

# HYSBYSIAD YNGHYLCH GWELLIANNAU

## NOTICE OF AMENDMENTS

Cyflwynwyd ar 3 Mai 2022  
Tabled on 3 May 2022

### Bil Addysg Drydyddol ac Ymchwil (Cymru)

### Tertiary Education and Research (Wales) Bill

**Jeremy Miles**

1

Section 3, page 1, after line 27, insert –

- ‘( ) increased participation in the carrying out of research and innovation in Wales by persons who are members of under-represented groups;’.

Adran 3, tudalen 1, ar ôl llinell 27, mewnosoder –

- ‘( ) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn gwaith ymchwil ac arloesi a wneir yng Nghymru;’.

**Jeremy Miles**

2

Section 3, page 2, line 4, after ‘are’ at the first place where it occurs on a line, insert ‘in relation to tertiary education,’.

Adran 3, tudalen 2, llinell 4, ar ôl ‘yw’, mewnosoder ‘mewn perthynas ag addysg drydyddol,’.

**Jeremy Miles**

3

Section 3, page 2, line 6, after ‘factors’, insert ‘, and

- (a) in relation to research and innovation, groups that are under-represented in the carrying out of research and innovation in Wales as a result of social, cultural, economic or organisational factors’.

Adran 3, tudalen 2, llinell 6, ar ôl ‘sefydliadol’, mewnosoder ‘, a

- (a) mewn perthynas ag ymchwil ac arloesi, grwpiau nad oes ganddynt gynrychiolaeth ddigonol mewn gwaith ymchwil ac arloesi a wneir yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol’.

**Jeremy Miles**

4

Section 5, page 2, line 14, leave out ‘, and

- (b) research and innovation carried out in Wales.’.

Adran 5, tudalen 2, llinell 14, hepgorer ‘, a

- (b) gwaith ymchwil ac arloesi a wneir yng Nghymru.’.

**Jeremy Miles**

5

Section 5, page 2, after line 20, insert –

- ‘( ) the importance of the views of learners about the quality of the tertiary education they receive.’.

Adran 5, tudalen 2, ar ôl llinell 20, mewnosoder –

- ‘( ) i bwysigrwydd barn dysgwyr ynghylch ansawdd yr addysg drydyddol a gânt.’.

**Jeremy Miles**

6

Section 5, page 2, line 22, leave out ‘(“learners”)’.

Adran 5, tudalen 2, llinell 22, hepgorer ‘(“dysgwyr”)’.

**Jeremy Miles**

7

Page 2, after line 24, insert a new section –

**[ ] Promotion of research and innovation**

(1) The Commission must promote –

- (a) the carrying out of research and innovation in Wales;
- (b) continuous improvement in the quality of research and innovation carried out by relevant persons, and the competitiveness of that research and innovation compared to research and innovation carried out by other persons;
- (c) collaboration on research and innovation, both in Wales and elsewhere in the world between –
  - (i) relevant persons;
  - (ii) relevant persons and others;
- (d) the carrying out by relevant persons of research and innovation and of activities related to research and innovation through the medium of Welsh.

(2) In subsection (1), “relevant person” means –

- (a) a provider specified in regulations under section 102(4);
- (b) a collaborating body within the meaning given by section 102(4) when carrying out research and innovation in respect of which consent given by the Commission under that subsection is in effect.’.

Tudalen 2, ar ôl llinell 25, mewnosoder adran newydd –

**[ ] Hybu gwaith ymchwil ac arloesi**

- (1) Rhaid i'r Comisiwn hybu –
  - (a) gwneud gwaith ymchwil ac arloesi yng Nghymru;
  - (b) gwelliant parhaus yn ansawdd gwaith ymchwil ac arloesi a wneir gan bersonau perthnasol, a chystadleurwydd y gwaith ymchwil ac arloesi hwnnw o'i gymharu â gwaith ymchwil ac arloesi a wneir gan bersonau eraill;
  - (c) cydlafurio ar waith ymchwil ac arloesi, yng Nghymru ac mewn mannau eraill yn y byd rhwng –
    - (i) personau perthnasol;
    - (ii) personau perthnasol ac eraill;
  - (d) gwneud gwaith ymchwil ac arloesi a gweithgareddau sy'n ymwneud â gwaith ymchwil ac arloesi gan bersonau perthnasol drwy gyfrwng y Gymraeg.
- (2) Yn is-adran (1), ystyr "person perthnasol" yw –
  - (a) darparwr a bennir mewn rheoliadau o dan adran 102(4);
  - (b) corff sy'n cydlafurio o fewn yr ystyr a roddir gan adran 102(4) wrth wneud gwaith ymchwil ac arloesi y mae cydsyniad a roddir gan y Comisiwn o dan yr is-adran honno mewn effaith mewn cysylltiad ag ef'.

