

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Addysg Drydyddol ac Ymchwil (Cymru) Tertiary Education and Research (Wales) Bill

Mae’r gwelliannau â * ar eu pwys yn rhai newydd neu’n rhai sydd wedi’u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag ‘R’ yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno’r gwelliant.

Amendments marked ‘R’ mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn –
The Bill will be considered in the following order –

Section 1	Adran 1
Schedule 1	Atodiad 1
Sections 2 – 22	Adrannau 2 – 22
Schedule 2	Atodiad 2
Sections 23 – 54	Adrannau 23 – 54
Schedule 3	Atodiad 3
Sections 55 – 142	Adrannau 55 – 142
Schedule 4	Atodiad 4
Sections 143 – 144	Adrannau 143 – 144
Long Title	Teitl Hir

Laura Anne Jones

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Schedule 1, page 79, after line 6, insert –

‘Guidance

- [] As soon as reasonably practicable after section 1 comes into force, the Welsh Ministers must give guidance to the Commission with respect to the manner in which it should exercise its functions so as to give effect to its duties.

- [] Guidance issued under paragraph [*first paragraph to be inserted by this amendment*] must be reviewed by the Welsh Ministers on an annual basis and the Welsh Ministers must write to the Commission setting out the outcome of their review.
- [] Guidance issued under paragraph [*first paragraph to be inserted by this amendment*] or reviewed under paragraph [*second paragraph to be inserted by this amendment*] must be published as soon as reasonably practicable.’.

Atodlen 1, tudalen 79, ar ôl llinell 6, mewnosoder –

‘Canllawiau

- [] Cyn gynted ag y bo’n rhesymol ymarferol ar ôl i adran 1 ddod i rym, rhaid i Weinidogion Cymru roi canllawiau i’r Comisiwn mewn cysylltiad â’r modd y dylai arfer ei swyddogaethau er mwyn rhoi effaith i’w ddyletswyddau.
- [] Rhaid i ganllawiau a ddyroddir o dan baragraff [*y paragraff cyntaf sy’n cael ei fewnosod gan y gwelliant hwn*] gael eu hadolygu gan Weinidogion Cymru yn flynyddol a rhaid i Weinidogion Cymru ysgrifennu at y Comisiwn yn nodi canlyniad eu hadolygiad.
- [] Rhaid i ganllawiau a ddyroddir o dan baragraff [*y paragraff cyntaf sy’n cael ei fewnosod gan y gwelliant hwn*] neu a adolygir o dan baragraff [*yr ail baragraff sy’n cael ei fewnosod gan y gwelliant hwn*] gael eu cyhoeddi cyn gynted ag y bo’n ymarferol rhesymol.’.

Laura Anne Jones

152

Schedule 1, page 79, line 9, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 79, llinell 9, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones

153

Schedule 1, page 79, line 10, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 79, llinell 10, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones

154

Schedule 1, page 79, line 12, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 79, llinell 12, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones

155

Schedule 1, page 79, line 16, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 79, llinell 16, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

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.’

Laura Anne Jones 156

Schedule 1, page 79, line 26, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 79, llinell 26, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones 157

Schedule 1, page 80, line 3, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 80, llinell 4, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones 158

Schedule 1, page 80, line 5, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 80, llinell 5, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones 159

Schedule 1, page 80, line 8, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 80, llinell 9, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones 160

Schedule 1, page 80, line 11, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 80, llinell 13, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones 161

Schedule 1, page 80, line 16, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.

Atodlen 1, tudalen 80, llinell 19, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

- Laura Anne Jones** 162
Schedule 1, page 80, line 24, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 80, llinell 26, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 163
Schedule 1, page 80, line 32, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 80, llinell 34, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Jeremy Miles** 44
Schedule 1, page 80, leave out lines 34 to 35.
Atodlen 1, tudalen 80, hepgorer llinellau 36 hyd at 38.
- Laura Anne Jones** 164
Schedule 1, page 81, line 2, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 81, llinell 2, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 165
Schedule 1, page 81, line 7, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 81, llinell 8, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 166
Schedule 1, page 81, line 13, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 81, llinell 13, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 167
Schedule 1, page 81, line 18, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 81, llinell 18, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 168
Schedule 1, page 81, line 21, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 81, llinell 21, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

- Laura Anne Jones** 169
Schedule 1, page 81, line 23, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 81, llinell 23, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 170
Schedule 1, page 81, line 26, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 81, llinell 26, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 171
Schedule 1, page 82, line 16, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 82, llinell 15, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 172
Schedule 1, page 82, line 19, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 82, llinell 20, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 173
Schedule 1, page 82, line 24, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 82, llinell 24, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 174
Schedule 1, page 82, line 27, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 82, llinell 27, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 175
Schedule 1, page 82, line 29, leave out 'The Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 82, llinell 29, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Sioned Williams** 199
Schedule 1, page 82, line 38, leave out –
'(1) An associate member is not eligible to vote in any proceedings of the Commission.'
Atodlen 1, tudalen 82, llinell 38, hepgorer –
'(1) Nid yw aelod cyswllt yn gymwys i bleidleisio yn unrhyw drafodion gan y Comisiwn.'

- Laura Anne Jones** 176
Schedule 1, page 83, line 3, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 83, llinell 3, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 177
Schedule 1, page 83, line 14, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 83, llinell 14, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 178
Schedule 1, page 83, line 17, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 83, llinell 17, hepgorer 'Gweinidogion' a mewnosoder 'Senedd'.
- Sioned Williams** 200
Schedule 1, page 83, after line 18, insert –
'() The terms and conditions must set out a process to be followed where a conflict of interest arises during the course of Commission proceedings in relation to a matter on which an associate member may vote.'
Atodlen 1, tudalen 83, ar ôl llinell 18, mewnosoder –
'() Bydd y telerau a'r amodau yn nodi proses i'w dilyn pan fo achos o wrthdaro buddiannau yn codi yn ystod trafodion y Comisiwn mewn perthynas â mater y caiff aelod cyswllt bleidleisio arno.'
- Laura Anne Jones** 179
Schedule 1, page 83, line 31, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 83, llinell 31, hepgorer 'Gweinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 180
Schedule 1, page 84, line 2, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 84, llinell 3, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.
- Laura Anne Jones** 181
Schedule 1, page 84, line 5, leave out 'the Welsh Ministers' and insert 'Senedd Cymru'.
Atodlen 1, tudalen 84, llinell 5, hepgorer 'Weinidogion' a mewnosoder 'Senedd'.

- Laura Anne Jones** 182
Schedule 1, page 84, line 8, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 84, llinell 8, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 183
Schedule 1, page 84, line 19, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 84, llinell 20, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.
- 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’.
- Laura Anne Jones** 184
Schedule 1, page 85, line 13, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 12, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 185
Schedule 1, page 85, line 16, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 15, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 186
Schedule 1, page 85, line 28, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 28, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 187
Schedule 1, page 85, line 30, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 29, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.
- Laura Anne Jones** 188
Schedule 1, page 85, line 33, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 32, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones

189

Schedule 1, page 85, line 36, leave out ‘The Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 85, llinell 35, hepgorer ‘Gweinidogion’ a mewnosoder ‘Senedd’.

Laura Anne Jones

190

Schedule 1, page 86, line 2, leave out ‘the Welsh Ministers’ and insert ‘Senedd Cymru’.
Atodlen 1, tudalen 86, llinell 3, hepgorer ‘Weinidogion’ a mewnosoder ‘Senedd’.

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’.

Laura Anne Jones

51

Page 2, after line 6, insert a new section –

[] Principle of inclusion of persons with additional learning needs

- (1) The Commission must encourage increased participation in tertiary education in Wales by persons with additional learning needs.

- (2) In discharging this duty the Commission must work with specialist further education providers in Wales to ensure that appropriate facilities for persons with additional learning needs are secured.
- (3) The Commission must work in collaboration with local authorities who are responsible for funding and securing specialist provision under the Additional Learning Needs and Education Tribunal (Wales) Act 2018.’.

Tudalen 2, ar ôl llinell 6, mewnosoder adran newydd –

{ [] Egwyddor cynnwys personau ag anghenion dysgu ychwanegol

- (1) Rhaid i’r Comisiwn annog cynyddu cyfranogiad, gan bersonau sydd ag anghenion dysgu ychwanegol, mewn addysg drydyddol yng Nghymru.
- (2) Wrth gyflawni’r ddyletswydd hon, rhaid i’r Comisiwn weithio gyda darparwyr addysg bellach arbenigol yng Nghymru er mwyn sicrhau bod cyfleusterau priodol ar gael i bersonau ag anghenion dysgu ychwanegol.
- (3) Rhaid i’r Comisiwn gydlafurio ag awdurdodau lleol sy’n gyfrifol am gyllid a sicrhau darpariaeth arbenigol o dan Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2018.’.

Laura Anne Jones

52

Page 2, after line 6, insert a new section –

{ [] Promotion of well-being

The Commission must promote the provision of support from providers of tertiary education in Wales to students in relation to their mental health and emotional well-being.’.

Tudalen 2, ar ôl llinell 6, mewnosoder adran newydd –

{ [] Hybu llesiant

Rhaid i’r Comisiwn hybu darparu cymorth gan ddarparwyr addysg drydyddol yng Nghymru i fyfyrwyr mewn perthynas â’u hiechyd meddwl a’u llesiant emosiynol.’.

Laura Anne Jones

53

Page 2, after line 11, insert a new section –

{ [] Promoting learner voice

- (1) For the purposes of this section, “learner”, “relevant decision” and “relevant provider” have the same meaning as in section 125.
- (2) The Commission must encourage learners to participate in the making of relevant decisions.
- (3) The Commission must encourage relevant providers to ensure that learners are given the opportunity to participate in relevant decisions.’.

Tudalen 2, ar ôl llinell 11, mewnosoder adran newydd –

[] Hybu llais y dysgwyr

- (1) At ddibenion yr adran hon, mae i “dysgwr”, “penderfyniad perthnasol” a “darparwr perthnasol” yr un ystyr ag yn adran 125.
- (2) Rhaid i’r Comisiwn annog dysgwyr i gymryd rhan wrth wneud penderfyniadau perthnasol.
- (3) Rhaid i’r Comisiwn annog darparwyr perthnasol i sicrhau bod dysgwyr yn cael y cyfle i gymryd rhan mewn penderfyniadau perthnasol.’.

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.’.

