O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 62 (C. 5)

Gorchymyn Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (Cychwyn Rhif 7, Darpariaethau Darfodol a Throsiannol a Darpariaethau Arbed) 2026

Gwnaed *4 Mawrth 2026*

W E L S H S T A T U T O R Y I N S T R U M E N T S

2026 No. 62 (C. 5)

The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 7, Transitory, Transitional and Savings Provisions) Order 2026

Made *4 March 2026*

£14.80

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ADDYSG, CYMRU

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NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym ddarpariaethau yn Neddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 ("y Ddeddf") ac yn gwneud darpariaeth ddarfodol, darpariaeth drosiannol a darpariaeth arbed mewn cysylltiad â dyfodiad darpariaethau penodol i rym.

Mae erthygl 1 yn gwneud darpariaeth mewn cysylltiad ag enwi a dehongli'r Gorchymyn hwn.

Mae erthygl 2 yn dwyn darpariaethau o'r Ddeddf i rym yn llawn ar 1 Ebrill 2026. Mae erthygl 2(a) yn dwyn i rym adran 50 o'r Ddeddf, i'r graddau nad yw eisoes mewn grym. O dan adran 50(5) a (6), rhaid i'r Comisiwn Addysg Drydyddol ac Ymchwil ("y Comisiwn"), Prif Arolygydd Ei Fawrhydi dros Addysg a Hyfforddiant yng Nghymru ("y Prif Arolygydd") a'r corff a ddynodir o dan Atodlen 3 i'r Ddeddf i arfer swyddogaethau asesu ansawdd, i'r graddau y mae'n berthnasol i arfer eu swyddogaethau, roi sylw i fframwaith sicrhau ansawdd a gyhoeddir o dan adran 50.

Mae erthygl 4 yn dwyn i rym adrannau 51 i 53 o'r Ddeddf ar 1 Ebrill 2026 yn ddarostyngedig i addasiadau darfodol a ddisgrifir yn erthygl 4(4) a (5). Mae adran 51 o'r Ddeddf yn ei gwneud yn ofynnol i'r Comisiwn fonitro ansawdd addysg drydyddol benodol ac i hybu gwelliant yn ansawdd yr addysg honno. Mae erthygl 2(vv)(ii) yn dwyn i rym baragraff 16(1)(d) o Atodlen 1 i'r Ddeddf sy'n darparu i adroddiad blynyddol y Comisiwn roi asesiad o ansawdd addysg drydyddol y mae rhaid i'r Comisiwn ei fonitro o dan adran 51. Mae adran 52 o'r Ddeddf yn galluogi'r Comisiwn i ddarparu, neu wneud trefniadau ar gyfer darparu, cyngor neu gynhorthwy arall mewn cysylltiad ag addysg drydyddol benodol neu gwrs penodol o addysg drydyddol at ddibenion gwella ansawdd yr addysg honno neu'r cwrs hwnnw neu atal ansawdd yr addysg honno neu'r cwrs hwnnw rhag dod yn annigonol. Mae adran 53 o'r Ddeddf yn galluogi'r Comisiwn i gynnal, neu drefnu

i berson arall gynnal, adolygiad o unrhyw faterion y mae'n ystyried eu bod yn berthnasol i ansawdd addysg drydyddol benodol, neu i gyrsiau penodol o addysg drydyddol.

Mae erthygl 7(1) yn dwyn i rym adran 57 o'r Ddeddf ar 1 Ebrill 2026, i'r graddau nad yw eisoes mewn grym, yn ddarostyngedig i ddarpariaethau trosiannol a ddisgrifir yn erthygl 7(2). Mae adran 57 o'r Ddeddf yn ei gwneud yn ofynnol i'r Prif Arolygydd arolygu addysg benodol a hyfforddiant penodol.

Mae erthygl 2(b) i (l) yn dwyn i rym adrannau 58 i 68 o'r Ddeddf. Mae'r adrannau hynny yn rhoi pŵer i'r Prif Arolygydd i arolygu addysg benodol a hyfforddiant penodol ac adrodd arnynt (adran 58) ac yn ei gwneud yn ofynnol i'r Prif Arolygydd ddarparu gwybodaeth benodol a chyngor penodol i'r Comisiwn ac i Weinidogion Cymru (adrannau 59 a 60). O dan adran 61, caiff Gweinidogion Cymru, drwy reoliadau, roi swyddogaethau penodol eraill i'r Prif Arolygydd. Mae adran 62 yn darparu ar gyfer cyhoeddi cynlluniau gweithredu yn dilyn arolygiadau penodol a gynhelir gan y Prif Arolygydd ac mae adran 63 yn galluogi'r Prif Arolygydd i gynnal arolygiadau ardal. Mae adran 64 yn darparu, wrth gynnal arolygiad o dan Bennod 2 o Ran 2 o'r Ddeddf, fod gan y Prif Arolygydd hawliau penodol i fynd i fangre ac arolygu cofnodion. O dan adran 65, caiff y Comisiwn gyfarwyddo'r Prif Arolygydd i gynnal arolygon ac astudiaethau penodol ac mae adrannau 66 a 67 yn gwneud darpariaeth sy'n ymwneud ag adroddiad blynyddol a chynllun blynyddol y Prif Arolygydd. Mae adran 68 yn darparu ar gyfer cyllido'r Prif Arolygydd gan y Comisiwn.

Mae erthygl 2(ww)(v) (i'r graddau y mae'n ymwneud â pharagraff 8(10)(b) ac (c) o Atodlen 4 i'r Ddeddf), (vi), (xxiii) i (xxv), (xxvii), (xxxi) i (xxxv), (xxxvii), (xxxix) (i'r graddau y mae'n ymwneud â pharagraff 20(3)(a) o Atodlen 4 i'r Ddeddf) a (xl) (i'r graddau y mae'n ymwneud â pharagraff 21(2) o Atodlen 4 i'r Ddeddf), yn dwyn i rym ddiwygiadau sy'n ganlyniadol ar adrannau 57 i 68 o'r Ddeddf yn dod i rym.

Mae erthyglau 13 i 15 yn darparu ar gyfer darpariaethau trosiannol mewn perthynas ag arolygiadau'r Prif Arolygydd sy'n cael eu cynnal yn union cyn 1 Ebrill 2026; adroddiad blynyddol y Prif Arolygydd mewn cysylltiad â'r cyfnod sy'n dod i ben â 31 Mawrth 2026; a chynllun blynyddol y Prif Arolygydd mewn cysylltiad â'r flwyddyn ariannol sy'n dod i ben â 31 Mawrth 2027.

Mae erthygl 2(m) yn dwyn i rym adran 69 o'r Ddeddf. Mae adran 69 yn nodi'r seiliau y caiff Gweinidogion Cymru ymyrryd drostynt o dan adrannau 70 ac 71 o'r Ddeddf yn ymddygiad darparwr addysg drydyddol yng Nghymru sy'n sefydliad o fewn y sector addysg bellach. Mae adran 70 o'r Ddeddf yn nodi pwerau Gweinidogion Cymru i ymyrryd mewn perthynas â darparwr o'r fath os yw un neu ragor o'r seiliau dros ymyrryd yn bodoli.

Mae erthygl 3(a) yn dwyn i rym adrannau 70 ac 71 o'r Ddeddf ar 1 Ebrill 2026 at ddibenion galluogi Gweinidogion Cymru i gyhoeddi datganiad, o dan adran 72 o'r Ddeddf, sy'n nodi sut y maent yn bwriadu arfer eu pwerau ymyrryd o dan adran 70. Mae erthygl 2(n) yn dwyn i rym adran 72 o'r Ddeddf. Mae erthygl 25(a) a (b) yn dwyn i rym adrannau 70 ac 71 o'r Ddeddf at bob diben sy'n weddill ar 1 Ebrill 2027. Mae erthygl 26 yn dwyn i rym baragraff 6(3)(a) o Atodlen 4 i'r Ddeddf ar 1 Ebrill 2027, yn ddarostyngedig i arbedion. Mae paragraff 6(3)(a) o Atodlen 4 yn diddymu adran 57 o Ddeddf Addysg Bellach ac Uwch 1992 ("Deddf 1992") sy'n nodi pwerau cyfredol Gweinidogion Cymru i ymyrryd yn ymddygiad sefydliad yng Nghymru o fewn y sector addysg bellach. Mae erthygl 26 yn darparu i unrhyw orchmynion a wneir gan Weinidogion Cymru yn unol ag adran 57(4) o Ddeddf 1992 cyn 1 Ebrill 2027 barhau i gael effaith.

Mae erthygl 2(o) yn dwyn i rym adran 80 o'r Ddeddf. Mae adran 80 yn ei gwneud yn ofynnol i'r Comisiwn fonitro cynaliadwyedd ariannol darparwyr sydd wedi eu cofrestru â'r Comisiwn o dan Ran 2 o'r Ddeddf a darparwyr addysg drydyddol penodol eraill. Mae erthygl 2(vv)(iii) yn dwyn i rym baragraff 16(1)(e) o Atodlen 1 i'r Ddeddf sy'n ei gwneud yn ofynnol i adroddiad blynyddol y Comisiwn gynnwys gwybodaeth sy'n ymwneud ag adran 80.

Mae erthygl 2(p) yn dwyn i rym adran 89(3), (4) a (5) o'r Ddeddf, i'r graddau nad yw'r darpariaethau hynny eisoes mewn grym. Mae adran 89 yn galluogi'r Comisiwn i ddarparu cymorth ariannol ar gyfer cyrsiau addysg uwch penodol a bennir mewn rheoliadau.

Mae erthygl 2(q) ac (r) yn dwyn i rym adrannau 90 ac 91 o'r Ddeddf. Mae adran 90 yn gwneud darpariaeth ynghylch y telerau a'r amodau y caiff y Comisiwn ddarparu cymorth ariannol arnynt o dan adran 88 neu 89 o'r Ddeddf. Mae adran 91 yn gwneud darpariaeth atodol mewn perthynas â chymorth ariannol a ddarperir o dan adran 88 neu 89.

Mae erthygl 2(s) yn dwyn i rym adran 92 o'r Ddeddf. Mae adran 92 yn galluogi Gweinidogion Cymru i sicrhau bod adnoddau ariannol yn cael eu darparu ar gyfer cyrsiau addysg uwch perthnasol penodol a ddisgrifir yn adran 92(5).

Mae erthygl 2(t) yn dwyn i rym adran 93 o'r Ddeddf. Mae adran 93 yn ei gwneud yn ofynnol i'r Comisiwn sicrhau bod cyfleusterau priodol yn cael eu darparu ar gyfer addysg bellach benodol a hyfforddiant penodol ar gyfer personau 16 i 19 oed.

Mae erthygl 2(u) i (z) yn dwyn i rym adrannau 95 i 100 o'r Ddeddf. Mae adran 95 yn ei gwneud yn ofynnol i'r Comisiwn sicrhau bod cyfleusterau rhesymol yn cael eu darparu ar gyfer addysg bellach benodol a hyfforddiant penodol ar gyfer personau dros 19 oed. Mae adran 96 yn gosod gofynion ar y Comisiwn wrth gyflawni ei ddyletswyddau i sicrhau cyfleusterau ar gyfer addysg a hyfforddiant. Mae adran 97 yn galluogi'r Comisiwn a Gweinidogion Cymru i sicrhau bod cymorth ariannol yn cael ei ddarparu ar gyfer addysg bellach neu hyfforddiant. Mae adrannau 98 a 99 yn gwneud darpariaeth bellach mewn perthynas â chymorth ariannol o dan adran 97. Mae adran 100 yn galluogi'r Comisiwn neu Weinidogion Cymru i gynnal profion modd, neu drefnu i brofion o'r fath gael eu cynnal, y caniateir ystyried eu canlyniadau wrth arfer swyddogaethau o dan adran 97(1)(d) neu (e).

Mae erthygl 2(ww)(vii) yn dwyn i rym baragraff 14(2) o Atodlen 4 i'r Ddeddf sy'n diddymu adrannau 31 i 33 o Ddeddf Dysgu a Sgiliau 2000 ("Deddf 2000"). Diddymir yr adrannau hyn o ganlyniad i ddarpariaethau Rhan 3 o'r Ddeddf yn dod i rym.

Mae erthygl 2(ww)(viii) i (xx) yn dwyn i rym baragraff 14(4), (6) i (9), (10)(a) a (b) ac (11) i (17) o Atodlen 4 i'r Ddeddf. Mae erthyglau 8 i 10 yn dwyn i rym, yn y drefn honno, baragraff 14(3), (5) a (10)(c) o Atodlen 4 i'r Ddeddf ar 1 Ebrill 2026 yn ddarostyngedig i ddarpariaethau trosiannol. Mae'r darpariaethau hyn yn diwygio adrannau 33A i 33E, 33G a 33I i 33Q o Ddeddf 2000 i roi cyfrifoldeb am lunio cwricwla lleol ar gyfer dysgwyr 16 i 18 oed i'r Comisiwn yn hytrach na Gweinidogion Cymru, ac yn gwneud diwygiadau cysylltiedig o ganlyniad i hyn.

Mae erthygl 2(ww)(xxi) yn dwyn i rym baragraff 14(18) o Atodlen 4 i'r Ddeddf sy'n diddymu adrannau 34 i 38 o Ddeddf 2000. Diddymir yr adrannau hyn o ganlyniad i ddarpariaethau Rhan 3 o'r Ddeddf yn dod i rym.

Mae erthygl 2(ww)(i) yn dwyn i rym baragraff 4 o Atodlen 4 i'r Ddeddf. Mae paragraff 4 o Atodlen 4 yn diwygio adran 26 o Ddeddf Cyflogaeth 1988 yn sgil hepgor adran 34 o Ddeddf 2000 gan baragraff 14(18) o Atodlen 4 i'r Ddeddf. Mae erthygl 2(ww)(iv), (xxvi), (xxx), (xxxvi), (xxxviii), (xl) (i'r graddau y mae'n ymwneud â pharagraff 21(3) o Atodlen 4 i'r Ddeddf), (xli), (xlii) a (xliii) hefyd yn dwyn i rym ddiwygiadau sy'n ganlyniadol ar ddiddymu darpariaethau yn Rhan 2 o Ddeddf 2000.

