OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 1121 (Cy. 187)

2024 No. 1121 (W. 187)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau'r Comisiwn Addysg Drydyddol ac Ymchwil (Cofrestru a Dadgofrestru Darparwyr Addysg Drydyddol yng Nghymru) 2024

The Commission for Tertiary Education and Research (Registration and De-registration of Tertiary Education Providers in Wales) Regulations 2024

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth mewn cysylltiad â chofrestru a dadgofrestru darparwyr addysg drydyddol yng Nghymru gan y Comisiwn Addysg Drydyddol ac Ymchwil ("y Comisiwn").

Mae Rhan 1 yn cynnwys y darpariaethau dehongli a'r darpariaethau cyffredinol.

Mae Rhan 2 yn gwneud darpariaeth mewn cysylltiad â'r categorïau cofrestru. Rhaid i'r gofrestr a sefydlir ac a gynhelir gan y Comisiwn gael categori cofrestru craidd addysg uwch a chategori cofrestru amgen addysg uwch. Y categori cofrestru craidd addysg uwch yw'r categori cofrestru terfyn ffioedd at ddibenion adran 32(2)(b) o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 ("y Ddeddf"). Ni chaiff y Comisiwn gofrestru darparwr addysg drydyddol mewn mwy nag un categori o'r gofrestr ar yr un pryd.

Mae Rhan 3 yn gwneud darpariaeth mewn cysylltiad â chymhwystra i gael cyllid. Mae darparwyr addysg drydyddol sydd wedi eu cofrestru yn y categori cofrestru craidd addysg uwch yn ddarparwyr penodedig at ddibenion adrannau 88(3) a 105(4) o'r Ddeddf ac maent yn gymwys i gael cymorth ariannol ar gyfer addysg uwch, ymchwil neu arloesi.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in respect of the registration and de-registration of tertiary education providers in Wales by the Commission for Tertiary Education and Research ("the Commission").

Part 1 contains the interpretation and general provisions.

Part 2 makes provision in respect of the categories of registration. The register established and maintained by the Commission must have a higher education core category and a higher education alternative category of registration. The higher education core category of registration is the fee limit category of registration for the purposes of section 32(2)(b) of the Tertiary Education and Research (Wales) Act 2022 ("the Act"). The Commission must not register a tertiary education provider in more than one category of the register at the same time.

Part 3 makes provision in respect of eligibility for funding. Tertiary education providers registered in the higher education core category of registration are specified providers for the purposes of sections 88(3) and 105(4) of the Act and are eligible for financial support for higher education, research or innovation.

Mae Rhan 4 yn nodi amodau cofrestru cychwynnol pellach ac amodau cofrestru parhaus mandadol pellach.

Mae Rhan 5 yn rhestru'r wybodaeth y mae rhaid ei chynnwys yng nghofnod darparwr addysg drydyddol yn y gofrestr.

Mae Rhan 6 yn gwneud darpariaeth mewn cysylltiad â dadgofrestru. Rhaid i'r Comisiwn dynnu darparwr cofrestredig o'r categori cofrestru craidd addysg uwch os yw'r Comisiwn wedi ei fodloni nad elusen mo'r darparwr cofrestredig.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Part 4 sets out further initial conditions of registration and further mandatory ongoing registration conditions.

Part 5 lists the information that must be contained in a tertiary education provider's entry in the register.

Part 6 makes provision in respect of de-registration. The Commission must remove a registered provider from the higher education core category of registration if the Commission is satisfied that the registered provider is not a charity.

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 Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2024 Rhif 1121 (Cy. 187)

ADDYSG, CYMRU

Rheoliadau'r Comisiwn Addysg Drydyddol ac Ymchwil (Cofrestru a Dadgofrestru Darparwyr Addysg Drydyddol yng Nghymru) 2024

Gwnaed	*6 Tachwedd 2024*
Yn dod i rym	*11 Tachwedd 2024*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 25(2), 25(3), 25(5), 25(8), 27(6), 27(7)(b)(i), 27(7)(b)(ii), 32(2)(b), 34, 41(2), 88(3), 105(4) a 143(2)(a) o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022(**1**), yn gwneud y Rheoliadau a ganlyn.

Gosodwyd drafft o'r Rheoliadau hyn gerbron Senedd Cymru, ac fe'i cymeradwywyd ganddi drwy benderfyniad, yn unol ag adran 143(3), (4)(b) ac (c) o'r Ddeddf honno(**2**).

