



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

2023 Rhif 919 (Cy. 144) (C. 52)

2023 No. 919 (W. 144) (C. 52)

## ADDYSG, CYMRU

## EDUCATION, WALES

Gorchymyn Deddf Addysg  
Drydyddol ac Ymchwil (Cymru)  
2022 (Cychwyn Rhif 2 a  
Darpariaeth Ddarfodol) 2023

The Tertiary Education and  
Research (Wales) Act 2022  
(Commencement No. 2 and  
Transitory Provision) Order 2023

### NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn wedi ei wneud gan Weinidogion Cymru ac mae'n dwyn i rym ddarpariaethau yn Neddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 ("y Ddeddf"). Hwn yw'r ail orchymyn cychwyn a wnaed o dan y Ddeddf.

Mae'r Gorchymyn hwn yn dwyn i rym y darpariaethau a restrir yn erthyglau 2 a 3 ar 4 Medi 2023 a'r darpariaethau a restrir yn erthyglau 4 i 6 ar 1 Ebrill 2024.

Caiff y darpariaethau a restrir yn erthyglau 2 a 4 eu dwyn i rym yn llawn a chaiff y rhai yn erthyglau 3 a 5 eu dwyn i rym i'r graddau a bennir. Mae erthygl 6 yn dwyn i rym adran 15 o'r Ddeddf, sy'n ddarostyngedig i ddarpariaeth ddarfodol.

Mae erthyglau 2(v)(i) i (xiv), 3(mm) a 4(d)(i) i (v) yn dwyn i rym y rhan fwyaf o ddarpariaethau Atodlen 1 i'r Ddeddf nad ydynt eisoes mewn grym. Mae Atodlen 1 yn gwneud darpariaeth ynghylch y Comisiwn Addysg Drydyddol ac Ymchwil ("y Comisiwn"). Hynny yw, darpariaeth megis aelodaeth, trafodion, a phwerau atodol. Daw'r mwyafrif o'r darpariaethau hynny i rym ar 4 Medi 2023 ond caiff darpariaethau sy'n ymwneud ag aelod cyswllt staff y Comisiwn eu dwyn i rym ar 1 Ebrill 2024.

### EXPLANATORY NOTE

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

This Order is made by the Welsh Ministers and brings into force provisions of the Tertiary Education and Research (Wales) Act 2022 ("the Act"). This is the second commencement order made under the Act.

This Order brings into force the provisions listed in articles 2 and 3 on 4 September 2023 and the provisions listed in articles 4 to 6 on 1 April 2024.

The provisions listed in articles 2 and 4 are brought into force in full and those in articles 3 and 5 are brought into force to the extent specified. Article 6 brings into force section 15 of the Act, which is subject to transitory provision.

Articles 2(v)(i) to (xiv), 3(mm) and 4(d)(i) to (v) bring into force most provisions of Schedule 1 to the Act that are not already in force. Schedule 1 makes provision about the Commission for Tertiary Education and Research ("the Commission"). That is provision such as membership, proceedings, and supplementary powers. The majority of those provisions come into force on 4 September 2023 but provisions relating to the associate Commission staff member are brought into force on 1 April 2024.

Mae erthygl 3(a) i (k) yn dwyn i rym ddyletswyddau strategol y Comisiwn a nodir yn adrannau 2 i 5, 6(1)(a), 7, 8, 9(1) a 10 i 12 o'r Ddeddf ond dim ond at ddibenion galluogi'r Comisiwn i lunio cynllun strategol o dan adran 14.

Mae erthygl 4(a) yn dwyn i rym ddyletswyddau strategol y Comisiwn yn adrannau 2 i 5 a 7 i 12 o'r Ddeddf i'r graddau nad ydynt eisoes mewn grym.

Mae erthygl 2(a) yn dwyn i rym adran 13 o'r Ddeddf, sy'n gosod dyletswydd ar Weinidogion Cymru i gyhoeddi datganiad sy'n nodi eu blaenoriaethau strategol ar gyfer addysg drydyddol ac ymchwil ac arloesi, ac mewn cysylltiad â hwy.

Mae erthygl 2(b) yn dwyn i rym adran 14 o'r Ddeddf, sy'n gosod dyletswydd ar y Comisiwn i lunio cynllun strategol sy'n nodi sut y mae'n bwriadu cyflawni ei ddyletswyddau strategol o dan adrannau 2 i 12 o'r Ddeddf ac ymdrin â'r blaenoriaethau a nodir yn natganiad Gweinidogion Cymru a gyhoeddir o dan adran 13.

Mae erthygl 6 yn dwyn i rym adran 15 o'r Ddeddf, sy'n gosod dyletswydd ar y Comisiwn i anfon cynllun strategol a lunnir o dan adran 14 at Weinidogion Cymru i'w gymeradwyo. Fodd bynnag, caiff adran 15 ei dwyn i rym yn ddarostyngedig i addasiad mewn cysylltiad â'r amseriad ar gyfer cyflwyno'r cynllun strategol cyntaf fel bod rhaid ei anfon at Weinidogion Cymru i'w gymeradwyo erbyn 15 Rhagfyr 2024.

Mae erthygl 4(b) yn dwyn i rym adran 16 o'r Ddeddf, sy'n gosod dyletswydd ar y Comisiwn i adolygu ei gynllun strategol cyhoeddedig os yw Gweinidogion Cymru yn diwygio eu datganiad o flaenoriaethau. Mae'r adran yn galluogi'r Comisiwn i adolygu ei gynllun ar unrhyw adeg arall.

Mae erthygl 2(c) yn dwyn i rym adran 17 o'r Ddeddf, sy'n gosod dyletswydd ar Weinidogion Cymru a'r Comisiwn i roi sylw i bwysigrwydd diogelu rhyddid academaidd darparwyr addysg uwch a'u staff academaidd.

Mae erthygl 2(d) yn dwyn i rym adran 18 o'r Ddeddf, sy'n gosod dyletswydd ar Weinidogion Cymru a'r Comisiwn i roi sylw i bwysigrwydd diogelu awtonomi sefydliadol darparwyr addysg drydyddol.