Mae erthygl 2(ww)(xlv) yn dwyn i rym baragraff 39 o Atodlen 4 i'r Ddeddf. Mae paragraff 39(4) yn hepgor, ymhlith darpariaethau eraill, adran 50(2) a (3) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 ("Deddf 2018"). Mae'r diwygiadau hyn yn ganlyniadol ar ddiddymu adrannau 31 a 32 o Ddeddf 2000.

Mae erthygl 2(ww)(xxii) yn dwyn i rym baragraff 14(20) o Atodlen 4 i'r Ddeddf. Mae paragraff 14(20) yn hepgor adran 41 o Ddeddf 2000. Mae adran 41 o Ddeddf 2000 yn ei gwneud yn ofynnol i Weinidogion Cymru, wrth gyflawni rhai o'u swyddogaethau yn Rhan 2 o Ddeddf 2000, roi sylw i anghenion personau ag anghenion dysgu ychwanegol. Mae'r diwygiad hwn yn ganlyniadol ar ddiddymu adrannau 31, 32 a 34 o Ddeddf 2000. Mae paragraff 39(4) o Atodlen 4 i'r Ddeddf, a ddygir i rym gan erthygl 2(ww)(xlv), yn hepgor, ymhlith darpariaethau eraill, adran 50(4) o Ddeddf 2018. Mae hyn o ganlyniad i ddiddymu adran 41 o Ddeddf 2000.

Mae erthygl 3(b)(i) a (ii) yn dwyn i rym baragraffau 15(7) a 25(4) o Atodlen 4 i'r Ddeddf yn rhannol ar 1 Ebrill 2026. Mae'r diwygiadau a wneir gan y darpariaethau hyn yn ganlyniadol ar ddiddymu darpariaethau yn Rhan 2 o Ddeddf 2000.

Mae erthygl 2(aa) yn dwyn i rym adran 101 o'r Ddeddf, i'r graddau nad yw eisoes mewn grym. Mae adran 101 yn galluogi'r Comisiwn i roi grant i awdurdod lleol yng Nghymru mewn perthynas â'r chweched dosbarth mewn ysgolion.

Mae erthygl 2(bb) yn dwyn i rym adran 102 o'r Ddeddf. Mae adran 102 yn darparu, wrth arfer swyddogaethau penodol o dan y Ddeddf, fod rhaid i'r Comisiwn roi sylw i (ymhlith pethau eraill) anghenion personau ag anghenion dysgu ychwanegol.

Mae erthygl 2(cc) yn dwyn i rym adran 103 o'r Ddeddf, i'r graddau nad yw eisoes mewn grym. Mae adran 103 yn galluogi'r Comisiwn neu Weinidogion Cymru i sicrhau bod adnoddau ariannol yn cael eu darparu ar gyfer gweithgareddau penodol sy'n gysylltiedig ag addysg drydyddol.

Mae erthygl 2(dd) yn dwyn i rym adran 108 o'r Ddeddf. Mae adran 108 yn gwneud darpariaeth ynghylch y telerau a'r amodau y caniateir eu gosod pan ddarperir adnoddau ariannol gan y Comisiwn o dan adran 89(3), 97(1)(a) neu (b) neu 104(1)(a) o'r Ddeddf i ddarparwr nad yw wedi ei gofrestru â'r Comisiwn.

Mae erthygl 2(ee) yn dwyn i rym adran 109 o'r Ddeddf. Mae adran 109 yn darparu i'r Comisiwn roi cydsyniad i daliadau gael eu gwneud i gyrff sy'n cydlafurio o dan ddarpariaethau penodol o'r Ddeddf a sut y caniateir i gydsyniad o'r fath gael ei dynnu'n ôl, ei amrywio neu ei atal dros dro.

Mae erthygl 2(ff) i (kk) ac (ll) yn dwyn i rym adrannau 111 i 116 a 125 o'r Ddeddf, yn y drefn honno. Mae adrannau 111 i 114 yn diffinio'r termau "prentisiaeth Gymreig gymeradwy"; "cytundeb prentisiaeth Gymreig gymeradwy"; "prentisiaeth Gymreig amgen" a "fframwaith prentisiaeth", yn y drefn honno. Mae adran 115 yn galluogi Gweinidogion Cymru i bennu gofynion mewn perthynas â phrentisiaethau Cymreig cymeradwy ac mae

adran 116 yn ei gwneud yn ofynnol i Weinidogion Cymru ymgynghori mewn perthynas â phennu gofynion o'r fath. Mae adran 125 yn darparu ar gyfer dehongli Rhan 4 o'r Ddeddf.

Mae erthygl 2(mm) yn dwyn i rym adran 127 o'r Ddeddf. Mae adran 127 yn ei gwneud yn ofynnol i'r Comisiwn gymryd unrhyw gamau y mae'n ymddangos eu bod yn briodol er mwyn sicrhau bod gan ddarparwyr addysg drydyddol penodol weithdrefnau cwyno yn eu lle.

Mae erthygl 2(nn) yn dwyn i rym adran 128 o'r Ddeddf. Mae adran 128 yn gwneud diwygiadau i adrannau 11 a 12 o Ddeddf Addysg Uwch 2004 sy'n ymwneud â'r cynllun cwynion myfyrwyr o dan y Ddeddf 2004 honno. Mae erthygl 2(ww)(xxviii) a (xxix) yn dwyn i rym baragraff 16(1) a (3) o Atodlen 4 i'r Ddeddf sy'n gwneud diwygiad sy'n ganlyniadol ar adran 128 o'r Ddeddf yn dod i rym.

Mae erthygl 2(oo) i (rr) yn dwyn i rym ddarpariaethau penodol o adran 131 o'r Ddeddf, y mae rhai ohonynt eisoes mewn grym yn rhannol. Mae adran 131 yn galluogi'r Comisiwn i'w gwneud yn ofynnol, drwy hysbysiad, i bersonau penodol a restrir yn adran 131(2) ddarparu i'r Comisiwn unrhyw wybodaeth y mae'r Comisiwn yn gofyn amdani at ddibenion arfer unrhyw un neu ragor o swyddogaethau'r Comisiwn. Mae erthygl 6 yn dwyn i rym adran 131(2)(b)(ii) i (v) o'r Ddeddf ar 1 Ebrill 2026 yn ddarostyngedig i addasiad darfodol sy'n darparu i'r cyfeiriad at "darparwr cofrestredig" gael ei ddarllen fel pe bai'n gyfeiriad at "sefydliad rheoleiddiedig" tan 31 Gorffennaf 2026. Mae erthygl 23 hefyd yn gwneud addasiadau darfodol i adran 131(2)(b) fel y gellir ei gwneud yn ofynnol i bersonau sy'n cael cyllid o dan adran 65 o Ddeddf 1992 ddarparu gwybodaeth i'r Comisiwn at ddibenion arfer swyddogaethau'r Comisiwn. Mae'r addasiad hwn yn gymwys hyd nes bod adran 65 o Ddeddf 1992 wedi ei diddymu.

Mae erthygl 2(ss) yn dwyn i rym adran 132(1)(f) o'r Ddeddf. Mae adran 132(1)(f) yn galluogi corff a ddynodir o dan Atodlen 3 i'r Ddeddf i roi gwybodaeth i'r Comisiwn at ddibenion arfer unrhyw un neu ragor o swyddogaethau'r Comisiwn. Mae erthygl 16(d) yn dwyn i rym ddarpariaethau yn Atodlen 3 i'r Ddeddf (y mae rhai ohonynt eisoes mewn grym yn rhannol) ar 31 Gorffennaf 2026. Mae paragraffau 4 i 9 o Atodlen 3 yn darparu ar gyfer goruchwylio corff dynodedig gan y Comisiwn. Mae paragraff 10 o Atodlen 3 yn galluogi corff dynodedig i godi ffioedd ar unrhyw ddarparwr addysg drydyddol y mae'r corff yn arfer ei swyddogaethau asesu mewn perthynas ag ef.

Mae erthygl 2(tt) ac (uu) yn dwyn i rym adrannau 137 a 138 o'r Ddeddf, yn y drefn honno. Mae adran 137 yn diwygio adran 124A o Ddeddf Diwygio Addysg 1988 sy'n ymwneud ag offerynnau llywodraethu corfforaethau addysg uwch yng Nghymru. Mae adran 138 yn diwygio adrannau 125 a 232 o Ddeddf Diwygio Addysg 1988 sy'n ymwneud ag erthyglau llywodraethu corfforaethau addysg uwch o'r fath.

Mae erthygl 2(vv)(i) a (iv) yn dwyn i rym baragraff 16(1)(c) ac 16(2) o Atodlen 1 i'r Ddeddf, yn y drefn honno. Mae paragraff 16(1)(c) a (2) yn darparu i adroddiad blynyddol y Comisiwn gynnwys gwybodaeth sy'n ymwneud â darparu addysg drydyddol yng Nghymru drwy gyfrwng y Gymraeg.

Mae erthygl 2(ww)(iii) yn dwyn i rym baragraff 6(4) o Atodlen 4 i'r Ddeddf. Mae paragraff 6(4) yn diwygio adran 83(1B) o Ddeddf Llywodraeth Cymru 2006. Fel diwygiad canlyniadol, mae erthygl 3(b)(iii) yn dwyn i rym baragraff 38(2) o Atodlen 4 i'r Ddeddf ar 1 Ebrill 2026

i’r graddau y mae’n hepgor paragraff 24 o Atodlen 11 i Ddeddf Addysg Uwch ac Ymchwil 2017.

Mae erthygl 11(1) yn dwyn i rym baragraff 33(2)(a) o Atodlen 4 i’r Ddeddf ar 1 Ebrill 2026 yn ddarostyngedig i ddarpariaethau trosiannol. Mae erthygl 2(ww)(xliv) yn dwyn i rym baragraff 33(2)(c) o Atodlen 4 i’r Ddeddf, i’r graddau nad yw eisoes mewn grym ac mae erthygl 12(1) yn dwyn i rym baragraff 33(2)(d) ar 1 Ebrill 2026 i’r graddau nad yw eisoes mewn grym yn ddarostyngedig i ddarpariaeth drosiannol. Mae paragraff 33(2)(a), (c) a (d) yn diwygio adran 10 o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015. Mae adran 10 o’r Ddeddf 2015 honno yn ymwneud â chanllawiau y caniateir eu dyroddi i sefydliadau addysg bellach ac uwch.

Mae erthygl 2(ww)(xlv) yn dwyn i rym baragraff 39 o Atodlen 4 i’r Ddeddf. Mae paragraff 39(2), (3) a (5) yn mewnosod cyfeiriadau at y Comisiwn a Gweinidogion Cymru yn Neddf 2018.

Mae erthygl 5(1) yn dwyn i rym adran 110 o’r Ddeddf ar 1 Ebrill 2026 yn ddarostyngedig i addasiadau darfodol. Mae adran 110 yn galluogi Gweinidogion Cymru i roi cyfarwyddydau cymorth ariannol i’r Comisiwn. Mae erthygl 2(ww)(ii) yn dwyn i rym baragraff 6(3)(h) o Atodlen 4 i’r Ddeddf sy’n diddymu adran 81 o Ddeddf 1992. Mae diddymu adran 81 o Ddeddf 1992 yn ganlyniadol ar adran 110 o’r Ddeddf yn dod i rym. Mae erthygl 3(b)(iii) yn dwyn i rym baragraff 38(2) o Atodlen 4 i’r Ddeddf ar 1 Ebrill 2026, i’r graddau y mae’n hepgor paragraff 22 o Atodlen 11 i Ddeddf Addysg Uwch ac Ymchwil 2017. Mae hyn yn ganlyniadol ar ddiddymu adran 81 o Ddeddf 1992.

Mae erthygl 16 yn dwyn darpariaethau o’r Ddeddf i rym yn llawn ar 31 Gorffennaf 2026. Mae erthygl 16(a) yn dwyn i rym adran 49 o’r Ddeddf sy’n gymwys pan fo contract rhwng darparwr a pherson cymhwysol sy’n ymgymryd â chwrs cymhwysol yn darparu ar gyfer talu ffioedd gan y person sydd uwchlaw’r terfyn ffioedd cymwys.

Mae erthygl 18(1) yn dwyn i rym adran 54 o’r Ddeddf ar 31 Gorffennaf 2026 i’r graddau nad yw eisoes mewn grym ac yn ddarostyngedig i addasiad dros dro i adran 54(3). Mae adran 54 yn ei gwneud yn ofynnol i’r Comisiwn asesu, neu wneud trefniadau ar gyfer asesu, ansawdd addysg uwch a ddarperir gan ddarparwyr cofrestredig ac a ddarperir ar eu rhan. Mae adran 54 hefyd yn galluogi’r Comisiwn i asesu, neu i wneud trefniadau ar gyfer asesu, ansawdd addysg uwch a ddarperir yng Nghymru gan unrhyw ddarparwr addysg drydyddol. Rhaid i’r Comisiwn gyhoeddi adroddiad ar asesiadau o’r fath. Mae erthygl 16(b) yn darparu i adran 55 o’r Ddeddf ddod i rym. Mae adran 55 yn ei gwneud yn ofynnol i gorff llywodraethu darparwr sy’n darparu’r addysg uwch a asesir, neu y mae’r addysg uwch wedi ei darparu ar ei ran, lunio cynllun gweithredu mewn ymateb i adroddiad cyhoeddedig y Comisiwn.

Mae erthygl 16(c) yn dwyn i rym baragraffau 16(1)(i) a 17(2) o Atodlen 1 i’r Ddeddf sy’n ei gwneud yn ofynnol i adroddiad blynyddol y Comisiwn gynnwys manylion am sut y mae corff asesu a ddynodir o dan Atodlen 3 i’r Ddeddf wedi arfer ei swyddogaethau yn ystod y flwyddyn academaidd.

Mae erthygl 16(e) yn dwyn i rym baragraff 3(2)(a) o Atodlen 4 i’r Ddeddf sy’n rhoi paragraff (aa) newydd yn lle’r un presennol yn adran 43(5) o Ddeddf Addysg (Rhif 2) 1986 fel bod adran 43 yn gymwys i ddarparwyr sydd wedi eu cofrestru o dan adran 25 o’r Ddeddf, heblaw’r rhai sydd hefyd yn dod o fewn adran 43(5)(a) neu (ba) o’r Ddeddf 1986 honno, neu ysgolion.