RHAN 1

ENWI, DOD I RYM A DEHONGLI

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Comisiwn Addysg Drydyddol ac Ymchwil (Cofrestru a Dadgofrestru Darparwyr Addysg Drydyddol yng Nghymru) 2024.

(2) Daw'r Rheoliadau hyn i rym ar 11 Tachwedd 2024.

(**1**) 2022 dsc 1.

(**2**) Gweler hefyd adran 40 o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) am ddarpariaeth ynghylch y weithdrefn sy'n gymwys i'r offeryn hwn.

WELSH STATUTORY INSTRUMENTS

2024 No. 1121 (W. 187)

EDUCATION, WALES

The Commission for Tertiary Education and Research (Registration and De-registration of Tertiary Education Providers in Wales) Regulations 2024

Made	*6 November 2024*
Coming into force	*11 November 2024*

The Welsh Ministers, in exercise of the powers conferred on them by sections 25(2), 25(3), 25(5), 25(8), 27(6), 27(7)(b)(i), 27(7)(b)(ii), 32(2)(b), 34, 41(2), 88(3), 105(4) and 143(2)(a) of the Tertiary Education and Research (Wales) Act 2022(**1**), make the following Regulations.

A draft of these Regulations was laid before, and approved by a resolution of, Senedd Cymru, in accordance with section 143(3), (4)(b) and (c) of that Act(**2**).

PART 1

TITLE, COMING INTO FORCE AND INTERPRETATION

Title and coming into force

1.—(1) The title of these Regulations is the Commission for Tertiary Education and Research (Registration and De-registration of Tertiary Education Providers in Wales) Regulations 2024.

(2) These Regulations come into force on 11 November 2024.

(**1**) 2022 asc 1.

(**2**) See also section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "addysg drydyddol" ("*tertiary education*") yw addysg uwch, addysg bellach neu hyfforddiant;

ystyr "addysg uwch" ("*higher education*") yw addysg a ddarperir drwy gyfrwng cwrs o unrhyw ddisgrifiad a grybwyllir yn Atodlen 6 i Ddeddf Diwygio Addysg 1988(**1**);

mae "asesiad" ("*assessment*") yn cynnwys arholiad a phrawf;

ystyr "categori amgen addysg uwch" ("*higher education alternative category*") yw'r categori cofrestru a nodir yn rheoliad 3(b);

ystyr "categori craidd addysg uwch" ("*higher education core category*") yw'r categori cofrestru a nodir yn rheoliad 3(a);

ystyr "y Comisiwn" ("*the Commission*") yw'r Comisiwn Addysg Drydyddol ac Ymchwil a sefydlwyd gan adran 1 o'r Ddeddf;

mae "corff llywodraethu" ("*governing body*") i'w ddehongli fel a ganlyn—

(a) mewn perthynas â darparwr hyfforddiant na fyddai, oni bai am y diffiniad o "sefydliad" yn y rheoliad hwn, yn cael ei ystyried yn sefydliad, ei ystyr yw unrhyw bersonau sy'n gyfrifol am reoli'r darparwr;

(b) mewn perthynas ag ysgol, ei ystyr yw perchennog yr ysgol o fewn yr ystyr a roddir i "proprietor" gan adran 579(1) o Ddeddf Addysg 1996(**2**);

(c) mewn perthynas â darparwr a ddynodir o dan adran 83 (dynodi darparwyr addysg drydyddol eraill) o'r Ddeddf, ei ystyr yw unrhyw bersonau sy'n gyfrifol am reoli'r darparwr;

(d) mewn perthynas ag unrhyw sefydliad arall, mae iddo'r ystyr a roddir i "governing body" gan adran 90(1) o Ddeddf Addysg Bellach ac Uwch 1992(**3**), ond yn ddarostyngedig i unrhyw ddarpariaeth a wneir yn rhinwedd adran 90(2) o'r Ddeddf honno;

ystyr "darparwr addysg drydyddol yng Nghymru" ("*tertiary education provider in Wales*") yw sefydliad sy'n darparu addysg drydyddol, gan

(**1**) 1988 p. 40.

(**2**) 1996 p. 56. Diwygiwyd y diffiniad o "proprietor" yn adran 579(1) gan baragraff 9(17)(c) o Atodlen 13 i Ddeddf Addysg 2011 (p. 21); paragraff 183(a)(iii) o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31); a rheoliad 4 o O.S. 2005/2913.

