod i ben ac nad oes unrhyw ganiatâd pellach i ddod i mewn neu i aros wedi ei roi,

mae statws A fel myfyrwr cymwys yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn cysylltiad â hi.”

Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or

- (b) outside the immigration rules, where the person—
- (i) was residing in Ukraine immediately before 1 January 2022; and
 - (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”.

Amendment to regulation 6

13. In regulation 6—

- (a) in paragraph (2)(b)—
- (i) for paragraph (i) substitute—
“(i) in paragraphs 2, 2A, 3, 4, 4ZA, 4ZB, 4ZC, 5, 6A, 8A, 9A, 9B, 9BA, 9C, 9D, 10A, 11A and 12A of Part 2 of Schedule 1, or”;
 - (ii) for paragraph (ii) substitute—
“(ii) in paragraphs 6, 7, 8, 9, 10, 11 and 12 of Part 2 of Schedule 1, where paragraph (2A) applies.”;
- (b) after paragraph (10F) insert—
- “(10G) Where—
- (a) the Welsh Ministers determined, that by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was an eligible student in connection with an application for support for an earlier year of the current course or in connection with an application for support for a designated course at the Institute from which A’s status as an eligible student has been transferred to the current course; and
 - (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A’s status as an eligible student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

Diwygiad i Atodlen 1

14. Yn Atodlen 1, ar ôl paragraff 4ZB mewnosoder—

“Gwladolion Wcreinaidd a ddiogelir

4ZC. Person—

- (a) sy'n wladolyn Wcreinaidd a ddiogelir;
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a'r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir; ac
- (c) sy'n preswyllo fel arfer yng Nghymru ar ddiwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs.”

RHAN 4

Diwygiadau i Reoliadau Addysg Uwch
(Cyrsgiau Cymhwysol, Personau Cymhwysol a
Darpariaeth Atodol) (Cymru) 2015

Cyflwyniad

15. Mae Rheoliadau Addysg Uwch (Cyrsgiau Cymhwysol, Personau Cymhwysol a Darpariaeth Atodol) (Cymru) 2015(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiad i reoliad 4

16. Yn rheoliad 4(9)(a), ar ôl “4B,” mewnosoder “4C,”.

Diwygiadau i'r Atodlen

17. Yn yr Atodlen—

- (a) ym mharagraff 1(1), yn y lle priodol mewnosoder—

“ystyr “gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”) yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—
- (a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu

Amendment to Schedule 1

14. In Schedule 1, after paragraph 4ZB insert—

“Protected Ukrainian nationals

4ZC. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.”

PART 4

Amendments to the Higher Education
(Qualifying Courses, Qualifying Persons and
Supplementary Provision) (Wales) Regulations
2015

Introduction

15. The Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015(1) are amended in accordance with this Part.

Amendment to regulation 4

16. In regulation 4(9)(a), after “4B,” insert “4C,”.

Amendments to the Schedule

17. In the Schedule—

- (a) in paragraph 1(1), at the appropriate place insert—

““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”) means a person granted leave to enter or remain in the United Kingdom—
- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or

(1) O.S. 2015/1484 (Cy. 163); y diwygiadau perthnasol yw O.S. 2018/814 (Cy. 165), O.S. 2021/481 (Cy. 148) ac O.S. 2021/1365 (Cy. 360).

(1) S.I. 2015/1484 (W. 163); relevant amendments are S.I. 2018/814 (W. 165), S.I. 2021/481 (W. 148) and S.I. 2021/1365 (W. 360).

(b) y tu allan i'r rheolau mewnfudo—

- (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a
- (ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022”;

(b) ar ôl paragraff 4B mewnosoder—

“Gwladolion Wcreinaidd a ddiogelir

4C. Person—

- (a) sy'n wladolyn Wcreinaidd a ddiogelir;
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a'r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir; ac
- (c) sy'n preswyllo fel arfer yn y Deyrnas Unedig ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.”

RHAN 5

Diwygiadau i Reoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2017

Cyflwyniad

18. Mae Rheoliadau Addysg (Cymorth i Fyfyrrwyr) (Cymru) 2017(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiad i reoliad 2

19. Yn rheoliad 2(1), yn y lle priodol mewnosoder—

“ystyr “gwladolyn Wcreinaidd a ddiogelir” (*“protected Ukrainian national”*) yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—

- (a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu
- (b) y tu allan i'r rheolau mewnfudo—

(b) outside the immigration rules, where the person—

- (i) was residing in Ukraine immediately before 1 January 2022; and
- (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”;

(b) after paragraph 4B insert—

“Protected Ukrainian nationals

4C. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in the United Kingdom on the first day of the first academic year of the course.”