Mae erthygl 2(e) yn dwyn i rym adran 19 o'r Ddeddf, sy'n darparu nad oes dim byd yn y Ddeddf sy'n galluogi'r Comisiwn neu Weinidogion Cymru i'w gwneud yn ofynnol i gorff llywodraethu darparwr addysg drydyddol wneud unrhyw beth sy'n anghydnaws â'i rwymedigaethau cyfraith elusennau neu ei ddogfennau llywodraethu.

Article 3(a) to (k) brings into force the Commission's strategic duties set out in sections 2 to 5, 6(1)(a), 7, 8, 9(1) and 10 to 12 of the Act for the purposes only of enabling the Commission to prepare a strategic plan under section 14.

Article 4(a) brings into force the Commission's strategic duties in sections 2 to 5 and 7 to 12 of the Act in so far as they are not already in force.

Article 2(a) brings into force section 13 of the Act, which places the Welsh Ministers under a duty to publish a statement setting out their strategic priorities for and in connection with tertiary education and research and innovation.

Article 2(b) brings into force section 14 of the Act, which places the Commission under a duty to prepare a strategic plan setting out how it intends to discharge its strategic duties under sections 2 to 12 of the Act and address the priorities set out in the Welsh Ministers' statement published under section 13.

Article 6 brings into force section 15 of the Act, which places the Commission under a duty to send a strategic plan prepared under section 14 to the Welsh Ministers for their approval. However, section 15 is brought into force subject to a modification in respect of the timing for submission of the first strategic plan so that it must be sent to the Welsh Ministers for their approval by 15 December 2024.

Article 4(b) brings into force section 16 of the Act, which places the Commission under a duty to review its published strategic plan if the Welsh Ministers amend their statement of priorities. The section enables the Commission to review its plan at any other time.

Article 2(c) brings into force section 17 of the Act, which places the Welsh Ministers and the Commission under a duty to have regard to the importance of protecting the academic freedom of providers of higher education and their academic staff.

Article 2(d) brings into force section 18 of the Act, which places the Welsh Ministers and the Commission under a duty to have regard to the importance of protecting the institutional autonomy of tertiary education providers.

Article 2(e) brings into force section 19 of the Act, which provides that nothing in the Act enables the Commission or the Welsh Ministers to require the governing body of a tertiary education provider to do anything incompatible with its charity law obligations or its governing documents.

Mae erthygl 2(f) yn dwyn i rym adran 20 o'r Ddeddf, sy'n gosod dyletswydd ar y Comisiwn i roi sylw i ganllawiau a roddir iddo gan Weinidogion Cymru.

Mae erthygl 2(g) yn dwyn i rym adran 21 o'r Ddeddf, sy'n galluogi Gweinidogion Cymru i roi cyfarwyddydau cyffredinol i'r Comisiwn ynghylch arfer unrhyw un neu ragor o'i swyddogaethau.

Mae erthygl 2(h) yn dwyn i rym adran 22 o'r Ddeddf, sy'n galluogi Gweinidogion Cymru i wneud rheoliadau sy'n rhoi swyddogaethau atodol i'r Comisiwn.

Mae erthygl 2(i) ac (w) yn dwyn i rym adran 24 o'r Ddeddf ac Atodlen 2 iddi. Mae Atodlen 2 yn galluogi Gweinidogion Cymru i wneud cynlluniau sy'n darparu ar gyfer trosglwyddo i'r Comisiwn staff, eiddo, hawliau ac atebolrwyddau.

Mae erthyglau 2(j) i (m) a 3(l) i (z) yn dwyn i rym ddarpariaethau ym Mhennod 1 o Ran 2 o'r Ddeddf i alluogi'r Comisiwn i ymgymryd â gwaith paratoi mewn cysylltiad â chofrestru darparwyr addysg drydyddol.

Mae erthygl 2(j) yn dwyn i rym adran 25(7) o'r Ddeddf, sy'n ymwneud â cheisiadau i gofrestru gyda'r Comisiwn. Mae erthygl 3(m) hefyd yn dwyn i rym adran 25(1), (4) a (6)(a) a (b) (i'r graddau y mae'n ymwneud ag is-adrannau (4) a (5)) at ddibenion adran 25(7).

Mae erthygl 3(l) yn dwyn i rym adran 25 o'r Ddeddf i alluogi Gweinidogion Cymru i wneud rheoliadau sy'n ymwneud â chategoriâu cofrestru ac i bennu'r wybodaeth y mae rhaid ei chynnwys yng nghofnod darparwr yn y gofrestr.

Rhaid i'r Comisiwn gofrestru darparwr addysg drydyddol mewn categori o'r gofrestr os yw'n bodloni'r amodau yn adran 25(4) o'r Ddeddf. Mae'r amodau'n cynnwys, ym mharagraff (d), ofyniad i fodloni amodau cofrestru cychwynnol perthnasol. Mae adran 27(2) o'r Ddeddf yn gosod rhwymedigaeth ar y Comisiwn i gyhoeddi dogfen sy'n pennu'r gofynion sydd i'w diwallu mewn perthynas â'r amodau cofrestru cychwynnol. Mae erthygl 3(n) a (q) yn dwyn i rym, yn ôl eu trefn, adran 25(4)(d) ac adran 27(1), (2) ac (8) at ddibenion galluogi'r Comisiwn i lunio'r ddogfen honno.

Mae erthygl 3(p) yn dwyn i rym adran 27 o'r Ddeddf i alluogi Gweinidogion Cymru i wneud rheoliadau sy'n ymwneud ag amodau cofrestru cychwynnol pellach.

Article 2(f) brings into force section 20 of the Act, which places the Commission under a duty to have regard to guidance given to it by the Welsh Ministers.

Article 2(g) brings into force section 21 of the Act, which enables the Welsh Ministers to give general directions to the Commission about the exercise of any of its functions.

Article 2(h) brings into force section 22 of the Act, which enables the Welsh Ministers to make regulations conferring supplementary functions on the Commission.

