OFFERYNNAU STATUDOL CYMRU

2026 Rhif 69

Rheoliadau Deddf Diogelwch Ar-lein 2023 (Gwasanaethau Defnyddiwr-i-Ddefnyddiwr a Chwilio Esempt) (Diwygio) 2026

Gwnaed	*4 Mawrth 2026*
Yn dod i rym	*1 Ebrill 2026*

DRAFT WELSH STATUTORY INSTRUMENTS

2026 No. 69

The Online Safety Act 2023 (Exempt User-to-User and Search Services) (Amendment) Regulations 2026

Made	*4 March 2026*
Coming into force	*1 April 2026*

£8.90

OFFERYNNAU STATUDOL CYMRU

2026 Rhif 69

ADDYSG

CYFATHREBIADAU ELECTRONIG

Rheoliadau Deddf Diogelwch Ar-lein 2023 (Gwasanaethau Defnyddiwr-i-Ddefnyddiwr a Chwilio Esempt) (Diwygio) 2026

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rhan 2 o Atodlen 1 i Ddeddf Diogelwch Ar-lein 2023 ("Deddf 2023"), sy'n rhestr o ddisgrifiadau o wasanaethau addysg a gofal plant sy'n esempt rhag bod yn wasanaethau defnyddiwr-i-ddefnyddiwr neu chwilio rheoleiddiedig, fel y diffinnir "regulated user-to-user service" a "regulated search service" yn adran 4 o Ddeddf 2023 (ystyr bod yn esempt yw nad ydynt yn ddarostyngedig i ddyletswyddau penodol nac i'w rheoleiddio gan y Swyddfa Gyfathrebiadau).

Mae'r Rheoliadau hyn yn diwygio paragraff 36 o Atodlen 1 drwy ddileu cyfeiriad at addysg (heblaw addysg uwch) neu hyfforddiant ôl-16, y sicrheir y cyfleusterau ar ei chyfer neu ar ei gyfer gan Weinidogion Cymru o dan Ddeddf Dysgu a Sgiliau 2000 (diddymwyd y darpariaethau perthnasol yn y Ddeddf honno gan Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 ("Deddf 2022")), a'i ddisodli â chyfeiriad at addysg bellach neu hyfforddiant a gyllidir, neu a sicrheir fel arall, gan y Comisiwn Addysg Drydyddol ac Ymchwil neu gan Weinidogion Cymru, neu a gyllidir gan awdurdod lleol yng Nghymru. Rhaid i addysg neu hyfforddiant o'r fath gael ei harolygu neu ei arolygu gan Brif Arolygydd Ei Fawrhydi dros Addysg a Hyfforddiant yng Nghymru o dan adran 57 o Ddeddf 2022.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

2026 Rhif 69

ADDYSG

CYFATHREBIADAU ELECTRONIG

Rheoliadau Deddf Diogelwch Ar-lein 2023 (Gwasanaethau Defnyddiwr-i-Ddefnyddiwr a Chwilio Esempt) (Diwygio) 2026

Gwnaed	*4 Mawrth 2026*
Yn dod i rym	*1 Ebrill 2026*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 221(5)(a) a (b) o Ddeddf Diogelwch Ar-lein 2023(**1**), yn gwneud y Rheoliadau a ganlyn.

Yn unol â gweithdrefn gymeradwyo'r Senedd a gymhwysir gan adran 225(14) o Ddeddf Diogelwch Ar-lein 2023 gosodwyd drafft o'r offeryn statudol Cymreig hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Diogelwch Ar-lein 2023 (Gwasanaethau Defnyddiwr-i-Ddefnyddiwr a Chwilio Esempt) (Diwygio) 2026.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2026.

Diwygio Deddf Diogelwch Ar-lein 2023

2. Yn Neddf Diogelwch Ar-lein 2023, yn Rhan 2 o Atodlen 1, yn lle paragraff 36 rhodder—

"(1) Any further education or training in Wales that is—

(a) funded or otherwise secured by the Commission for Tertiary Education and Research(**2**),

(b) funded or otherwise secured by the Welsh Ministers, or

(c) funded by a local authority in Wales (within the meaning of section 579(1) of the Education Act 1996(**3**)).

(2) Sub-paragraph (1) does not include further education or training in Wales provided by—

(**1**) 2023 p. 50.
(**2**) Sefydlwyd y Comisiwn Addysg Drydyddol ac Ymchwil gan adran 1 o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (dsc 1).
(**3**) 1996 p. 56.