Laura Anne Jones

54

Section 7, page 2, after line 36, insert –

- ‘() For the purposes of subsection (1), tertiary education includes traineeship programmes, employability programmes and apprenticeships.’.

Adran 7, tudalen 2, ar ôl llinell 37, mewnosoder –

- ‘() At ddibenion is-adran (1), mae addysg drydyddol yn cynnwys rhaglenni hyfforddeiaeth, rhaglenni cyflogadwyedd a phrentisiaethau.’.

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’.

Laura Anne Jones

55

Section 8, page 3, after line 7, insert –

- () provide resources to increase the numbers of people participating in tertiary education provided in Wales through the medium of Welsh;
- () encourage people to carry out and participate in research in Wales through the medium of Welsh;
- () encourage the carrying out of, and participation in, research through the medium of Welsh by –
 - (i) registered providers in Wales, and
 - (ii) other persons carrying out, or participating in, research funded or otherwise secured by the Commission;’.

Adran 8, tudalen 3, ar ôl llinell 7, mewnosoder –

- () darparu adnoddau i gynyddu nifer y bobl sy’n cymryd rhan mewn addysg drydyddol a ddarperir yng Nghymru drwy gyfrwng y Gymraeg;
- () annog pobl i wneud gwaith ymchwil a chymryd rhan mewn gwaith ymchwil yng Nghymru drwy gyfrwng y Gymraeg;
- () annog gwaith ymchwil a chyfranogiad mewn gwaith ymchwil yng Nghymru drwy gyfrwng y Gymraeg gan –
 - (i) darparwyr cofrestredig yng Nghymru, a
 - (ii) personau eraill sy’n gwneud gwaith ymchwil neu’n cymryd rhan mewn gwaith ymchwil a gyllidir gan y Comisiwn neu a sicrheir fel arall ganddo;’.

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 ddyynodi 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 ddyynodi 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 ddyynodi.
- () Rhaid i’r Comisiwn roi sylw i unrhyw gyngor perthnasol a roddir iddo gan berson sydd wedi ei ddyynodi 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 ‘ymgynggori 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 goruchwyllo neu eu hasesu,

(ii) y meini prawf ar gyfer derbyn myfyrwyr ar gyrsiau 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.’.

Laura Anne Jones

56

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

[] Duties of providers of higher education to take steps to secure freedom of speech

- (1) The governing body of a tertiary education provider in Wales that provides higher education must take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to achieve the objective in subsection (2).
- (2) That objective is securing freedom of speech within the law for –
 - (a) staff of the provider,
 - (b) members of the provider,
 - (c) students of the provider, and
 - (d) visiting speakers.
- (3) The objective in subsection (2) includes securing that –
 - (a) the use of any premises of the provider is not denied to any individual or body on the grounds specified in subsection (4), and
 - (b) the terms on which such premises are provided are not to any extent based on such grounds.
- (4) The grounds referred to in subsection (3)(a) and (3)(b) are –
 - (a) in relation to an individual, their ideas, beliefs or views;
 - (b) in relation to a body, its policy or objectives or the ideas, beliefs or views of any of its members.
- (5) The objective in subsection (2), so far as relating to academic staff, includes securing their academic freedom.
- (6) In this section and section [section to be inserted by Amendment 58], “academic freedom”, in relation to a tertiary education provider in Wales that provides higher education, means their freedom within the law and within their field of expertise –
 - (a) to question and test received wisdom, and
 - (b) to put forward new ideas and controversial or unpopular opinions, without placing themselves at risk of being adversely affected in any of the ways described in subsection (7).
- (7) Those ways are –
 - (a) loss of their jobs or privileges at the provider;
 - (b) the likelihood of their securing promotion or different jobs at the provider being reduced.
- (8) The governing body of a tertiary education provider in Wales that provides higher education must take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to achieve the objective in subsection (9).
- (9) That objective is securing that, where a person applies to become a member of academic staff of the provider, the person is not adversely affected in relation to the application because they have exercised their freedom within the law and within their field of expertise to do the things referred to in subsection (6)(a) and (b).
- (10) In this section and sections [section to be inserted by Amendment 57] and [section to be inserted by Amendment 58] references to freedom of speech include the freedom to express ideas, beliefs and views without suffering adverse consequences.’.

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

[1] Dyletswyddau darparwyr addysg uwch i gymryd camau i sicrhau rhyddid mynegiant

- (1) Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy’n darparu addysg uwch gymryd y camau y mae’n rhesymol ymarferol iddo eu cymryd, gan roi sylw penodol i bwysigrwydd rhyddid mynegiant, er mwyn cyflawni’r amcan yn is-adran (2).
- (2) Yr amcan hwnnw yw sicrhau rhyddid mynegiant o fewn y gyfraith i –
 - (a) staff y darparwr,
 - (b) aelodau’r darparwr,
 - (c) myfyrwyr y darparwr, a
 - (d) siaradwyr gwadd.
- (3) Mae’r amcan yn is-adran (2) yn cynnwys sicrhau –
 - (a) na wrthodir y defnydd o unrhyw fangre sy’n eiddo i’r darparwr i unrhyw unigolyn na chorff ar y seiliau a bennir yn is-adran (4), a
 - (b) nad yw’r telerau y darperir mangre o’r fath arnynt yn seiliedig i unrhyw raddau ar seiliau o’r fath.
- (4) Y seiliau y cyfeirir atynt yn is-adrannau (3)(a) a (3)(b) yw –
 - (a) mewn perthynas ag unigolyn, ei syniadau, ei gredoau neu ei farn;
 - (b) mewn perthynas â chorff, ei bolisi neu ei amcanion neu syniadau, credoau neu farn unrhyw un o’i aelodau.
- (5) Mae’r amcan yn is-adran (2), i’r graddau y mae’n ymwneud â staff academaidd, yn cynnwys sicrhau eu rhyddid academaidd.
- (6) Yn yr adran hon ac adran [*yr adran sy’n cael ei mewnosod gan Welliant 58*], ystyr “rhyddid academaidd”, mewn perthynas â staff academaidd darparwr addysg drydyddol yng Nghymru sy’n darparu addysg uwch, yw eu rhyddid o fewn y gyfraith ac o fewn eu maes arbenigedd –
 - (a) i gwestiynu a phrofi doethineb cyffredin, a
 - (b) i gyflwyno syniadau newydd a lleisio barn ddadleuol neu amhoblogaidd, heb eu rhoi eu hunain mewn perygl o effaith andwyol mewn unrhyw un o’r ffyrdd a ddisgrifir yn is-adran (7).
- (7) Y ffyrdd hynny yw –
 - (a) colli eu swyddi neu freintiau yn y darparwr;
 - (b) llai o debygolrwydd iddynt sicrhau dyrchafiad neu swyddi gwahanol yn y darparwr.
- (8) Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy’n darparu addysg uwch gymryd y camau y mae’n rhesymol ymarferol iddo eu cymryd, gan roi sylw penodol i bwysigrwydd rhyddid mynegiant, er mwyn cyflawni’r amcan yn is-adran (9).
- (9) Yr amcan hwnnw yw sicrhau, pan fo person yn gwneud cais i fod yn aelod o staff academaidd y darparwr, nad oes effaith andwyol ar y person mewn perthynas â’r cais oherwydd ei fod wedi arfer ei ryddid o fewn y gyfraith ac o fewn ei faes arbenigedd i wneud y pethau y cyfeirir atynt yn is-adrannau (6)(a) a (b).

- (10) Yn yr adran hon ac adrannau [*yr adran sy’n cael ei mewnosod gan Welliant 57*] a [*yr adran sy’n cael ei mewnosod gan Welliant 58*], mae cyfeiriadau at ryddid mynegiant yn cynnwys y rhyddid i fynegi syniadau, credoau a barn heb ddioddef canlyniadau andwyol.’.

Laura Anne Jones

57

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

[] Code of practice

- (1) The governing body of a tertiary education provider in Wales that provides higher education must, with a view to facilitating the discharge of the duty in section [*section to be inserted by Amendment 56*](1), maintain a code of practice setting out the matters referred to in subsection (2).
- (2) Those matters are –
 - (a) the provider’s values relating to freedom of speech and an explanation of how those values uphold freedom of speech,
 - (b) the procedures to be followed by staff and students of the provider in connection with the organisation of –
 - (i) meetings which are to be held on the provider’s premises and which fall within any class of meeting specified in the code, and
 - (ii) other activities which are to take place on those premises and which fall within any class of activity so specified,
 - (c) the conduct required of such persons in connection with any such meeting or activity, and
 - (d) the criteria to be used by the provider in making decisions about whether to allow the use of premises and on what terms.
- (3) The code of practice may deal with such other matters as the governing body considers appropriate.
- (4) The governing body of a tertiary education provider in Wales that provides higher education must take the steps that are reasonably practicable for it to take (including where appropriate the initiation of disciplinary measures) in order to secure compliance with its code of practice.
- (5) The governing body of a tertiary education provider in Wales that provides higher education must, at least once a year, bring to the attention of all of its students –
 - (a) the provisions of section [*section to be inserted by Amendment 56*], and
 - (b) its code of practice under this section.’.

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

[] Cod ymarfer

- (1) Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy’n darparu addysg uwch, gyda golwg ar hwyluso’r gwaith o gyflawni’r ddyletswydd yn adran [*yr adran sy’n cael ei mewnosod gan Welliant 56*](1), gynnal cod ymarfer yn nodi’r materion y cyfeirir atynt yn is-adran (2).

- (2) Y materion hynny yw –
- (a) gwerthoedd y darparwr yn ymwneud â rhyddid mynegiant ac esboniad o sut y mae'r gwerthoedd hynny yn cynnal rhyddid mynegiant,
 - (b) y gweithdrefnau i'w dilyn gan staff a myfyrwyr y darparwr mewn cysylltiad â threfnu –
 - (i) cyfarfodydd sydd i'w cynnal ar fangre y darparwr ac sy'n dod o dan unrhyw ddsbarth o gyfarfod a bennir yn y cod, a
 - (ii) gweithgareddau eraill sydd i'w cynnal ar y fangre honno ac sy'n dod o dan unrhyw ddsbarth o weithgaredd a bennir felly,
 - (c) yr ymddygiad sy'n ofynnol gan bersonau o'r fath mewn cysylltiad ag unrhyw gyfarfod neu weithgaredd o'r fath, a
 - (d) y meini prawf i'w defnyddio gan y darparwr wrth wneud penderfyniadau ynghylch pa un ai i ganiatáu'r defnydd o'r fangre ac ar ba delerau.
- (3) Caiff y cod ymarfer ymdrin ag unrhyw faterion eraill y mae'r corff llywodraethu yn ystyried eu bod yn briodol.
- (4) Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy'n darparu addysg uwch gymryd y camau y mae'n rhesymol ymarferol iddo eu cymryd (gan gynnwys cychwyn mesurau disgyblu pan fo'n briodol) er mwyn sicrhau cydymffurfedd â'i god ymarfer.
- (5) Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy'n darparu addysg uwch, o leiaf unwaith y flwyddyn, ddwyn i sylw ei holl fyfyrwyr –
- (a) darpariaethau adran [*yr adran sy'n cael ei mewnosod gan Welliant 56*], a
 - (b) ei god ymarfer o dan yr adran hon.'.

