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WELSH STATUTORY INSTRUMENTS

2020 Rhif 918 (Cy. 206)

2020 No. 918 (W. 206)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) (Diwygio) (Coronafeirws) 2020

The Education (Student Support) (Postgraduate Master's Degrees) (Wales) (Amendment) (Coronavirus) Regulations 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan Ddeddf Addysgu ac Addysg Uwch 1998 ac maent yn diwygio Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019 ("Rheoliadau 2019").

Mae Rheoliadau 2019 yn darparu ar gyfer cymorth ariannol i fyfyrwyr cymwys sy'n dilyn cyrsiau gradd feistr ôl-raddedig sy'n dechrau ar neu ar ôl 1 Awst 2019.

Mae rheoliad 2 yn diwygio rheoliad 10(1) o Reoliadau 2019 (myfyrwyr cymwys – eithriadau) i ddileu'r gofyniad i fyfyriwr sy'n ymgymryd â chwrs dysgu o bell fod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs hwnnw, mewn achosion pan fo'r absenoldeb yn ymwneud â'r coronafeirws.

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: Yr Is-adran Addysg Uwch, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Teaching and Higher Education Act 1998 and they amend the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019 ("the 2019 Regulations").

The 2019 Regulations provide for financial support for eligible students taking postgraduate master's degree courses which begin on or after 1 August 2019.

Regulation 2 amends regulation 10(1) of the 2019 Regulations (eligible students – exceptions), to remove the requirement for a student undertaking a distance learning course to be in Wales on the first day of the first academic year of that course, in cases where the absence relates to coronavirus.

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.

2020 Rhif 918 (Cy. 206)

ADDYSG, CYMRU

Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) (Diwygio) (Coronafeirws) 2020

Gwnaed	*am 9.20 a.m. ar 28 Awst 2020*
Gosodwyd gerbron Senedd Cymru	*am 3.00 p.m. ar 28 Awst 2020*
Yn dod i rym	*1 Medi 2020*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 22(2)(a) a 42(6) o Ddeddf Addysgu ac Addysg Uwch 1998(**1**), ac sydd bellach yn arferadwy ganddynt hwy(**2**), yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) (Diwygio) (Coronafeirws) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 1 Medi 2020.

(**1**) 1998 p. 30; diwygiwyd adran 22(2)(a) gan Ddeddf Addysg Uwch ac Ymchwil 2017 (p. 29), adran 86. *Gweler* adran 43(1) o Ddeddf Addysgu ac Addysg Uwch 1998 am y diffiniad o "prescribed" a "regulations".

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol yn adran 22(2)(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 (p. 8). Mae adran 22(2)(a) yn arferadwy gan Weinidogion Cymru yn gydredol â'r Ysgrifennydd Gwladol. Trosglwyddwyd swyddogaeth yr Ysgrifennydd Gwladol yn adran 42, i'r graddau y mae'n arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru uchod i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

2020 No. 918 (W. 206)

EDUCATION, WALES

The Education (Student Support) (Postgraduate Master's Degrees) (Wales) (Amendment) (Coronavirus) Regulations 2020

Made	*at 9.20 a.m. on 28 August 2020*
Laid before Senedd Cymru	*at 3.00 p.m. on 28 August 2020*
Coming into force	*1 September 2020*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 22(2)(a) and 42(6) of the Teaching and Higher Education Act 1998(**1**) and now exercisable by them(**2**), make the following Regulations:

Title and commencement

1.—(1) The title of these Regulations is the Education (Student Support) (Postgraduate Master's Degrees) (Wales) (Amendment) (Coronavirus) Regulations 2020.

(2) These Regulations come into force on 1 September 2020.

(**1**) 1998 c. 30; section 22(2)(a) was amended by the Higher Education and Research Act 2017 (c. 29), section 86. *See* section 43(1) of the Teaching and Higher Education Act 1998 for the definition of "prescribed" and "regulations".

(**2**) The Secretary of State's functions in section 22(2)(a) of the Teaching and Higher Education Act 1998 was 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 (c. 8). Section 22(2)(a) is exercisable by the Welsh Ministers concurrently with the Secretary of State. The Secretary of State's function in section 42 was transferred, in so far as exercisable in relation to Wales, to the National Assembly for Wales by S.I. 1999/672. The above functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Diwygio Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019

2.—(1) Mae Rheoliadau Addysg (Cymorth i Fyfyrwyr) (Graddau Meistr Ôl-raddedig) (Cymru) 2019(**1**) wedi eu diwygio yn unol â'r rheoliad hwn.

(2) Yn rheoliad 10(1) (myfyrwyr cymwys – eithriadau), yn eithriad 10—

(a) ar ôl "nid yw'r eithriad hwn yn gymwys pan—" dechreuer llinell newydd a mewnosod y pennawd "*Achos 1*";

(b) ar ddiwedd is-baragraff (c), yn lle'r atalnod llawn rhodder "; neu";

(c) ar ddiwedd eithriad 10 mewnosoder—

"*Achos 2*

(a) bo diwrnod cyntaf blwyddyn academaidd gyntaf y cwrs ar neu ar ôl 1 Medi 2020; a

(b) na fo P yn gallu bod yng Nghymru ar ddiwrnod cyntaf blwyddyn academaidd gyntaf y cwrs am reswm sy'n ymwneud â'r coronafeirws."

(3) Yn Atodlen 1 (dehongli), ym mharagraff 3(1), yn y lle priodol mewnosoder—

"ystyr "coronafeirws" ("*coronavirus*") yw coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2);".

(4) Yn Atodlen 4 (mynegai o dermau wedi eu diffinio), yn Nhabl 3, yn y lle priodol mewnosoder—

""coronafeirws" Atodlen 1, paragraff 3(1)"

Amendment of the Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019

2.—(1) The Education (Student Support) (Postgraduate Master's Degrees) (Wales) Regulations 2019(**1**) are amended in accordance with this regulation.

(2) In regulation 10(1) (eligible students – exceptions), in exception 10—

(a) after "does not apply where—" start a new line and insert the heading "*Case 1*";

(b) at the end of sub-paragraph (c) for the full-stop substitute "; or";

(c) at the end of exception 10 insert—

"*Case 2*

(a) the first day of the first academic year of the course is on or after 1 September 2020; and

(b) P is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus."

(3) In Schedule 1 (interpretation), in paragraph 3(1), at the appropriate place insert—

"coronavirus" ("*coronafeirws*") means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);".

(4) In Schedule 4 (index of defined terms), in Table 3 at the appropriate place insert—

""coronavirus" Schedule 1, paragraph 3(1)"

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
Am 9.20 a.m. ar 28 Awst 2020

Minister for Education, one of the Welsh Ministers
At 9.20 a.m. on 28 August 2020

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(**1**) O.S. 2019/895 (Cy. 161). Mae diwygiadau i O.S. 2019/895 nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**1**) S.I. 2019/895 (W. 161). There are amendments to S.I. 2019/895 which are not relevant to these Regulations.

£4.90

W202008281004 09/2020

http://www.legislation.gov.uk/id/wsi/2020/918

ISBN 978-0-348-20610-4

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