(a) an institution in Wales within the higher education sector, within the meaning of the Further and Higher Education Act 1992(**4**) (see section 91(5) of that Act), or

(b) a person who is a provider of such education or training only by reason of providing it to the person's employees.

(3) In this paragraph, the references to "further education" and "training" have the meanings given by section 144(2), (4) and (5) of the Tertiary Education and Research (Wales) Act 2022(**5**)."

Vikki Howells
Y Gweinidog Addysg Bellach ac Uwch, o dan awdurdod Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru
4 Mawrth 2026

© Hawlfraint y Goron 2026

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

(**4**) 1992 p. 13.
(**5**) 2022 dsc 1.

DRAFT WELSH STATUTORY INSTRUMENTS

2026 No. 69

EDUCATION

ELECTRONIC COMMUNICATIONS

The Online Safety Act 2023 (Exempt User-to-User and Search Services) (Amendment) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Part 2 of Schedule 1 to the Online Safety Act 2023 ("the 2023 Act"), which is a list of descriptions of education and childcare services which are exempt from being regulated user-to-user or search services, as defined in section 4 of the 2023 Act (being exempt means that they are not subject to certain duties and to regulation by the Office of Communications).

These Regulations amend paragraph 36 of Schedule 1 by removing a reference to post-16 education (other than higher education) or training, the facilities for which are secured by the Welsh Ministers under the Learning and Skills Act 2000 (the relevant provisions of that Act were repealed by the Tertiary Education and Research (Wales) Act 2022 ("the 2022 Act")), and replacing it with a reference to further education or training that is funded or otherwise secured by the Commission for Tertiary Education and Research or by the Welsh Ministers, or funded by a local authority in Wales. Such education or training must be inspected by His Majesty's Chief Inspector of Education and Training in Wales under section 57 of the 2022 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2026 No. 69

EDUCATION

ELECTRONIC COMMUNICATIONS

The Online Safety Act 2023 (Exempt User-to-User and Search Services) (Amendment) Regulations 2026

Made	*4 March 2026*
Coming into force	*1 April 2026*

The Welsh Ministers, in exercise of the powers conferred by section 221(5)(a) and (b) of the Online Safety Act 2023(**1**), make the following Regulations.

In accordance with the Senedd approval procedure applied by section 225(14) of the Online Safety Act 2023 a draft of this Welsh statutory instrument was laid before, and approved by resolution of, Senedd Cymru.

Title and coming into force

1.—(1) The title of these Regulations is the Online Safety Act 2023 (Exempt User-to-User and Search Services) (Amendment) Regulations 2026.

(2) These Regulations come into force on 1 April 2026.

Amendment to the Online Safety Act 2023

2. In the Online Safety Act 2023, in Part 2 of Schedule 1, for paragraph 36 substitute—

"(1) Any further education or training in Wales that is—

(a) funded or otherwise secured by the Commission for Tertiary Education and Research(**2**),

(b) funded or otherwise secured by the Welsh Ministers, or

(c) funded by a local authority in Wales (within the meaning of section 579(1) of the Education Act 1996(**3**)).

(2) Sub-paragraph (1) does not include further education or training in Wales provided by—

(**1**) 2023 c. 50.
(**2**) The Commission for Tertiary Education and Research was established by section 1 of the Tertiary Education and Research (Wales) Act 2022 (asc 1).
(**3**) 1996 c. 56.

(a) an institution in Wales within the higher education sector, within the meaning of the Further and Higher Education Act 1992(**4**) (see section 91(5) of that Act), or

(b) a person who is a provider of such education or training only by reason of providing it to the person's employees.

(3) In this paragraph, the references to "further education" and "training" have the meanings given by section 144(2), (4) and (5) of the Tertiary Education and Research (Wales) Act 2022(**5**)."

Vikki Howells
Minister for Further and Higher Education, under authority of the Cabinet Secretary for Education, one of the Welsh Ministers
4 March 2026

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer for Wales.

(**4**) 1992 c. 13.
(**5**) 2022 asc 1.

tso
a Williams Lea company

Cyhoeddwyd gan TSO (Y Llyfrfa), cwmni Williams Lea,
ac ar gael o:

Arlein
www.tsoshop.co.uk

Post, Ffôn ac E-bost
TSO
Blwch Post 29, Norwich, NR3 1GN
Archebionf ffôn/ Ymholiadau cyffredinol 0333 202 5070
E-bost: customer.services@tso.co.uk
Ffôn Testun: 0333 202 5077

Published by TSO (The Stationery Office), a Williams Lea company,
and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-34-839840-3

9 780348 398403