PART 5

Amendments to the Education (Student Support) (Wales) Regulations 2017

Introduction

18. The Education (Student Support) (Wales) Regulations 2017(1) are amended in accordance with this Part.

Amendment to regulation 2

19. In regulation 2(1), at the appropriate place insert—

““protected Ukrainian national” (*“gwladolyn Wcreinaidd a ddiogelir”*) means a person granted leave to enter or remain in the United Kingdom—

- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or
- (b) outside the immigration rules, where the person—

(1) O.S. 2017/47 (Cy. 21); y diwygiadau perthnasol yw O.S. 2021/481 (Cy. 148) ac O.S. 2021/1365 (Cy. 360).

(1) S.I. 2017/47 (W. 21); relevant amendments are S.I. 2021/481 (W. 148) and S.I. 2021/1365 (W. 360).

- (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a
- (ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022;”.

- (i) was residing in Ukraine immediately before 1 January 2022; and
- (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”.

Diwygiad i reoliad 4

20. Yn rheoliad 4—

- (a) ym mharagraff (2)(a), ar ôl “4ZB,” mewnosoder “4ZC;”;
- (b) ar ôl paragraff (10E) mewnosoder—
“(10F) Os bydd—
 - (a) Gweinidogion Cymru wedi penderfynu bod person (“A” yn y paragraff hwn), yn rhinwedd bod yn wladolyn Wcreinaidd a ddiogelir—
 - (i) yn fyfyrwr cymwys mewn cysylltiad â chais am gymorth ar gyfer blwyddyn gynt o’r cwrs presennol, mewn cysylltiad â chais am gymorth ar gyfer cwrs y mae’r cwrs presennol yn gwrs penben mewn perthynas ag ef, neu’n gais am gymorth mewn cysylltiad â chwrs rhan-amser dynodedig neu gwrs dynodedig arall y mae statws A fel myfyriwr rhan-amser cymwys neu fyfyrwr cymwys wedi ei drosglwyddo oddi wrtho i’r cwrs presennol; neu
 - (ii) yn fyfyrwr cymhwysol mewn cysylltiad â chais am gymorth ar gyfer blwyddyn gynt o’r cwrs cymhwysol neu o gwrs cymhwysol arall y mae statws A fel myfyriwr cymhwysol wedi ei drosglwyddo oddi wrtho i’r cwrs cymhwysol y mae’r myfyriwr yn gwneud cais am gymorth mewn perthynas ag ef; a
 - (b) ar y diwrnod cyn dechrau’r flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi, y cyfnod y caniateir i A aros yn y Deyrnas Unedig fel gwladolyn Wcreinaidd a ddiogelir wedi terfynu, ac nad oes unrhyw hawl bellach i ddod i mewn neu i aros wedi ei rhoi,

bydd statws A fel myfyriwr cymwys neu fyfyrwr cymhwysol yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi.”

Amendment to regulation 4

20. In regulation 4—

- (a) in paragraph (2)(a), after “4ZB,” insert “4ZC;”;
- (b) after paragraph (10E) insert—
“(10F) Where—
 - (a) the Welsh Ministers have determined that by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was—
 - (i) an eligible student in connection with an application for support for an earlier year of the present course, an application for support for a course in relation to which the present course is an end-on course or an application for support in connection with a designated part-time course or other designated course from which A’s status as an eligible part-time student or eligible student has been transferred to the present course; or
 - (ii) a qualifying student in connection with an application for support for an earlier year of the qualifying course or other qualifying course from which A’s status as a qualifying student has been transferred to the qualifying course in respect of which the student is applying for support; and
 - (b) as at the day before the academic year in respect of which A is applying for support starts, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A’s status as an eligible or qualifying student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

Diwygiad i reoliad 15

21. Yn rheoliad 15, ar ôl paragraff (bb) mewnosoder—

“(bc) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

Diwygiad i reoliad 23

22. Yn rheoliad 23—

(a) ym mharagraff (12), ar ôl is-baragraff (bb) mewnosoder—

“(bc) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”;

(b) hepgorer paragraff (17).