Article 2(i) and (w) brings into force section 24 of, and Schedule 2 to, the Act. Schedule 2 enables the Welsh Ministers to make schemes providing for the transfer to the Commission of staff, property, rights and liabilities.

Articles 2(j) to (m) and 3(l) to (z) bring provisions of Chapter 1 of Part 2 of the Act into force to enable the Commission to undertake preparatory work in respect of the registration of tertiary education providers.

Article 2(j) brings into force section 25(7) of the Act, which relates to applications for registration with the Commission. Article 3(m) also brings into force section 25(1), (4) and (6)(a) and (b) (so far as it relates to subsections (4) and (5)) for the purposes of section 25(7).

Article 3(l) brings into force section 25 of the Act to enable the Welsh Ministers to make regulations relating to categories of registration and to specify the information that must be contained in a provider's entry in the register.

The Commission must register a tertiary education provider in a category of the register if it satisfies the conditions in section 25(4) of the Act. The conditions include, at paragraph (d), a requirement to satisfy relevant initial registration conditions. Section 27(2) of the Act obliges the Commission to publish a document specifying the requirements to be met in relation to the initial conditions of registration. Article 3(n) and (q) brings into force, respectively, section 25(4)(d) and section 27(1), (2) and (8) for the purposes of enabling the Commission to prepare that document.

Article 3(p) brings into force section 27 of the Act to enable the Welsh Ministers to make regulations relating to further initial conditions of registration.

Mae erthygl 3(r) yn dwyn i rym adran 28(1) i (3) o'r Ddeddf i alluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amodau cofrestru parhaus cyffredinol.

Mae erthygl 3(o) yn dwyn i rym adran 25(9)(a) a (10) (i'r graddau y mae is-adran (10) yn ymwneud ag is-adran (9)(a)) i ddarparu ar gyfer ystyr "amodau cofrestru parhaus" at ddibenion Rhan 2 o'r Ddeddf.

Mae erthygl 3(s) ac (u) yn dwyn i rym, yn ôl eu trefn, adran 31(1)(a) i (f), (i), (j) a (2) ac adrannau 32 a 33 at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amodau cofrestru parhaus cyffredinol. Mae adrannau 31 i 33 o'r Ddeddf yn darparu ar gyfer amodau cofrestru parhaus mandadol. Mae adran 32 yn ymwneud â therfynau ffioedd ac mae adran 33 yn ymwneud â chyfle cyfartal.

Mae erthygl 3(t) yn dwyn i rym adran 32 o'r Ddeddf i alluogi Gweinidogion Cymru i wneud rheoliadau mewn cysylltiad â therfynau ffioedd. Mae erthyglau 2(m) a 3(z) yn dwyn i rym, yn ôl eu trefn, ddarpariaeth gysylltiedig yn adran 46 mewn cysylltiad â datganiadau terfyn ffioedd ac adran 47(1) i (5) o'r Ddeddf mewn cysylltiad â chymeradwyo'r datganiadau hynny.

Mae erthygl 2(l) yn dwyn i rym adran 34 o'r Ddeddf, sy'n galluogi Gweinidogion Cymru i wneud rheoliadau i ddarparu ar gyfer amodau cofrestru parhaus mandadol pellach.

Mae erthygl 2(k) yn dwyn i rym adran 30(1) o'r Ddeddf, sy'n ymwneud â chymesuredd amodau.

Mae erthygl 3(v) ac (w) yn dwyn i rym, yn ôl eu trefn, adrannau 35 a 36 o'r Ddeddf at ddibenion galluogi'r Comisiwn i lunio canllawiau sy'n ymwneud ag amodau cofrestru parhaus ac i ymgymryd â gwaith paratoi tuag at benderfynu sut y bydd yn monitro cydymffurfedd darparwyr cofrestredig ag amodau cofrestru parhaus.

Mae erthygl 3(x) ac (y) yn dwyn i rym, yn ôl eu trefn, adrannau 41 a 43 o'r Ddeddf at ddibenion galluogi Gweinidogion Cymru i wneud rheoliadau mewn cysylltiad â datgofrestru.

Mae erthygl 3(aa) yn dwyn i rym adran 54 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud ag asesiadau ansawdd addysg uwch.

Mae erthygl 3(bb) yn dwyn i rym adran 57 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud ag arolygiadau gan Brif Arolygydd Ei Fawrhydi dros Addysg a Hyfforddiant yng Nghymru.

Article 3(r) brings into force section 28(1) to (3) of the Act to enable the Commission to take steps towards determining the general ongoing registration conditions.

Article 3(o) brings into force section 25(9)(a) and (10) (so far as subsection (10) relates to subsection (9)(a)) to provide for the meaning of "ongoing registration conditions" for the purposes of Part 2 of the Act.

Article 3(s) and (u) brings into force, respectively, section 31(1)(a) to (f), (i), (j) and (2) and sections 32 and 33 for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions. Sections 31 to 33 of the Act provide for mandatory ongoing registration conditions. Section 32 relates to fee limits and section 33 relates to equal opportunity.

Article 3(t) brings into force section 32 of the Act to enable the Welsh Ministers to make regulations in respect of fee limits. Articles 2(m) and 3(z) bring into force, respectively, related provision in section 46 in respect of fee limit statements and section 47(1) to (5) of the Act in respect of the approval of those statements.

Article 2(l) brings into force section 34 of the Act, which enables the Welsh Ministers to make regulations to provide for further mandatory ongoing registration conditions.

Article 2(k) brings into force section 30(1) of the Act, which relates to the proportionality of conditions.

Article 3(v) and (w) brings into force, respectively, sections 35 and 36 of the Act for the purposes of enabling the Commission to prepare guidance relating to ongoing registration conditions and to undertake preparatory work towards determining how it will monitor registered providers' compliance with ongoing registration conditions.

Article 3(x) and (y) brings into force, respectively, sections 41 and 43 of the Act for the purposes of enabling the Welsh Ministers to make regulations in respect of deregistration.

Article 3(aa) brings into force section 54 of the Act for the purposes of making regulations relating to higher education quality assessments.