Mae erthygl 19 yn darparu i baragraff 1 o Atodlen 4 i'r Ddeddf ddod i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i addasiadau darfodol. Mae paragraff 1 o Atodlen 4 i'r Ddeddf yn rhoi paragraff (a) newydd yn lle'r un presennol yn adran 8(4) o Ddeddf Cyflogaeth a Hyfforddiant 1973.

Mae erthygl 20 yn darparu i baragraff 6(5)(b) ac (c) o Atodlen 4 i'r Ddeddf ddod i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i addasiadau darfodol. Mae paragraff 6(5)(b) o Atodlen 4 yn gwneud diwygiadau i adran 91(5) o Ddeddf 1992 sy'n darparu diffiniad o sefydliadau o fewn y sector addysg uwch ar gyfer dehongli'r Deddfau Addysg. Mae adran 91(5) o Ddeddf 1992 wedi ei diwygio fel ei bod yn cynnwys cyfeiriad at ddarparwyr penodol sydd wedi eu cofrestru â'r Comisiwn. Mae paragraff 6(5)(c) o Atodlen 4 yn darparu ar gyfer hepgor adran 91(5A) o Ddeddf 1992. Mae erthygl 17 yn darparu i baragraff 31 o Atodlen 4 i'r Ddeddf ddod i rym ar 31 Gorffennaf 2026 i'r graddau y mae'n hepgor paragraff 4 o'r Atodlen i Ddeddf Addysg Uwch (Cymru) 2015, sy'n ganlyniadol ar baragraff 6(5)(b) ac (c) o Atodlen 4 i'r Ddeddf yn dod i rym.

Mae erthygl 21 yn darparu i baragraffau 13(2)(a) a 19(2)(b) a (3) o Atodlen 4 i'r Ddeddf ddod i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i addasiadau darfodol. Mae paragraff 13(2)(a) o Atodlen 4 yn rhoi paragraff 7 newydd yn lle'r un presennol yn Atodlen 2A i Ddeddf Safonau Gofal 2000. Mae paragraff 19(2)(b) a (3) yn gwneud diwygiadau, yn y drefn honno, i Atodlenni 2 a 3 i Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006.

Mae erthygl 22 yn darparu i adrannau 133 a 134 o'r Ddeddf ddod i rym ar 1 Awst 2026. Mae adran 133 yn darparu i Weinidogion Cymru ei gwneud yn ofynnol, drwy hysbysiad, i bersonau sy'n darparu gwasanaethau derbyn i ddarparwyr addysg uwch yng Nghymru roi gwybodaeth benodol at ddefnydd ymchwil gymhwysol. Mae adran 134 yn nodi sut y caiff Gweinidogion Cymru ddefnyddio gwybodaeth a geir o dan adran 133, ac â phwy y caniateir rhannu'r wybodaeth.

Mae erthygl 24 yn darparu i adran 33 o'r Ddeddf ddod i rym ar 1 Ionawr 2027 i'r graddau nad yw eisoes mewn grym. Mae adran 33(1) yn ei gwneud yn ofynnol i'r Comisiwn sicrhau bod amodau cofrestru parhaus darparwyr sydd wedi eu cofrestru â'r Comisiwn yn cynnwys amodau sy'n ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo'r nodau a nodir yn adran 33(2).

Mae erthygl 25(c) yn darparu i adran 87(5) o'r Ddeddf ddod i rym, i'r graddau nad yw eisoes mewn grym, ar 1 Ebrill 2027. Mae adran 87(5) yn rhestru pwerau cyllido'r Comisiwn sy'n ymwneud â datganiad y Comisiwn o'i bolisi cyllido sydd i'w gyhoeddi o dan adran 87.

NODYN AM Y GORCHMYNION 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 a wnaed cyn dyddiad y Gorchymyn hwn. Ar y dyddiad y gwneir y Gorchymyn hwn, nid yw dyddiad cychwyn y ddarpariaeth sydd wedi ei marcio â * wedi ei gyrraedd.

Y Ddarpariaeth	*Y Dyddiad Cychwyn*	*Rhif O.S.*
Adran 1	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267) (C. 106)
Adran 2 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)

Adran 2 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 3 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 3 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 4 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 4 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 5 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 5 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 6 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 6 (i'r graddau nad yw eisoes mewn grym)	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 7 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 7 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 8 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 8 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 9 (yn rhannol)	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267) (C. 106)
Adran 9 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 9 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 10 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 10 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 11 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 11 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 12 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 12 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 13	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 14	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 15	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 16	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 17	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 18	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 19	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 20	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)

Adran 21	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 22	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 23	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 24	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 25 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 25 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
*Adran 25 (i'r graddau nad yw eisoes mewn grym)	31 Gorffennaf 2026	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 26	1 Ionawr 2026	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 27 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 27 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 28 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 28 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 29	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 30 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 30 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 31 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 31 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 32 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 32 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 33 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 33 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 34	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 35 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 35 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 36 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 36 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 37	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 38	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 39	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 40	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)

Adran 41 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 41 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 42	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 43 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 43 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 44	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 45	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 46	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 47 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 47 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 48	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 50 (yn rhannol)	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 51 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 52 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 53 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 54 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 54 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 56	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 57 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 63 (yn rhannol)	1 Tachwedd 2023	O.S. 2023/1106 (Cy. 191) (C. 71)
Adran 73	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 74	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 75	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 76	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 77	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 78	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 79	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 81	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 82	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 83 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)

Adran 83 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 84 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 84 (i'r graddau nad yw eisoes mewn grym)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 85 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 85 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 86	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 87 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 87 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 87 (yn rhannol)	1 Medi 2025	O.S. 2025/966 (Cy. 167) (C. 46)
Adran 88 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 89 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 94 (yn rhannol)	1 Ebrill 2024	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 97 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 101 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 101 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 103 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 104 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 105 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 126	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 129	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Adran 130	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 131 (yn rhannol)	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 132 (yn rhannol)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 135	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 136	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 139 (yn rhannol)	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 140	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Adran 141	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 142	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Adran 147	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)

Atodlen 1, paragraffau 1 i 3; 4 (yn rhannol); 5 (yn rhannol); 7 (yn rhannol); 10 (yn rhannol); 11 (yn rhannol); 12	15 Rhagfyr 2022	O.S. 2022/1318 (Cy. 267) (C. 106)
Atodlen 1, paragraff 5 (i'r graddau nad yw eisoes mewn grym); paragraff 7 (i'r graddau nad yw eisoes mewn grym); paragraff 8 (yn rhannol); paragraff 9 (yn rhannol); paragraff 10 (i'r graddau nad yw eisoes mewn grym); paragraff 11(1) (i'r graddau nad yw eisoes mewn grym); paragraff 11 (yn rhannol); paragraff 13; paragraff 14; paragraff 15 (yn rhannol); paragraffau 18 i 22	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Atodlen 1, paragraff 4 (i'r graddau nad yw eisoes mewn grym); paragraff 6; paragraff 8 (i'r graddau nad yw eisoes mewn grym); paragraff 9 (i'r graddau nad yw eisoes mewn grym); paragraff 11 (i'r graddau nad yw eisoes mewn grym); paragraff 15 (i'r graddau nad yw eisoes mewn grym)	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)
Atodlen 1, paragraffau 16 (yn rhannol); 17 (yn rhannol)	1 Ebrill 2025	O.S. 2024/806 (Cy. 130) (C. 51)
Atodlen 1, paragraff 16 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Atodlen 2	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Atodlen 3, paragraffau 1; 2; 3; 6 (yn rhannol)	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Atodlen 3, paragraff 11	1 Medi 2025	O.S. 2025/966 (Cy. 167) (C. 46)
Atodlen 4, paragraffau 20(1), (2)(a); 28(a)	4 Medi 2023	O.S. 2023/919 (Cy. 144) (C. 52)
Atodlen 4, paragraff 2; paragraff 3 (yn rhannol); paragraff 5; paragraff 6 (yn rhannol); paragraff 7 (yn rhannol); paragraff 8 (yn rhannol); paragraff 12 (i'r graddau nad yw eisoes mewn grym); paragraff 14 (yn rhannol); paragraff 15 (yn rhannol); paragraff 18 (yn rhannol); paragraff 19 (yn rhannol); paragraff 20 (yn rhannol); paragraff 22 (yn rhannol); paragraff 25 (yn rhannol); paragraff 27; paragraff 28 (i'r graddau nad yw eisoes mewn grym); paragraff 31 (yn rhannol);	1 Awst 2024	O.S. 2024/806 (Cy. 130) (C. 51)

paragraff 32; paragraff 33 (yn rhannol); paragraff 34; paragraff 36; paragraff 37; paragraff 38 (yn rhannol); paragraff 40; paragraff 41		
Atodlen 4, paragraffau 8 (yn rhannol); 11; 29	5 Ebrill 2025	O.S. 2025/432 (Cy. 83) (C. 17)
Atodlen 4, paragraff 13 (yn rhannol)	1 Medi 2025	O.S. 2025/966 (Cy. 167) (C. 46)

2026 Rhif 62 (C. 5)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (Cychwyn Rhif 7, Darpariaethau Darfodol a Throsiannol a Darpariaethau Arbed) 2026

Gwnaed *4 Mawrth 2026*

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.

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 (Cychwyn Rhif 7, Darpariaethau Darfodol a Throsiannol a Darpariaethau Arbed) 2026.

(2) Yn y Gorchymyn hwn—

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

mae i "darparwr cofrestredig" ("*registered provider*") yr ystyr a roddir gan adran 144(1) o'r Ddeddf;

ystyr "Deddf 1992" ("*the 1992 Act*") yw Deddf Addysg Bellach ac Uwch 1992(**2**);

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Dysgu a Sgiliau 2000(**3**);

ystyr "Deddf 2015" ("*the 2015 Act*") yw Deddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015(**4**);

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

ystyr "Prif Arolygydd" ("*Chief Inspector*") yw Prif Arolygydd Ei Fawrhydi dros Addysg a Hyfforddiant yng Nghymru;

mae i "sefydliad rheoleiddiedig" ("*regulated institution*") yr ystyr a roddir gan adran 7(5)(b) o Ddeddf Addysg Uwch (Cymru) 2015(**5**).

(**1**) 2022 dsc 1. Mae paragraff 6 o Atodlen 1A i Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) yn darparu i'r Gorchymyn hwn gael ei wneud drwy Offeryn Statudol Cymreig a'i osod gerbron Senedd Cymru.
(**2**) 1992 p. 13.
(**3**) 2000 p. 21.
(**4**) 2015 dccc 3.
(**5**) 2015 dccc 1.

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2026

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2026—

(a) adran 50 (fframweithiau sicrhau ansawdd) i'r graddau nad yw eisoes mewn grym;

(b) adran 58 (pŵer y Prif Arolygydd i arolygu ac adrodd);

(c) adran 59 (dyletswydd i ddarparu gwybodaeth a chyngor i'r Comisiwn);

(d) adran 60 (dyletswydd i ddarparu gwybodaeth a chyngor i Weinidogion Cymru);

(e) adran 61 (swyddogaethau ychwanegol y Prif Arolygydd);

(f) adran 62 (cynlluniau gweithredu yn dilyn arolygiadau gan y Prif Arolygydd);

(g) adran 63 (arolygiadau ardal) i'r graddau nad yw eisoes mewn grym;

(h) adran 64 (hawl mynediad a throseddau);

(i) adran 65 (arolygon ac astudiaethau);

(j) adran 66 (adroddiadau blynyddol);

(k) adran 67 (cynllun blynyddol y Prif Arolygydd);

(l) adran 68 (cyllido arolygiadau ac adroddiadau ar addysg bellach a hyfforddiant etc.);

(m) adran 69 (y seiliau dros ymyrryd);

(n) adran 72 (datganiad Gweinidogion Cymru ar bwerau ymyrryd);

(o) adran 80 (dyletswydd i fonitro cynaliadwyedd ariannol ac adrodd arno);

(p) adran 89(3), (4) a (5) (cymorth ariannol ar gyfer cyrsiau addysg uwch a bennir mewn rheoliadau) i'r graddau nad yw eisoes mewn grym;

(q) adran 90 (cymorth ariannol o dan adrannau 88 a 89: telerau ac amodau);

(r) adran 91 (cymorth ariannol o dan adrannau 88 ac 89: atodol);

(s) adran 92 (cymorth ariannol gan Weinidogion Cymru ar gyfer cyrsiau addysg uwch penodol);

(t) adran 93 (addysg a hyfforddiant ar gyfer personau 16 i 19 oed);

(u) adran 95 (addysg a hyfforddiant ar gyfer personau dros 19 oed);

(v) adran 96 (gofynion ar y Comisiwn wrth sicrhau addysg bellach a hyfforddiant);

(w) adran 97 (cymorth ariannol ar gyfer addysg bellach neu hyfforddiant) i'r graddau nad yw eisoes mewn grym;

(x) adran 98 (cymorth ariannol ar gyfer addysg bellach neu hyfforddiant: darpariaeth bellach);

(y) adran 99 (adnoddau ariannol ar gyfer addysg bellach neu hyfforddiant: telerau ac amodau);

(z) adran 100 (profion modd);

(aa) adran 101 (y chweched dosbarth mewn ysgolion) i'r graddau nad yw eisoes mewn grym;

(bb) adran 102 (personau ag anghenion dysgu ychwanegol);

(cc) adran 103 (cymorth ariannol ar gyfer gweithgareddau eraill sy'n gysylltiedig ag addysg drydyddol) i'r graddau nad yw eisoes mewn grym;

(dd) adran 108 (cymorth ariannol o dan adrannau 89, 97 a 104: darpariaeth bellach ynghylch telerau ac amodau);

(ee) adran 109 (cydsyniad i daliadau i gyrff sy'n cydlafurio);

(ff) adran 111 (ystyr “prentisiaeth Gymreig gymeradwy”);

(gg) adran 112 (ystyr “cytundeb prentisiaeth Gymreig gymeradwy”);