**Jeremy Miles**

8

Section 8, page 3, line 6, leave out 'people to participate' and insert 'demand for, and participation'.  
Adran 8, tudalen 3, llinell 6, hepgorer 'pobl i gymryd rhan mewn addysg drydyddol a ddarperir yng Nghymru drwy gyfrwng y Gymraeg' a mewnosoder 'y galw am addysg drydyddol a ddarperir yng Nghymru drwy gyfrwng y Gymraeg a chyfranogiad ynddi'.

**Jeremy Miles**

9

Section 8, page 3, line 9, leave out 'reasonable'.  
Adran 8, tudalen 3, llinell 9, hepgorer 'galw rhesymol' a mewnosoder 'y galw'.

**Jeremy Miles**

10

Section 8, page 3, after line 13, insert –

- '( ) The Welsh Ministers must designate a person to give relevant advice to the Commission.
- ( ) In this section, "relevant advice" means advice given for the purpose of assisting the Commission in the discharge of its duties under subsection ( ).
- ( ) A person may be designated under subsection ( ) only if the Welsh Ministers consider the person is suitable to give advice on the following –
  - (a) the promotion, maintenance, development and planning of tertiary education provided in Wales through the medium of Welsh,

- (b) the promotion of the acquisition and improvement of Welsh language skills,
  - (c) the maintenance, development, planning and provision of activities to support the acquisition and improvement of Welsh language skills, and
  - (d) collaboration between tertiary education providers in Wales in relation to the matters mentioned in paragraphs (a) to (c).
- ( ) The duty in subsection ( ) does not apply if –
- (a) the Welsh Ministers consider there is no person suitable to give advice on the matters mentioned in subsection ( ), or
  - (b) there is no person who consents to be designated.
- ( ) The Commission must have regard to any relevant advice given to it by a person designated under subsection ( ).
- ( ) The Commission must publish a designation made by the Welsh Ministers under subsection ( ).
- ( ) A designation under subsection ( ) may be removed.’.

Adran 8, tudalen 3, ar ôl llinell 13, mewnosoder –

- ‘( ) Rhaid i Weinidogion Cymru ddynodi person i roi cyngor perthnasol i’r Comisiwn.
- ( ) Yn yr adran hon, ystyr “cyngor perthnasol” yw cyngor a roddir at ddiben cynorthwyo’r Comisiwn i gyflawni ei ddyletswyddau o dan is-adran ( ).
- ( ) Ni chaniateir i berson gael ei ddynodi o dan is-adran ( ) ond os yw Gweinidogion Cymru yn ystyried bod y person yn addas i roi cyngor ar y canlynol –
- (a) hybu, cynnal, datblygu a chynllunio addysg drydyddol a ddarperir yng Nghymru drwy gyfrwng y Gymraeg,
  - (b) hybu caffael a gwella sgiliau Cymraeg,
  - (c) cynnal, datblygu, cynllunio a darparu gweithgareddau i gefnogi caffael a gwella sgiliau Cymraeg, a
  - (d) cydlafurio rhwng darparwyr addysg drydyddol yng Nghymru mewn perthynas â’r materion a grybwyllir ym mharagraffau (a) i (c).
- ( ) Nid yw’r ddyletswydd yn is-adran ( ) yn gymwys –
- (a) os yw Gweinidogion Cymru yn ystyried nad oes unrhyw berson sy’n addas i roi cyngor ar y materion a grybwyllir yn is-adran ( ), neu
  - (b) os nad oes unrhyw berson sy’n cydsynio i gael ei ddynodi.
- ( ) Rhaid i’r Comisiwn roi sylw i unrhyw gyngor perthnasol a roddir iddo gan berson sydd wedi ei ddynodi o dan is-adran ( ).
- ( ) Rhaid i’r Comisiwn gyhoeddi dynodiad a wneir gan Weinidogion Cymru o dan is-adran ( ).
- ( ) Caniateir i ddynodiad o dan is-adran ( ) gael ei ddileu.’.