Diwygiad i reoliad 26

23. Yn rheoliad 26(1), ar ôl “ar gwrs dynodedig” mewnosoder “neu mewn cysylltiad â chwrs dynodedig y mae’n ymgymryd ag ef”.

Diwygiad i reoliad 27

24. Yn rheoliad 27(1), ar ôl “ar gwrs dynodedig” mewnosoder “neu mewn cysylltiad â chwrs dynodedig y mae’n ymgymryd ag ef”.

Diwygiad i reoliad 28

25. Yn rheoliad 28(1), ar ôl “ar gwrs dynodedig” mewnosoder “neu mewn cysylltiad â chwrs dynodedig y mae’n ymgymryd ag ef”.

Diwygiad i reoliad 49

26. Yn rheoliad 49(2), ar ôl is-baragraff (bb) mewnosoder—

“(bc) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

Diwygiad i reoliadau 81 a 82

27. Yn rheoliad 81—

(a) ym mharagraff (2)(a), ar ôl “4ZB,” mewnosoder “4ZC,”;

(b) ar ôl paragraff (10E) mewnosoder—

“(10F) Os bydd—

(a) Gweinidogion Cymru wedi penderfynu bod person (“A” yn y paragraff hwn), yn rhinwedd bod yn wladolyn Wcreinaidd a ddiogelir, yn fyfyrwr rhan-amser cymwys mewn cysylltiad â chais am gymorth am flwyddyn gynharach o’r cwrs rhan-amser presennol neu mewn cysylltiad â chais

Amendment to regulation 15

21. In regulation 15, after paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulation 23

22. In regulation 23—

(a) in paragraph (12), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”;

(b) omit paragraph (17).

Amendment to regulation 26

23. In regulation 26(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 27

24. In regulation 27(1), after “attendance on” insert “or undertaking of”.

Amendment of regulation 28

25. In regulation 28(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 49

26. In regulation 49(2), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulations 81 and 82

27. In regulation 81—

(a) in paragraph (2)(a), after “4ZB,” insert “4ZC,”;

(b) after paragraph (10E) insert—

“(10F) Where—

(a) the Welsh Ministers determined that, by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was an eligible part-time student in connection with an application for support for an earlier year of the present part-time course or an application for support in

am gymorth mewn cysylltiad â chwrs dynodedig neu gwrs rhan-amser dynodedig arall y mae statws A fel myfyriwr rhan-amser cymwys neu fyfyriwr cymwys wedi ei drosglwyddo oddi wrtho i'r cwrs rhan-amser presennol; a

- (b) ar y diwrnod cyn dechrau'r flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi, y cyfnod y caniateir i A aros yn y Deyrnas Unedig fel gwladolyn Wcreinaidd a ddiogelir wedi dod i ben ac nad oes unrhyw hawl bellach i ddod i mewn neu i aros wedi ei rhoi,

bydd statws A fel myfyriwr rhan-amser cymwys yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi.”

28. Yn rheoliad 82(4), ar ôl is-baragraff (bb) mewnosoder—

“(bc) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

Diwygiad i reoliad 91

29. Yn rheoliad 91(1), ar ôl “ar gwrs rhan-amser dynodedig” mewnosoder “neu mewn cysylltiad â chwrs rhan-amser dynodedig y mae'n ymgymryd ag ef”.

Diwygiad i reoliad 92

30. Yn rheoliad 92(1), ar ôl “ar gwrs rhan-amser dynodedig” mewnosoder “neu mewn cysylltiad â chwrs rhan-amser dynodedig y mae'n ymgymryd ag ef”.

Diwygiad i reoliad 93

31. Yn rheoliad 93(1), ar ôl “ar gwrs rhan-amser dynodedig” mewnosoder “neu mewn cysylltiad â chwrs rhan-amser dynodedig y mae'n ymgymryd ag ef”.