(hh) adran 113 (ystyr “prentisiaeth Gymreig amgen”);

(ii) adran 114 (ystyr “fframwaith prentisiaeth”);

(jj) adran 115 (pennu gofynion mewn perthynas â phrentisiaethau Cymreig cymeradwy);

(kk) adran 116 (ymgynghoriad gan Weinidogion Cymru ynghylch pennu);

(ll) adran 125 (dehongli Rhan 4);

(mm) adran 127 (gweithdrefnau cwyno);

(nn) adran 128 (sefydliadau cymhwysol ar gyfer y cynllun cwynion myfyrwyr);

(oo) adran 131(2)(b)(i), (vi) a (vii), (e), (f) ac (g) (personau y mae’n ofynnol iddynt ddarparu gwybodaeth i’r Comisiwn);

(pp) adran 131(3)(a) i’r graddau nad yw eisoes mewn grym;

(qq) adran 131(3)(b) ac (c);

(rr) adran 131(6) i’r graddau nad yw eisoes mewn grym;

(ss) adran 132(1)(f) (pwerau i rannu gwybodaeth);

(tt) adran 137 (offerynnau llywodraethu corfforaethau addysg uwch yng Nghymru);

(uu) adran 138 (erthyglau llywodraethu corfforaethau addysg uwch yng Nghymru);

(vv) yn Atodlen 1 (y Comisiwn Addysg Drydyddol ac Ymchwil)—

(i) paragraff 16(1)(c);

(ii) paragraff 16(1)(d);

(iii) paragraff 16(1)(e);

(iv) paragraff 16(2);

(ww) yn Atodlen 4 (mân ddiwygiadau a diwygiadau canlyniadol)—

(i) paragraff 4;

(ii) paragraff 6(3)(h);

(iii) paragraff 6(4);

(iv) paragraff 8(2);

(v) paragraff 8(10);

(vi) paragraff 9;

(vii) paragraff 14(2);

(viii) paragraff 14(4);

(ix) paragraff 14(6);

(x) paragraff 14(7);

(xi) paragraff 14(8);

(xii) paragraff 14(9);

(xiii) paragraff 14(10)(a) a (b);

(xiv) paragraff 14(11);

(xv) paragraff 14(12);

(xvi) paragraff 14(13);

(xvii) paragraff 14(14);

(xviii) paragraff 14(15);

(xix) paragraff 14(16);

(xx) paragraff 14(17);

(xxi) paragraff 14(18);

(xxii) paragraff 14(20);

(xxiii) paragraff 14(21);

(xxiv) paragraff 14(22);

(xxv) paragraff 14(23);

(xxvi) paragraff 14(25);

(xxvii) paragraff 15(6);

(xxviii) paragraff 16(1);

(xxix) paragraff 16(3);

(xxx) paragraff 17;

(xxxi) paragraff 18(2);

(xxxii) paragraff 18(3);

(xxxiii) paragraff 18(4);

(xxxiv) paragraff 18(5);

(xxxv) paragraff 18(7);

(xxxvi) paragraff 18(9)(b);

(xxxvii) paragraff 18(14);

(xxxviii) paragraff 18(15);

(xxxix) paragraff 20(3);

(xl) paragraff 21;

(xli) paragraff 23;

(xlii) paragraff 25(2);

(xliii) paragraff 30;

(xliv) paragraff 33(2)(c) i'r graddau nad yw eisoes mewn grym;

(xlv) paragraff 39.

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2026 i'r graddau a bennir

3. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2026 i'r graddau a bennir mewn perthynas â phob darpariaeth o'r fath—

(a) adrannau 70 (pwerau i ymyrryd) ac 71 (hysbysu gan y Comisiwn am y seiliau dros ymyrryd) at ddibenion cyhoeddi datganiad o dan adran 72 (datganiad Gweinidogion Cymru ar bwerau ymyrryd);

(b) yn Atodlen 4—

(i) paragraff 15(7) i'r graddau y mae'n hepgor paragraff 125 o Atodlen 21 i Ddeddf Addysg 2002(**6**);

(ii) paragraff 25(4) i'r graddau y mae'n hepgor—

(**6**) 2002 p. 32.

(aa) paragraff 3 o'r Atodlen i Fesur Dysgu a Sgiliau (Cymru) 2009(**7**) i'r graddau y mae'r paragraff hwnnw yn ymwneud ag adrannau 32(1), 33, 34, 35(2) a (5), 36(1), 37, 38(1) ac 41(1) o Ddeddf 2000;

(bb) paragraffau 4 i 8 o'r Atodlen honno;

(iii) paragraff 38(2) i'r graddau y mae'n hepgor paragraffau 22 a 24 o Atodlen 11 i Ddeddf Addysg Uwch ac Ymchwil 2017(**8**).

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2026 yn ddarostyngedig i ddarpariaethau darfodol

4.—(1) Daw adrannau 51 (dyletswydd i fonitro ansawdd addysg drydyddol reoleiddiedig ac i hybu gwelliant yn ansawdd yr addysg honno) i 53 (adolygiadau sy'n berthnasol i ansawdd addysg drydyddol) o'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r addasiadau ym mharagraffau (4) a (5).

(2) Mae'r addasiad i'r Ddeddf ym mharagraff (4)(a) yn gymwys yn ystod y cyfnod sy'n dechrau â 1 Ebrill 2026 ac sy'n dod i ben yn union cyn i baragraff 6(3)(c) o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(3) Mae'r addasiadau i'r Ddeddf ym mharagraffau (4)(b) a (5) yn gymwys yn ystod y cyfnod sy'n dechrau â 1 Ebrill 2026 ac sy'n dod i ben yn union cyn i baragraff 31 o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(4) Mae adran 51(b) o'r Ddeddf yn cael effaith fel pe na bai'r cyfeiriad at addysg drydyddol a gyllidir gan y Comisiwn neu a sicrheir fel arall ganddo yn cynnwys addysg drydyddol—

(a) a gyllidir gan y Comisiwn yn unol â'i bwerau yn adran 65 (gweinyddu cronfeydd gan y Comisiwn) o Ddeddf 1992;

(b) a ddarperir gan, neu ar ran, sefydliad rheoleiddiedig nad yw'n ddarparwr cofrestredig.

(5) Mae adrannau 52(1)(b) ac (c) (cyngor a chynhorthwy mewn cysylltiad ag ansawdd addysg drydyddol) a 53(b) ac (c) yn cael effaith fel pe na bai'r cyfeiriadau at addysg drydyddol, neu gwrs penodol o addysg drydyddol, yn cynnwys addysg drydyddol, neu gwrs penodol o addysg drydyddol, a ddarperir gan, neu ar ran, sefydliad rheoleiddiedig nad yw'n ddarparwr cofrestredig.

(6) Yn yr erthygl hon, mae i "addysg drydyddol" yr ystyr a roddir gan adran 144(1) o'r Ddeddf.

5.—(1) Daw adran 110 o'r Ddeddf (cyfarwyddydau cymorth ariannol) i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r addasiadau ym mharagraffau (2) a (3) sy'n gymwys yn ystod y cyfnod sy'n dechrau â 1 Ebrill 2026 ac sy'n dod i ben yn union cyn i baragraff 6(3)(c) o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(2) Mae adran 110(3) yn cael effaith fel pe bai'r geiriau "o'r Ddeddf hon neu adran 65 o Ddeddf Addysg Bellach ac Uwch 1992" wedi eu mewnosod ar ôl "104 neu 105".

(3) Mae adran 110(4)(b) yn cael effaith fel pe bai'r geiriau "o'r Ddeddf hon neu adran 65 o Ddeddf Addysg Bellach ac Uwch 1992" wedi eu mewnosod ar ôl "104, neu 105(2)".

(**7**) 2009 mccc 1.
(**8**) 2017 p. 29.

6.—(1) Daw adran 131(2)(b)(ii), (iii), (iv) a (v) o'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r addasiad ym mharagraff (2) sy'n gymwys yn ystod y cyfnod sy'n dechrau â 1 Ebrill 2026 ac sy'n dod i ben â 31 Gorffennaf 2026.

(2) Mae adran 131(2)(b) o'r Ddeddf, i'r graddau y mae'n ymwneud ag is-baragraff (ii), (iii), (iv) a (v), yn cael effaith fel pe bai'r cyfeiriad at "darparwr cofrestredig" yn gyfeiriad at "sefydliad rheoleiddiedig".

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2026 yn ddarostyngedig i ddarpariaethau trosiannol

7.—(1) Daw adran 57 (dyletswydd y Prif Arolygydd i arolygu ac adrodd) i rym ar 1 Ebrill 2026 i'r graddau nad yw eisoes mewn grym yn ddarostyngedig i'r addasiad ym mharagraff (2).

(2) Mewn perthynas ag arolygiad sy'n cael ei gynnal gan y Prif Arolygydd yn union cyn 1 Ebrill 2026 o dan ddarpariaeth o Ddeddf 2000 a bennir yng ngholofn gyntaf y tabl yn yr Atodlen i'r Gorchymyn hwn, mae'r cyfeiriad at "y Comisiwn" yn adran 57(1)(d) yn cael effaith fel pe bai'n cynnwys cyfeiriad at "Gweinidogion Cymru".

8.—(1) Daw paragraff 14(3) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r ddarpariaeth drosiannol ym mharagraff (2).

(2) Mae unrhyw gwricwlwm lleol a luniwyd gan Weinidogion Cymru o dan adran 33A (llunio cwricwla lleol ar gyfer myfyrwyr 16 i 18 oed) o Ddeddf 2000 ac sy'n cael effaith yn union cyn 1 Ebrill 2026 yn parhau i gael effaith fel pe bai'r cwricwlwm wedi ei lunio gan y Comisiwn.

9.—(1) Daw paragraff 14(5) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r ddarpariaeth drosiannol ym mharagraff (2).

(2) Mae unrhyw ddynodiad a wnaed o dan adran 33C(2) (ardaloedd gyda mwy nag un cwricwlwm lleol) o Ddeddf 2000 cyn 1 Ebrill 2026 yn parhau i gael effaith ar ôl i baragraff 14(5) o Atodlen 4 i'r Ddeddf ddod i rym fel yr oedd yn cael effaith yn union cyn i'r paragraff hwnnw ddod i rym.

10.—(1) Daw paragraff 14(10)(c) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r darpariaethau trosiannol ym mharagraffau (2) a (3).

(2) Mae unrhyw ganllawiau a gyhoeddwyd gan Weinidogion Cymru o dan adran 33J(3) (cynllunio'r cwricwlwm lleol) o Ddeddf 2000 cyn 1 Ebrill 2026 yn parhau i gael effaith o'r adeg y daw paragraff 14(10)(c) o Atodlen 4 i'r Ddeddf i rym, fel pe baent wedi eu cyhoeddi gan y Comisiwn o dan adran 135(1) (gwybodaeth arall, cyngor arall a chanllawiau eraill) o'r Ddeddf.

(3) Mae cyfeiriadau at "Gweinidogion Cymru" mewn unrhyw ganllawiau a gyhoeddwyd gan Weinidogion Cymru o dan adran 33J(3) o Ddeddf 2000 sy'n cael effaith yn union cyn 1 Ebrill 2026 yn cael effaith ar ac ar ôl 1 Ebrill 2026 fel pe baent yn gyfeiriadau at "y Comisiwn Addysg Drydyddol ac Ymchwil".

11.—(1) Daw paragraff 33(2)(a) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2026 yn ddarostyngedig i'r darpariaethau trosiannol ym mharagraffau (2) a (3).

(2) Mae unrhyw ganllawiau a ddyroddwyd gan Weinidogion Cymru o dan adran 10(1) (canllawiau i sefydliadau addysg bellach ac uwch) o Ddeddf 2015 yn ystod y cyfnod sy'n dechrau â 1 Awst 2025 ac sy'n dod i ben â 31 Mawrth 2026, yn cael effaith, i'r graddau y bo'n angenrheidiol er mwyn parhau â'u heffaith o'r adeg y daw paragraff 33(2)(a) o Atodlen 4 i'r Ddeddf i rym, fel pe baent wedi eu dyroddi gan y Comisiwn o dan adran 10(1) o Ddeddf 2015.

(3) Mae unrhyw ganllawiau a gyhoeddwyd gan Weinidogion Cymru o dan adran 10(6) o Ddeddf 2015 yn ystod y cyfnod sy'n dechrau â 1 Awst 2025 ac sy'n dod i ben â 31 Mawrth 2026, yn cael effaith, i'r graddau y bo'n angenrheidiol er mwyn parhau â'u heffaith o'r adeg y daw paragraff 33(2)(a) o Atodlen 4 i'r Ddeddf i rym, fel pe baent wedi eu cyhoeddi gan y Comisiwn o dan adran 10(6) o Ddeddf 2015.

12.—(1) Daw paragraff 33(2)(d) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2026 i'r graddau nad yw eisoes mewn grym yn ddarostyngedig i'r ddarpariaeth drosiannol ym mharagraff (2).

(2) Mae unrhyw ymgynghoriad a gynhaliwyd gan Weinidogion Cymru o dan adran 10(5) o Ddeddf 2015 yn ystod y cyfnod sy'n dechrau â 1 Awst 2025 ac sy'n dod i ben â 31 Mawrth 2026 mewn perthynas â chanllawiau nad ydynt wedi eu dyroddi gan Weinidogion Cymru o dan adran 10(1) o'r Ddeddf honno cyn 1 Ebrill 2026, yn cael effaith, i'r graddau y bo'n angenrheidiol er mwyn parhau â'i effaith o'r adeg y daw paragraff 33(2)(d) o Atodlen 4 i'r Ddeddf i rym, fel pe bai'r ymgynghoriad wedi ei gynnal gan y Comisiwn o dan adran 10(5) o Ddeddf 2015.

Arolygiadau gan y Prif Arolygydd

13. Mae arolygiad sy'n cael ei gynnal gan y Prif Arolygydd yn union cyn 1 Ebrill 2026 o dan ddarpariaeth o Ddeddf 2000 a bennir yng ngholofn gyntaf y tabl yn yr Atodlen i'r Gorchymyn hwn yn parhau i gael ei gynnal ar ôl 31 Mawrth 2026 o dan y ddarpariaeth gyfatebol o'r Ddeddf yn ail golofn y tabl hwnnw.