**Jeremy Miles** 11

Section 10, page 3, line 37, leave out ‘providers of tertiary education’ and insert ‘tertiary education providers’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version.

**Jeremy Miles** 12

Section 10, page 4, line 2, after ‘research’, insert ‘and innovation’.

Adran 10, tudalen 4, llinell 2, hepgorer ‘ymchwil’ a mewnosoder ‘gwaith ymchwil ac arloesi’.

**Jeremy Miles** 13

Section 10, page 4, line 2, leave out ‘or collaborate on research internationally’.

Adran 10, tudalen 4, llinell 2, hepgorer ‘neu gydlafurio’n rhyngwladol ar waith ymchwil’.

**Jeremy Miles** 14

Page 4, after line 3, insert a new section –

**[ ] Promoting collaboration between providers of tertiary education and trade unions**

- (1) The Commission must promote collaboration between tertiary education providers in Wales and relevant trade unions.
- (2) A trade union is a relevant trade union for the purpose of this section if the Commission considers that collaboration between it and tertiary education providers in Wales is likely to assist the discharge of the Commission’s duties under sections 2 to 10, and it is –
  - (a) represented by the body known as Wales TUC Cymru, or
  - (b) if not so represented, the Commission considers it represents members of the tertiary education workforce (within the meaning given by section 5(3)) in Wales.’.

Tudalen 4, ar ôl llinell 3, mewnosoder adran newydd –

**[ ] Hybu cydlafurio rhwng darparwyr addysg drydyddol ac undebau llafur**

- (1) Rhaid i’r Comisiwn hybu cydlafurio rhwng darparwyr addysg drydyddol yng Nghymru ac undebau llafur perthnasol.
- (2) Mae undeb llafur yn undeb llafur perthnasol at ddiben yr adran hon os yw’r Comisiwn yn ystyried bod cydlafurio rhyngddo a darparwyr addysg drydyddol yng Nghymru yn debygol o gynorthwyo i gyflawni dyletswyddau’r Comisiwn o dan adrannau 2 i 10, ac –
  - (a) y caiff ei gynrychioli gan y corff o’r enw Wales TUC Cymru, neu
  - (b) os na chaiff ei gynrychioli felly, fod y Comisiwn yn ystyried ei fod yn cynrychioli aelodau o’r gweithlu addysg drydyddol (o fewn yr ystyr a roddir gan adran 5(3)) yng Nghymru.’.

**Jeremy Miles**

**15**

Section 13, page 4, line 24, leave out ‘consult the Commission before they modify its plan’ and insert ‘seek the agreement of the Commission to each modification they propose making to a plan before they modify it’.

Adran 13, tudalen 4, llinell 25, hepgorer ‘ymgyngori â’r Comisiwn cyn iddynt addasu ei gynllun’ a mewnosoder ‘geisio cytundeb y Comisiwn i bob addasiad y maent yn bwriadu ei wneud i gynllun cyn iddynt ei addasu’.

**Jeremy Miles**

**16**

Section 13, page 4, after line 25, insert –

- ( ) If the Welsh Ministers approve a plan containing a modification that is not agreed by the Commission –
- (a) the Welsh Ministers must give reasons for that modification to the Commission, and
  - (b) the Commission must publish the reasons given by the Welsh Ministers when it publishes its approved strategic plan.’.

Adran 13, tudalen 4, ar ôl llinell 26, mewnosoder –

- ( ) Os yw Gweinidogion Cymru yn cymeradwyo cynllun sy’n cynnwys addasiad nad yw’r Comisiwn yn cytuno iddo –
- (a) rhaid i Weinidogion Cymru roi rhesymau dros yr addasiad hwnnw i’r Comisiwn, a
  - (b) rhaid i’r Comisiwn gyhoeddi’r rhesymau a roddir gan Weinidogion Cymru pan fydd yn cyhoeddi ei gynllun strategol cymeradwy.’.

**Jeremy Miles**

**17**

Section 15, page 5, line 20, leave out subsection (2) and insert –

’, and

- ( ) academic staff at those providers.
- (3) In this section, “academic freedom” means –
  - ( ) in relation to tertiary education providers, their freedom to determine –
    - (i) the contents of particular higher education courses and the manner in which they are taught, supervised or assessed,
    - (ii) the criteria for admission of students to higher education courses and to apply those criteria in particular cases, and
    - (iii) the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases;
  - ( ) in relation to academic staff, their freedom within the law –
    - (i) to question and test received wisdom, and
    - (ii) to put forward new ideas and controversial or unpopular opinions,

without placing themselves in jeopardy of losing their jobs or privileges they may have at the tertiary education providers.’.