Article 3(bb) brings into force section 57 of the Act for the purposes of making regulations relating to inspections by His Majesty's Chief Inspector of Education and Training in Wales.

Mae erthygl 3(cc) yn dwyn i rym adran 83 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud â dynodi darparwyr addysg drydyddol.

Mae erthygl 2(n) yn dwyn i rym adran 85(1), (2)(a) a (b) o'r Ddeddf o 4 Medi 2023, sy'n rhoi pŵer i Weinidogion Cymru i gyllido'r Comisiwn. Mae erthygl 4(c) yn dwyn i rym adran 85 at yr holl ddibenion sy'n weddill o 1 Ebrill 2024.

Mae erthyglau 2(o) a 3(ee) yn dwyn i rym, yn ôl eu trefn, adran 87(2), ac 87(1) a (5) o'r Ddeddf (ac eithrio'r cyfeiriad at adrannau 88 a 105 o'r Ddeddf yn is-adran (5)), at ddibenion galluogi'r Comisiwn i lunio datganiad o dan adran 87(1). Mae adran 87(1) yn gosod dyletswydd ar y Comisiwn i gyhoeddi datganiad ar sut y mae'n bwriadu arfer ei bwerau cyllido.

Mae erthygl 3(gg), (hh), (ii), (jj) a (kk) yn dwyn i rym, yn ôl eu trefn, adrannau 89(3) i (5), 97, 101, 103 a 104 o'r Ddeddf (mae'r adrannau hynny'n cynnwys pwerau cyllido) at ddibenion llunio datganiad o dan adran 87.

Mae erthygl 3(ff) yn dwyn i rym adran 88 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud â darparwyr penodedig a chymorth ariannol oddi wrth y Comisiwn.

Mae erthygl 2(p) yn dwyn i rym adran 89(1) a (2) o'r Ddeddf i ganiatáu i reoliadau sy'n ymwneud â chymorth ariannol ar gyfer cyrsiau addysg uwch penodol gael eu gwneud.

Mae erthygl 3(ll) yn dwyn i rym adran 105 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud â darparwyr penodedig a chymorth ariannol oddi wrth y Comisiwn.

Mae erthygl 5 yn dwyn i rym adran 94 o'r Ddeddf at ddibenion gwneud rheoliadau sy'n ymwneud ag addysg a hyfforddiant ar gyfer personau cymwys dros 19 oed.

Mae erthygl 2(q) ac (r) yn dwyn i rym, yn ôl eu trefn, adran 130 o'r Ddeddf, sy'n ymwneud â gwybodaeth a chyngor oddi wrth y Comisiwn a gwybodaeth oddi wrth Weinidogion Cymru, a darpariaethau penodol yn adran 132 o'r Ddeddf, sy'n ymwneud â phwerau i rannu gwybodaeth.

Mae erthygl 2(s) yn dwyn i rym adran 141 o'r Ddeddf, sy'n darparu nad yw unrhyw ddarpariaeth a wneir gan y Ddeddf sy'n ei gwneud yn ofynnol datgelu neu ddefnyddio gwybodaeth, neu sy'n galluogi datgelu neu ddefnyddio gwybodaeth, yn datgymhwyso, mewn unrhyw ffordd, y ddeddfwriaeth diogelu data bresennol.

Article 3(cc) brings into force section 83 of the Act for the purposes of making regulations relating to the designation of providers of tertiary education.

Article 2(n) brings into force section 85(1), (2)(a) and (b) of the Act from 4 September 2023, which gives the Welsh Ministers power to fund the Commission. Article 4(c) brings section 85 into force for all remaining purposes from 1 April 2024.

Articles 2(o) and 3(ee) bring into force, respectively, section 87(2), and 87(1) and (5) of the Act (except for the reference to sections 88 and 105 of the Act in subsection (5)), for the purposes of enabling the Commission to prepare a statement under section 87(1). Section 87(1) places the Commission under a duty to publish a statement on how it intends to exercise its funding powers.

Article 3(gg), (hh), (ii), (jj) and (kk) brings into force, respectively, sections 89(3) to (5), 97, 101, 103 and 104 of the Act (those sections contain funding powers) for the purposes of preparing a statement under section 87.

Article 3(ff) brings into force section 88 of the Act for the purposes of making regulations relating to specified providers and financial support from the Commission.

Article 2(p) brings into force section 89(1) and (2) of the Act to allow regulations relating to financial support for certain higher education courses to be made.

Article 3(ll) brings into force section 105 of the Act for the purposes of making regulations relating to specified providers and financial support from the Commission.

Article 5 brings into force section 94 of the Act for the purposes of making regulations relating to education and training for eligible persons over 19.

Article 2(q) and (r) brings into force, respectively, section 130 of the Act, which relates to information and advice from the Commission and information from the Welsh Ministers, and certain provisions of section 132 of the Act, which relates to powers to share information.

Article 2(s) brings into force section 141 of the Act, which provides that no provision made by the Act requiring, or enabling, the disclosure or use of information disapplies, in any way, existing data protection legislation.

Mae erthygl 2(t) yn dwyn i rym adran 142 o'r Ddeddf, sy'n ymwneud â dyletswyddau i gyhoeddi o dan y Ddeddf.

Mae erthygl 2(u) ac (x) yn dwyn i rym, yn ôl eu trefn, adran 147 o'r Ddeddf, a diwygiadau canlyniadol i adran 148 o Ddeddf Llywodraeth Cymru 2006 ac i Atodlen 6 i Fesur y Gymraeg (Cymru) 2011.

Mae erthygl 4(e) yn dwyn i rym ddiwygiadau canlyniadol i Atodlen 6 i Fesur y Gymraeg (Cymru) 2011 ac i reoliad 3(4) o Reoliadau Safonau'r Gymraeg (Rhif 6) 2017 (O.S. 2017/90 (Cy. 33)).

### NODYN AM Y GORCHYMYN CYCHWYN CYNHARACH

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

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym drwy Orchymyn Cychwyn cyn dyddiad y Gorchymyn hwn.