(**3**) 1992 p. 13. Diwygiwyd paragraff (a) o'r diffiniad o "governing body" yn adran 90(1) gan baragraffau 1, 12(1) a (2) o Atodlen 8 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22).

Interpretation

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the Tertiary Education and Research (Wales) Act 2022;

"assessment" ("*asesiad*") includes examination and test;

"the Commission" ("*y Comisiwn*") means the Commission for Tertiary Education and Research established by section 1 of the Act;

"franchise arrangements" ("*trefniadau breinio*") means arrangements between a registered provider and another education provider under which the registered provider provides higher education to a student on behalf of the other provider or authorises the other provider to provide higher education to a student on its behalf;

"governing body" ("*corff llywodraethu*")—

(a) in relation to a training provider who but for the definition of "institution" in this regulation would not be regarded as an institution, means any persons responsible for the provider's management;

(b) in relation to a school, means its proprietor within the meaning given by section 579(1) of the Education Act 1996(**1**);

(c) in relation to a provider designated under section 83 (designation of other providers of tertiary education) of the Act, means any persons responsible for the provider's management;

(d) in relation to any other institution, has the meaning given by section 90(1) of the Further and Higher Education Act 1992(**2**), but subject to any provision made by virtue of section 90(2) of that Act;

"higher education" ("*addysg uwch*") means education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988(**3**);

(**1**) 1996 c. 56. The definition of "proprietor" in section 579(1) was amended by the Education Act 2011 (c. 21), Schedule 13, paragraph 9(17)(c); the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 183(a)(iii); and S.I. 2005/2913, regulation 4.

(**2**) 1992 c. 13. Paragraph (a) of the definition of "governing body" in section 90(1) was amended by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), Schedule 8, paragraphs 1, 12(1) and (2).

(**3**) 1988 c. 40.

gynnwys addysg drydyddol a ddarperir ar ei ran, y cynhelir ei weithgareddau yn gyfan gwbl neu'n bennaf yng Nghymru;

ystyr "darparwr cofrestredig" ("*registered provider*") yw darparwr addysg drydyddol sydd wedi ei gofrestru yn y gofrestr; ac mae cyfeiriadau at "cofrestru" ("*registration*") i'w darllen yn unol â hynny;

ystyr "darparwr hyfforddiant" ("*training provider*") yw person sy'n darparu hyfforddiant ar gyfer aelodau o weithlu'r ysgol (o fewn yr ystyr a roddir i "member of the school workforce" gan adran 100 o Ddeddf Addysg 2005(**1**));

ystyr "dyfarniad a addysgir" ("*taught award*") yw unrhyw radd gan gynnwys gradd sylfaen, diploma, tystysgrif neu ddyfarniad neu anrhydedd academaidd arall a roddir i bersonau sy'n cwblhau cwrs astudio priodol ac sy'n bodloni asesiad priodol;

ystyr "dyfarniad ymchwil" ("*research award*") yw unrhyw radd, diploma, tystysgrif neu ddyfarniad neu anrhydedd academaidd arall a roddir i bersonau sy'n cwblhau rhaglen briodol o ymchwil dan oruchwyliaeth ac sy'n bodloni asesiad priodol;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022;

ystyr "y gofrestr" ("*the register*") yw'r gofrestr a sefydlir ac a gynhelir gan y Comisiwn o dan adran 25(1) o'r Ddeddf;

mae "sefydliad" ("*institution*") yn cynnwys unrhyw ddarparwr hyfforddiant (pa un a fyddai'r darparwr hyfforddiant fel arall yn cael ei ystyried yn sefydliad ai peidio);

ystyr "trefniadau breinio" ("*franchise arrangements*") yw trefniadau rhwng darparwr cofrestredig a darparwr addysg arall y mae'r darparwr cofrestredig yn darparu addysg uwch i fyfyriwr odanynt ar ran y darparwr arall, neu y mae'n awdurdodi'r darparwr arall i ddarparu addysg uwch i fyfyriwr odanynt ar ei ran;

ystyr "trefniadau dilysu" ("*validation arrangements*") yw trefniadau rhwng y darparwr cofrestredig a darparwr addysg arall y mae'r darparwr cofrestredig yn dyfarnu cymhwyster odanynt i fyfyriwr yn y darparwr arall neu'n awdurdodi'r darparwr arall i ddyfarnu cymhwyster odanynt ar ei ran.