Adran 15, tudalen 5, llinell 20, hepgorer is-adran (2) a mewnosoder –

’, a ( ) staff academaidd y darparwyr hynny.

(4) Yn yr adran hon, ystyr “rhyddid academaidd” yw –

( ) mewn perthynas â darparwyr addysg drydyddol, eu rhyddid i benderfynu –

(i) cynnwys cyrsiau addysg uwch pendool a’r modd y cânt eu haddysgu, eu goruchwylio neu eu hasesu,

(ii) y meini prawf ar gyfer derbyn myfyrwyr ar gysiau addysg uwch ac i gymhwysu’r meini prawf hynny mewn achosion penodol, a

(iii) y meini prawf ar gyfer dethol a phenodi staff academaidd ac i gymhwysu’r meini prawf hynny mewn achosion penodol;

( ) mewn perthynas â staff academaidd, eu rhyddid o fewn y gyfraith –

(i) i gwestiynu a phrofi doethineb cyffredin, a

(ii) i gyflwyno syniadau newydd a lleisio barn ddadleuol neu amhoblogaidd,

heb eu rhoi eu hunain mewn perygl o golli eu swyddi neu unrhyw freintiau a all fod ganddynt yn y darparwyr addysg drydyddol.’.

## **Jeremy Miles**

18

Page 5, line 28, leave out section 16.

Tudalen 5, llinell 28, hepgorer adran 16.

## **Jeremy Miles**

19

Page 5, after line 35, insert a new section –

### **[ ] Institutional autonomy of tertiary education providers**

In exercising their functions under this Act, the Welsh Ministers and the Commission must have regard to the importance of protecting the freedom within the law of tertiary education providers in Wales to conduct their day to day management in an effective and competent way.’.

Tudalen 5, ar ôl llinell 35, mewnosoder adran newydd –

### **[ ] Awtonomi sefydliadol darparwyr addysg drydyddol**

Wrth arfer eu swyddogaethau o dan y Ddeddf hon, rhaid i Weinidogion Cymru a’r Comisiwn roi sylw i bwysigrwydd diogelu’r rhyddid o fewn y gyfraith i ddarparwyr addysg drydyddol yng Nghymru i reoli o ddydd i dydd mewn ffordd effeithiol a medrus.’.

## **Jeremy Miles**

20

Section 17, page 6, line 4, after ‘Commission’, insert ‘or on the Welsh Ministers’.

Adran 17, tudalen 6, llinell 4, ar ôl ‘Comisiwn’, mewnosoder ‘neu i Weinidogion Cymru’.

**Jeremy Miles** 21

Section 17, page 6, after line 23, insert –

‘() in the case of a provider that is a school, the school’s instrument of government (if any);’.

Adran 17, tudalen 6, ar ôl llinell 24, mewnosoder –

‘() yn achos darparwr sy’n ysgol, offeryn llywodraethu’r ysgol (os oes un);’.

**Jeremy Miles** 22

Section 17, page 6, line 24, leave out ‘not falling within paragraphs (a) to (d)’.

Adran 17, tudalen 6, llinell 25, hepgorer ‘nad yw’n dod o fewn paragraffau (a) i (d)’.

**Jeremy Miles** 23

Section 25, page 10, after line 22, insert –

‘() where there are validation arrangements in place, the effectiveness of those arrangements in enabling the applicant tertiary education provider to satisfy itself as to the quality of the education leading to the award of a qualification under the arrangements.’.

Adran 25, tudalen 10, ar ôl llinell 23, mewnosoder –

‘() pan fo trefniadau dilysu yn eu lle, effeithiolrwydd y trefniadau hynny wrth alluogi’r darparwr addysg drydyddol sy’n gwneud cais i’w fodloni ei hunan o ran ansawdd yr addysg sy’n arwain at ddyfarnu cymhwyster o dan y trefniadau.’.

**Jeremy Miles** 24

Section 25, page 10, after line 24, insert –

- ‘() The Commission may revise the requirements.
- ( ) If the Commission revises the requirements, it must publish a revised document specifying the requirements as revised.
- ( ) Before publishing the document or revised document, the Commission must, if it appears to it appropriate to do so, consult such persons as it considers appropriate.’.