Laura Anne Jones

58

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

[] Duty to promote the importance of freedom of speech and academic freedom

The governing body of a tertiary education provider in Wales that provides higher education must promote the importance of –

- (a) freedom of speech within the law, and
- (b) academic freedom for academic staff of tertiary education providers in Wales.'.

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

[] Dyletswydd i hybu pwysigrwydd rhyddid mynegiant a rhyddid academiaidd

Rhaid i gorff llywodraethu darparwr addysg drydyddol yng Nghymru sy'n darparu addysg uwch hybu pwysigrwydd –

- (a) rhyddid mynegiant o fewn y gyfraith, a
- (b) rhyddid academiaidd i staff academiaidd darparwyr addysg drydyddol yng Nghymru.'.

Laura Anne Jones

59

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

[] Civil claims

A person may bring civil proceedings against a tertiary education provider in Wales that provides higher education, in respect of a breach by the governing body of the provider of any of its duties under [section to be inserted by amendment 56].’.

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

[] Hawliadau sifil

Caiff person ddwyn achos sifil yn erbyn darparwr addysg drydyddol yng Nghymru sy’n darparu addysg uwch mewn perthynas ag achos o gorff llywodraethu y darparwr yn torri unrhyw un o’i ddyletsyddau o dan [yr adran sy’n cael ei mewnosod gan Welliant 56].’.

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)’.

Laura Anne Jones

60

Section 19, page 7, line 11, leave out subsections (4) to (5).

Adran 19, tudalen 7, llinell 11, hepgorer is-adrannau (4) hyd at (5).

Laura Anne Jones

61

Section 19, page 7, line 19, leave out subsection (7) and insert –

- ‘() The power to make a direction under this section is exercisable by statutory instrument.
- () A statutory instrument containing a direction under this section may not be made unless the Welsh Ministers have consulted the relevant Committee of Senedd Cymru.’.

Adran 19, tudalen 7, llinell 19, hepgorer is-adran (7) a mewnosoder –

- ‘() Mae’r pŵer i wneud cyfarwyddyd o dan yr adran hon yn arferadwy drwy offeryn statudol.
- () Ni chaniateir i offeryn statudol sy’n cynnwys cyfarwyddyd o dan yr adran hon gael ei wneud oni bai bod Gweinidogion Cymru wedi ymgynghori â’r Pwyllgor perthnasol yn Senedd Cymru.’.

Laura Anne Jones

62

Section 23, page 8, after line 23, insert –

- ‘() No regulations may be made under subsection (2) unless the Welsh Ministers have first –
 - (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 23, tudalen 8, ar ôl llinell 25, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (2) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
 - (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones

63

Section 23, page 9, after line 3, insert –

- ‘() No regulations may be made under subsection (5) unless the Welsh Ministers have first –
 - (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 23, tudalen 9, ar ôl llinell 3, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (5) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:

- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
- (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
- (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones

64

Section 23, page 9, after line 14, insert –

- ‘() No regulations may be made under subsection (8) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 23, tudalen 9, ar ôl llinell 13, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (8) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

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.’.

Laura Anne Jones

65

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

- ‘() No regulations may be made under subsection (3) unless the Welsh Ministers have first –
 - (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

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

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (3) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
 - (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

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’.

Laura Anne Jones 66

Section 27, page 11, line 19, leave out ‘or later’.

Adran 27, tudalen 11, llinell 21, hepgorer ‘neu’n ddiweddarach’.

Laura Anne Jones 67

Section 27, page 11, line 21, leave out ‘vary or’.

Adran 27, tudalen 11, llinell 23, hepgorer ‘amrywio neu’.

Laura Anne Jones 68

Section 27, page 11, line 24, leave out ‘varying or’.

Adran 27, tudalen 11, llinell 26, hepgorer ‘amrywio neu’.

Laura Anne Jones 69

Section 27, page 12, line 3, leave out ‘or vary’.

Adran 27, tudalen 12, llinell 3, hepgorer ‘neu amrywio’.

Laura Anne Jones 70

Section 27, page 12, line 5, leave out ‘, the condition as varied’.

Adran 27, tudalen 12, llinell 5, hepgorer ‘, yr amod fel y’i hamrywir’.

Laura Anne Jones 71

Section 27, page 12, line 7, leave out ‘, variation’.

Adran 27, tudalen 12, llinell 7, hepgorer ‘, yr amrywio’.

Laura Anne Jones 72

Section 27, page 12, line 8, leave out ‘or variation’.

Adran 27, tudalen 12, llinell 8, hepgorer ‘neu amrywio’.

Laura Anne Jones 73

Section 27, page 12, line 10, leave out 'or variation'.

Adran 27, tudalen 12, llinell 10, hepgorer 'neu amrywio'r' a mewnosoder 'yr'.

Laura Anne Jones 74

Section 27, page 12, line 14, leave out ', or a variation to such a condition,'.

Adran 27, tudalen 12, llinell 14, hepgorer ', neu amrywiad i amod o'r fath,'.

Laura Anne Jones 75

Section 27, page 12, line 17, leave out 'or vary'.

Adran 27, tudalen 12, llinell 17, hepgorer 'neu i amrywio'r' a mewnosoder 'yr'.

Laura Anne Jones 76

Section 27, page 12, line 19, leave out ', or a variation to such a condition,'.

Adran 27, tudalen 12, llinell 20, hepgorer ', neu amrywiad i amod o'r fath,'.

Laura Anne Jones 77

Section 27, page 12, line 22, leave out ', or a variation to such a condition,'.

Adran 27, tudalen 12, llinell 23, hepgorer ', neu amrywiad i amod o'r fath,'.

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’.

Laura Anne Jones

78

Section 31, page 15, after line 8, insert –

- ‘() No regulations may be made under subsection (1) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 31, tudalen 15, ar ôl llinell 9, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (1) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

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 ynddo’.

Laura Anne Jones

79

Section 32, page 15, after line 18, insert –

- ‘() No regulations may be made under subsection (1) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 32, tudalen 15, ar ôl llinell 20, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (1) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

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;’.

Laura Anne Jones

80

Section 55, page 25, line 26, leave out ‘(if any)’.

Adran 55, tudalen 25, llinell 28, hepgorer ‘(os oes rhai)’.

Laura Anne Jones

81

Section 55, page 25, after line 26, insert –

- ‘() The Welsh Ministers must make regulations under section 55(1)(f) identifying a responsible body for the inspection of degree apprenticeships in Wales and providing a procedure for such inspection.’.

Adran 55, tudalen 25, ar ôl llinell 28, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru wneud rheoliadau o dan adran 55(1)(f) yn nodi corff cyfrifol ar gyfer arolygu prentisiaethau gradd yng Nghymru a darparu gweithdrefn ar gyfer arolygiadau o’r fath.’.

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)’.

Laura Anne Jones 82

Page 32, line 32, leave out section 67.

Tudalen 32, llinell 32, hepgorer adran 67.

Laura Anne Jones 83

Page 33, line 5, leave out section 68.

Tudalen 33, llinell 5, hepgorer adran 68.

Laura Anne Jones 84

Page 34, line 2, leave out section 69.

Tudalen 34, llinell 2, hepgorer adran 69.

Laura Anne Jones 85

Page 34, line 8, leave out section 70.

Tudalen 34, llinell 8, hepgorer adran 70.

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.’

Laura Anne Jones 86

Section 77, page 38, after line 2, insert –

‘() No regulations may be made under subsection (3) unless the Welsh Ministers have first published a draft of the regulations at least four weeks before the regulations are made.’

Adran 77, tudalen 38, ar ôl llinell 2, mewnosoder –

‘() Ni chaniateir gwneud rheoliadau o dan is-adran (3) oni bai bod Gweinidogion Cymru wedi cyhoeddi drafft o’r rheoliadau o leiaf bedair wythnos cyn i’r rheoliadau gael eu gwneud.’

Laura Anne Jones

87

Section 78, page 38, line 20, leave out subsections (4) to (6).

Adran 78, tudalen 38, llinell 20, hepgorer is-adrannau (4) hyd at (6).

Laura Anne Jones

88

Section 81, page 40, after line 21, insert –

- ‘() No regulations may be made under subsection (4) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 81, tudalen 40, ar ôl llinell 21, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (4) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones

89

Section 83, page 41, leave out –

- ‘(c) enable the Welsh Ministers to require the Commission to enter into an outcome agreement with a person to whom the Commission proposes to provide financial resources.
- (3) In subsection (2)(c), “an outcome agreement” means an agreement between –
- (a) the Commission, and
 - (b) the person to whom the Commission proposes to provide financial resources, that sets out the activities to be carried out by that person for the purposes of contributing to the implementation of the Commission’s strategic plan approved under section 13.
- (4) An outcome agreement may be required under subsection (2)(c) –
- (a) in all cases where the Commission proposes to provide financial resources;
 - (b) in all cases where the Commission proposes to provide financial resources subject to specified exceptions;
 - (c) in those cases where the Commission proposes to provide financial resources to specified persons or to persons of a specified description;

- (d) in those cases where the Commission proposes to provide financial resources for specified purposes or for purposes of a specified description;
- (e) in those cases where the Commission proposes to provide financial resources above or below a specified amount.

(5) In subsection (4), “specified” means specified in the terms and conditions.’

Adran 83, tudalen 41, hepgorer –

‘(c) galluogi Gweinidogion Cymru i’w gwneud yn ofynnol i’r Comisiwn ymrwymo i gytundeb canlyniadau â pherson y mae’r Comisiwn yn bwriadu darparu adnoddau ariannol iddo.