Adroddiad blynyddol y Prif Arolygydd

14. Rhaid i adroddiad blynyddol y Prif Arolygydd sy'n ofynnol gan adran 21(1)(a) o Ddeddf Addysg 2005(**9**) mewn cysylltiad â'r cyfnod sy'n dechrau â 1 Medi 2025 ac sy'n dod i ben â 31 Mawrth 2026 gynnwys adroddiad ar arfer swyddogaethau'r Prif Arolygydd o dan Ran 4 o Ddeddf 2000 yn ystod y cyfnod hwnnw.

Cynllun blynyddol y Prif Arolygydd

15.—(1) Caniateir i'r cynllun blynyddol a lunnir gan y Prif Arolygydd o dan adran 87 o Ddeddf 2000 mewn cysylltiad â'r flwyddyn ariannol sy'n dod i ben â 31 Mawrth 2027 ac sydd wedi ei gymeradwyo o dan adran 104(4A) o Ddeddf Llywodraeth Cymru 1998(**10**) gael ei gyhoeddi gan y Prif Arolygydd o dan adran 67(4) o'r Ddeddf.

(2) Ym mharagraff (1), mae adran 67(4) o'r Ddeddf yn gymwys fel pe bai'r geiriau o "ar ôl" hyd at y diwedd wedi eu hepgor.

Y darpariaethau sy'n dod i rym ar 31 Gorffennaf 2026

16. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 31 Gorffennaf 2026—

(a) adran 49 (dilysrwydd contractau);

(b) adran 55 (cynlluniau gweithredu yn dilyn asesiadau o dan adran 54);

(c) yn Atodlen 1—

(i) paragraff 16(1)(i);

(ii) paragraff 17(2);

(d) yn Atodlen 3 (asesu addysg uwch: corff dynodedig)—

(**9**) 2005 p. 18.
(**10**) 1998 p. 38.

(i) paragraff 4;

(ii) paragraff 5;

(iii) paragraff 6 i'r graddau nad yw eisoes mewn grym;

(iv) paragraff 7;

(v) paragraff 8;

(vi) paragraff 9;

(vii) paragraff 10;

(e) yn Atodlen 4, paragraff 3(2)(a).

Y darpariaethau sy'n dod i rym ar 31 Gorffennaf 2026 i'r graddau a bennir

17. Daw paragraff 31 o Atodlen 4 i'r Ddeddf i rym ar 31 Gorffennaf 2026 i'r graddau y mae'n hepgor paragraff 4 o'r Atodlen (darpariaeth ganlyniadol a throsiannol etc) i Ddeddf Addysg Uwch (Cymru) 2015.

Y darpariaethau sy'n dod i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i ddarpariaethau darfodol

18.—(1) Daw adran 54 (asesu ansawdd addysg uwch) o'r Ddeddf i rym ar 31 Gorffennaf 2026 i'r graddau nad yw eisoes mewn grym, yn ddarostyngedig i'r addasiad ym mharagraff (3).

(2) Mae'r addasiad ym mharagraff (3) yn gymwys yn ystod y cyfnod sy'n dechrau â 31 Gorffennaf 2026 ac sy'n dod i ben yn union cyn i baragraff 31 o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(3) Mae adran 54(3) o'r Ddeddf yn cael effaith fel pe na bai pŵer y Comisiwn i asesu, neu wneud trefniadau ar gyfer asesu, ansawdd addysg uwch a ddarperir yng Nghymru gan unrhyw ddarparwr addysg drydyddol yn cynnwys addysg uwch a ddarperir yng Nghymru gan, neu ar ran, sefydliad rheoleiddiedig nad yw'n ddarparwr cofrestredig.

19.—(1) Daw paragraff 1 o Atodlen 4 i'r Ddeddf i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i'r addasiadau ym mharagraff (3).

(2) Mae'r addasiadau ym mharagraff (3) yn gymwys yn ystod y cyfnod sy'n dechrau â 31 Gorffennaf 2026 ac sy'n dod i ben yn union cyn i'r canlynol ddod i rym yn llawn—

(a) paragraff 31 o Atodlen 4 i'r Ddeddf yn achos paragraff (3)(a);

(b) paragraff 6(3)(c) o Atodlen 4 i'r Ddeddf yn achos paragraff (3)(b).

(3) Mae adran 8(4)(a) (dyletswydd yr Ysgrifennydd Gwladol i sicrhau bod gwasanaethau gyrfaoedd yn cael eu darparu ar gyfer myfyrwyr mewn ysgolion a cholegau) o Ddeddf Cyflogaeth a Hyfforddiant 1973(**11**) yn cael effaith fel pe bai sefydliad addysgol o fewn y sector addysg uwch yn cynnwys prifysgol nad yw wedi ei chofrestru o dan adran 25 o'r Ddeddf i ddarparu addysg uwch ac—

(a) y mae cynllun a gymeradwywyd, o fewn yr ystyr a roddir yn adran 7 (cymeradwyo cynllun ffioedd a mynediad) o Ddeddf Addysg Uwch (Cymru) 2015, yn ymwneud â hi, neu

(b) sy'n cael cymorth ariannol o dan adran 65 o Ddeddf 1992.

(**11**) 1973 p. 50.

20.—(1) Daw paragraff 6(5)(b) ac (c) o Atodlen 4 i'r Ddeddf i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i'r addasiadau ym mharagraff (3).

(2) Mae'r addasiadau ym mharagraff (3) yn gymwys yn ystod y cyfnod sy'n dechrau â 31 Gorffennaf 2026 ac sy'n dod i ben yn union cyn i'r canlynol ddod i rym yn llawn—

(a) paragraff 6(3)(c) o Atodlen 4 i'r Ddeddf yn achos paragraff (3)(a) ac (c);

(b) paragraff 31 o Atodlen 4 i'r Ddeddf yn achos paragraff (3)(b).

(3) Mae adran 91 (dehongli Deddfau Addysg) o Ddeddf 1992 yn cael effaith fel pe bai—

(a) yn is-adran (5)(b), y gair "and" ar y diwedd wedi ei hepgor;

(b) ar ôl is-adran (5)(c), y canlynol wedi ei fewnosod—

"(d) universities that are regulated institutions, other than such universities falling within paragraph (a), and";

(c) ar ôl is-adran (5)(d) fel y'i mewnosodir gan erthygl 20(3)(b) o'r Gorchymyn hwn, y canlynol wedi ei fewnosod—

"(e) universities receiving financial support under section 65 of this Act, other than such universities falling within paragraph (a),".

21.—(1) Yn Atodlen 4 i'r Ddeddf—

(a) daw paragraff 13(2)(a) i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i'r addasiad ym mharagraff (3);

(b) daw paragraff 19(2)(b) i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i'r addasiad ym mharagraff (4);

(c) daw paragraff 19(3) i rym ar 31 Gorffennaf 2026 yn ddarostyngedig i'r addasiad ym mharagraff (5).

(2) Mae'r addasiadau ym mharagraffau (3) i (5) yn gymwys yn ystod y cyfnod sy'n dechrau â 31 Gorffennaf 2026 ac sy'n dod i ben yn union cyn i baragraff 6(3)(c) o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(3) Mae Atodlen 2A (personau sy'n ddarostyngedig i adolygiad gan y Comisiynydd o dan adran 72B) i Ddeddf Safonau Gofal 2000(**12**) yn cael effaith fel pe bai'r canlynol wedi ei fewnosod ar ôl paragraff 7—

"7A Any university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another paragraph in this Schedule)."

(4) Mae Atodlen 2 (personau y mae eu swyddogaethau yn ddarostyngedig i'w hadolygu o dan adran 3) i Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006(**13**) yn cael effaith fel pe bai'r canlynol wedi ei fewnosod ar ôl y cofnod ar gyfer "Qualifications Wales"—

"A university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another entry in this Schedule)."

(5) Mae Atodlen 3 (personau y mae eu trefniadau yn ddarostyngedig i'w hadolygu o dan adran 5) i Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006 yn cael effaith fel pe bai'r canlynol wedi ei fewnosod ar ôl y cofnod ar gyfer "The governing body of a maintained school in Wales at which further education is provided"—

(**12**) 2000 p. 14.
(**13**) 2006 p. 30.

"A university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another entry in this Schedule)."

Y darpariaethau sy'n dod i rym ar 1 Awst 2026

22. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Awst 2026—

(a) adran 133 (pŵer i'w gwneud yn ofynnol rhoi gwybodaeth o gyflwyno'r cais i dderbyn y cynnig);

(b) adran 134 (defnyddio gwybodaeth o gyflwyno'r cais i dderbyn y cynnig at ddibenion ymchwil).

Y darpariaethau darfodol sy'n ymwneud â'r Ddeddf

23.—(1) Mae paragraffau (2) a (3) yn gymwys yn ystod y cyfnod sy'n dechrau â 1 Awst 2026 ac sy'n dod i ben yn union cyn i baragraff 6(3)(c) o Atodlen 4 i'r Ddeddf ddod i rym yn llawn.

(2) Mae adran 131(2)(b) o'r Ddeddf yn cael effaith fel pe bai—

(a) ar ôl is-baragraff (vii), y gair "neu" wedi ei hepgor;

(b) ar ôl is-baragraff (viii), y testun ", neu" wedi ei roi yn lle'r hanner colon.

(3) Mae adran 131(2)(b) o'r Ddeddf yn cael effaith fel pe bai'r canlynol wedi ei fewnosod ar ôl is-baragraff (viii)—

"(ix) adran 65 (gweinyddu cronfeydd gan y Comisiwn) o Ddeddf Addysg Bellach ac Uwch 1992;".

Y darpariaethau sy'n dod i rym ar 1 Ionawr 2027

24. Daw adran 33 (amodau cofrestru parhaus mandadol ar gyfle cyfartal) o'r Ddeddf i rym i'r graddau nad yw eisoes mewn grym ar 1 Ionawr 2027.

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2027

25. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2027—

(a) adran 70 i'r graddau nad yw eisoes mewn grym;

(b) adran 71 i'r graddau nad yw eisoes mewn grym;

(c) adran 87(5) (polisi ar bwerau cyllido) i'r graddau nad yw eisoes mewn grym.

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2027 yn ddarostyngedig i arbedion

26.—(1) Daw paragraff 6(3)(a) o Atodlen 4 i'r Ddeddf i rym ar 1 Ebrill 2027 yn ddarostyngedig i'r arbedion ym mharagraffau (2) a (3).

(2) Nid yw diddymu adran 57 (ymyrryd: Cymru) o Ddeddf 1992 yn effeithio ar weithrediad parhaus unrhyw orchmynion a wneir gan Weinidogion Cymru cyn 1 Ebrill 2027 yn unol ag adran 57(4) o'r Ddeddf honno.

(3) Mae adran 57 o Ddeddf 1992 yn parhau i fod yn gymwys ar ac ar ôl 1 Ebrill 2027 fel yr oedd yn cael effaith yn union cyn y dyddiad hwnnw mewn perthynas â gorchmynion a wneir gan Weinidogion Cymru cyn 1 Ebrill 2027 yn unol ag adran 57(4) o'r Ddeddf honno.

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

YR ATODLEN

Erthygl 13

Tabl

Colofn 1 ***Y ddarpariaeth yn Neddf 2000***	***Colofn 2*** ***Y ddarpariaeth yn y Ddeddf***
Adran 76(2)(b)	Adran 59(3)(b), pan fo adran 59(1) yn gymwys i'r addysg neu'r hyfforddiant sy'n destun yr arolygiad Adran 60(3)(b), pan fo adran 60(1) yn gymwys i'r addysg neu'r hyfforddiant sy'n destun yr arolygiad
Adran 77(1)	Adran 57(1)
Adran 78(2)	Adran 58(1)
Adran 78(3)	Adran 58(2)
Adran 83(1)	Adran 63(2)
Adran 83(2)	Adran 63(1)

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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 y Brenin ar gyfer Cymru.

WELSH STATUTORY INSTRUMENTS

2026 No. 62 (C. 5)

EDUCATION, WALES

The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 7, Transitory, Transitional and Savings Provisions) Order 2026

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Tertiary Education and Research (Wales) Act 2022 ("the Act") and makes transitory, transitional and savings provision in connection with the coming into force of certain provisions.

Article 1 makes provision in respect of the title and interpretation of this Order.

Article 2 brings provisions of the Act into force in full on 1 April 2026. Article 2(a) brings section 50 of the Act into force, in so far as it is not already in force. Under section 50(5) and (6), the Commission for Tertiary Education and Research ("the Commission"), His Majesty's Chief Inspector of Education and Training in Wales ("the Chief Inspector") and the body designated under Schedule 3 to the Act to exercise quality assessment functions must, so far as relevant to the exercise of their functions, have regard to a quality assurance framework published under section 50.

Article 4 brings sections 51 to 53 of the Act into force on 1 April 2026 subject to transitory modifications described in article 4(4) and (5). Section 51 of the Act requires the Commission to monitor and promote improvement in the quality of certain tertiary education. Article 2(vv)(ii) brings paragraph 16(1)(d) of Schedule 1 to the Act into force which provides for the Commission's annual report to give an assessment of the quality of tertiary education that the Commission must monitor under section 51. Section 52 of the Act enables the Commission to provide, or make arrangements for the provision of, advice or other assistance in respect of certain tertiary education or a particular course of tertiary education for the purposes of improving the quality of that education or course or preventing the quality of that education or course from becoming inadequate. Section 53 of the Act enables the Commission to carry out, or arrange for another person to

carry out, a review of any matters that it considers relevant to the quality of certain tertiary education or particular courses of tertiary education.

Article 7(1) brings section 57 of the Act into force on 1 April 2026, in so far as it is not already in force, subject to transitional provisions described in article 7(2). Section 57 of the Act requires the Chief Inspector to inspect certain education and training.