Adran 25, tudalen 10, ar ôl llinell 25, mewnosoder –

- ‘() Caiff y Comisiwn ddiwygio’r gofynion.
- ( ) Os yw’r Comisiwn yn diwygio’r gofynion, rhaid iddo gyhoeddi dogfen ddiwygiedig sy’n pennu’r gofynion fel y’u diwygiwyd.
- ( ) Cyn cyhoeddi’r ddogfen neu ddogfen ddiwygiedig, rhaid i’r Comisiwn, os yw’n ymddangos iddo ei bod yn briodol gwneud hynny, ymgynghori â’r personau hynny y mae’n ystyried eu bod yn briodol.’.



**Jeremy Miles**

25

Section 25, page 10, after line 34, insert –

‘() In subsection (1)( ), “validation arrangements” means arrangements between an applicant tertiary education provider and another education provider under which the applicant tertiary education provider awards a qualification to a student at the other provider or authorises the other provider to award a qualification on its behalf.’.

Adran 25, tudalen 10, ar ôl llinell 35, mewnosoder –

‘() Yn is-adran (1)( ), ystyr “trefniadau dilysu” yw trefniadau rhwng darparwr addysg drydyddol sy’n gwneud cais a darparwr addysg arall y mae’r darparwr addysg drydyddol sy’n gwneud cais yn dyfarnu cymhwyster odanynt i fyfyrwr yn y darparwr arall neu’n awdurdodi’r darparwr arall i ddyfarnu cymhwyster odanynt ar ei ran.’.

**Jeremy Miles**

26

Section 26, page 11, line 8, leave out ‘persons that appear to the Commission to be concerned’ and insert ‘such persons as it considers appropriate’.

Adran 26, tudalen 11, llinell 9, hepgorer ‘â phersonau y mae’n ymddangos i’r Comisiwn fod ganddynt ddiddordeb ynddynt’ a mewnosoder ‘â’r personau hynny y mae’n ystyried eu bod yn briodol’.

**Jeremy Miles**

27

Section 29, page 13, after line 5, insert –

‘() a condition relating to the effectiveness of any validation arrangements in place;’.

Adran 29, tudalen 13, ar ôl llinell 5, mewnosoder –

‘() amod sy’n ymwneud ag effeithiolrwydd unrhyw drefniadau dilysu sydd yn eu lle;’.

**Jeremy Miles**

28

Section 29, page 13, after line 23, insert –

‘() In subsection (1)( ), “validation arrangements” means arrangements between the registered provider and another education provider under which the registered provider awards a qualification to a student at the other provider or authorises the other provider to award a qualification on its behalf.’.

Adran 29, tudalen 13, ar ôl llinell 23, mewnosoder –

‘() Yn is-adran (1)( ), ystyr “trefniadau dilysu” yw trefniadau rhwng y darparwr cofrestredig a darparwr addysg arall y mae’r darparwr cofrestredig yn dyfarnu cymhwyster odanynt i fyfyrwr yn y darparwr arall neu’n awdurdodi’r darparwr arall i ddyfarnu cymhwyster odanynt ar ei ran.’.

**Jeremy Miles**

**29**

Section 31, page 14, line 32, leave out ‘tertiary education provider registered in a category specified in regulations made by the Welsh Ministers for the purposes of this section’ and insert ‘registered provider’.

Adran 31, tudalen 14, llinell 33, hepgorer ‘addysg drydyddol sydd wedi ei gofrestru mewn categori a bennir mewn rheoliadau a wneir gan Weinidogion Cymru at ddibenion yr adran hon’ a mewnosoder ‘cofrestredig’.

**Jeremy Miles**

**30**

Section 31, page 15, line 10, leave out ‘the kind of tertiary education that relates to a category of the register specified under subsection (1)’ and insert ‘tertiary education of a kind that relates to the category of the register in which the provider in question is registered’.

Adran 31, tudalen 15, llinell 11, hepgorer ‘yw’r math o addysg drydyddol sy’n ymwneud â chategori o’r gofrestr a bennir o dan is-adran (1)’ a mewnosoder ‘yw addysg drydyddol o fath sy’n ymwneud â chategori o’r gofrestr y mae’r darparwr o dan sylw wedi ei gofrestru ynndo’.

**Jeremy Miles**

**31**

Section 48, page 22, after line 26, insert –

‘() consideration of the views of learners about the quality of the tertiary education they receive;’.