(3) Yn is-adran (2)(c), ystyr “cytundeb canlyniadau” yw cytundeb rhwng –

- (a) y Comisiwn, a
- (b) y person y mae’r Comisiwn yn bwriadu darparu adnoddau ariannol iddo, sy’n nodi’r gweithgareddau i’w cyflawni gan y person hwnnw at ddibenion cyfrannu at weithredu cynllun strategol y Comisiwn a gymeradwyir o dan adran 13.

(4) Caiff cytundeb canlyniadau fod yn ofynnol o dan is-adran (2)(c) –

- (a) ym mhob achos pan fo’r Comisiwn yn bwriadu darparu adnoddau ariannol;
- (b) ym mhob achos pan fo’r Comisiwn yn bwriadu darparu adnoddau ariannol yn ddarostyngedig i eithriadau penodedig;
- (c) yn yr achosion hynny pan fo’r Comisiwn yn bwriadu darparu adnoddau ariannol i bersonau penodedig neu i bersonau o ddisgrifiad penodedig;
- (d) yn yr achosion hynny pan fo’r Comisiwn yn bwriadu darparu adnoddau ariannol at ddibenion penodedig neu at ddibenion o ddisgrifiad penodedig;
- (e) yn yr achosion hynny pan fo’r Comisiwn yn bwriadu darparu adnoddau ariannol uwchlaw swm penodedig neu islaw’r swm hwnnw.

(5) Yn is-adran (4), ystyr “penodedig” yw wedi ei bennu yn y telerau a’r amodau.’

Laura Anne Jones

90

Section 87, page 44, after line 27, insert –

- ‘() The terms and conditions must require the delivery of measurable outcomes to further the aims of –
- (a) increasing participation in relevant tertiary education in Wales by persons who are members of under-represented groups;
 - (b) retention of students who are members of under-represented groups to the end of courses of relevant tertiary education provided in Wales;
 - (c) reduction of any gaps in attainment in relevant tertiary education provided in Wales between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing courses of tertiary education provided in Wales who are members of under-represented groups to continue their tertiary education, find employment or start a business.

() In subsection [(*first subsection to be inserted by this amendment*)] –

“relevant tertiary education” (“*addysg drydyddol berthnasol*”) means the kind of tertiary education that is specified in the terms and conditions;

“under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors.’.

Adran 87, tudalen 44, ar ôl llinell 27, mewnosoder –

‘() Rhaid i’r telerau a’r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo’r nodau a ganlyn –

- (a) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn addysg drydyddol berthnasol yng Nghymru;
- (b) cadw myfyrwyr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg drydyddol perthnasol a ddarperir yng Nghymru;
- (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn addysg drydyddol berthnasol a ddarperir yng Nghymru rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a’r amodau, pan fo’r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;
- (d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg drydyddol a ddarperir yng Nghymru sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.

() Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] –

ystyr “addysg drydyddol berthnasol” (“*relevant tertiary education*”) yw’r math o addysg drydyddol a bennir yn y telerau a’r amodau;

ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” (“*under-represented groups*”) yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

Laura Anne Jones

91

Page 45, line 23, leave out section 89.

Tudalen 45, llinell 24, hepgorer adran 89.

Laura Anne Jones

92

Section 89, page 45, after line 30, insert –

‘() The terms and conditions must require the delivery of measurable outcomes to further the aims of –

- (a) increasing participation in relevant higher education courses in Wales by persons who are members of under-represented groups;
- (b) retention of students who are members of under-represented groups to the end of relevant higher education courses provided in Wales;

- (c) reduction of any gaps in attainment in relevant higher education courses provided in Wales between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing relevant higher education courses provided in Wales who are members of under-represented groups to continue their tertiary education, find employment or start a business.
- () In subsection [(*first subsection to be inserted by this amendment*)] “under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors.’.

Adran 89, tudalen 45, ar ôl llinell 31, mewnosoder –

- () Rhaid i’r telerau a’r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo’r nodau a ganlyn –
- (a) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn cyrsiau addysg uwch perthnasol yng Nghymru;
 - (b) cadw myfyrwyr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg uwch perthnasol a ddarperir yng Nghymru;
 - (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn cyrsiau addysg uwch perthnasol a ddarperir yng Nghymru rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a’r amodau, pan fo’r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;
 - (d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg uwch perthnasol a ddarperir yng Nghymru sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.
- () Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

Laura Anne Jones

93

Section 91, page 46, after line 30, insert –

- () No regulations may be made under subsection (3) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 91, tudalen 46, ar ôl llinell 32, mewnosoder –

- () Ni chaniateir gwneud rheoliadau o dan is-adran (3) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,

- (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
- (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones

94

Section 91, page 47, after line 24, insert—

- ‘() No regulations may be made under subsection (7)(b) unless the Welsh Ministers have first—
 - (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 91, tudalen 47, ar ôl llinell 22, mewnosoder—

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (7)(b) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
 - (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones

95

Section 94, page 48, line 18, leave out ‘or the Welsh Ministers’.

Adran 94, tudalen 48, llinell 18, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones

96

Section 94, page 48, line 37, leave out ‘or the Welsh Ministers’.

Adran 94, tudalen 48, llinell 37, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones

97

Section 94, page 48, line 39, leave out ‘or themselves’.

Adran 94, tudalen 48, llinell 39, hepgorer ‘neu eu hunain’.

Laura Anne Jones

98

Section 94, page 49, line 2, leave out ‘or the Welsh Ministers’.

Adran 94, tudalen 49, llinell 2, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones

99

Section 94, page 49, line 5, leave out 'or the Welsh Ministers (in the case of financial resources secured by them) give their' and insert 'gives its'.

Adran 94, tudalen 49, llinell 5, hepgorer 'neu Weinidogion Cymru (yn achos adnoddau ariannol a sicrheir ganddynt) yn rhoi ei gydsyniad neu eu cydsyniad' a mewnosoder 'yn rhoi ei gydsyniad'.

Laura Anne Jones

100

Section 96, page 50, line 2, leave out 'itself, or the Welsh Ministers themselves, provide' and insert 'provides'.

Adran 96, tudalen 50, llinell 2, hepgorer 'ei hunan, neu Weinidogion Cymru eu hunain,'.

Laura Anne Jones

101

Section 96, page 50, after line 3, insert –

- () The terms and conditions must require the delivery of measurable outcomes to further the aims of –
- (a) increasing participation in further education or training in Wales by persons who are members of under-represented groups;
 - (b) retention of students who are members of under-represented groups to the end of courses of further education or training provided in Wales;
 - (c) reduction of any gaps in attainment in further education or training provided in Wales between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing courses of further education or training provided in Wales who are members of under-represented groups to continue their tertiary education, find employment or start a business.
- () In subsection [(*first subsection to be inserted by this amendment*)] “under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors.’.

Adran 96, tudalen 50, ar ôl llinell 4, mewnosoder –

- () Rhaid i'r telerau a'r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo'r nodau a ganlyn –
- (a) cynyddu cyfranogiad, gan bersonau sy'n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn addysg bellach neu hyfforddiant yng Nghymru;
 - (b) cadw myfyrwyr sy'n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg bellach neu hyfforddiant a ddarperir yng Nghymru;
 - (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn addysg bellach neu hyfforddiant a ddarperir yng Nghymru rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a'r amodau, pan fo'r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;

(d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg bellach neu hyfforddiant a ddarperir yng Nghymru sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.

() Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

Laura Anne Jones 102

Section 96, page 50, line 5, leave out ‘or the Welsh Ministers’.

Adran 96, tudalen 50, llinell 6, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones 103

Section 96, page 50, line 6, leave out ‘them’ and insert ‘it’.

Adran 96, tudalen 50, llinell 7, hepgorer ‘neu ganddynt’.

Laura Anne Jones 104

Section 96, page 50, line 9, leave out ‘or the Welsh Ministers’.

Adran 96, tudalen 50, llinell 11, hepgorer ‘neu i Weinidogion Cymru’.

Laura Anne Jones 105

Section 97, page 51, line 15, leave out ‘or the Welsh Ministers’.

Adran 97, tudalen 51, llinell 17, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones 106

Section 97, page 51, line 18, leave out ‘and the Welsh Ministers’.

Adran 97, tudalen 51, llinell 20, hepgorer ‘a Gweinidogion Cymru’.

Laura Anne Jones 107

Section 98, page 51, after line 29, insert –

‘() The terms and conditions must require the delivery of measurable outcomes to further the aims of –

(a) increasing participation in relevant education in Wales by persons who are members of under-represented groups;

(b) retention of students who are members of under-represented groups to the end of courses of relevant education provided in Wales;

- (c) reduction of any gaps in attainment in relevant education provided in Wales between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing courses of relevant education provided in Wales who are members of under-represented groups to continue their tertiary education, find employment or start a business.
- () In subsection [(*first subsection to be inserted by this amendment*)] –
- “relevant education” (“*addysg berthnasol*”) means education provided by schools which is suitable to the requirements of persons over compulsory school age;
- “under-represented groups” (“*grwpiau sydd heb gynrychiolaeth ddigonol*”) means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors.’.

Adran 98, tudalen 51, ar ôl llinell 31, mewnosoder –

- () Rhaid i’r telerau a’r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo’r nodau a ganlyn –
- (a) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn addysg berthnasol yng Nghymru;
 - (b) cadw myfyrwyr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg perthnasol a ddarperir yng Nghymru;
 - (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn addysg berthnasol a ddarperir yng Nghymru rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a’r amodau, pan fo’r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;
 - (d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg perthnasol a ddarperir yng Nghymru sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.
- () Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] –
- ystyr “addysg berthnasol” (“*relevant education*”) yw addysg a ddarperir gan ysgolion sy’n addas i ofynion personau sydd dros yr oedran ysgol gorfodol;
- ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” (“*under-represented groups*”) yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

Laura Anne Jones

108

Section 100, page 52, line 30, leave out ‘or the Welsh Ministers’.

Adran 100, tudalen 52, llinell 31, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones 109

Section 100, page 53, line 9, leave out ‘or the Welsh Ministers’.

Adran 100, tudalen 53, llinell 9, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones 110

Section 100, page 53, line 10, leave out ‘subsection (1), and the Commission may secure the provision of financial resources under subsection’ and insert ‘subsections (1) and’.

Adran 100, tudalen 53, llinell 10, hepgorer ‘is-adran (1), a chaiff y Comisiwn sicrhau bod adnoddau ariannol yn cael eu darparu o dan is-adran’ a mewnosoder ‘is-adrannau (1) a’.

Laura Anne Jones 111

Section 100, page 53, line 12, leave out ‘or themselves’.