Diwygiad i reoliadau 110 a 111

32. Yn rheoliad 110—

- (a) ym mharagraff (3)(a)(i), ar ôl “4ZB,” mewnosoder “4ZC,”;

connection with a designated course or other designated part-time course from which A's status as an eligible part-time student or eligible student has been transferred to the present part-time course; and

- (b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A's status as an eligible part-time student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

28. In regulation 82(4), after sub-paragraph (bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to regulation 91

29. In regulation 91(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 92

30. In regulation 92(1), after “attendance on” insert “or undertaking of”.

Amendment to regulation 93

31. In regulation 93(1), after “attendance on” insert “or undertaking of”.

Amendment to regulations 110 and 111

32. In regulation 110—

- (a) in paragraph (3)(a)(i), after “4ZB,” insert “4ZC,”;

(b) ar ôl paragraff (12E) mewnosoder—

“(12F) Os bydd—

(a) Gweinidogion Cymru wedi penderfynu bod person (“A” yn y paragraff hwn), yn rhinwedd bod yn wladolyn Wcreinaidd a ddiogelir, yn fyfyrwr ôl-raddedig cymwys mewn cysylltiad â chais am gymorth am flwyddyn gynharach o’r cwrs ôl-radd presennol neu mewn cysylltiad â chais am gymorth mewn cysylltiad â chwrs ôl-radd dynodedig arall y mae statws A fel myfyrwr ôl-radd cymwys wedi ei drosglwyddo oddi wrtho i’r cwrs ôl-radd presennol; a

(b) ar y diwrnod cyn dechrau’r flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi, y cyfnod y caniateir i A aros yn y Deyrnas Unedig fel gwladolyn Wcreinaidd a ddiogelir wedi dod i ben ac nad oes unrhyw hawl bellach i ddod i mewn neu i aros wedi ei rhoi,

bydd statws A fel myfyrwr ôl-raddedig cymwys yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academiaidd y mae A yn gwneud cais am gymorth mewn perthynas â hi.”

33. Ar ôl rheoliad 111(2)(bb) mewnosoder—

“(bc) y myfyrwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

Diwygiad i Atodlen 1

34. Yn Atodlen 1, ar ôl paragraff 4ZB mewnosoder—

“Gwladolion Wcreinaidd a ddiogelir

4ZC. Person—

- (a) sy’n wladolyn Wcreinaidd a ddiogelir;
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a’r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir; ac
- (c) sy’n preswyllo fel arfer yng Nghymru ar ddiwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs.”

Diwygiad i Atodlen 4

35. Yn Atodlen 4, paragraff 6, ar ôl is-baragraff (ab) mewnosoder—

“(ac) bod y myfyrwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

(b) after paragraph (12E) insert—

“(12F) Where—

(a) the Welsh Ministers have determined that, by virtue of being a protected Ukrainian national, a person (“A” in this paragraph) was an eligible postgraduate student in connection with an application for support for an earlier year of the present postgraduate course or an application for support in connection with another designated postgraduate course, from which A’s status as an eligible postgraduate student has been transferred to the present postgraduate course; and

(b) as at the day before the academic year in respect of which A is applying for support begins, the period for which A is allowed to stay in the United Kingdom as a protected Ukrainian national has expired and no further leave to enter or remain has been granted,

A’s status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which A is applying for support.”

33. After regulation 111(2)(bb) insert—

“(bc) the student becomes a protected Ukrainian national;”.

Amendment to Schedule 1

34. In Schedule 1, after paragraph 4ZB insert—

“Protected Ukrainian nationals

4ZC. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.”

Amendment to Schedule 4

35. In Schedule 4, paragraph 6, after sub-paragraph (ab) insert—

“(ac) the student becomes a protected Ukrainian national;”.

RHAN 6

Diwygiadau i Reoliadau Addysg (Cymorth i Fyfywrwyr) (Cymru) 2018

Cyflwyniad

36. Mae Rheoliadau Addysg (Cymorth i Fyfywrwyr) (Cymru) 2018(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiad i reoliad 9

37. Yn rheoliad 9(1)(a)(i), ar ôl “2ZB,” mewnosoder “2ZC,”.

Diwygiad i reoliad 12

38. Yn rheoliad 12(1), yn lle “23E neu 23F” rhodder “23E, 23F neu 23G”.

Mewnosod rheoliad newydd 23G

39. Ar ôl rheoliad 23F mewnosoder—

“**23G.**—(1) Mae'r rheoliad hwn yn gymwys—

- (a) pan oedd person (“P”) yn fyfyrwr cymwys oherwydd ei fod yn wladolyn Wcreinaidd a ddiogelir (gweler Atodlen 2, paragraff 2ZC) mewn cysylltiad â chais am gymorth—
 - (i) ar gyfer blwyddyn gynharach o'r cwrs presennol,
 - (ii) ar gyfer cwrs llawnamser y mae'r cwrs presennol yn gwrs penben llawnamser mewn perthynas ag ef, neu
 - (iii) ar gyfer cwrs y mae statws P fel myfyrwr cymwys wedi cael ei drosglwyddo ohono i'r cwrs presennol o dan reoliad 28 neu baragraff 7 o Atodlen 5, a
- (b) pan, ar ddiwedd y diwrnod cyn diwrnod cyntaf y flwyddyn academiaidd y mae P yn gwneud cais am gymorth mewn cysylltiad â hi, fo'r cyfnod y caiff P aros yn y Deyrnas Unedig wedi dod i ben ac nad yw caniatâd pellach i aros wedi cael ei roi.