Adran 48, tudalen 22, ar ôl llinell 25, mewnosoder –

‘() ystyried barn dysgwyr ynghylch ansawdd yr addysg drydyddol a gânt;’.

**Jeremy Miles**

**32**

Section 59, page 27, line 23, after ‘may’, insert ‘(among other things)’.

Adran 59, tudalen 27, llinell 31, ar ôl ‘gynnwys’, mewnosoder ‘(ymhlith pethau eraill)’.

**Jeremy Miles**

**33**

Section 70, page 34, after line 14, insert –

‘() As soon as possible after publishing the statement or revised statement, the Welsh Ministers must lay a copy of it before Senedd Cymru.’.

Adran 70, tudalen 34, ar ôl llinell 14, mewnosoder –

‘() Cyn gynted â phosibl ar ôl cyhoeddi’r datganiad neu ddatganiad diwygiedig, rhaid i Weinidogion Cymru osod copi ohono gerbron Senedd Cymru.’.

**Jeremy Miles** 34

Section 102, page 55, line 23, after ‘sources’, insert ‘, and

- (a) (so far as it considers it appropriate to do so in the light of any other relevant considerations) to the desirability of maintaining any distinctive characteristics of the provider’.

Adran 102, tudalen 55, llinell 25, ar ôl ‘eraill’, mewnosoder ‘, a

- (a) (i’r graddau y mae’n ystyried ei bod yn briodol gwneud hynny yng ngoleuni unrhyw ystyriaethau perthnasol eraill) i ddymunoldeb cynnal unrhyw nodweddion arbennig i’r darparwr’.

**Jeremy Miles** 35

Section 104, page 56, leave out line 23.

Adran 104, tudalen 56, hepgorer llinell 24.

**Jeremy Miles** 36

Section 127, page 68, after line 18, insert –

- ‘() section 89 (financial support for certain higher education courses),’.

Adran 127, tudalen 68, ar ôl llinell 18, mewnosoder –

- ‘() adran 89 (cymorth ariannol ar gyfer cyrsiau addysg uwch penodol),’.

**Jeremy Miles** 37

Section 135, page 74, line 7, after ‘under’, insert ‘this section may be made only if –

- (a) the higher education corporation to be dissolved has requested that an order be made, or
  - (b) if there has been no such request, the higher education corporation consents to an order being made.
- (1B) But an order may be made as if consent had been given under subsection (1A)(b) if the Welsh Ministers consider that the higher education corporation –
- (a) has unreasonably withheld its consent, or
  - (b) has unreasonably delayed in giving or withholding its consent.
- (1C) An order under’.

Adran 135, tudalen 74, llinell 7, ar ôl ‘under’, mewnosoder ‘this section may be made only if –

- (a) the higher education corporation to be dissolved has requested that an order be made, or
- (b) if there has been no such request, the higher education corporation consents to an order being made.

- (1B) But an order may be made as if consent had been given under subsection (1A)(b) if the Welsh Ministers consider that the higher education corporation –
- (a) has unreasonably withheld its consent, or
  - (b) has unreasonably delayed in giving or withholding its consent.
- (1C) An order under’.

**Jeremy Miles**

38

Section 135, page 74, after line 26, insert –

‘() After subsection (6), insert –

- “(7) The Welsh Ministers must publish a statement setting out the circumstances in which they propose to exercise the power under this section to make an order.
- (8) The Welsh Ministers –
- (a) must keep the statement under review;
  - (b) may revise it.
- (9) Before publishing the statement or a revised statement, the Welsh Ministers must consult such persons as they consider appropriate.
- (10) As soon as possible after publishing the statement or revised statement, the Welsh Ministers must lay a copy of it before Senedd Cymru.”’.

Adran 135, tudalen 74, ar ôl llinell 26, mewnosoder –

‘() Ar ôl is-adran (6) mewnosoder –

- “(7) The Welsh Ministers must publish a statement setting out the circumstances in which they propose to exercise the power under this section to make an order.
- (8) The Welsh Ministers –
- (a) must keep the statement under review;
  - (b) may revise it.
- (9) Before publishing the statement or a revised statement, the Welsh Ministers must consult such persons as they consider appropriate.
- (10) As soon as possible after publishing the statement or revised statement, the Welsh Ministers must lay a copy of it before Senedd Cymru.”’.

**Jeremy Miles**

39

Section 138, page 75, line 23, after ‘44(6),’, insert ‘78(1)(c) and (2)’.