Adran 100, tudalen 53, llinell 12, hepgorer ‘neu eu hunain’.

Laura Anne Jones 112

Section 100, page 53, line 15, leave out ‘or the Welsh Ministers’.

Adran 100, tudalen 53, llinell 15, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones 113

Section 100, page 53, line 22, leave out ‘itself, or the Welsh Ministers themselves, provide’ and insert ‘provides’.

Adran 100, tudalen 53, llinell 22, hepgorer ‘ei hunan, neu os yw Gweinidogion Cymru eu hunain,’.

Laura Anne Jones 114

Section 100, page 53, line 23, leave out ‘they consider’ and insert ‘it considers’.

Adran 100, tudalen 53, llinell 24, hepgorer ‘, neu y maent yn ystyried,’.

Laura Anne Jones 115

Section 100, page 53, after line 24, insert –

- ‘() The terms and conditions must require the delivery of measurable outcomes to further the aim of –
 - (a) increasing participation in education or training in Wales by persons who are members of under-represented groups;
 - (b) retention of students who are members of under-represented groups to the end of courses of education or training provided in Wales;

- (c) reduction of any gaps in attainment in education or training provided in Wales between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing courses of education or training provided in Wales who are members of under-represented groups to continue their tertiary education, find employment or start a business.
- () In subsection [(*first subsection to be inserted by this amendment*)] “under-represented groups” means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors’.

Adran 100, tudalen 53, ar ôl llinell 24, mewnosoder –

- () Rhaid i’r telerau a’r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo’r nodau a ganlyn –
- (a) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn addysg neu hyfforddiant yng Nghymru;
 - (b) cadw myfyrwyr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg neu hyfforddiant a ddarperir yng Nghymru;
 - (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn addysg neu hyfforddiant a ddarperir yng Nghymru rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a’r amodau, pan fo’r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;
 - (d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg neu hyfforddiant a ddarperir yng Nghymru sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.
- () Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

Laura Anne Jones

116

Section 100, page 53, line 26, leave out ‘or the Welsh Ministers’.

Adran 100, tudalen 53, llinell 26, hepgorer ‘neu Weinidogion Cymru’.

Laura Anne Jones

117

Section 100, page 53, line 27, leave out ‘them’ and insert ‘it’.

Adran 100, tudalen 53, llinell 27, hepgorer ‘neu ganddynt’.

Laura Anne Jones

118

Section 100, page 53, line 30, leave out ‘or the Welsh Ministers’.

Adran 100, tudalen 53, llinell 31, hepgorer ‘neu i Weinidogion Cymru’.

Laura Anne Jones

119

Section 101, page 54, after line 39, insert –

- () The terms and conditions must require the delivery of measurable outcomes to further the aim of –
- (a) increasing participation in approved Welsh apprenticeships by persons who are members of under-represented groups;
 - (b) retention of students who are members of under-represented groups to the end of approved Welsh apprenticeships;
 - (c) reduction of any gaps in attainment in approved Welsh apprenticeships between different groups of students specified in the terms and conditions, where the differences arise from social, cultural, economic or organisational factors;
 - (d) provision of support for students finishing approved Welsh apprenticeships who are members of under-represented groups to continue their tertiary education, find employment or start a business.
- () In subsection [(*first subsection to be inserted by this amendment*)] “under-represented groups” means groups specified in the terms and conditions that are under-represented in relevant tertiary education in Wales as a result of social, cultural, economic or organisational factors.”.

Adran 101, tudalen 54, ar ôl llinell 40, mewnosoder –

- () Rhaid i’r telerau a’r amodau ei gwneud yn ofynnol cyflawni canlyniadau y gellir eu mesur i hyrwyddo’r nodau a ganlyn –
- (a) cynyddu cyfranogiad, gan bersonau sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn prentisiaethau Cymreig cymeradwy;
 - (b) cadw myfyrwyr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd prentisiaethau Cymreig cymeradwy;
 - (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn prentisiaethau Cymreig cymeradwy rhwng grwpiau gwahanol o fyfyrwyr a bennir yn y telerau a’r amodau, pan fo’r gwahaniaethau yn codi oherwydd ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;
 - (d) darparu cymorth i fyfyrwyr sy’n gorffen prentisiaethau Cymreig cymeradwy sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.
- () Yn is-adran [(*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*)] ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg drydyddol berthnasol yng Nghymru o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.

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’.

Laura Anne Jones

120

Section 103, page 56, line 9, leave out subsection (4).

Adran 103, tudalen 56, llinell 9, hepgorer is-adran (4).

Jeremy Miles

35

Section 104, page 56, leave out line 23.

Adran 104, tudalen 56, hepgorer llinell 24.

Laura Anne Jones

121

Page 56, line 34, leave out section 105.

Tudalen 56, llinell 36, hepgorer adran 105.

Laura Anne Jones

122

Page 57, line 23, leave out section 106.

Tudalen 57, llinell 23, hepgorer adran 106.

Laura Anne Jones

123

Page 58, after line 7, insert a new section –

‘Publication of financial information and transparency

[] Publication of financial information

- (1) As soon as reasonably practicable after the end of each financial year the Commission must publish details of –
- (a) the funding that it has allocated during the financial year,
 - (b) its funding methodologies,
 - (c) its funding formulae, and
 - (d) its financial outturns.
- (2) The Welsh Ministers must set out in regulations the requirements that the Commission must meet in order to discharge its duty under subsection (1).
- (3) In this section “financial year” means –

- (i) the period beginning on the day on which section 1 comes into force and ending on the following 31 March;
- (ii) subsequently, each successive period of 12 months.’.

Tudalen 58, ar ôl llinell 8, mewnosoder adran newydd –

‘Cyhoeddi gwybodaeth ariannol a thryloywder

[] Cyhoeddi gwybodaeth ariannol

- (1) Cyn gynted ag y bo’n rhesymol ymarferol ar ôl diwedd pob blwyddyn ariannol, rhaid i’r Comisiwn gyhoeddi manylion –
 - (a) y cyllid y mae wedi’i ddyrannu yn ystod y flwyddyn ariannol,
 - (b) ei fethodolegau cyllido,
 - (c) ei fformiwlâu cyllido, a
 - (d) ei alldroeon ariannol.
- (2) Rhaid i Weinidogion Cymru nodi mewn rheoliadau y gofynion y mae’n rhaid i’r Comisiwn eu bodloni er mwyn cyflawni ei ddyletswyddau o dan is-adran (1).
- (3) Yn yr adran hon, ystyr “blwyddyn ariannol” yw –
 - (i) y cyfnod sy’n dechrau ar y diwrnod y daw adran 1 i rym ac sy’n gorffen ar y 31 Mawrth dilynol;
 - (ii) wedi hynny, pob cyfnod dilynol o 12 mis.’.

Laura Anne Jones

124

Page 58, after line 7, insert a new section –

[] Transparency of funding

The Commission must ensure that all decisions that that it makes in relation to funding are made in a transparent manner within the law.’.

Tudalen 58, ar ôl llinell 8, mewnosoder adran newydd –

[] Tryloywder cyllid

Rhaid i’r Comisiwn sicrhau bod yr holl benderfyniadau y mae’n eu gwneud mewn perthynas â chyllido yn cael eu gwneud mewn modd tryloyw o fewn y gyfraith.’.

Laura Anne Jones

125

Section 107, page 58, after line 19, insert –

- ‘() No regulations may be made under subsection (4) unless the Welsh Ministers have first –
 - (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 107, tudalen 58, ar ôl llinell 21, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (4) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

Laura Anne Jones **126**

Page 59, line 16, leave out section 111.

Tudalen 59, llinell 16, hepgorer adran 111.

Laura Anne Jones **127**

Page 60, line 7, leave out section 112.

Tudalen 60, llinell 7, hepgorer adran 112.

Laura Anne Jones **128**

Page 61, after line 25, insert a new section –

‘[] The Commission’s annual report

The Commission must include in its annual report (prepared under paragraph 16 of Schedule 1) a summary of all activities it has undertaken relating to approved Welsh apprenticeships and vocational qualifications in Wales during the financial year to which the report relates.’.

Tudalen 61, ar ôl llinell 26, mewnosoder adran newydd –

‘[] Adroddiad blynyddol y Comisiwn

Rhaid i’r Comisiwn gynnwys yn ei adroddiad blynyddol (a lunnir o dan baragraff 16 o Atodlen 1) grynoded o’r holl weithgareddau yr ymgymrodd â hwy sy’n ymwneud â phrentisiaethau Cymreig cymeradwy a chymwysterau galwedigaethol yng Nghymru yn ystod y flwyddyn ariannol y mae’r adroddiad yn ymwneud â hi.’.

Laura Anne Jones **129**

Section 122, page 64, after line 7, insert –

- ‘() taking into account the welfare of a person who falls within subsection (1) or (2), and
- () where appropriate, ensuring that a person who falls within subsections (1) or (2) is able to continue a relevant course through the medium of Welsh.’.

Adran 122, tudalen 64, ar ôl llinell 7, mewnosoder –

- () ystyried lles person sy’n dod o fewn is-adran (1) neu (2), a
- () pan fo’n briodol, sicrhau bod person sy’n dod o fewn is-adran (1) neu (2) yn gallu parhau â chwrs perthnasol drwy gyfrwng y Gymraeg.’.

Laura Anne Jones

130

Section 122, page 64, line 8, leave out ‘with or without modifications’ and insert ‘ –

- (a) in the form submitted to it by the relevant tertiary education provider, or
- (b) in an amended form as agreed by the relevant tertiary education provider’.

Adran 122, tudalen 64, llinell 8, hepgorer ‘gydag addasiadau neu hebddynt’ a mewnosoder ‘ –

- (a) ar y ffurf y’i cyflwynwyd iddo gan y darparwr addysg drydyddol perthnasol, neu
- (b) ar ffurf ddiwygiedig y mae’r darparwr addysg drydyddol perthnasol yn cytuno arni’.

Laura Anne Jones

131

Section 122, page 64, line 9, after ‘If’, insert ‘, following approval of a revised learner protection in accordance with subsection (3),’.

Adran 122, tudalen 64, llinell 10, ar ôl ‘Os’, mewnosoder ‘, yn dilyn cymeradwyo cynllun diogelu dysgwyr diwygiedig yn unol ag is-adran (3),’.

Laura Anne Jones

132

Section 122, page 64, line 11, leave out ‘with or without modifications.’ and insert ‘ –

- (a) in the form submitted to it by the relevant tertiary education provider, or
- (b) in an amended form as agreed by the relevant tertiary education provider.’.