PART 6

Amendments to the Education (Student Support) (Wales) Regulations 2018

Introduction

36. The Education (Student Support) (Wales) Regulations 2018(1) are amended in accordance with this Part.

Amendment to regulation 9

37. In regulation 9(1)(a)(i), after “2ZB,” insert “2ZC,”.

Amendment to regulation 12

38. In regulation 12(1), for “23E or 23F” substitute “23E, 23F or 23G”.

Insertion of new regulation 23G

39. After regulation 23F insert—

“**23G.**—(1) This regulation applies where—

- (a) a person (“P”) was an eligible student as a result of being a protected Ukrainian national (see Schedule 2, paragraph 2ZC) in connection with an application for support—
 - (i) for an earlier year of the present course,
 - (ii) for a full-time course in relation to which the present course is a full-time end-on course, or
 - (iii) for a course from which P's status as an eligible student has been transferred to the present course under regulation 28 or paragraph 7 of Schedule 5, and
- (b) as at the end of the day before the first day of the academic year in respect of which P is applying for support, the period for which P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted.

(1) O.S. 2018/191 (Cy. 42); y diwygiadau perthnasol yw O.S. 2018/814 (Cy. 165), O.S. 2019/235 (Cy. 54), O.S. 2020/1302 (Cy. 287), O.S. 2021/9 (Cy. 4), O.S. 2021/481 (Cy. 148), O.S. 2021/813 (Cy. 192), O.S. 2021/1365 (Cy. 360) ac O.S. 2022/79 (Cy. 28).

(1) S.I. 2018/191 (W. 42); relevant amendments are S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2020/1302 (W. 287), S.I. 2021/9 (W. 4), S.I. 2021/481 (W. 148), S.I. 2021/813 (W. 192), S.I. 2021/1365 (W. 360) and S.I. 2022/79 (W. 28).

(2) Pan fo'r rheoliad hwn yn gymwys, mae statws P fel myfyriwr cymwys yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academaidd y mae P yn gwneud cais am gymorth mewn cysylltiad â hi."

Diwygiad i reoliad 69

40. Yn rheoliad 69, ym mharagraff (2), hepgorer Eithriad 5.

Diwygiad i reoliad 80

41. Yn rheoliad 80—

(a) ym mharagraff (2)(b), ar ôl paragraff (ic) mewnosoder—

“(id) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”
;

(b) ym mharagraff (3), yn y lle priodol mewnosoder ““gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”);”.

Diwygiad i reoliad 81

42. Yn rheoliad 81(3)(b), ar ôl paragraff (ic) mewnosoder—

“(id) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”

Diwygiad i Atodlen 2

43. Yn Atodlen 2, ar ôl paragraff 2ZB mewnosoder—

“Categori 2ZC – Gwladolion Wcreinaidd a ddiogelir

2ZC.—(1) Person—

- (a) sy'n wladolyn Wcreinaidd a ddiogelir,
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a'r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir, ac
- (c) sy'n preswyllo fel arfer yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

(2) Yn y paragraff hwn, ystyr “gwladolyn Wcreinaidd a ddiogelir” yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—

(2) Where this regulation applies, P's status as an eligible student terminates immediately before the first day of the academic year in respect of which P is applying for support.”

Amendment to regulation 69

40. In regulation 69, in paragraph (2), omit Exception 5.

Amendment to regulation 80

41. In regulation 80—

(a) in paragraph (2)(b), after paragraph (ic) insert—

“(id) the student becomes a protected Ukrainian national;”;

(b) in paragraph (3), at the appropriate place insert ““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”);”.

Amendment to regulation 81

42. In regulation 81(3)(b), after paragraph (ic) insert—

“(id) the student becomes a protected Ukrainian national;”.