Adran 138, tudalen 75, llinell 26, ar ôl ‘44(6)’, mewnosoder ‘, 78(1)(c) a (2)’.

**Jeremy Miles** 40

Section 138, page 75, line 32, leave out ‘, except regulations made under section 39(6) or 41(13),’.

Adran 138, tudalen 75, llinell 35, hepgorer ‘ac eithrio rheoliadau a wneir o dan adran 39(6) neu 41(13),’.

**Jeremy Miles** 41

Section 139, page 76, after line 17, insert –

‘() in relation to a school, means its proprietor within the meaning given by section 579(1) of the Education Act 1996 (c. 56);’.

Adran 139, tudalen 76, ar ôl llinell 22, mewnosoder –

‘() mewn perthynas ag ysgol, ei ystyr yw perchennog yr ysgol o fewn yr ystyr a roddir i “proprietor” gan adran 579(1) o Ddeddf Addysg 1996 (p. 56);’.

**Jeremy Miles** 42

Section 139, page 77, after line 9, insert –

“trade union” has the meaning given by the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52).’.

Adran 139, tudalen 77, ar ôl llinell 3, mewnosoder –

‘mae i “undeb llafur” yr ystyr a roddir i “trade union” gan Ddeddf yr Undebau Llafur a Chysylltiadau Llafur (Cydgrynhoi) 1992 (p. 52);’.

**Jeremy Miles** 43

Schedule 1, page 79, after line 22, insert –

‘() the provision of education or training through the medium of Welsh or the promotion of such education or training.’.

Atodlen 1, tudalen 79, ar ôl llinell 22, mewnosoder –

‘() darparu addysg neu hyfforddiant drwy gyfrwng y Gymraeg neu hybu addysg neu hyfforddiant o’r fath.’.

**Jeremy Miles** 44

Schedule 1, page 80, leave out lines 34 to 35.

Atodlen 1, tudalen 80, hepgorer llinellau 36 hyd at 38.

**Jeremy Miles** 45

Schedule 1, page 84, line 27, leave out ‘the exercise of its functions under sections 102, 103 and 104 (research and innovation functions)’ and insert ‘matters relating to research and innovation’.

Atodlen 1, tudalen 84, llinell 28, hepgorer ‘arfer ei swyddogaethau o dan adrannau 102, 103 a 104 (swyddogaethau ymchwil ac arloesi)’ a mewnosoder ‘faterion sy’n ymwneud ag ymchwil ac arloesi’.

**Jeremy Miles**

46

Schedule 4, page 96, after line 3, insert –

*‘Education (Fees and Awards) Act 1983 (c. 40)*

[ ] (1) The Education (Fees and Awards) Act 1983 is amended as follows.

(2) In section 1 (fees at universities, further education institutions etc.), in subsection (3) –

(a) omit paragraph (ee);

(b) in paragraph (g), for “National Assembly for Wales” substitute “Welsh Ministers or the Commission for Tertiary Education and Research”’.

Atodlen 4, tudalen 96, ar ôl llinell 3, mewnosoder –

*‘Deddf Addysg (Ffioedd a Dyfarndaliadau) 1983 (p. 40)*

[ ] (1) Mae Deddf Addysg (Ffioedd a Dyfarndaliadau) 1983 wedi ei diwygio fel a ganlyn.

(2) Yn adran 1 (ffioedd mewn prifysgolion, sefydliadau addysg bellach etc.), yn is-adran (3) –

(a) hepgorer paragraff (ee);

(b) ym mharagraff (g), yn lle “National Assembly for Wales” rhodder “Welsh Ministers or the Commission for Tertiary Education and Research”’.

**Jeremy Miles**

47

Schedule 4, page 99, after line 25, insert –

*‘Education Act 1997 (c. 44)*

[ ] (1) The Education Act 1997 is amended as follows.

(2) In Part 6, in the heading to Chapter 1, after “AUTHORITIES”, insert “IN WALES”.