Article 2(b) to (l) brings sections 58 to 68 of the Act into force. Those sections confer a power upon the Chief Inspector to inspect and report on certain education and training (section 58) and require the Chief Inspector to provide certain information and advice to the Commission and the Welsh Ministers (sections 59 and 60). Under section 61, the Welsh Ministers may confer, by regulations, certain other functions on the Chief Inspector. Section 62 provides for the publication of action plans following certain inspections conducted by the Chief Inspector and section 63 enables the Chief Inspector to undertake area inspections. Section 64 provides that, in conducting an inspection under Chapter 2 of Part 2 of the Act, the Chief Inspector has certain rights to enter premises and inspect records. Under section 65, the Commission may direct the Chief Inspector to carry out certain surveys and studies and sections 66 and 67 make provision relating to the annual report and annual plan of the Chief Inspector. Section 68 provides for the funding of the Chief Inspector by the Commission.

Article 2(ww)(v) (in so far as it relates to paragraph 8(10)(b) and (c) of Schedule 4 to the Act), (vi), (xxiii) to (xxv), (xxvii), (xxxi) to (xxxv), (xxxvii), (xxxix) (in so far as it relates to paragraph 20(3)(a) of Schedule 4 to the Act) and (xl) (in so far as it relates to paragraph 21(2) of Schedule 4 to the Act), brings into force amendments which are consequential upon the coming into force of sections 57 to 68 of the Act.

Articles 13 to 15 provide for transitional provisions in relation to inspections of the Chief Inspector being carried out immediately before 1 April 2026; the annual report of the Chief Inspector in respect of the period ending with 31 March 2026; and the annual plan of the Chief Inspector in respect of the financial year ending with 31 March 2027.

Article 2(m) brings section 69 of the Act into force. Section 69 sets out the grounds upon which the Welsh Ministers may intervene under sections 70 and 71 of the Act in the conduct of a tertiary education provider in Wales that is an institution within the further education sector. Section 70 of the Act sets out the Welsh Ministers' powers to intervene in relation to such a provider if one or more of the grounds for intervention exist.

Article 3(a) brings sections 70 and 71 of the Act into force on 1 April 2026 for the purposes of enabling the Welsh Ministers to publish a statement, under section 72 of the Act, setting out how they propose to exercise their intervention powers under section 70. Article 2(n) brings section 72 of the Act into force. Article 25(a) and (b) brings sections 70 and 71 of the Act into force for all remaining purposes on 1 April 2027. Article 26 brings paragraph 6(3)(a) of Schedule 4 to the Act into force on 1 April 2027, subject to savings. Paragraph 6(3)(a) of Schedule 4 repeals section 57 of the Further and Higher Education Act 1992 ("the 1992 Act") which sets out the Welsh Ministers' current powers to intervene in the conduct of an institution in Wales within the further education sector. Article 26 provides for any orders made by the Welsh Ministers pursuant to section 57(4) of the 1992 Act before 1 April 2027 to continue in effect.

Article 2(o) brings section 80 of the Act into force. Section 80 requires the Commission to monitor the financial sustainability of providers registered with the Commission under

Part 2 of the Act and certain other tertiary education providers. Article 2(vv)(iii) brings paragraph 16(1)(e) of Schedule 1 to the Act into force which requires the Commission's annual report to include information relating to section 80.

Article 2(p) brings section 89(3), (4) and (5) of the Act into force, in so far as those provisions are not already in force. Section 89 enables the Commission to provide financial support for certain higher education courses specified in regulations.

Article 2(q) and (r) brings sections 90 and 91 of the Act into force. Section 90 makes provision about the terms and conditions on which the Commission may provide financial support under section 88 or 89 of the Act. Section 91 makes supplementary provision in relation to financial support provided under section 88 or 89.

Article 2(s) brings section 92 of the Act into force. Section 92 enables the Welsh Ministers to secure the provision of financial resources for certain relevant higher education courses described in section 92(5).

Article 2(t) brings section 93 of the Act into force. Section 93 requires the Commission to secure the provision of proper facilities for certain further education and training for persons aged 16 to 19.

Article 2(u) to (z) brings sections 95 to 100 of the Act into force. Section 95 requires the Commission to secure the provision of reasonable facilities for certain further education and training for persons aged over 19. Section 96 imposes requirements on the Commission in discharging its duties to secure facilities for education and training. Section 97 enables the Commission and the Welsh Ministers to secure the provision of financial support for further education or training. Sections 98 and 99 make further provision in relation to financial support under section 97. Section 100 enables the Commission or the Welsh Ministers to carry out means tests, or arrange for such tests to be carried out, the results of which may be taken into account in the exercise of functions under section 97(1)(d) or (e).

Article 2(ww)(vii) brings paragraph 14(2) of Schedule 4 to the Act into force which repeals sections 31 to 33 of the Learning and Skills Act 2000 ("the 2000 Act"). The repeal of these sections is in consequence of provisions of Part 3 of the Act coming into force.

Article 2(ww)(viii) to (xx) brings paragraph 14(4), (6) to (9), (10)(a) and (b) and (11) to (17) of Schedule 4 to the Act into force. Articles 8 to 10 bring, respectively, paragraph 14(3), (5) and (10)(c) of Schedule 4 to the Act into force on 1 April 2026 subject to transitional provisions. These provisions amend sections 33A to 33E, 33G and 33I to 33Q of the 2000 Act to give responsibility for the formation of local curricula for learners aged 16 to 18 to the Commission instead of the Welsh Ministers and make related amendments in consequence of this.

Article 2(ww)(xxi) brings paragraph 14(18) of Schedule 4 to the Act into force which repeals sections 34 to 38 of the 2000 Act. The repeal of these sections is in consequence of provisions of Part 3 of the Act coming into force.

Article 2(ww)(i) brings paragraph 4 of Schedule 4 to the Act into force. Paragraph 4 of Schedule 4 amends section 26 of the Employment Act 1988 to take account of the omission of section 34 of the 2000 Act by paragraph 14(18) of Schedule 4 to the Act. Article 2(ww)(iv), (xxvi), (xxx), (xxxvi), (xxxviii), (xl) (in so far as it relates to paragraph

21(3) of Schedule 4 to the Act), (xli), (xlii) and (xliii) also brings amendments into force which are consequential upon the repeal of provisions in Part 2 of the 2000 Act.

Article 2(ww)(xlv) brings paragraph 39 of Schedule 4 to the Act into force. Paragraph 39(4) omits, amongst other provisions, section 50(2) and (3) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 ("the 2018 Act"). These amendments are consequential upon the repeal of sections 31 and 32 of the 2000 Act.

Article 2(ww)(xxii) brings paragraph 14(20) of Schedule 4 to the Act into force. Paragraph 14(20) omits section 41 of the 2000 Act. Section 41 of the 2000 Act requires the Welsh Ministers, in discharging certain of their functions in Part 2 of the 2000 Act, to have regard to the needs of persons with additional learning needs. This amendment is consequential upon the repeal of sections 31, 32 and 34 of the 2000 Act. Paragraph 39(4) of Schedule 4 to the Act, which is brought into force by article 2(ww)(xlv), omits, amongst other provisions, section 50(4) of the 2018 Act. This is in consequence of the repeal of section 41 of the 2000 Act.

Article 3(b)(i) and (ii) brings paragraphs 15(7) and 25(4) of Schedule 4 to the Act partially into force on 1 April 2026. The amendments made by these provisions are consequential upon the repeal of provisions in Part 2 of the 2000 Act.

Article 2(aa) brings section 101 of the Act into force, in so far as it is not already in force. Section 101 enables the Commission to make a grant to a local authority in Wales in relation to school sixth-forms.

Article 2(bb) brings section 102 of the Act into force. Section 102 provides that, in exercising certain functions under the Act, the Commission must have regard to (amongst other things) the needs of persons with additional learning needs.

Article 2(cc) brings section 103 of the Act into force, in so far as it is not already in force. Section 103 enables the Commission or the Welsh Ministers to secure the provision of financial resources for certain activities connected to tertiary education.

Article 2(dd) brings section 108 of the Act into force. Section 108 makes provision about the terms and conditions that may be imposed when financial resources are provided by the Commission under section 89(3), 97(1)(a) or (b) or 104(1)(a) of the Act to a provider that is not registered with the Commission.

Article 2(ee) brings section 109 of the Act into force. Section 109 provides for the Commission to give consent for payments to be made to collaborating bodies under certain provisions of the Act and how such consent may be withdrawn, varied or suspended.

Article 2(ff) to (kk) and (ll) brings sections 111 to 116 and 125 of the Act into force, respectively. Sections 111 to 114 define the terms "approved Welsh apprenticeship"; "approved Welsh apprenticeship agreement"; "alternative Welsh apprenticeship" and "apprenticeship framework", respectively. Section 115 enables the Welsh Ministers to specify requirements in relation to approved Welsh apprenticeships and section 116 requires the Welsh Ministers to consult in relation to the specification of such requirements. Section 125 provides for the interpretation of Part 4 of the Act.

Article 2(mm) brings section 127 of the Act into force. Section 127 requires the Commission to take such steps as appear appropriate to ensure that certain tertiary education providers have complaints procedures in place.

Article 2(nn) brings section 128 of the Act into force. Section 128 makes amendments to sections 11 and 12 of the Higher Education Act 2004 which concern the student complaints scheme under that 2004 Act. Article 2(ww)(xxviii) and (xxix) brings paragraph 16(1) and (3) of Schedule 4 to the Act into force which makes an amendment which is consequential upon the coming into force of section 128 of the Act.

Article 2(oo) to (rr) brings certain provisions of section 131 of the Act into force, some of which are already partially in force. Section 131 enables the Commission to require, by notice, certain persons listed in section 131(2) to provide the Commission with such information as it requests for the purposes of the exercise of any of the Commission's functions. Article 6 brings section 131(2)(b)(ii) to (v) of the Act into force on 1 April 2026 subject to a transitory modification which provides for the reference to "a registered provider" to be read as if it were a reference to "a regulated institution" until 31 July 2026. Article 23 also makes transitory modifications to section 131(2)(b) so that persons in receipt of funding under section 65 of the 1992 Act can be required to provide the Commission with information for the purposes of the exercise of the Commission's functions. This modification applies until section 65 of the 1992 Act is repealed.

Article 2(ss) brings section 132(1)(f) of the Act into force. Section 132(1)(f) enables a body designated under Schedule 3 to the Act to give information to the Commission for the purposes of the exercise of any of the Commission's functions. Article 16(d) brings provisions in Schedule 3 to the Act into force (some of which are already partially in force) on 31 July 2026. Paragraphs 4 to 9 of Schedule 3 provide for oversight of a designated body by the Commission. Paragraph 10 of Schedule 3 enables a designated body to charge fees to any tertiary education provider in relation to which the body exercises its assessment functions.

Article 2(tt) and (uu) bring sections 137 and 138 of the Act into force, respectively. Section 137 amends section 124A of the Education Reform Act 1988 which concerns instruments of government of higher education corporations in Wales. Section 138 amends sections 125 and 232 of the Education Reform Act 1988 which concern articles of government of such higher education corporations.

Article 2(vv)(i) and (iv) brings paragraph 16(1)(c) and 16(2) of Schedule 1 to the Act into force, respectively. Paragraph 16(1)(c) and (2) provides for the Commission's annual report to include information relating to the provision of tertiary education in Wales through the medium of Welsh.

Article 2(ww)(iii) brings paragraph 6(4) of Schedule 4 to the Act into force. Paragraph 6(4) amends section 83(1B) of the Government of Wales Act 2006. As a consequential amendment, article 3(b)(iii) brings paragraph 38(2) of Schedule 4 to the Act into force on 1 April 2026 to the extent it omits paragraph 24 of Schedule 11 to the Higher Education and Research Act 2017.

Article 11(1) brings paragraph 33(2)(a) of Schedule 4 to the Act into force on 1 April 2026 subject to transitional provisions. Article 2(ww)(xliv) brings paragraph 33(2)(c) of Schedule 4 to the Act into force, in so far as it is not already in force and article 12(1) brings paragraph 33(2)(d) into force on 1 April 2026 in so far as it is not already in force subject to transitional provision. Paragraph 33(2)(a), (c) and (d) amends section 10 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Section 10 of that 2015 Act relates to guidance that may be issued to further and higher education institutions.

Article 2(ww)(xlv) brings paragraph 39 of Schedule 4 to the Act into force. Paragraph 39(2), (3) and (5) inserts references to the Commission and the Welsh Ministers into the 2018 Act.

Article 5(1) brings section 110 of the Act into force on 1 April 2026 subject to transitory modifications. Section 110 enables the Welsh Ministers to give financial support directions to the Commission. Article 2(ww)(ii) brings paragraph 6(3)(h) of Schedule 4 to the Act into force which repeals section 81 of the 1992 Act. The repeal of section 81 of the 1992 Act is consequential upon the coming into force of section 110 of the Act. Article 3(b)(iii) brings paragraph 38(2) of Schedule 4 to the Act into force on 1 April 2026, to the extent it omits paragraph 22 of Schedule 11 to the Higher Education and Research Act 2017. This is consequential upon the repeal of section 81 of the 1992 Act.

Article 16 brings provisions of the Act into force, in full, on 31 July 2026. Article 16(a) brings section 49 of the Act into force which applies where a contract between a provider and a qualifying person undertaking a qualifying course provides for the payment of fees by the person which exceed the applicable fee limit.

Article 18(1) brings section 54 of the Act into force on 31 July 2026 to the extent it is not already in force and subject to a temporary modification to section 54(3). Section 54 requires the Commission to assess, or make arrangements for the assessment of, the quality of higher education provided by registered providers and provided on their behalf. Section 54 also enables the Commission to assess, or make arrangements for the assessment of, the quality of higher education provided in Wales by any tertiary education provider. The Commission must publish a report of such assessments. Article 16(b) provides for section 55 of the Act to come into force. Section 55 requires the governing body of a provider that provides the higher education assessed, or on behalf of which the higher education is provided, to prepare an action plan in response to the Commission's published report.

Article 16(c) brings paragraphs 16(1)(i) and 17(2) of Schedule 1 to the Act into force which require the Commission's annual report to include details of how an assessment body designated under Schedule 3 to the Act has exercised its functions during the academic year.