Amendment to Schedule 2

43. In Schedule 2, after paragraph 2ZB insert—

“Category 2ZC – Protected Ukrainian nationals

2ZC.—(1) A person who—

- (a) is a protected Ukrainian national,
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national, and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.

(2) In this paragraph, “protected Ukrainian national” means a person granted leave to enter or remain in the United Kingdom—

- (a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu
- (b) y tu allan i'r rheolau mewnfudo—
 - (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a
 - (ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022.”

- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules, or
- (b) outside the immigration rules, where the person—
 - (i) was residing in Ukraine immediately before 1 January 2022, and
 - (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022.”

Diwygiad i Atodlen 4

44. Yn Atodlen 4—

- (a) ym mharagraff 4(1)(a)(i), ar ôl “2ZB,” mewnosoder “2ZC,”;
- (b) ar ôl paragraff 13F mewnosoder—

“13G.—(1) Mae'r paragraff hwn yn gymwys—

- (a) pan oedd person (“P”) yn fyfyrwr ôl-raddedig cymwys oherwydd ei fod yn wladolyn Wcreinaidd a ddiogelir (gweler Atodlen 2, paragraff 2ZC) mewn cysylltiad â chais am grant myfyriwr ôl-raddedig anabl—
 - (i) ar gyfer blwyddyn gynharach o'r cwrs ôl-radd presennol, neu
 - (ii) mewn cysylltiad â chwrs y mae statws P fel myfyriwr ôl-raddedig cymwys wedi cael ei drosglwyddo ohono i'r cwrs ôl-radd presennol o dan baragraff 15, a

- (b) pan, ar ddiwedd y diwrnod cyn diwrnod cyntaf y flwyddyn academiaidd y mae P yn gwneud cais am grant myfyriwr ôl-raddedig anabl mewn cysylltiad â hi, fo'r cyfnod y caiff P aros yn y Deyrnas Unedig wedi dod i ben ac nad yw caniatâd pellach i aros wedi cael ei roi.

(2) Pan fo'r paragraff hwn yn gymwys, mae statws P fel myfyriwr ôl-raddedig cymwys yn terfynu yn union cyn diwrnod cyntaf y flwyddyn academiaidd y mae P yn gwneud cais am gymorth mewn cysylltiad â hi.”;

Amendment to Schedule 4

44. In Schedule 4—

- (a) in paragraph 4(1)(a)(i), after “2ZB,” insert “2ZC,”;
- (b) after paragraph 13F insert—

“13G.—(1) This paragraph applies where—

- (a) a person (“P”) was an eligible postgraduate student by reason of them being a protected Ukrainian national (see Schedule 2, paragraph 2ZC) in connection with an application for a disabled postgraduate student's grant—
 - (i) for an earlier year of the present postgraduate course, or
 - (ii) in connection with a course from which P's status as an eligible postgraduate student has been transferred to the present postgraduate course under paragraph 15, and

- (b) as at the end of the day before the first day of the academic year in respect of which P is applying for a disabled postgraduate student's grant, the period for which P is allowed to stay in the United Kingdom has expired and no further leave to remain has been granted.

(2) Where this paragraph applies, P's status as an eligible postgraduate student terminates immediately before the first day of the academic year in respect of which P is applying for support.”;

- (c) ym mharagraff 14—
- (i) yn is-baragraff (3)(b), ar ôl paragraff (ic) mewnosoder—
- “(id) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”
- ;
- (ii) yn is-baragraff (4), yn y lle priodol mewnosoder ““gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”);”.

- (c) in paragraph 14—
- (i) in sub-paragraph (3)(b), after paragraph (ic) insert—
- “(id) the student becomes a protected Ukrainian national;”;
- (ii) in sub-paragraph (4), at the appropriate place insert ““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”);”.