Adran 122, tudalen 64, llinell 12, hepgorer ‘gydag addasiadau neu hebddynt’ a mewnosoder ‘ –

- (a) ar y ffurf y’i cyflwynwyd iddo gan y darparwr addysg drydyddol perthnasol, neu
- (b) ar ffurf ddiwygiedig y mae’r darparwr addysg drydyddol perthnasol yn cytuno arni’.

Laura Anne Jones

133

Section 126, page 67, line 30, leave out subsections (1) to (2).

Adran 126, tudalen 67, llinell 32, hepgorer is-adrannau (1) hyd at (2).

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),’.

Laura Anne Jones

134

Section 128, page 69, leave out lines 23 to 24.

Adran 128, tudalen 69, hepgorer llinellau 22 hyd at 23.

Laura Anne Jones

135

Section 128, page 69, after line 39, insert –

‘() any other person the Commission considers appropriate or that may hold information about any matter in relation to which the Commission has a function.’.

Adran 128, tudalen 69, ar ôl llinell 38, mewnosoder –

‘() unrhyw berson arall y mae’r Comisiwn yn ystyried ei fod yn briodol neu a all gadw gwybodaeth am unrhyw fater y mae gan y Comisiwn swyddogaeth mewn perthynas ag ef.’.

Laura Anne Jones

136

Page 70, line 4, leave out section 129.

Tudalen 70, llinell 5, hepgorer adran 129.

Laura Anne Jones

137

Page 70, line 35, leave out section 130.

Tudalen 70, llinell 38, hepgorer adran 130.

Laura Anne Jones

138

Section 135, page 74, line 2, leave out ‘Section 128 of’.

Adran 135, tudalen 74, llinell 2, hepgorer ‘adran 128 o Ddeddf’ a mewnosoder ‘Deddf’.

Laura Anne Jones

139

Section 135, page 74, line 3, leave out subsections (2) to (5) and insert –

‘() Section 128 (Dissolution of higher education corporations in Wales) is repealed.’.

Adran 135, tudalen 74, llinell 3, hepgorer is-adrannau (2) hyd at (5) a mewnosoder –

‘() Mae Adran 128 (Diddymu corfforaethau addysg uwch yng Nghymru) wedi ei diddymu.’.

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.”

Laura Anne Jones

140

Section 138, page 75, after line 17, insert –

‘() No statutory instrument may be made by the Welsh Ministers under this Act unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.’

Adran 138, tudalen 75, ar ôl llinell 19, mewnosoder –

‘() Ni chaiff Gweinidogion Cymru wneud offeryn statudol o dan y Ddeddf hon oni bai bod drafft o’r offeryn wedi’i osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad.’

Laura Anne Jones

141

Section 138, page 75, line 18, leave out subsections (3) to (5).

Adran 138, tudalen 75, llinell 20, hepgorer is-adrannau (3) hyd at (5).

Laura Anne Jones

142

Section 138, page 75, line 20, leave out ‘containing regulations’ and insert ‘made’.

Adran 138, tudalen 75, llinell 23, hepgorer ‘sy’n cynnwys rheoliadau’ a mewnosoder ‘a wneir’.

Laura Anne Jones

143

Section 138, page 75, line 22, leave out ‘section’ and insert ‘sections 8([]) and’.

Adran 138, tudalen 75, llinell 25, hepgorer ‘adran’ a mewnosoder ‘adrannau 8 ([]) ac’.

Laura Anne Jones

144

Section 138, page 75, line 22, leave out ‘section’ and insert ‘sections 19(*subsection to be inserted by amendment 61*) and’.

Adran 138, tudalen 75, llinell 25, hepgorer ‘adran’ a mewnosoder ‘adrannau 19(*yr is-adran sy’n cael ei mewnosod gan welliant 61*) ac’.

Laura Anne Jones 145

Section 138, page 75, line 23, after ‘23(2)’, insert ‘and (5) and (8)’.

Adran 138, tudalen 75, llinell 26, ar ôl ‘23(2)’, mewnosoder ‘a (5) ac (8)’.

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)’.

Laura Anne Jones 146

Section 138, page 75, line 28, leave out ‘, but only where the regulations amend, repeal or otherwise modify a provision of an Act of Parliament, a Measure of the National Assembly for Wales or an Act of Senedd Cymru’.

Adran 138, tudalen 75, llinell 31, hepgorer ‘, ond dim ond pan fo’r rheoliadau yn diwygio, yn diddymu neu fel arall yn addasu darpariaeth mewn Deddf gan Senedd y Deyrnas Unedig, Mesur gan Gynulliad Cenedlaethol Cymru neu Ddeddf gan Senedd Cymru’.

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);’.

Laura Anne Jones 147

Section 139, page 77, line 6, after ‘education’, insert ‘, adult community learning’.

Adran 139, tudalen 76, llinell 5, ar ôl ‘bellach’, mewnosoder ‘, dysgu oedolion yn y gymuned’.

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);’.

Laura Anne Jones 148

Section 140, page 78, line 6, leave out subsection (2).

Adran 140, tudalen 78, llinell 6, hepgorer is-adran (2).

Laura Anne Jones 149

Section 140, page 78, after line 8, insert –

- ‘() No regulations may be made under subsection (1) unless the Welsh Ministers have first –
- (a) published a draft of the regulations at least four weeks before the regulations are laid before the Senedd,
 - (b) consulted with such persons as they consider appropriate, and
 - (c) published a report setting out the details of the consultation exercise and responses to it.’.

Adran 140, tudalen 78, ar ôl llinell 8, mewnosoder –

- ‘() Ni chaniateir gwneud rheoliadau o dan is-adran (1) oni bai bod Gweinidogion Cymru wedi gwneud y canlynol yn gyntaf:
- (a) cyhoeddi drafft o'r rheoliadau o leiaf bedair wythnos cyn i'r rheoliadau gael eu gosod gerbron y Senedd,
 - (b) ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol, ac
 - (c) cyhoeddi adroddiad yn nodi manylion yr ymgynghoriad a'r ymatebion iddo.’.

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 Dyfardaliadau) 1983 (p. 40)

- [] (1) Mae Deddf Addysg (Ffioedd a Dyfardaliadau) 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.”.

Laura Anne Jones

191

Schedule 4, page 107, line 31, leave out –

- ‘(2) In section 1 (overview) –
- (a) after subsection (9) insert –

“(9A) Chapter 3A provides for powers for the Commission for Tertiary Education and Research to rationalise sixth form education.”;

(b) omit subsection (11).’

Atodlen 4, tudalen 107, llinell 31, hepgorer –

‘(2) Yn adran 1 (trosolwg) –

(a) ar ôl is-adran (9) mewnosoder –

“(9A) Mae Pennod 3A yn darparu pwerau i’r Comisiwn Addysg Drydyddol ac Ymchwil resymoli addysg chweched dosbarth.”;

{b) hepgorer is-adran (11).’

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’.

Laura Anne Jones

192

Schedule 4, page 108, leave out lines 11 to 13.

Atodlen 4, tudalen 108, hepgorer llinellau 11 hyd at 13.

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”.’.

Laura Anne Jones

193

Schedule 4, page 108, leave out lines 28 to 35.

Atodlen 4, tudalen 108, hepgorer llinellau 28 hyd at 35.

Laura Anne Jones

194

Schedule 4, page 108, line 36, leave out –

‘(8) After section 63 insert –

“CHAPTER 3A

PROPOSALS FOR THE RATIONALISATION OF SIXTH FORM PROVISION

63A Directions by the Commission to make sixth form proposals

- (1) The Commission may, in accordance with the Code—
 - (a) direct a local authority to exercise its powers to make proposals to—
 - (i) establish or discontinue a school providing education suitable only to the requirements of persons over compulsory school age, or
 - (ii) make an alteration described in Schedule 2 to a school, the effect of which would be that provision of education suitable to the requirements of persons over compulsory school age at the school increases or decreases.
 - (b) direct the governing body of a foundation or voluntary school to exercise its powers to make an alteration described in Schedule 2 to a school, the effect of which would be that provision of education suitable to the requirements of persons over compulsory school age at the school increases or decreases.
- (2) A direction under subsection (1) must—
 - (a) require the proposals to be published no later than the date specified in the direction, and
 - (b) require the proposals, in giving effect to the direction, to apply any principles specified in it.

63B Further provision about proposals made after a direction under section 63A(1)

- (1) Proposals made in accordance with a direction under section 63A(1) may not be withdrawn without the consent of the Commission.
- (2) The Commission may give consent for the purposes of subsection (1) subject to conditions.
- (3) A local authority must reimburse expenditure reasonably incurred by a governing body of a school maintained by it in making proposals in accordance with a direction under section 63A(1).
- (4) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), a local authority must meet the cost of implementing proposals made by a governing body of a school maintained by it in accordance with a direction under section 63A(1) which have been approved or determined to be implemented.

63C Making of proposals by the Commission

- (1) This section applies where—
 - (a) the Commission has made a direction under section 63A(1), and
 - (b) either—

- (i) proposals have been published in accordance with the direction, or
 - (ii) the time allowed under the direction for the publication of the proposals has expired.
- (2) The Commission may make any proposals that could have been made in accordance with the direction.
- (3) But the Commission must obtain the consent of the Welsh Ministers before making a proposal to make an alteration described in paragraph 6 of Schedule 2 (opening or closing a school’s sixth form) to a voluntary or foundation school.
- (4) Where the Commission makes proposals under this section, any proposals that have been made by a local authority or governing body and published in accordance with the direction are to be treated as having been withdrawn.

63D Publication of Commission’s proposals and consultation

- (1) The Commission must publish proposals made under section 63C in accordance with the Code.
- (2) Before publishing proposals made under section 63C, the Commission must consult on its proposals in accordance with the Code.
- (3) The requirement to consult does not apply to proposals to discontinue a school which is a small school within the meaning given by section 56.
- (4) Before the end of 7 days beginning with the day on which they were published, the Commission must send copies of the published proposals to –
 - (a) the Welsh Ministers,
 - (b) the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate, and
 - (c) the governing body (if any) of the school to which the proposals relate.
- (5) The Commission must publish a report on the consultation it has carried out in accordance with the Code.