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
Adran 1	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267)(C. 106)
Adran 9 (yn rhannol)	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267)(C. 106)
Atodlen 1 Paragraffau 1; 2; 3; 4(1)(a) ac (c); 5(1) a (2); 7(1) a (2); 10(1), (3), (4) a (7); 11(1) (yn rhannol) a (2); 12	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267)(C. 106)

Article 2(t) brings into force section 142 of the Act, which relates to duties to publish under the Act.

Article 2(u) and (x) brings into force, respectively, section 147 of the Act, and consequential amendments to section 148 of the Government of Wales Act 2006 and to Schedule 6 to the Welsh Language (Wales) Measure 2011.

Article 4(e) brings into force consequential amendments to Schedule 6 to the Welsh Language (Wales) Measure 2011 and to regulation 3(4) of the Welsh Language Standards (No. 6) Regulations 2017 (S.I. 2017/90 (W. 33)).

### NOTE AS TO EARLIER COMMENCEMENT ORDER

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

The following provisions of the Act have been brought into force by a Commencement Order before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 1	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)
Section 9 (partially)	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)
Schedule 1 Paragraphs 1; 2; 3; 4(1)(a) and (c); 5(1) and (2); 7(1) and (2); 10(1), (3), (4) and (7); 11(1) (partially) and (2); 12	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)

**2023 Rhif 919 (Cy. 144) (C. 52)**

**2023 No. 919 (W. 144) (C. 52)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

Gorchymyn Deddf Addysg  
Drydyddol ac Ymchwil (Cymru)  
2022 (Cychwyn Rhif 2 a  
Darpariaeth Ddarfodol) 2023

The Tertiary Education and  
Research (Wales) Act 2022  
(Commencement No. 2 and  
Transitory Provision) Order 2023

*Gwnaed*

*21 Awst 2023*

*Made*

*21 August 2023*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 148(2) a (3) o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by section 148(2) and (3) of the Tertiary Education and Research (Wales) Act 2022(1), make the following Order:

**Enwi a dehongli**

**Title and interpretation**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (Cychwyn Rhif 2 a Darpariaeth Ddarfodol) 2023.

1.—(1) The title of this Order is the Tertiary Education and Research (Wales) Act 2022 (Commencement No. 2 and Transitory Provision) Order 2023.

(2) Yn y Gorchymyn hwn, ystyr “y Ddeddf” yw Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022, ac mae i eiriau ac ymadroddion eraill yr un ystyr ag sydd iddynt yn y Ddeddf.

(2) In this Order “the Act” means the Tertiary Education and Research (Wales) Act 2022, and other words and expressions have the same meaning as they have in the Act.

**Y darpariaethau sy'n dod i rym ar 4 Medi 2023**

**Provisions coming into force on 4 September 2023**

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 4 Medi 2023—

2. The following provisions of the Act come into force on 4 September 2023—

- (a) adran 13 (datganiad o flaenoriaethau strategol);
- (b) adran 14 (cynllun strategol ar gyfer y Comisiwn);
- (c) adran 17 (rhyddid academiaidd darparwyr a staff addysg uwch);
- (d) adran 18 (awtonomi sefydliadol darparwyr addysg drydyddol);

- (a) section 13 (statement of strategic priorities);
- (b) section 14 (strategic plan for the Commission);
- (c) section 17 (academic freedom of higher education providers and staff);
- (d) section 18 (institutional autonomy of tertiary education providers);

- (e) adran 19 (cydnawsedd â chyfraith elusennau a dogfennau llywodraethu darparwyr addysg drydyddol);
  - (f) adran 20 (canllawiau);
  - (g) adran 21 (pŵer Gweinidogion Cymru i roi cyfarwyddau cyffredinol);
  - (h) adran 22 (swyddogaethau ychwanegol y Comisiwn);
  - (i) adran 24 (cynlluniau trosglwyddo);
  - (j) adran 25(7) (y gofrestr);
  - (k) adran 30(1) (amodau cymesur);
  - (l) adran 34 (pŵer i ddarparu ar gyfer amodau cofrestru parhaus mandadol pellach);
  - (m) adran 46 (gofynion ar gyfer datganiad terfyn ffioedd);
  - (n) adran 85(1), (2)(a) a (b) (pŵer Gweinidogion Cymru i gyllido'r Comisiwn);
  - (o) adran 87(2) (polisi ar bwerau cyllido);
  - (p) adran 89(1) a (2) (cymorth ariannol ar gyfer cyrsiau addysg uwch a bennir mewn rheoliadau);
  - (q) adran 130 (gwybodaeth a chynghor oddi wrth y Comisiwn a gwybodaeth oddi wrth Weiniogion Cymru);
  - (r) adran 132(1)(a) i (e), (g) i (k) a (2) (pwerau i rannu gwybodaeth);
  - (s) adran 141 (diogelu data);
  - (t) adran 142 (cyhoeddi);
  - (u) adran 147 (mân ddiwygiadau a diwygiadau canlyniadol);
  - (v) yn Atodlen 1 (y Comisiwn Addysg Drydyddol ac Ymchwil)—
    - (i) paragraff 5 i'r graddau nad yw eisoes mewn grym;
    - (ii) paragraff 7 i'r graddau nad yw eisoes mewn grym;
    - (iii) paragraff 8(1) i (3), (6) i (8) a (10);
    - (iv) paragraff 9(1) i (3) a (4)(a);
    - (v) paragraff 10 i'r graddau nad yw eisoes mewn grym;
    - (vi) paragraff 11(1) i'r graddau nad yw eisoes mewn grym, (3), (4) a (6) i (10);
    - (vii) paragraff 13;
    - (viii) paragraff 14;
    - (ix) paragraff 15(1)(a);
    - (x) paragraff 18;
    - (xi) paragraff 19;
    - (xii) paragraff 20;
- (e) section 19 (compatibility with charity law and governing documents of tertiary education providers);
  - (f) section 20 (guidance);
  - (g) section 21 (Welsh Ministers' power to give general directions);
  - (h) section 22 (additional functions of the Commission);
  - (i) section 24 (transfer schemes);
  - (j) section 25(7) (the register);
  - (k) section 30(1) (proportionate conditions);
  - (l) section 34 (power to provide for further mandatory ongoing registration conditions);
  - (m) section 46 (requirements of a fee limit statement);
  - (n) section 85(1), (2)(a) and (b) (power of the Welsh Ministers to fund the Commission);
  - (o) section 87(2) (policy on funding powers);
  - (p) section 89(1) and (2) (financial support for higher education courses specified in regulations);
  - (q) section 130 (information and advice from the Commission and information from the Welsh Ministers);
  - (r) section 132(1)(a) to (e), (g) to (k) and (2) (powers to share information);
  - (s) section 141 (data protection);
  - (t) section 142 (publication);
  - (u) section 147 (minor and consequential amendments);
  - (v) in Schedule 1 (Commission for Tertiary Education and Research)—
    - (i) paragraph 5 in so far as not already in force;
    - (ii) paragraph 7 in so far as not already in force;
    - (iii) paragraph 8(1) to (3), (6) to (8) and (10);
    - (iv) paragraph 9(1) to (3) and (4)(a);
    - (v) paragraph 10 in so far as not already in force;
    - (vi) paragraph 11(1) in so far as not already in force, (3), (4) and (6) to (10);
    - (vii) paragraph 13;
    - (viii) paragraph 14;
    - (ix) paragraph 15(1)(a);
    - (x) paragraph 18;
    - (xi) paragraph 19;
    - (xii) paragraph 20;