Diwygiad i Atodlen 7

45. Yn Atodlen 7, yn Nhabl 16, yn y lle priodol mewnosoder y cofnod a ganlyn yn y tabl—

““gwladolyn Wcreinaidd a ddiogelir”	Atodlen 2, paragraff 2ZC(2)”
-------------------------------------	------------------------------

Amendment to Schedule 7

45. In Schedule 7, in Table 16, at the appropriate place insert the following table entry—

““protected Ukrainian national”	Schedule 2, paragraph 2ZC(2)”
---------------------------------	-------------------------------

RHAN 7

Diwygiadau i Reoliadau Addysg (Benthyciadau at Radd Ddoethurol Ôl-raddedig) (Cymru) 2018

Cyflwyniad

46. Mae Rheoliadau Addysg (Benthyciadau at Radd Ddoethurol Ôl-raddedig) (Cymru) 2018(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiadau i reoliadau 2, 3 ac 8

47. Yn rheoliad 2(1), yn y lle priodol mewnosoder—

“ystyr “gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”) yw person y rhoddwyd caniatâd iddo i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi—

- (a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i'r rheolau mewnfudo; neu

PART 7

Amendments to the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018

Introduction

46. The Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018(1) are amended in accordance with this Part.

Amendments to regulations 2, 3 and 8

47. In regulation 2(1), at the appropriate place insert—

““protected Ukrainian national” (“*gwladolyn Wcreinaidd a ddiogelir*”) means a person granted leave to enter or remain in the United Kingdom—

- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules; or

(1) O.S. 2018/656 (Cy. 124); y diwygiadau perthnasol yw O.S. 2018/814 (Cy. 165), O.S. 2019/235 (Cy. 54), O.S. 2019/1094, O.S. 2019/1192 (Cy. 209), O.S. 2020/1302 (Cy. 287), O.S. 2021/9 (Cy. 4), O.S. 2021/481 (Cy. 148), O.S. 2021/1365 (Cy. 360) ac O.S. 2022/403 (Cy. 100).

(1) S.I. 2018/656 (W. 124); relevant amendments are S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2019/1094, S.I. 2019/1192 (W. 209), S.I. 2020/1302 (W. 287), S.I. 2021/9 (W. 4), S.I. 2021/481 (W. 148), S.I. 2021/1365 (W. 360) and S.I. 2022/403 (W. 100).

(b) y tu allan i'r rheolau mewnfudo—

- (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022; a
- (ii) pan adawodd y person Wcráin mewn cysylltiad â'r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022;”.

48. Yn rheoliad 3(2)(a), ar ôl “4B,” mewnosoder “4C,”.

49. Yn rheoliad 8, ar ôl paragraff (bc) mewnosoder—

“(bd) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”.

Diwygiad i Atodlen 1

50. Yn Atodlen 1, ar ôl paragraff 4B mewnosoder—

“Gwladolion Wcreinaidd a ddiogelir

4C. Person—

- (a) sy'n wladolyn Wcreinaidd a ddiogelir;
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a'r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir; ac
- (c) sy'n preswyllo fel arfer yng Nghymru ar ddiwrnod cyntaf blwyddyn academiaidd gyntaf y cwrs.”

RHAN 8

Diwygiadau i Reoliadau Addysg (Cymorth i Fyfyryr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019

Cyflwyniad

51. Mae Rheoliadau Addysg (Cymorth i Fyfyryr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019(1) wedi eu diwygio yn unol â'r Rhan hon.

Diwygiadau i reoliadau 9 ac 16

52. Yn rheoliad 9(1)(a)(i) ar ôl “2B,” mewnosoder “2C,”.

(b) outside the immigration rules, where the person—

- (i) was residing in Ukraine immediately before 1 January 2022; and
- (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022;”.

48. In regulation 3(2)(a), after “4B,” insert “4C,”.

49. In regulation 8, after paragraph (bc) insert—

“(bd) the student becomes a protected Ukrainian national;”.

Amendment to Schedule 1

50. In Schedule 1, after paragraph 4B insert—

“Protected Ukrainian nationals

4C. A person who—

- (a) is a protected Ukrainian national;
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national; and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.”

PART 8

Amendments to the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019

Introduction

51. The Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019(1) are amended in accordance with this Part.

Amendments to regulations 9 and 16

52. In regulation 9(1)(a)(i) after “2B,” insert “2C,”.

(1) O.S. 2019/895 (Cy. 161); y diwygiadau perthnasol yw O.S. 2019/1039 (Cy. 182), O.S. 2020/1302 (Cy. 287), O.S. 2021/9 (Cy. 4), O.S. 2021/481 (Cy. 148), O.S. 2021/1365 (Cy. 360), O.S. 2022/403 (Cy. 100).

(1) S.I. 2019/895 (W. 161); relevant amendments are S.I. 2019/1039 (W. 182), S.I. 2020/1302 (W. 287), S.I. 2021/9 (W. 4), S.I. 2021/481 (W. 148), S.I. 2021/1365 (W. 360), S.I. 2022/403 (W. 100).