"higher education alternative category" ("*categori amgen addysg uwch*") means the category of registration set out in regulation 3(b);

"higher education core category" ("*categori craidd addysg uwch*") means the category of registration set out in regulation 3(a);

"institution" ("*sefydliad*") includes any training provider (whether or not the training provider would otherwise be regarded as an institution);

"the register" ("*y gofrestr*") means the register established and maintained by the Commission under section 25(1) of the Act;

"registered provider" ("*darparwr cofrestredig*") means a tertiary education provider which is registered in the register; and references to "registration" ("*cofrestru*") are to be read accordingly;

"research award" ("*dyfarniad ymchwil*") means any degree, diploma, certificate or other academic award or distinction granted to persons who complete an appropriate programme of supervised research and satisfy an appropriate assessment;

"taught award" ("*dyfarniad a addysgir*") means any degree including a foundation degree, diploma, certificate or other academic award or distinction granted to persons who complete an appropriate course of study and satisfy an appropriate assessment;

"tertiary education" ("*addysg drydyddol*") means higher education, further education or training;

"tertiary education provider in Wales" ("*darparwr addysg drydyddol yng Nghymru*") means an institution providing tertiary education, including tertiary education provided on its behalf, whose activities are wholly or mainly carried on in Wales;

"training provider" ("*darparwr hyfforddiant*") means a person who provides training for members of the school workforce (within the meaning given by section 100 of the Education Act 2005(**1**));

"validation arrangements" ("*trefniadau dilysu*") means arrangements between the registered provider and another education provider under which the registered provider awards a qualification to a student at the other provider or authorises the other provider to award a qualification on its behalf.

(**1**) 2005 p. 18. Diwygiwyd y diffiniad o "the school workforce" gan adran 15(4) a (9)(b) o Ddeddf Addysg 2011 (p. 21). Gweler hefyd adran 15(9)(d) o Ddeddf Addysg 2011 a wnaeth ddarpariaeth bellach mewn cysylltiad ag ystyr "the school workforce".

(**1**) 2005 c. 18. The definition of "the school workforce" was amended by the Education Act 2011 (c. 21), section 15(4) and (9)(b). See also section 15(9)(d) of the Education Act 2011 which made further provision in respect of the meaning of the school workforce.

RHAN 2

CATEGORÏAU COFRESTRU

Categorïau cofrestru

3. At ddibenion adran 25(2) o'r Ddeddf, rhaid i'r Comisiwn wneud darpariaeth yn y gofrestr ar gyfer y categorïau cofrestru a ganlyn sy'n ymwneud â darparu addysg uwch—

(a) categori craidd addysg uwch, a

(b) categori amgen addysg uwch.

Cofrestru mewn mwy nag un categori

4. Ni chaiff y Comisiwn gofrestru darparwr addysg drydyddol mewn mwy nag un categori o'r gofrestr ar yr un pryd.

Y categori terfyn ffioedd

5. Y categori terfyn ffioedd at ddibenion adran 32(2)(b) o'r Ddeddf yw'r categori craidd addysg uwch.

PART 2

CATEGORIES OF REGISTRATION

Categories of registration

3. For the purposes of section 25(2) of the Act, the Commission must make provision in the register for the following categories of registration which relate to the provision of higher education—

(a) higher education core category, and

(b) higher education alternative category.

Registering in more than one category

4. The Commission must not register a tertiary education provider in more than one category of the register at the same time.

Fee limit category

5. The fee limit category for the purposes of section 32(2)(b) of the Act is the higher education core category.

RHAN 3

CYMHWYSTRA I GAEL CYLLID

Cymorth ariannol ar gyfer addysg uwch

6. Mae darparwr cofrestredig sydd wedi ei gofrestru yn y categori craidd addysg uwch yn ddarparwr penodedig at ddibenion adran 88(3) o'r Ddeddf.

Cymorth ariannol ar gyfer ymchwil neu arloesi

7. Mae darparwr cofrestredig sydd wedi ei gofrestru yn y categori craidd addysg uwch yn ddarparwr penodedig at ddibenion adran 105(4) o'r Ddeddf.

PART 3

ELIGIBILITY FOR FUNDING

Financial support for higher education

6. A registered provider registered in the higher education core category is a specified provider for the purposes of section 88(3) of the Act.