Article 16(e) brings paragraph 3(2)(a) of Schedule 4 to the Act into force which substitutes a new paragraph (aa) into section 43(5) of the Education (No.2) Act 1986 so that section 43 applies to providers registered under section 25 of the Act, other than those which also fall within section 43(5)(a) or (ba) of that 1986 Act, or schools.

Article 19 provides for paragraph 1 of Schedule 4 to the Act to come into force on 31 July 2026 subject to transitory modifications. Paragraph 1 of Schedule 4 to the Act substitutes a new paragraph (a) into section 8(4) of the Employment and Training Act 1973.

Article 20 provides for paragraph 6(5)(b) and (c) of Schedule 4 to the Act to come into force on 31 July 2026 subject to transitory modifications. Paragraph 6(5)(b) of Schedule 4 makes amendments to section 91(5) of the 1992 Act which provides a definition of institutions within the higher education sector for the interpretation of the Education Acts. Section 91(5) of the 1992 Act is amended so that it includes reference to certain providers registered with the Commission. Paragraph 6(5)(c) of Schedule 4 provides for the omission of section 91(5A) of the 1992 Act. Article 17 provides for paragraph 31 of Schedule 4

to the Act to come into force on 31 July 2026 to the extent that it omits paragraph 4 of the Schedule to the Higher Education (Wales) Act 2015, which is consequential upon the coming into force of paragraph 6(5)(b) and (c) of Schedule 4 to the Act.

Article 21 provides for paragraphs 13(2)(a) and 19(2)(b) and (3) of Schedule 4 to the Act to come into force on 31 July 2026 subject to transitory modifications. Paragraph 13(2)(a) of Schedule 4 substitutes a new paragraph 7 into Schedule 2A to the Care Standards Act 2000. Paragraph 19(2)(b) and (3) makes amendments to, respectively, Schedules 2 and 3 to the Commissioner for Older People (Wales) Act 2006.

Article 22 provides for sections 133 and 134 of the Act to come into force on 1 August 2026. Section 133 provides for the Welsh Ministers to require, by notice, certain information from persons providing admissions services to Welsh higher education providers for use for qualifying research. Section 134 sets out how the Welsh Ministers may use information obtained under section 133 and with whom the information may be shared.

Article 24 provides for section 33 of the Act to come into force on 1 January 2027 in so far as it is not already in force. Section 33(1) requires the Commission to ensure that the ongoing registration conditions of providers registered with the Commission include conditions requiring the delivery of measurable outcomes to further the aims set out in section 33(2).

Article 25(c) provides for section 87(5) of the Act to come into force, in so far as it is not already in force, on 1 April 2027. Section 87(5) lists the Commission's funding powers that relate to the Commission's statement of its funding policy to be published under section 87.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order. On the date this Order is made, the commencement date of the provision marked * has not been reached.

Provision	*Date of Commencement*	*S.I. Number*
Section 1	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)
Section 2 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 2 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 3 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 3 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 4 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 4 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 5 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 5 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)

Section 6 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 6 (in so far as not already in force)	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 7 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 7 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 8 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 8 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 9 (partially)	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)
Section 9 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 9 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 10 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 10 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 11 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 11 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 12 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 12 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 13	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 14	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 15	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 16	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 17	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 18	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 19	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 20	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 21	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 22	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 23	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 24	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 25 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 25 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
*Section 25 (in so far as not already in force)	31 July 2026	S.I. 2025/432 (W. 83) (C. 17)
Section 26	1 January 2026	S.I. 2025/432 (W. 83) (C. 17)

Section 27 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 27 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 28 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 28 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 29	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 30 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 30 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 31 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 31 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 32 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 32 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 33 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 33 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 34	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 35 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 35 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 36 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 36 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 37	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 38	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 39	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 40	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 41 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 41 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 42	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 43 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 43 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 44	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 45	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 46	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 47 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 47 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 48	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 50 (partially)	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 51 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 52 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)

Section 53 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 54 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 54 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 56	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 57 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 63 (partially)	1 November 2023	S.I. 2023/1106 (W. 191) (C. 71)
Section 73	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 74	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 75	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 76	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 77	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 78	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 79	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 81	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 82	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 83 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 83 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 84 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 84 (in so far as not already in force)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 85 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 85 (in so far as not already in force)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 86	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 87 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 87 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 87 (partially)	1 September 2025	S.I. 2025/966 (W. 167) (C. 46)
Section 88 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 89 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 94 (partially)	1 April 2024	S.I. 2023/919 (W. 144) (C. 52)
Section 97 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 101 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 101 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 103 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 104 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 105 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 126	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 129	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Section 130	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 131 (partially)	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)

Section 132 (partially)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 135	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 136	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 139 (partially)	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 140	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Section 141	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 142	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Section 147	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Schedule 1, paragraphs 1 to 3; 4 (partially); 5 (partially); 7 (partially); 10 (partially); 11 (partially); 12	15 December 2022	S.I. 2022/1318 (W. 267) (C. 106)
Schedule 1, paragraphs 5 (in so far as not already in force); 7 (in so far as not already in force); 8 (partially); 9 (partially); 10 (in so far as not already in force); 11(1) (in so far as not already in force); 11 (partially); 13; 14; 15 (partially); 18 to 22	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Schedule 1, paragraphs 4 (in so far as not already in force); 6; 8 (in so far as not already in force); 9 (in so far as not already in force); 11 (in so far as not already in force); 15 (in so far as not already in force)	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)
Schedule 1, paragraphs 16 (partially); 17 (partially)	1 April 2025	S.I. 2024/806 (W. 130) (C. 51)
Schedule 1, paragraph 16 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Schedule 2	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Schedule 3, paragraphs 1; 2; 3; 6 (partially)	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Schedule 3, paragraph 11	1 September 2025	S.I. 2025/966 (W. 167) (C. 46)
Schedule 4, paragraphs 20(1), (2)(a); 28(a)	4 September 2023	S.I. 2023/919 (W. 144) (C. 52)
Schedule 4, paragraphs 2; 3 (partially); 5; 6 (partially); 7 (partially); 8 (partially); 12 (in so far as not already in force); 14 (partially); 15 (partially); 18 (partially); 19 (partially); 20 (partially); 22 (partially); 25 (partially); 27; 28 (in so far as not already in force); 31 (partially); 32;	1 August 2024	S.I. 2024/806 (W. 130) (C. 51)

33 (partially); 34; 36; 37; 38 (partially); 40; 41		
Schedule 4, paragraphs 8 (partially); 11; 29	5 April 2025	S.I. 2025/432 (W. 83) (C. 17)
Schedule 4, paragraph 13 (partially)	1 September 2025	S.I. 2025/966 (W. 167) (C. 46)

2026 No. 62 (C. 5)

EDUCATION, WALES

The Tertiary Education and Research (Wales) Act 2022 (Commencement No. 7, Transitory, Transitional and Savings Provisions) Order 2026

Made *4 March 2026*

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.

Title and interpretation

1.—(1) The title of this Order is the Tertiary Education and Research (Wales) Act 2022 (Commencement No. 7, Transitory, Transitional and Savings Provisions) Order 2026.

(2) In this Order—

"the 1992 Act" ("*Deddf 1992*") means the Further and Higher Education Act 1992(**2**);

"the 2000 Act" ("*Deddf 2000*") means the Learning and Skills Act 2000(**3**);

"the 2015 Act" ("*Deddf 2015*") means the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015(**4**);

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

"Chief Inspector" ("*Prif Arolygydd*") means His Majesty's Chief Inspector of Education and Training in Wales;

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

"registered provider" ("*darparwr cofrestredig*") has the meaning given by section 144(1) of the Act;

"regulated institution" ("*sefydliad rheoleiddiedig*") has the meaning given by section 7(5)(b) of the Higher Education (Wales) Act 2015(**5**).

(**1**) 2022 asc 1. Paragraph 6 of Schedule 1A to the Legislation (Wales) Act 2019 (anaw 4) provides for this Order to be made by Welsh Statutory Instrument and laid before Senedd Cymru.
(**2**) 1992 c. 13.
(**3**) 2000 c. 21.
(**4**) 2015 anaw 3.
(**5**) 2015 anaw 1.

Provisions coming into force on 1 April 2026

2. The following provisions of the Act come into force on 1 April 2026—

(a) section 50 (quality assurance frameworks) in so far as not already in force;

(b) section 58 (power of the Chief Inspector to inspect and report);

(c) section 59 (duty to provide information and advice to the Commission);

(d) section 60 (duty to provide information and advice to the Welsh Ministers);

(e) section 61 (additional functions of the Chief Inspector);

(f) section 62 (action plans following inspections by the Chief Inspector);

(g) section 63 (area inspections) in so far as not already in force;

(h) section 64 (right of entry and offences);

(i) section 65 (surveys and studies);

(j) section 66 (annual reports);

(k) section 67 (annual plan of the Chief Inspector);

(l) section 68 (funding of inspections and reports on further education and training etc.);

(m) section 69 (grounds for intervention);

(n) section 72 (Welsh Ministers' statement on intervention powers);

(o) section 80 (duty to monitor and report on financial sustainability);

(p) section 89(3), (4) and (5) (financial support for higher education courses specified in regulations) in so far as not already in force;

(q) section 90 (financial support under sections 88 and 89: terms and conditions);

(r) section 91 (financial support under sections 88 and 89: supplementary);

(s) section 92 (financial support by Welsh Ministers for certain higher education courses);

(t) section 93 (education and training for persons aged 16 to 19);

(u) section 95 (education and training for persons over 19);

(v) section 96 (requirements on Commission when securing further education and training);

(w) section 97 (financial support for further education or training) in so far as not already in force;

(x) section 98 (financial support for further education or training: further provision);

(y) section 99 (financial resources for further education or training: terms and conditions);

(z) section 100 (means tests);

(aa) section 101 (school sixth-forms) in so far as not already in force;

(bb) section 102 (persons with additional learning needs);

(cc) section 103 (financial support for other activities connected to tertiary education) in so far as not already in force;

(dd) section 108 (financial support under sections 89, 97 and 104: further provision about terms and conditions);

(ee) section 109 (consent for payments to collaborating bodies);

(ff) section 111 (meaning of "approved Welsh apprenticeship");

(gg) section 112 (meaning of “approved Welsh apprenticeship agreement”);

(hh) section 113 (meaning of “alternative Welsh apprenticeship”);

(ii) section 114 (meaning of “apprenticeship framework”);

(jj) section 115 (specification of requirements in relation to approved Welsh apprenticeship);

(kk) section 116 (consultation by Welsh Ministers about specifications);

(ll) section 125 (interpretation of Part 4);

(mm) section 127 (complaints procedures);

(nn) section 128 (qualifying institutions for student complaints scheme);

(oo) section 131(2)(b)(i), (vi) and (vii), (e), (f) and (g) (persons required to provide information to the Commission);

(pp) section 131(3)(a) in so far as not already in force;

(qq) section 131(3)(b) and (c);

(rr) section 131(6) in so far as not already in force;

(ss) section 132(1)(f) (powers to share information);

(tt) section 137 (instruments of government of higher education corporations in Wales);

(uu) section 138 (articles of government of higher education corporations in Wales);

(vv) in Schedule 1 (Commission for Tertiary Education and Research)—

(i) paragraph 16(1)(c);

(ii) paragraph 16(1)(d);

(iii) paragraph 16(1)(e);

(iv) paragraph 16(2);

(ww) in Schedule 4 (minor and consequential amendments)—

(i) paragraph 4;

(ii) paragraph 6(3)(h);

(iii) paragraph 6(4);

(iv) paragraph 8(2);

(v) paragraph 8(10);

(vi) paragraph 9;

(vii) paragraph 14(2);

(viii) paragraph 14(4);

(ix) paragraph 14(6);

(x) paragraph 14(7);

(xi) paragraph 14(8);

(xii) paragraph 14(9);

(xiii) paragraph 14(10)(a) and (b);

(xiv) paragraph 14(11);

(xv) paragraph 14(12);

(xvi) paragraph 14(13);

(xvii) paragraph 14(14);

(xviii) paragraph 14(15);

(xix) paragraph 14(16);

(xx) paragraph 14(17);

(xxi) paragraph 14(18);

(xxii) paragraph 14(20);

(xxiii) paragraph 14(21);

(xxiv) paragraph 14(22);

(xxv) paragraph 14(23);

(xxvi) paragraph 14(25);

(xxvii) paragraph 15(6);

(xxviii) paragraph 16(1);

(xxix) paragraph 16(3);

(xxx) paragraph 17;

(xxxi) paragraph 18(2);

(xxxii) paragraph 18(3);

(xxxiii) paragraph 18(4);

(xxxiv) paragraph 18(5);

(xxxv) paragraph 18(7);

(xxxvi) paragraph 18(9)(b);

(xxxvii) paragraph 18(14);

(xxxviii) paragraph 18(15);

(xxxix) paragraph 20(3);

(xl) paragraph 21;

(xli) paragraph 23;

(xlii) paragraph 25(2);

(xliii) paragraph 30;

(xliv) paragraph 33(2)(c) in so far as not already in force;

(xlv) paragraph 39.

Provisions coming into force on 1 April 2026 to the extent specified

3. The following provisions of the Act come into force on 1 April 2026 to the extent specified in relation to each such provision—

(a) sections 70 (powers to intervene) and 71 (notification by the Commission of grounds for intervention) for the purposes of publishing a statement under section 72 (Welsh Ministers' statement on intervention powers);

(b) in Schedule 4—

(i) paragraph 15(7) to the extent it omits paragraph 125 of Schedule 21 to the Education Act 2002(**6**);

(ii) paragraph 25(4) to the extent it omits—

(**6**) 2002 c. 32.

(aa) paragraph 3 of the Schedule to the Learning and Skills (Wales) Measure 2009(**7**) in so far as that paragraph relates to sections 32(1), 33, 34, 35(2) and (5), 36(1), 37, 38(1) and 41(1) of the 2000 Act;

(bb) paragraphs 4 to 8 of that Schedule;

(iii) paragraph 38(2) to the extent it omits paragraphs 22 and 24 of Schedule 11 to the Higher Education and Research Act 2017(**8**).