53. Yn rheoliad 16—

- (a) ym mharagraff (1)(b), ar ôl paragraff (ia) mewnosoder—
“(ib) bod y myfyriwr yn dod yn wladolyn Wcreinaidd a ddiogelir;”;
- (b) ym mharagraff (2), yn y lle priodol mewnosoder ““gwladolyn Wcreinaidd a ddiogelir” (“*protected Ukrainian national*”);”.

Diwygiad i Atodlen 2

54. Yn Atodlen 2, ar ôl paragraff 2B mewnosoder—

“Categori 2C – Gwladolion Wcreinaidd a ddiogelir

2C.—(1) Person—

- (a) sy’n wladolyn Wcreinaidd a ddiogelir,
- (b) sydd wedi bod yn preswyllo fel arfer yn y Deyrnas Unedig a’r Ynysoedd drwy gydol y cyfnod ers dod yn wladolyn Wcreinaidd a ddiogelir, ac
- (c) sy’n preswyllo fel arfer yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs.

(2) Yn y paragraff hwn, ystyr “gwladolyn Wcreinaidd a ddiogelir” yw person y rhoddyd caniatâd iddo i ddod i mewn i’r Deyrnas Unedig neu i aros ynddi—

- (a) o dan baragraff 9.1 (y Cynllun Teuluoedd o Wcráin), 19.1 (y Cynllun Noddi Cartrefi i Wcráin) neu 27.1 (y Cynllun Estyn Cyfnod Gwladolion o Wcráin) o Atodiad Cynllun Wcráin i’r rheolau mewnfudo, neu
- (b) y tu allan i’r rheolau mewnfudo—
- (i) pan oedd y person yn preswyllo yn Wcráin yn union cyn 1 Ionawr 2022, a
- (ii) pan adawodd y person Wcráin mewn cysylltiad â’r ymosodiad gan Rwsia a ddigwyddodd ar 24 Chwefror 2022.”

Diwygiad i Atodlen 4

55. Yn Atodlen 4, yn Nhabl 3, yn y lle priodol mewnosoder y cofnod a ganlyn yn y tabl—

““gwladolyn Wcreinaidd a ddiogelir”	Atodlen 2, paragraff 2C(2)”
-------------------------------------	-----------------------------

53. In regulation 16—

- (a) in paragraph (1)(b), after paragraph (ia) insert—
“(ib)the student becomes a protected Ukrainian national;”;
- (b) in paragraph (2), at the appropriate place insert ““protected Ukrainian national” (“*protected Ukrainian national*”);”.

Amendment to Schedule 2

54. In Schedule 2, after paragraph 2B insert—

“Category 2C – Protected Ukrainian nationals

2C.—(1) A person who—

- (a) is a protected Ukrainian national,
- (b) has been ordinarily resident in the United Kingdom and Islands throughout the period since becoming a protected Ukrainian national, and
- (c) is ordinarily resident in Wales on the first day of the first academic year of the course.

(2) In this paragraph, “protected Ukrainian national” means a person granted leave to enter or remain in the United Kingdom—

- (a) under paragraph 9.1 (Ukraine Family Scheme), 19.1 (Homes for Ukraine Sponsorship Scheme) or 27.1 (Ukraine Extension Scheme) of Appendix Ukraine Scheme of the immigration rules, or
- (b) outside the immigration rules, where the person—
- (i) was residing in Ukraine immediately before 1 January 2022, and
- (ii) left Ukraine in connection with the Russian invasion which took place on 24 February 2022.”

Amendment to Schedule 4

55. In Schedule 4, in Table 3, at the appropriate place insert the following table entry—

““protected Ukrainian national”	Schedule 2, paragraph 2C(2)”
---------------------------------	------------------------------

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion
Cymru
5 Gorffennaf 2022

Minister for Education and Welsh Language, one of
the Welsh Ministers
5 July 2022

©[©]Hawlfraint y Goron 2022

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery
Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr
Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

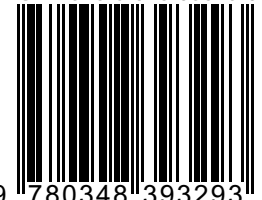
© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Jeff James,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament.

£6.90

<http://www.legislation.gov.uk/id/wsi/2022/764>

ISBN 978-0-348-39329-3



9 780348 393293