Financial support for research or innovation

7. A registered provider registered in the higher education core category is a specified provider for the purposes of section 105(4) of the Act.

RHAN 4

AMODAU COFRESTRU

Amodau cofrestru cychwynnol pellach ar gyfer y categori craidd addysg uwch

8. Mae'n amod cofrestru cychwynnol yn y categori craidd addysg uwch fod y Comisiwn wedi ei fodloni—

(a) bod y darparwr addysg drydyddol sy'n gwneud cais yn elusen, a

PART 4

CONDITIONS OF REGISTRATION

Further initial conditions of registration for the higher education core category

8. It is an initial condition of registration in the higher education core category that the Commission is satisfied—

(a) that the applicant tertiary education provider is a charity, and

(b) o ran yr wybodaeth y mae'r darparwr addysg drydyddol sy'n gwneud cais yn ei darparu i ddarpar fyfyrwyr ynghylch y darparwr, ei gyrsiau, a thelerau ac amodau ei gontractau â myfyrwyr.

Amodau cofrestru cychwynnol pellach ar gyfer y categori amgen addysg uwch

9. Mae'n amod cofrestru cychwynnol yn y categori amgen addysg uwch bod y Comisiwn wedi ei fodloni o ran yr wybodaeth y mae'r darparwr addysg drydyddol sy'n gwneud cais yn ei darparu i ddarpar fyfyrwyr ynghylch y darparwr, ei gyrsiau, a thelerau ac amodau ei gontractau â myfyrwyr.

Amodau cofrestru parhaus mandadol pellach ar gyfer y categori craidd addysg uwch

10. Rhaid i'r Comisiwn sicrhau bod amodau cofrestru parhaus pob darparwr addysg drydyddol sydd wedi ei gofrestru yn y categori craidd addysg uwch yn cynnwys—

(a) amod sy'n ymwneud â statws parhaus y darparwr fel elusen,

(b) amod sy'n ymwneud â'r wybodaeth a ddarperir i ddarpar fyfyrwyr am y darparwr, ei gyrsiau, a thelerau ac amodau ei gontractau â myfyrwyr, ac

(c) amod sy'n ei gwneud yn ofynnol i gorff llywodraethu'r darparwr hysbysu'r Comisiwn am unrhyw newid y mae'n dod yn ymwybodol ohono sy'n effeithio ar statws y darparwr fel darparwr addysg drydyddol yng Nghymru.

Amodau cofrestru parhaus mandadol pellach ar gyfer y categori amgen addysg uwch

11. Rhaid i'r Comisiwn sicrhau bod amodau cofrestru parhaus pob darparwr addysg drydyddol sydd wedi ei gofrestru yn y categori amgen addysg uwch yn cynnwys—

(a) amod sy'n ymwneud â'r wybodaeth a ddarperir i ddarpar fyfyrwyr ynghylch y darparwr, ei gyrsiau, a thelerau ac amodau ei gontractau â myfyrwyr, a

(b) amod sy'n ei gwneud yn ofynnol i gorff llywodraethu'r darparwr hysbysu'r Comisiwn am unrhyw newid y mae'n dod yn ymwybodol ohono sy'n effeithio ar statws y darparwr fel darparwr addysg drydyddol yng Nghymru.

(b) as to the information provided by the applicant tertiary education provider to prospective students about the provider, its courses, and its terms and conditions of contracts with students.

Further initial conditions of registration for the higher education alternative category

9. It is an initial condition of registration in the higher education alternative category that the Commission is satisfied as to the information provided by the applicant tertiary education provider to prospective students about the provider, its courses, and its terms and conditions of contracts with students.

Further mandatory ongoing registration conditions for the higher education core category

10. The Commission must ensure that the ongoing registration conditions of each tertiary education provider registered in the higher education core category include—

(a) a condition relating to the provider's continued status as a charity,

(b) a condition relating to the information provided to prospective students about the provider, its courses, and its terms and conditions of contracts with students, and

(c) a condition requiring the governing body of the provider to notify the Commission of any change of which it becomes aware which affects the provider's status as a tertiary education provider in Wales.