Provisions coming into force on 1 April 2026 subject to transitory provisions

4.—(1) Sections 51 (duty to monitor, and promote improvement in, the quality of regulated tertiary education) to 53 (reviews relevant to quality of tertiary education) of the Act come into force on 1 April 2026 subject to the modifications in paragraphs (4) and (5).

(2) The modification to the Act in paragraph (4)(a) applies during the period beginning with 1 April 2026 and ending immediately before the coming into force in full of paragraph 6(3)(c) of Schedule 4 to the Act.

(3) The modifications to the Act in paragraphs (4)(b) and (5) apply during the period beginning with 1 April 2026 and ending immediately before the coming into force in full of paragraph 31 of Schedule 4 to the Act.

(4) Section 51(b) of the Act has effect as if the reference to tertiary education funded or otherwise secured by the Commission does not include tertiary education—

(a) funded by the Commission pursuant to its powers in section 65 (administration of funds by the Commission) of the 1992 Act;

(b) provided by, or on behalf of, a regulated institution that is not a registered provider.

(5) Sections 52(1)(b) and (c) (advice and assistance in respect of quality of tertiary education) and 53(b) and (c) have effect as if the references to tertiary education, or a particular course of tertiary education, do not include tertiary education, or a particular course of tertiary education, provided by, or on behalf of, a regulated institution that is not a registered provider.

(6) In this article, "tertiary education" has the meaning given by section 144(1) of the Act.

5.—(1) Section 110 of the Act (financial support directions) comes into force on 1 April 2026 subject to the modifications in paragraphs (2) and (3) which apply during the period beginning with 1 April 2026 and ending immediately before the coming into force in full of paragraph 6(3)(c) of Schedule 4 to the Act.

(2) Section 110(3) has effect as if after "104 or 105" there were inserted "of this Act or section 65 of the Further and Higher Education Act 1992".

(3) Section 110(4)(b) has effect as if after "104 or 105(2)" there were inserted "of this Act or section 65 of the Further and Higher Education Act 1992".

(**7**) 2009 nawm 1.
(**8**) 2017 c. 29.

6.—(1) Section 131(2)(b)(ii), (iii), (iv) and (v) of the Act comes into force on 1 April 2026 subject to the modification in paragraph (2) which applies during the period beginning with 1 April 2026 and ending with 31 July 2026.

(2) Section 131(2)(b) of the Act, in so far as it relates to sub-paragraphs (ii), (iii), (iv) and (v), has effect as if the reference to "a registered provider" was a reference to "a regulated institution".

Provisions coming into force on 1 April 2026 subject to transitional provisions

7.—(1) Section 57 (duty of the Chief Inspector to inspect and report) comes into force on 1 April 2026 in so far as not already in force subject to the modification in paragraph (2).

(2) In relation to an inspection which is being carried out by the Chief Inspector immediately before 1 April 2026 under a provision of the 2000 Act specified in the first column of the table in the Schedule to this Order, the reference to "the Commission" in section 57(1)(d) has effect as if it includes a reference to "the Welsh Ministers".

8.—(1) Paragraph 14(3) of Schedule 4 to the Act comes into force on 1 April 2026 subject to the transitional provision in paragraph (2).

(2) Any local curriculum formed by the Welsh Ministers under section 33A (formation of local curricula for students aged 16 to 18) of the 2000 Act and which has effect immediately before 1 April 2026 continues to have effect as if the curriculum had been formed by the Commission.

9.—(1) Paragraph 14(5) of Schedule 4 to the Act comes into force on 1 April 2026 subject to the transitional provision in paragraph (2).

(2) Any designation made under section 33C(2) (areas with more than one local curriculum) of the 2000 Act before 1 April 2026 continues to have effect after the coming into force of paragraph 14(5) of Schedule 4 to the Act as it had effect immediately before the coming into force of that paragraph.

10.—(1) Paragraph 14(10)(c) of Schedule 4 to the Act comes into force on 1 April 2026 subject to the transitional provisions in paragraphs (2) and (3).

(2) Any guidance published by the Welsh Ministers under section 33J(3) (planning the local curriculum) of the 2000 Act before 1 April 2026 continues to have effect from the coming into force of paragraph 14(10)(c) of Schedule 4 to the Act, as if published by the Commission under section 135(1) (other information, advice and guidance) of the Act.

(3) References to "Welsh Ministers" in any guidance published by the Welsh Ministers under section 33J(3) of the 2000 Act which has effect immediately before 1 April 2026 has effect on and after 1 April 2026 as if they were references to "the Commission for Tertiary Education and Research".

11.—(1) Paragraph 33(2)(a) of Schedule 4 to the Act comes into force on 1 April 2026 subject to the transitional provisions in paragraphs (2) and (3).

(2) Any guidance issued by the Welsh Ministers under section 10(1) (guidance to further and higher education institutions) of the 2015 Act during the period beginning with 1 August 2025 and ending with 31 March 2026, has effect, as far as necessary for continuing its effect from the coming into force of paragraph 33(2)(a) of Schedule 4 to the Act, as if issued by the Commission under section 10(1) of the 2015 Act.

(3) Any guidance published by the Welsh Ministers under section 10(6) of the 2015 Act during the period beginning with 1 August 2025 and ending with 31 March 2026, has effect, as far as necessary for continuing its effect from the coming into force of

paragraph 33(2)(a) of Schedule 4 to the Act, as if published by the Commission under section 10(6) of the 2015 Act.

12.—(1) Paragraph 33(2)(d) of Schedule 4 to the Act comes into force on 1 April 2026 in so far as not already in force subject to the transitional provision in paragraph (2).

(2) Any consultation undertaken by the Welsh Ministers under section 10(5) of the 2015 Act during the period beginning with 1 August 2025 and ending with 31 March 2026 in relation to guidance which has not been issued by the Welsh Ministers under section 10(1) of that Act before 1 April 2026, has effect, as far as necessary for continuing its effect from the coming into force of paragraph 33(2)(d) of Schedule 4 to the Act, as if the consultation has been undertaken by the Commission under section 10(5) of the 2015 Act.

Inspections of the Chief Inspector

13. An inspection which is being carried out by the Chief Inspector immediately before 1 April 2026 under a provision of the 2000 Act specified in the first column of the table in the Schedule to this Order continues to be carried out after 31 March 2026 under the corresponding provision of the Act in the second column of that table.

Annual report of the Chief Inspector

14. The annual report of the Chief Inspector required by section 21(1)(a) of the Education Act 2005(**9**) in respect of the period beginning with 1 September 2025 and ending with 31 March 2026 must include an account of the exercise of functions of the Chief Inspector under Part 4 of the 2000 Act during that period.

Annual plan of the Chief Inspector

15.—(1) The annual plan which is prepared by the Chief Inspector under section 87 of the 2000 Act in respect of the financial year ending with 31 March 2027 and approved under section 104(4A) of the Government of Wales Act 1998(**10**) may be published by the Chief Inspector under section 67(4) of the Act.

(2) In paragraph (1), section 67(4) of the Act applies as if the words from "after" to the end were omitted.

Provisions coming into force on 31 July 2026

16. The following provisions of the Act come into force on 31 July 2026—

(a) section 49 (validity of contracts);

(b) section 55 (action plans following assessments under section 54);

(c) in Schedule 1—

(i) paragraph 16(1)(i);

(ii) paragraph 17(2);

(d) in Schedule 3 (assessing higher education: designated body)—

(i) paragraph 4;

(ii) paragraph 5;

(iii) paragraph 6 in so far as not already in force;

(**9**) 2005 c. 18.
(**10**) 1998 c. 38.

(iv) paragraph 7;

(v) paragraph 8;

(vi) paragraph 9;

(vii) paragraph 10;

(e) in Schedule 4, paragraph 3(2)(a).

Provisions coming into force on 31 July 2026 to the extent specified

17. Paragraph 31 of Schedule 4 to the Act comes into force on 31 July 2026 to the extent it omits paragraph 4 of the Schedule (consequential and transitional provision etc) to the Higher Education (Wales) Act 2015.

Provisions coming into force on 31 July 2026 subject to transitory provisions

18.—(1) Section 54 (assessment of quality of higher education) of the Act comes into force on 31 July 2026 in so far as it is not already in force, subject to the modification in paragraph (3).

(2) The modification in paragraph (3) applies during the period beginning with 31 July 2026 and ending immediately before the coming into force in full of paragraph 31 of Schedule 4 to the Act.

(3) Section 54(3) of the Act has effect as if the Commission's power to assess, or make arrangements for the assessment of, the quality of higher education provided in Wales by any tertiary education provider does not include higher education provided in Wales by, or on behalf of, a regulated institution that is not a registered provider.

19.—(1) Paragraph 1 of Schedule 4 to the Act comes into force on 31 July 2026 subject to the modifications in paragraph (3).

(2) The modifications in paragraph (3) apply during the period beginning with 31 July 2026 and ending immediately before the coming into force in full of—

(a) paragraph 31 of Schedule 4 to the Act in the case of paragraph (3)(a);

(b) paragraph 6(3)(c) of Schedule 4 to the Act in the case of paragraph (3)(b).

(3) Section 8(4)(a) (duty of Secretary of State to ensure provision of careers services for school and college students) of the Employment and Training Act 1973(**11**) has effect as if an educational institution within the higher education sector includes a university which is not registered under section 25 of the Act to provide higher education and—

(a) to which an approved plan, within the meaning given in section 7 (approval of fee and access plan) of the Higher Education (Wales) Act 2015, relates, or

(b) which is receiving financial support under section 65 of the 1992 Act.

20.—(1) Paragraph 6(5)(b) and (c) of Schedule 4 to the Act comes into force on 31 July 2026 subject to the modifications in paragraph (3).

(2) The modifications in paragraph (3) apply during the period beginning with 31 July 2026 and ending immediately before the coming into force in full of—

(a) paragraph 6(3)(c) of Schedule 4 to the Act in the case of paragraph (3)(a) and (c);

(b) paragraph 31 of Schedule 4 to the Act in the case of paragraph (3)(b).

(3) Section 91 (interpretation of Education Acts) of the 1992 Act has effect as if—

(**11**) 1973 c. 50.

(a) in subsection (5)(b) the word "and" at the end were omitted;

(b) after subsection (5)(c) there were inserted—

"(d) universities that are regulated institutions, other than such universities falling within paragraph (a), and";

(c) after subsection (5)(d) as inserted by article 20(3)(b) of this Order there were inserted—

"(e) universities receiving financial support under section 65 of this Act, other than such universities falling within paragraph (a),".

21.—(1) In Schedule 4 to the Act—

(a) paragraph 13(2)(a) comes into force on 31 July 2026 subject to the modification in paragraph (3);

(b) paragraph 19(2)(b) comes into force on 31 July 2026 subject to the modification in paragraph (4);

(c) paragraph 19(3) comes into force on 31 July 2026 subject to the modification in paragraph (5).

(2) The modifications in paragraphs (3) to (5) apply during the period beginning with 31 July 2026 and ending immediately before the coming into force in full of paragraph 6(3)(c) of Schedule 4 to the Act.

(3) Schedule 2A (persons subject to review by the Commissioner under section 72B) to the Care Standards Act 2000(**12**) has effect as if after paragraph 7 there were inserted—

"7A Any university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another paragraph in this Schedule)."

(4) Schedule 2 (persons whose functions are subject to review under section 3) to the Commissioner for Older People (Wales) Act 2006(**13**) has effect as if after the entry for "Qualifications Wales" there were inserted—

"A university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another entry in this Schedule)."

(5) Schedule 3 (persons whose arrangements are subject to review under section 5) to the Commissioner for Older People (Wales) Act 2006 has effect as if after the entry for "The governing body of a maintained school in Wales at which further education is provided" there were inserted—

"A university receiving financial support under section 65 of the Further and Higher Education Act 1992 (other than a university falling within another entry in this Schedule)."

Provisions coming into force on 1 August 2026

22. The following provisions of the Act come into force on 1 August 2026—

(a) section 133 (power to require application-to-acceptance information);

(b) section 134 (use of application-to-acceptance information for research purposes).

(**12**) 2000 c. 14.
(**13**) 2006 c. 30.

Transitory provisions relating to the Act

23.—(1) Paragraphs (2) and (3) apply during the period beginning with 1 August 2026 and ending immediately before the coming into force in full of paragraph 6(3)(c) of Schedule 4 to the Act.

(2) Section 131(2)(b) of the Act has effect as if—

(a) after sub-paragraph (vii), "or" were omitted;

(b) after sub-paragraph (viii), the semi-colon were ", or".

(3) Section 131(2)(b) of the Act has effect as if after sub-paragraph (viii) there were inserted—

"(ix) section 65 (administration of funds by the Commission) of the Further and Higher Education Act 1992;".

Provisions coming into force on 1 January 2027

24. Section 33 (mandatory ongoing registration conditions on equal opportunity) of the Act comes into force in so far as not already in force on 1 January 2027.

Provisions coming into force on 1 April 2027

25. The following provisions of the Act come into force on 1 April 2027—

(a) section 70 in so far as not already in force;

(b) section 71 in so far as not already in force;

(c) section 87(5) (policy on funding powers) in so far as not already in force.

Provisions coming into force on 1 April 2027 subject to savings

26.—(1) Paragraph 6(3)(a) of Schedule 4 to the Act comes into force on 1 April 2027 subject to the savings in paragraphs (2) and (3).

(2) The repeal of section 57 (intervention: Wales) of the 1992 Act does not affect the continued operation of any orders made by the Welsh Ministers before 1 April 2027 pursuant to section 57(4) of that Act.

(3) Section 57 of the 1992 Act continues to apply on and after 1 April 2027 as it had effect immediately before that date in relation to orders made by the Welsh Ministers before 1 April 2027 pursuant to section 57(4) of that Act.

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

SCHEDULE

Article 13

Table

Column 1 ***Provision of the 2000 Act***	***Column 2*** ***Provision of the Act***
Section 76(2)(b)	Section 59(3)(b), where section 59(1) applies to the education or training which is the subject of the inspection Section 60(3)(b), where section 60(1) applies to the education or training which is the subject of the inspection
Section 77(1)	Section 57(1)
Section 78(2)	Section 58(1)
Section 78(3)	Section 58(2)
Section 83(1)	Section 63(2)
Section 83(2)	Section 63(1)

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