(3) In section 38 (inspection of local authorities) –

(a) in subsection (1) –

(i) in paragraph (b), for “the Secretary of State” substitute “the Welsh Ministers or the Commission for Tertiary Education and Research (“the Commission”);

(ii) after “authority”, insert “in Wales”;

(b) after subsection (2A) insert –

- “(2B) Where the Commission has made a request under subsection (1)(b), the review mentioned in subsection (2A) is to be of the way that the local authority is performing the functions mentioned in subsection (2A)(a) and (b) in so far as those functions relate to further education and training within the meaning of section 139(2) to (5) of the Tertiary Education and Research (Wales) Act 2022.”;
- (c) in subsection (3), for “the Secretary of State” substitute “the Welsh Ministers or the Commission”;
- (d) in subsection (4), for “the Secretary of State” substitute “the Welsh Ministers or the Commission”;
- (e) in subsection (6), after “authority”, insert “in Wales”;
- (f) in the heading, after “authorities”, insert “in Wales”.
- (4) In section 39 (report of inspection of local authority and action plan), in subsection (1) –
- (a) omit the “and” at the end of paragraph (a);
- (b) for paragraph (b) substitute –
- “(b) the Welsh Ministers, and
- (c) where the matters reviewed relate to further education and training within the meaning of section 139(2) to (5) of the Tertiary Education and Research (Wales) Act 2022, the Commission for Tertiary Education and Research.”.

Atodlen 4, tudalen 99, ar ôl llinell 26, mewnosoder –

*‘Deddf Addysg 1997 (p. 44)*

- [ ] (1) Mae Deddf Addysg 1997 wedi ei diwygio fel a ganlyn.
- (2) Yn Rhan 6, yn y pennawd i Bennod 1, ar ôl “AUTHORITIES”, mewnosoder “IN WALES”.
- (3) Yn adran 38 (arolygu awdurdodau lleol) –
- (a) yn is-adran (1) –
- (i) ym mharagraff (b), yn lle “the Secretary of State” rhodder “the Welsh Ministers or the Commission for Tertiary Education and Research (“the Commission”)”;
- (ii) ar ôl “authority”, mewnosoder “in Wales”;
- (b) ar ôl is-adran (2A) mewnosoder –
- “(2B) Where the Commission has made a request under subsection (1)(b), the review mentioned in subsection (2A) is to be of the way that the local authority is performing the functions mentioned in subsection (2A)(a) and (b) in so far as those functions relate to further education and training within the meaning of section 139(2) to (5) of the Tertiary Education and Research (Wales) Act 2022.”;
- (c) yn is-adran (3), yn lle “the Secretary of State” rhodder “the Welsh Ministers or the Commission”;
- (d) yn is-adran (4), yn lle “the Secretary of State” rhodder “the Welsh Ministers or the Commission”;
- (e) yn is-adran (6), ar ôl “authority”, mewnosoder “in Wales”;



- (f) yn y pennawd, ar ôl “authorities”, mewnosoder “in Wales”.
- (4) Yn adran 39 (adroddiad arolygu awdurdod lleol a’r cynllun gweithredu), yn is-adran (1) –
- (a) hepgorer yr “and” ar ddiwedd paragraff (a);
  - (b) yn lle paragraff (b) rhodder –
    - “(b) the Welsh Ministers, and
    - (c) where the matters reviewed relate to further education and training within the meaning of section 139(2) to (5) of the Tertiary Education and Research (Wales) Act 2022, the Commission for Tertiary Education and Research.”.

**Jeremy Miles**

48

Schedule 4, page 107, line 34, leave out ‘rationalise’ and insert ‘restructure’.

Atodlen 4, tudalen 107, llinell 34, hepgorer ‘resymoli’ a mewnosoder ‘ailstrwythuro’.

**Jeremy Miles**

49

Schedule 4, page 108, line 12, leave out ‘, omit paragraph (a);

(b) omit subsection (2).’

and insert ‘after “education” insert “and an objection has been made to the proposals in accordance with section 49(2) and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period”.’.

Atodlen 4, tudalen 108, llinell 12, hepgorer ‘, hepgorer paragraff (a);

(b) hepgorer is-adran (2).’

a mewnosoder ‘ar ôl “dosbarth” mewnosoder “ac os yw gwrthwynebiad wedi ei wneud i’r cynigion yn unol ag adran 49(2) ac os nad yw wedi ei dynnu yn ôl yn ysgrifenedig cyn diwedd 28 o ddiwrnodau gan ddechrau ar ddiwedd y cyfnod gwrthwynebu”.’.

**Jeremy Miles**

50

Schedule 4, page 109, line 2, leave out ‘THE RATIONALISATION OF’ and insert ‘RESTRUCTURING’.

Atodlen 4, tudalen 109, llinell 2, hepgorer ‘RESYMOLI’ a mewnosoder ‘AILSTRWYTHURO’.