- (xiii) paragraff 21;
- (xiv) paragraff 22;
- (w) Atodlen 2 (trosglwyddo eiddo a staff i'r Comisiwn);
- (x) yn Atodlen 4 (mân ddiwygiadau a diwygiadau canlyniadol)—
  - (i) paragraff 20(1);
  - (ii) paragraff 20(2)(a);
  - (iii) paragraff 28(a).

- (xiii) paragraph 21;
- (xiv) paragraph 22;
- (w) Schedule 2 (transfers of property and staff to the Commission);
- (x) in Schedule 4 (minor and consequential amendments)—
  - (i) paragraph 20(1);
  - (ii) paragraph 20(2)(a);
  - (iii) paragraph 28(a).

**Y darpariaethau sy'n dod i rym ar 4 Medi 2023 i'r graddau a bennir**

3. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 4 Medi 2023 i'r graddau a bennir mewn perthynas â phob darpariaeth o'r fath—

- (a) adran 2 (hybu dysgu gydol oes), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 2 yn cael ei dwyn i rym);
- (b) adran 3 (hybu cyfle cyfartal), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y dyletswyddau o dan adran 3 yn cael eu dwyn i rym);
- (c) adran 4 (annog cyfranogiad mewn addysg drydyddol), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y dyletswyddau o dan adran 4 yn cael eu dwyn i rym);
- (d) adran 5 (hybu gwelliant parhaus mewn addysg drydyddol), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 5 yn cael ei dwyn i rym);
- (e) adran 6(1)(a) (hybu gwaith ymchwil ac arloesi), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 6(1)(a) yn cael ei dwyn i rym);
- (f) adran 7 (hybu cydlafurio a chydlynw mewn addysg drydyddol ac ymchwil), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y dyletswyddau o dan adran 7 yn cael eu dwyn i rym);
- (g) adran 8 (cyfrannu at economi gynaliadwy ac arloesol), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 8 yn cael ei dwyn i rym);
- (h) adran 9(1) (hybu addysg drydyddol drwy gyfrwng y Gymraeg), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y dyletswyddau o dan adran 9(1) yn cael eu dwyn i rym);

**Provisions coming into force on 4 September 2023 to the extent specified**

3. The following provisions of the Act come into force on 4 September 2023 to the extent specified in relation to each such provision—

- (a) section 2 (promoting life-long learning), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 2 into force);
- (b) section 3 (promoting equality of opportunity), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 3 into force);
- (c) section 4 (encouraging participation in tertiary education), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 4 into force);
- (d) section 5 (promoting continuous improvement in tertiary education), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 5 into force);
- (e) section 6(1)(a) (promotion of research and innovation), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 6(1)(a) into force);
- (f) section 7 (promoting collaboration and coherence in tertiary education and research), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 7 into force);
- (g) section 8 (contributing to a sustainable and innovative economy), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 8 into force);
- (h) section 9(1) (promoting tertiary education through the medium of Welsh), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 9(1) into force);