63E Objections to the Commission’s proposals

- (1) Any person may object to proposals published under section 63D.
- (2) Objections must be sent in writing to the Commission before the end of 28 days beginning with the day on which the proposals were published (“the objection period”).
- (3) The Commission must publish a summary of all objections made in accordance with subsection (2) (and not withdrawn) and its response to those objections before the end of 28 days beginning with the end of the objection period.

63F Approval by Welsh Ministers

- (1) Proposals published by the Commission under section 63D require approval under this section if an objection has been made in accordance with section 63E(2) and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.
- (2) Where proposals require approval under this section, the Commission must send a copy of the documents listed in subsection (3) to the Welsh Ministers before the end of 35 days beginning with the end of the objection period.
- (3) The documents are –
 - (a) the report published under section 63D(5),
 - (b) the published proposals,
 - (c) any objections made in accordance with section 63E(2) (and not withdrawn), and
 - (d) where objections have been so made (and not withdrawn), the response published under section 63E(3).
- (4) Where proposals require approval under this section, the Welsh Ministers may –
 - (a) reject the proposals,
 - (b) approve them without modification, or
 - (c) approve them with modifications –
 - (i) after obtaining the consent of the Commission to the modifications, and
 - (ii) after consulting the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate and the governing body (if any) of the school to which the proposals relate.
- (5) An approval may be expressed to take effect only if an event specified in the approval occurs by a date so specified.
- (6) The Welsh Ministers may, at the request of the Commission, specify a later date by which the event referred to in subsection (5) is to occur.
- (7) Subsection (1) does not prevent proposals from being withdrawn by notice in writing given by the Commission to the Welsh Ministers at any time before they are approved under this section.
- (8) No approval is required under this section for proposals to discontinue a school which is a small school within the meaning given by section 56.

63G Determination

- (1) Where proposals published under section 63D do not require approval under section 63F, the Commission must determine whether the proposals should be implemented.
- (2) If a determination under subsection (1) is not made before the end of 16 weeks beginning with the end of the objection period, the Commission is to be taken to have withdrawn the proposals.

- (3) Before the end of 7 days beginning with the day of its determination under subsection (1), the Commission must notify the following of the determination –
- (a) the Welsh Ministers;
 - (b) the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate;
 - (c) the governing body (if any) of the school to which the proposals relate.

63H Implementation of proposals

- (1) Proposals approved by the Welsh Ministers under section 63F or determined to be implemented by the Commission under section 63G have effect as if they had been approved by the Welsh Ministers under section 50 after having been made –
- (a) by the local authority under its powers to make proposals to establish, alter or discontinue schools, or
 - (b) in the case of proposals to alter a foundation or voluntary school, by the governing body under its powers to make proposals to alter its school.
- (2) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), the local authority that maintains the school in question must meet the cost of implementing proposals approved under section 63F or determined to be implemented under section 63G which have effect as mentioned in subsection (1)(b).

63I Interpretation of Chapter 3A

In this Chapter –

“the Code” (“*y Cod*”) means the code on school organisation issued under section 38(1);

“the Commission” (“*y Comisiwn*”) means the Commission for Tertiary Education and Research.”

Atodlen 4, tudalen 108, llinell 36 hepgorer –

(8) Ar ôl adran 63 mewnosoder –

“PENNOD 3A

CYNIGION I RESYMOLI DARPARIAETH CHWECHED DOSBARTH

63A Cyfarwyddydau gan y Comisiwn i wneud cynigion chweched dosbarth

- (1) Caiff y Comisiwn, yn unol â’r Cod –
- (a) cyfarwyddo awdurdod lleol i arfer ei bwerau i wneud cynigion i –

- (i) sefydlu neu derfynu ysgol sy’n darparu addysg sy’n addas i ofynion personau dros oedran ysgol gorfodol yn unig, neu
 - (ii) gwneud newid a ddisgrifir yn Atodlen 2 i ysgol, y byddai ei effaith yn golygu bod darparu addysg sy’n addas i ofynion personau dros oedran ysgol gorfodol yn yr ysgol yn cynyddu neu’n lleihau.
- (b) cyfarwyddo corff llywodraethu ysgol sefydledig neu ysgol wirfoddol i arfer ei bwerau i wneud newid a ddisgrifir yn Atodlen 2 i ysgol, y byddai ei effaith yn golygu bod darparu addysg sy’n addas i ofynion personau dros oedran ysgol gorfodol yn yr ysgol yn cynyddu neu’n lleihau.
- (2) Rhaid i gyfarwyddyd o dan is-adran (1) –
- (a) ei gwneud yn ofynnol i’r cynigion gael eu cyhoeddi heb fod yn hwyrach na’r dyddiad a bennir yn y cyfarwyddyd, a
 - (b) ei gwneud yn ofynnol i’r cynigion, wrth roi effaith i’r cyfarwyddyd, gymhwyso unrhyw egwyddorion a bennir ynddo.

63B Darpariaeth bellach ynghylch cynigion a wneir ar ôl cyfarwyddyd o dan adran 63A(1)

- (1) Ni chaniateir i gynigion a wneir yn unol â chyfarwyddyd o dan adran 63A(1) gael eu tynnu’n ôl heb gydsyniad y Comisiwn.
- (2) Caiff y Comisiwn roi cydsyniad at ddibenion is-adran (1) yn ddarostyngedig i amodau.
- (3) Rhaid i awdurdod lleol ad-dalu gwariant yr aed iddo’n rhesymol gan gorff llywodraethu ysgol a gynhelir ganddo wrth wneud cynigion yn unol â chyfarwyddyd o dan adran 63A(1).
- (4) Er gwaethaf unrhyw beth yn Rhan 1 o Atodlen 3 (cyfrifoldeb dros weithredu cynigion statudol), rhaid i awdurdod lleol gwrdd â’r gost o weithredu cynigion a wneir gan gorff llywodraethu ysgol a gynhelir ganddo yn unol â chyfarwyddyd o dan adran 63A(1) a’r rheini’n gynigion sydd wedi eu cymeradwyo neu y penderfynwyd eu gweithredu.

63C Gwneud cynigion gan y Comisiwn

- (1) Mae’r adran hon yn gymwys pan fo –
 - (a) y Comisiwn wedi gwneud cyfarwyddyd o dan adran 63A(1), a
 - (b) naill ai –
 - (i) cynigion wedi eu cyhoeddi’n unol â’r cyfarwyddyd, neu
 - (ii) yr amser a ganiatawyd o dan y cyfarwyddyd ar gyfer cyhoeddi’r cynigion wedi dirwyn i ben.
- (2) Caiff y Comisiwn wneud unrhyw gynigion y gellid bod wedi eu gwneud yn unol â’r cyfarwyddyd.

- (3) Ond rhaid i’r Comisiwn gael cydsyniad Gweinidogion Cymru cyn gwneud cynnig i wneud newid a ddisgrifir ym mharagraff 6 o Atodlen 2 (agor neu gau chweched dosbarth ysgol) i ysgol wirfoddol neu ysgol sefydledig.
- (4) Pan fo’r Comisiwn yn gwneud cynigion o dan yr adran hon, mae unrhyw gynigion sydd wedi eu gwneud gan awdurdod lleol neu gorff llywodraethu ac sydd wedi eu cyhoeddi yn unol â’r cyfarwyddyd i’w trin fel pe baent wedi eu tynnu’n ôl.

63D Cyhoeddi cynigion y Comisiwn ac ymgynghori arnynt

- (1) Rhaid i’r Comisiwn gyhoeddi cynigion a wneir o dan adran 63C yn unol â’r Cod.
- (2) Cyn cyhoeddi cynigion a wneir o dan adran 63C, rhaid i’r Comisiwn ymgynghori ynglŷn â’i gynigion yn unol â’r Cod.
- (3) Nid yw’r gofyniad i ymgynghori yn gymwys i gynigion i derfynu ysgol sy’n ysgol fach o fewn yr ystyr a roddir gan adran 56.
- (4) Cyn diwedd 7 niwrnod gan ddechrau ar ddiwrnod eu cyhoeddi, rhaid i’r Comisiwn anfon copïau o’r cynigion cyhoeddedig –
 - (a) at Weinidogion Cymru,
 - (b) at yr awdurdod lleol sy’n cynnal, neu y cynigir y bydd yn cynnal, yr ysgol y mae’r cynigion yn ymwneud â hi, ac
 - (c) at gorff llywodraethu (os oes un) yr ysgol y mae’r cynigion yn ymwneud â hi.
- (5) Rhaid i’r Comisiwn gyhoeddi adroddiad ar yr ymgynghoriad y mae wedi ei gynnal yn unol â’r Cod.

63E Gwrthwynebiadau i gynigion y Comisiwn

- (1) Caiff unrhyw berson wrthwynebu cynigion a gyhoeddir o dan adran 63D.
- (2) Rhaid i wrthwynebiadau gael eu hanfon yn ysgrifenedig i’r Comisiwn cyn diwedd 28 o ddiwrnodau gan ddechrau ar y diwrnod y cafodd y cynigion eu cyhoeddi (“y cyfnod gwrthwynebu”).
- (3) Rhaid i’r Comisiwn gyhoeddi crynodeb o’r holl wrthwynebiadau a wnaed yn unol ag is-adran (2) (ac nad ydynt wedi eu tynnu’n ôl) a’i ymateb i’r gwrthwynebiadau hynny cyn diwedd 28 o ddiwrnodau gan ddechrau ar ddiwedd y cyfnod gwrthwynebu.

63F Eu cymeradwyo gan Weinidogion Cymru

- (1) Mae’n ofynnol i gynigion a gyhoeddir gan y Comisiwn o dan adran 63D gael eu cymeradwyo o dan yr adran hon os yw gwrthwynebiad wedi ei wneud yn unol ag adran 63E(2) ac nad yw wedi ei dynnu’n ôl yn ysgrifenedig cyn diwedd 28 o ddiwrnodau gan ddechrau ar ddiwedd y cyfnod gwrthwynebu.