Further mandatory ongoing registration conditions for the higher education alternative category

11. The Commission must ensure that the ongoing registration conditions of each tertiary education provider registered in the higher education alternative category include—

(a) a condition relating to the information provided to prospective students about the provider, its courses, and its terms and conditions of contracts with students, and

(b) a condition requiring the governing body of the provider to notify the Commission of any change of which it becomes aware which affects the provider's status as a tertiary education provider in Wales.

RHAN 5

YR WYBODAETH SYDD I'W CHYNNWYS YN Y GOFRESTR

Yr wybodaeth y mae rhaid ei chynnwys yng nghofnod darparwr addysg drydyddol yn y gofrestr

12. At ddibenion adran 25(8) o'r Ddeddf, rhaid i gofnod darparwr addysg drydyddol yn y gofrestr gynnwys yr wybodaeth a ganlyn—

(a) enw'r darparwr, gan gynnwys unrhyw enwau masnachu neu unrhyw enwau a roddwyd drwy neu yn rhinwedd unrhyw ddeddfiad neu unrhyw Siarter Frenhinol,

(b) pan fo enw'r darparwr yn cynnwys y gair "prifysgol", pa un a gafodd y defnydd o'r enw hwnnw—

(i) ei awdurdodi drwy Siarter Frenhinol, ac os felly, pryd,

(ii) cydsyniad y Cyfrin Gyngor o dan adran 77(1) o Ddeddf Addysg Bellach ac Uwch 1992(**1**), ac os felly, pryd,

(iii) ei gymeradwyo gan y Cyfrin Gyngor at ddibenion adran 39(1)(b) neu (2) o Ddeddf Addysgu ac Addysg Uwch 1998(**2**), ac os felly, pryd, neu

(iv) ei awdurdodi drwy neu yn rhinwedd unrhyw ddarpariaeth arall o Ddeddf gan Senedd y Deyrnas Unedig, ac os felly, pryd,

(c) cyfeiriad, cyfeiriad e-bost a rhif ffôn y gellir eu defnyddio i gysylltu â'r darparwr,

(d) cyfeiriad prif fan busnes y darparwr, neu gyfeiriad sy'n addas fel arall ar gyfer cyflwyno dogfennau i'r darparwr,

(e) cyfeiriad y brif wefan a gynhelir gan, neu ar ran, y darparwr,

(f) y math o addysg drydyddol a ddarperir gan, neu ar ran, y darparwr,

(g) y categori y mae'r darparwr wedi ei gofrestru ynddo a'r dyddiad y cafodd y darparwr ei gofrestru yn y categori hwnnw,

(**1**) 1992 p. 13. Diwygiwyd adran 77(1) gan adran 56(1) a (3) o Ddeddf Addysg Uwch ac Ymchwil 2017 (p. 29).

(**2**) 1998 p. 30. Diwygiwyd adran 39(1) gan adran 57(1) a (3) o Ddeddf Addysg Uwch ac Ymchwil 2017 (p. 29). Diwygiwyd adran 39(2) gan adran 57(1) a (4) o Ddeddf Addysg Uwch ac Ymchwil 2017.

PART 5

INFORMATION TO BE INCLUDED IN THE REGISTER

Information which must be included in a tertiary education provider's entry in the register

12. For the purposes of section 25(8) of the Act, a tertiary education provider's entry in the register must include the following information—

(a) the provider's name, including any trading names or names granted by or by virtue of any enactment or Royal Charter,

(b) where the provider's name includes the word "university", whether, and if so, when, the use of that word was—

(i) authorised by Royal Charter,

(ii) consented to by the Privy Council under section 77(1) of the Further and Higher Education Act 1992(**1**),

(iii) approved by the Privy Council for the purposes of section 39(1)(b) or (2) of the Teaching and Higher Education Act 1998(**2**), or

(iv) authorised by or by virtue of any other provision of an Act of the Parliament of the United Kingdom,

(c) an address, e-mail address and telephone number at which the provider may be contacted,

(d) the address of the provider's principal place of business, or which is otherwise suitable for the service of documents upon the provider,

(e) the address of the principal website maintained by, or on behalf of, the provider,

(f) the kind of tertiary education provided by, or on behalf of, the provider,

(g) the category in which the provider is registered and the date the provider was registered in that category,

(**1**) 1992 c. 13. Section 77(1) was amended by the Higher Education and Research Act 2017 (c. 29), section 56(1) and (3).

(**2**) 1998 c. 30. Section 39(1) was amended by the Higher Education and Research Act 2017 (c. 29), section 57(1) and (3). Section 39(2) was amended by the Higher Education and Research Act 2017, section 57(1) and (4).