- (i) adran 10 (hybu cenhadaeth ddinesig), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 10 yn cael ei dwyn i rym);
- (j) adran 11 (hybu golwg fyd-eang), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswyddau o dan adran 11 yn cael eu dwyn i rym);
- (k) adran 12 (hybu cydlafurio rhwng darparwyr addysg drydyddol ac undebau llafur), at ddibenion llunio cynllun strategol o dan adran 14 (ond nid fel bod y ddyletswydd o dan adran 12 yn cael ei dwyn i rym);
- (l) adran 25, at ddibenion gwneud rheoliadau o dan yr adran honno;
- (m) adran 25(1), (4), (6)(a) a (6)(b) (i'r graddau y mae'n ymwneud ag is-adrannau (4) a (5)), at ddibenion adran 25(7) (ond nid fel bod unrhyw ddyletswyddau o dan yr is-adrannau hynny yn cael eu dwyn i rym);
- (n) adran 25(4)(d), at ddibenion adran 27(2) (amodau cofrestru cychwynnol) (ond nid fel bod y ddyletswydd o dan adran 25(4)(d) yn cael ei dwyn i rym);
- (o) adran 25(9)(a) a (10) (i'r graddau y mae is-adran (10) yn ymwneud ag is-adran (9)(a));
- (p) adran 27 (amodau cofrestru cychwynnol), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (q) adran 27(1), (2) ac (8), at ddibenion galluogi'r Comisiwn i lunio'r ddogfen y cyfeirir ati yn adran 27(2) (ond nid fel bod y ddyletswydd o dan adran 27(2) yn cael ei dwyn i rym);
- (r) adran 28(1) i (3) (amodau cofrestru parhaus cyffredinol), at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amodau cofrestru parhaus cyffredinol yn unol ag adran 28(1) (ond nid fel bod y ddyletswyddau o dan adran 28(1) yn cael eu dwyn i rym);
- (s) adran 31(1)(a) i (f), (i), (j) a (2) (amodau cofrestru parhaus mandadol ar gyfer pob darparwr cofrestredig), at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amodau cofrestru parhaus cyffredinol yn unol ag adran 28(1) (ond nid fel bod y ddyletswydd o dan adran 31(1) yn cael ei dwyn i rym);
- (t) adran 32 (amod cofrestru parhaus mandadol ar y terfynau ffioedd), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (i) section 10 (promoting a civic mission), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 10 into force);
- (j) section 11 (promoting a global outlook), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duties under section 11 into force);
- (k) section 12 (promoting collaboration between providers of tertiary education and trade unions), for the purposes of preparing a strategic plan under section 14 (but not so as to bring the duty under section 12 into force);
- (l) section 25, for the purposes of making regulations under that section;
- (m) section 25(1), (4), (6)(a) and (6)(b) (in so far as it relates to subsections (4) and (5)), for the purposes of section 25(7) (but not so as to bring any duties under those subsections into force);
- (n) section 25(4)(d), for the purposes of section 27(2) (initial registration conditions) (but not so as to bring the duty under section 25(4)(d) into force);
- (o) section 25(9)(a) and (10) (in so far as subsection (10) relates to subsection (9)(a));
- (p) section 27 (initial registration conditions), for the purposes of making regulations under that section;
- (q) section 27(1), (2) and (8), for the purposes of enabling the Commission to prepare the document referred to in section 27(2) (but not so as to bring the duty under section 27(2) into force);
- (r) section 28(1) to (3) (general ongoing registration conditions), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring the duties under section 28(1) into force);
- (s) section 31(1)(a) to (f), (i), (j) and (2) (mandatory ongoing registration conditions for each registered provider), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring the duty under section 31(1) into force);
- (t) section 32 (mandatory ongoing registration condition on fee limits), for the purposes of making regulations under that section;

- (u) adran 32 ac adran 33 (amodau cofrestru parhaus mandadol ar gyfle cyfartal), at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amodau cofrestru parhaus cyffredinol yn unol ag adran 28(1) (ond nid fel bod unrhyw ddyletswyddau o dan adrannau 32 a 33 yn cael eu dwyn i rym);
- (v) adran 35 (dyletswydd y Comisiwn i roi canllawiau ynghylch amodau cofrestru parhaus), at ddibenion galluogi'r Comisiwn i lunio canllawiau ar gyfer darparwyr cofrestredig ynghylch amodau cofrestru parhaus (ond nid fel bod y ddyletswydd o dan yr adran honno yn cael ei dwyn i rym);
- (w) adran 36 (dyletswydd y Comisiwn i fonitro cydymffurfedd ag amodau cofrestru parhaus), at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu sut y bydd yn monitro cydymffurfedd ag amodau cofrestru parhaus gan ddarparwyr cofrestredig (ond nid fel bod y ddyletswydd o dan yr adran honno yn cael ei dwyn i rym);
- (x) adran 41 (datgofrestru), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (y) adran 43 (datgofrestru'n wirfoddol a datgofrestru gyda chydysniad), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (z) adran 47(1) i (5) (cymeradwyo datganiad terfyn ffioedd), at ddibenion galluogi'r Comisiwn i gymryd camau tuag at benderfynu'r amod terfyn ffioedd yn unol ag adran 32(3)(a) a'r amodau cofrestru parhaus cyffredinol yn unol ag adran 28(1) (ond nid fel bod unrhyw ddyletswyddau o dan adran 47(2) na (4) yn cael eu dwyn i rym);
- (aa) adran 54 (asesu ansawdd addysg uwch), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (bb) adran 57 (dyletswydd y Prif Arolygydd i arolygu ac adrodd), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (cc) adran 83 (dynodi darparwyr addysg drydyddol eraill), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (dd) adran 84 (dehongli Rhan 2), ac eithrio'r diffiniad o "ffioedd uwchlaw'r terfyn";
- (ee) adran 87(1) a (5), ac eithrio'r cyfeiriadau at adrannau 88 a 105 yn is-adran (5), at ddibenion llunio datganiad o dan adran 87(1) (ond nid fel bod y ddyletswydd o dan yr adran honno yn cael ei dwyn i rym);
- (u) section 32 and section 33 (mandatory ongoing registration conditions on equal opportunity), for the purposes of enabling the Commission to take steps towards determining the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring any duties under sections 32 and 33 into force);
- (v) section 35 (Commission duty to give guidance about ongoing registration conditions), for the purposes of enabling the Commission to prepare guidance for registered providers about ongoing registration conditions (but not so as to bring the duty under that section into force);
- (w) section 36 (Commission duty to monitor compliance with ongoing registration conditions), for the purposes of enabling the Commission to take steps towards determining how it will monitor compliance with ongoing registration conditions by registered providers (but not so as to bring the duty under that section into force);
- (x) section 41 (de-registration), for the purposes of making regulations under that section;
- (y) section 43 (voluntary de-registration and de-registration with consent), for the purposes of making regulations under that section;
- (z) section 47(1) to (5) (approval of fee limit statement), for the purposes of enabling the Commission to take steps towards determining the fee limit condition pursuant to section 32(3)(a) and the general ongoing registration conditions pursuant to section 28(1) (but not so as to bring any duties under section 47(2) or (4) into force);
- (aa) section 54 (assessment of quality of higher education), for the purposes of making regulations under that section;
- (bb) section 57 (duty of the Chief Inspector to inspect and report), for the purposes of making regulations under that section;
- (cc) section 83 (designation of other providers of tertiary education), for the purposes of making regulations under that section;
- (dd) section 84 (interpretation of Part 2), except for the definition of "excess fees";
- (ee) section 87(1) and (5), except for the references to sections 88 and 105 in subsection (5), for the purposes of preparing a statement under section 87(1) (but not so as to bring the duty under that section into force);

- (ff) adran 88 (cymorth ariannol i ddarparwyr penodedig ar gyfer addysg uwch), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (gg) adran 89(3) i (5), at ddibenion llunio datganiad o dan adran 87;
- (hh) adran 97 (cymorth ariannol ar gyfer addysg bellach neu hyfforddiant), at ddibenion llunio datganiad o dan adran 87;
- (ii) adran 101 (y chweched dosbarth mewn ysgolion), at ddibenion llunio datganiad o dan adran 87;
- (jj) adran 103 (cymorth ariannol ar gyfer gweithgareddau eraill sy'n gysylltiedig ag addysg drydyddol), at ddibenion llunio datganiad o dan adran 87;
- (kk) adran 104 (cymorth ariannol ar gyfer prentisiaethau), at ddibenion llunio datganiad o dan adran 87;
- (ll) adran 105 (cymorth ariannol ar gyfer ymchwil ac arloesi), at ddibenion gwneud rheoliadau o dan yr adran honno;
- (mm) yn Atodlen 1, paragraff 9(5), ac eithrio i'r graddau y mae'n cyfeirio at baragraff 6(5).

- (ff) section 88 (financial support to specified providers for higher education), for the purposes of making regulations under that section;
- (gg) section 89(3) to (5), for the purposes of preparing a statement under section 87;
- (hh) section 97 (financial support for further education or training), for the purposes of preparing a statement under section 87;
- (ii) section 101 (school sixth-forms), for the purposes of preparing a statement under section 87;
- (jj) section 103 (financial support for other activities connected to tertiary education), for the purposes of preparing a statement under section 87;
- (kk) section 104 (financial support for apprenticeships), for the purposes of preparing a statement under section 87;
- (ll) section 105 (financial support for research and innovation), for the purposes of making regulations under that section;
- (mm) in Schedule 1, paragraph 9(5), except in so far as it refers to paragraph 6(5).

#### **Y darpariaethau sy'n dod i rym ar 1 Ebrill 2024**

**4. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2024—**

- (a) adrannau 2 i 5 a 7 i 12 i'r graddau nad ydynt eisoes mewn grym;
- (b) adran 16 (adolygu'r cynllun strategol);
- (c) adran 85 i'r graddau nad yw eisoes mewn grym;
- (d) yn Atodlen 1—
  - (i) paragraff 4 i'r graddau nad yw eisoes mewn grym;
  - (ii) paragraff 6;
  - (iii) paragraff 8 i'r graddau nad yw eisoes mewn grym;
  - (iv) paragraff 9 i'r graddau nad yw eisoes mewn grym;
  - (v) paragraff 11 i'r graddau nad yw eisoes mewn grym;
- (e) yn Atodlen 4—
  - (i) paragraff 28 i'r graddau nad yw eisoes mewn grym;
  - (ii) paragraff 40.

#### **Provisions coming into force on 1 April 2024**

**4. The following provisions of the Act come into force on 1 April 2024—**

- (a) sections 2 to 5 and 7 to 12 in so far as not already in force;
- (b) section 16 (review of strategic plan);
- (c) section 85 in so far as not already in force;
- (d) in Schedule 1—
  - (i) paragraph 4 in so far as not already in force;
  - (ii) paragraph 6;
  - (iii) paragraph 8 in so far as not already in force;
  - (iv) paragraph 9 in so far as not already in force;
  - (v) paragraph 11 in so far as not already in force;
- (e) in Schedule 4—
  - (i) paragraph 28 in so far as not already in force;
  - (ii) paragraph 40.

**Y darpariaethau sy'n dod i rym ar 1 Ebrill 2024 i'r graddau a bennir**

5. Daw adran 94 (addysg a hyfforddiant ar gyfer personau cymwys dros 19 oed) i rym ar 1 Ebrill 2024 at ddibenion gwneud rheoliadau o dan yr adran honno.

**Y darpariaethau sy'n dod i rym ar 1 Ebrill 2024 yn ddarostyngedig i drefniadau darfodol**

6.—(1) Daw adran 15 (cymeradwyo, cyhoeddi a gweithredu'r cynllun strategol) i rym ar 1 Ebrill 2024 yn ddarostyngedig i'r addasiad a nodir ym mharagraff (2) sy'n gymwys yn ystod y cyfnod sy'n dechrau â 1 Ebrill 2024 ac sy'n dod i ben ar 16 Rhagfyr 2024.

(2) Mae adran 15(1) i'w darllen fel pe bai'r geiriau "cynllun strategol a lunnir o dan adran 14 at Weinidogion Cymru i'w gymeradwyo cyn diwedd cyfnod o 6 mis sy'n dechrau â'r diwrnod y cyhoeddir y datganiad o dan adran 13(1)" yn darllen fel "y cynllun strategol cyntaf y mae'n ei lunio o dan adran 14 at Weinidogion Cymru i'w gymeradwyo erbyn 15 Rhagfyr 2024".

**Provisions coming into force on 1 April 2024 to the extent specified**

5. Section 94 (education and training for eligible persons over 19) comes into force on 1 April 2024 for the purposes of making regulations under that section.

**Provisions coming into force on 1 April 2024 subject to transitory arrangements**

6.—(1) Section 15 (approval, publication and implementation of strategic plan) comes into force on 1 April 2024 subject to the modification set out in paragraph (2) which applies during the period beginning with 1 April 2024 and ending on 16 December 2024.

(2) Section 15(1) is to be read as if the words "a strategic plan prepared under section 14 to the Welsh Ministers for their approval before the end of a period of 6 months beginning with the day on which the statement is published under section 13(1)" read as "the first strategic plan it prepares under section 14 to the Welsh Ministers for their approval by 15 December 2024".

*Jeremy Miles*

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru  
21 Awst 2023

Minister for Education and Welsh Language, one of the Welsh Ministers  
21 August 2023

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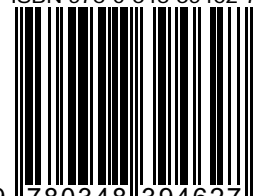




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