(h) a yw amodau cofrestru parhaus y darparwr yn cynnwys amod terfyn ffioedd ac, os felly, fanylion sut i gael gafael ar ddatganiad terfyn ffioedd y darparwr fel y'i cymeradwywyd gan y Comisiwn o dan adran 47 o'r Ddeddf,

(i) a yw'r darparwr yn elusen ac, os felly—

(i) ei rif cofrestru elusen, neu

(ii) os nad yw'r darparwr wedi ei gofrestru â rheoleiddiwr elusennau, y rheswm pam nad yw'n ofynnol iddo gofrestru â rheoleiddiwr elusennau,

(j) a yw'r darparwr yn gwmni, a'i rif cofrestru cwmni (pan fo'n gymwys),

(k) pa un a gafodd y darparwr ei awdurdodi i roi dyfarniadau a addysgir neu ddyfarniadau ymchwil neu'r ddau ac, os felly, pryd,—

(i) drwy Siarter Frenhinol,

(ii) drwy orchymyn gan y Cyfrin Gyngor o dan adran 76(1) o Ddeddf Addysg Bellach ac Uwch 1992(**1**), neu

(iii) drwy neu o dan unrhyw ddarpariaeth o Ddeddf gan Senedd y Deyrnas Unedig,

(l) os yw'r darparwr wedi ei awdurdodi i roi dyfarniadau a addysgir neu ddyfarniadau ymchwil neu'r ddau gan awdurdodiad y cyfeirir ato ym mharagraff (k) uchod, disgrifiad o'r dyfarniadau a addysgir neu'r dyfarniadau ymchwil y mae wedi ei awdurdodi i'w rhoi,

(m) a yw'r darparwr wedi ymrwymo i drefniadau dilysu, ac

(n) a yw'r darparwr wedi ymrwymo i drefniadau breinio.

(h) whether the provider's ongoing registration conditions include a fee limit condition and, if so, details of how to access the provider's fee limit statement as approved by the Commission under section 47 of the Act,

(i) whether the provider is a charity and, if so—

(i) its charity registration number, or

(ii) if the provider is not registered with a charity regulator, the reason why registration with a charity regulator is not required,

(j) whether the provider is a company and its company registration number (where applicable),

(k) whether, and if so, when, the provider was authorised to grant taught awards or research awards or both—

(i) by Royal Charter,

(ii) by an order of the Privy Council under section 76(1) of the Further and Higher Education Act 1992(**1**), or

(iii) by or under any other provision of an Act of the Parliament of the United Kingdom,

(l) if the provider is authorised to grant taught awards or research awards or both by an authorisation referred to in paragraph (k) above, a description of the taught awards or research awards it is authorised to grant,

(m) whether the provider has entered into validation arrangements, and

(n) whether the provider has entered into franchise arrangements.

RHAN 6

DADGOFRESTRU

Tynnu o'r categori craidd addysg uwch

13. Rhaid i'r Comisiwn dynnu darparwr cofrestredig o'r categori craidd addysg uwch os yw'r Comisiwn wedi ei fodloni nad elusen mo'r darparwr cofrestredig.

PART 6

DE-REGISTRATION

Removal from the higher education core category

13. The Commission must remove a registered provider from the higher education core category if the Commission is satisfied that the registered provider is not a charity.

(**1**) 1992 p. 13. Diwygiwyd adran 76(1) gan adran 19(1) a (2) o Ddeddf Addysg Bellach a Hyfforddiant 2007 (p. 25); a chan adrannau 259(1) a 266 o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22) a Rhan 11 o Atodlen 16 iddi.

(**1**) 1992 c. 13. Section 76(1) was amended by the Further Education and Training Act 2007 (c. 25), section 19(1) and (2); and the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 259(1), 266 and Schedule 16 Part 11.

Vikki Howells

Y Gweinidog Addysg Bellach ac Uwch,
o dan awdurdod Ysgrifennydd y Cabinet dros Addysg,
un o Weinidogion Cymru
6 Tachwedd 2024

Minister for Further and Higher Education,
under authority of the Cabinet Secretary for Education,
one of the Welsh Ministers
6 November 2024

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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ISBN 978-0-348-39617-1

£8.14

http://www.legislation.gov.uk/id/wsi/2024/1121