- (2) Pan fo’n ofynnol i gynigion gael eu cymeradwyo o dan yr adran hon, rhaid i’r Comisiwn anfon copi o’r dogfennau a restrir yn is-adran (3) at Weinidogion Cymru cyn diwedd 35 o ddiwrnodau gan ddechrau ar ddiwedd y cyfnod gwrthwynebu.
- (3) Y dogfennau yw –
 - (a) yr adroddiad a gyhoeddir o dan adran 63D(5),
 - (b) y cynigion cyhoeddedig,
 - (c) unrhyw wrthwynebiadau a wneir yn unol ag adran 63E(2) (ac nad ydynt wedi eu tynnu’n ôl), a
 - (d) pan fo gwrthwynebiadau wedi eu gwneud felly (ac nad ydynt wedi eu tynnu’n ôl), yr ymateb a gyhoeddir o dan adran 63E(3).
- (4) Pan fo’n ofynnol i gynigion gael eu cymeradwyo o dan yr adran hon, caiff Gweinidogion Cymru –
 - (a) gwrthod y cynigion,
 - (b) eu cymeradwyo heb eu haddasu, neu
 - (c) eu cymeradwyo gydag addasiadau –
 - (i) ar ôl cael cydsyniad y Comisiwn i’r addasiadau, a
 - (ii) ar ôl ymgynghori â’r awdurdod lleol sy’n cynnal, neu y cynigir y bydd yn cynnal, yr ysgol y mae’r cynigion yn ymwneud â hi, ac â chorff llywodraethu (os oes un) yr ysgol y mae’r cynigion yn ymwneud â hi.
- (5) Caniateir i gymeradwyaeth ddatgan mai dim ond os bydd digwyddiad a bennir yn y gymeradwyaeth yn digwydd erbyn dyddiad a bennir felly, y byddai’n dod yn weithredol.
- (6) Caiff Gweinidogion Cymru, ar gais y Comisiwn, bennu dyddiad diweddarach erbyn pryd y mae’r digwyddiad y cyfeiriwyd ato yn is-adran (5) i ddigwydd.
- (7) Nid yw is-adran (1) yn atal cynigion rhag cael eu tynnu’n ôl drwy hysbysiad ysgrifenedig a roddir gan y Comisiwn i Weinidogion Cymru ar unrhyw bryd cyn iddynt gael eu cymeradwyo o dan yr adran hon.
- (8) Nid yw’n ofynnol i gynigion i derfynu ysgol sy’n ysgol fach o fewn yr ystyr a roddir gan adran 56 gael unrhyw gymeradwyaeth o dan yr adran hon.

63G Penderfynu

- (1) Pan na fo’n ofynnol i gynigion a gyhoeddir o dan adran 63D gael eu cymeradwyo o dan adran 63F, rhaid i’r Comisiwn benderfynu a ddylid gweithredu’r cynigion.
- (2) Os na fydd penderfyniad o dan is-adran (1) wedi ei wneud cyn diwedd 16 o wythnosau gan ddechrau ar ddiwedd y cyfnod gwrthwynebu, bennir bod y Comisiwn wedi tynnu’r cynigion yn eu hôl.
- (3) Cyn diwedd 7 niwrnod gan ddechrau ar ddiwrnod ei benderfyniad o dan is-adran (1), rhaid i’r Comisiwn hysbysu’r canlynol am y penderfyniad –

- (a) Gweinidogion Cymru;
- (b) yr awdurdod lleol sy’n cynnal, neu y cynigir y bydd yn cynnal, yr ysgol y mae’r cynigion yn ymwneud â hi;
- (c) corff llywodraethu (os oes un) yr ysgol y mae’r cynigion yn ymwneud â hi.

63H Gweithredu cynigion

- (1) Mae cynigion sydd wedi eu cymeradwyo gan Weinidogion Cymru o dan adran 63F neu y penderfynwyd eu gweithredu gan y Comisiwn o dan adran 63G yn cael effaith fel petaent wedi eu cymeradwyo gan Weinidogion Cymru o dan adran 50 ar ôl iddynt gael eu gwneud –
 - (a) gan yr awdurdod lleol o dan ei bwerau i wneud cynigion i sefydlu, newid neu derfynu ysgolion, neu
 - (b) yn achos cynigion i newid ysgol sefydledig neu ysgol wirfoddol, gan y corff llywodraethu o dan ei bwerau i wneud cynigion i newid ei ysgol.
- (2) Er gwaethaf unrhyw beth yn Rhan 1 o Atodlen 3 (cyfrifoldeb dros weithredu cynigion statudol), rhaid i’r awdurdod lleol sy’n cynnal yr ysgol o dan sylw gwrdd â’r gost o weithredu cynigion sydd wedi eu cymeradwyo o dan adran 63F neu y penderfynwyd eu gweithredu o dan adran 63G ac sy’n cael effaith fel a grybwyllir yn is-adran (1)(b).

63I Dehongli Pennod 3A

Yn y Bennod hon –

ystyr “y Cod” (“*the Code*”) yw’r cod ar drefniadaeth ysgolion a ddyroddir o dan adran 38(1);

ystyr “y Comisiwn” (“*the Commission*”) yw’r Comisiwn Addysg Drydyddol ac Ymchwil.”

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’.

Laura Anne Jones

195

Schedule 4, page 113, leave out line 7 and insert –

- () In section 71 (Welsh Ministers’ powers to restructure sixth form education) –
 - (a) in the heading, after “Welsh Ministers” insert “or the Commission for Tertiary Education and Research’s”, and
 - (b) after “The Welsh Ministers” insert “or the Commission for Tertiary Education and Research”.
- () In section 72 (consultation, publication and objections) –

- (a) in subsection (1) –
 - (i) after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (ii) omit “the proposals” and insert “their own proposals”.
 - (b) after subsection (1), insert –
 - “(1A) Consultation under subsection (1) must include consultation with –
 - (a) any local authority that may be affected by the proposals, and
 - (b) the governing body of any maintained school that may be affected by the proposals.”
 - (c) in subsection (2) –
 - (i) after “The Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (ii) after “proposals” insert “they have”.
 - (d) in subsection (4), after “the Welsh Ministers” insert “in the case of proposals made by them or to the Commission for Tertiary Education and Research in the case of proposals made by it”
- () In section 73 (determination by the Welsh Ministers) –
- (a) in the heading, after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (b) in subsection (1) –
 - (i) after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (ii) in paragraph (a), omit “the” and insert “their own”,
 - (iii) in paragraph (b), omit “the” and insert “their own”.
 - (c) in subsection (2), after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”.
 - (d) in subsection (5), after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”.
 - (e) in subsection (6) –
 - (i) after “The Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (ii) after “their” insert “own”.
- () In section 74 (form of implementation) –
- (a) in subsection (1), after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (b) in subsection (3) –
 - (i) after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”,
 - (ii) in paragraph (a) after “modify” insert “their own”.
 - (c) in subsection (4), after “the Welsh Ministers” insert “or the Commission for Tertiary Education and Research”.

- () After section 76 (further provision as to implementation) insert –

“76A Conflict of proposals

In the event that proposals are made under section 71 by both the Welsh Ministers and the Commission for Tertiary Education and Research which, wholly or in part, contain conflicting provisions, the proposals made by the Welsh Ministers will prevail and the proposal by the Commission for Tertiary Education and Research will be deemed withdrawn under section 73(6).”.

Atodlen 4, tudalen 113, hepgorer llinell 7 a mewnosoder –

- () Yn adran 71 (pwerau Gweinidogion Cymru i ailstrwythuro addysg chweched dosbarth) –
- (a) yn y pennawd, ar ôl “Gweinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”, a
 - (b) ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”.
- () Yn adran 72 (ymgyngori, cyhoeddi a gwrthwynebiadau) –
- (a) yn is-adran (1) –
 - (i) ar ôl “Gweinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (ii) hepgorer “y cynigion” a mewnosoder “eu cynigion eu hunain”.
 - (b) ar ôl is-adran (1), mewnosoder –
 - (1A) Rhaid i ymgynghoriad o dan is-adran (1) gynnwys ymgynghori –
 - (a) ag unrhyw awdurdod lleol y gall y cynigion effeithio arno, a
 - (b) â chorff llywodraethu unrhyw ysgol a gynhelir y gall y cynigion effeithio arni.
 - (c) yn is-adran (2) –
 - (i) ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (ii) ar ôl “cynigion” hepgorer “a wneir” a mewnosoder “y maent wedi eu gwneud”.
 - (d) yn is-adran (4), ar ôl “Weinidogion Cymru” mewnosoder “yn achos cynigion a wneir ganddynt neu i’r Comisiwn Addysg Drydyddol ac Ymchwil yn achos cynigion a wneir ganddo”
- () Yn adran 73 (penderfyniad gan Weinidogion Cymru) –
- (a) yn y pennawd, ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (b) yn is-adran (1) –
 - (i) ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (ii) ym mharagraff (a), hepgorer “mabwysiadu’r cynigion” a mewnosoder “mabwysiadu eu cynigion eu hunain”,

- (iii) ym mharagraff (b), hepgorer “tynnu’r cynigion” a mewnosoder “tynnu eu cynigion eu hunain”.
- (c) yn is-adran (2), ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”.
- (d) yn is-adran (5), ar ôl “Weinidogion Cymru” yn lle “ailystyried eu penderfyniad” rhodder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil ailystyried eu penderfyniad neu ei benderfyniad”.
- (e) yn is-adran (6) –
 - (i) ar ôl “Gweinidogion Cymru” yn lle “dynnu eu cynigion yn ôl ar unrhyw bryd cyn iddynt” rhodder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil dynnu eu cynigion neu ei gynigion yn ôl ar unrhyw bryd cyn iddynt neu iddo”,
 - (ii) ar ôl “cynigion” mewnosoder “eu hunain”.
- () Yn adran 74 (y ffurf weithredu) –
 - (a) yn is-adran (1), ar ôl “Weinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (b) yn is-adran (3) –
 - (i) ar ôl “Gweinidogion Cymru” mewnosoder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil”,
 - (ii) ym mharagraff (a) ar ôl addasu hepgorer “cynigion” a mewnosoder “eu cynigion eu hunain”.
 - (c) yn is-adran (4), ar ôl “Gweinidogion Cymru” yn lle “benderfynu nad yw is-adran (2) yn gymwys i’r cynigion os ydynt wedi eu bodloni” rhodder “neu’r Comisiwn Addysg Drydyddol ac Ymchwil benderfynu nad yw is-adran (2) yn gymwys i’r cynigion os ydynt wedi eu bodloni neu os ydyw wedi ei fodloni”.
- () Ar ôl adran 76 (darpariaeth bellach o ran gweithredu) mewnosoder –

“76A Gwrthdaro cynigion

Os caiff cynigion eu gwneud o dan adran 71 gan Weinidogion Cymru a chan y Comisiwn Addysg Drydyddol ac Ymchwil sy’n cynnwys, yn gyfan gwbl neu’n rhannol, ddarpariaethau sy’n gwrthdaro, y cynigion a wneir gan Weinidogion Cymru fydd yn drech a bernir bod y cynnig gan y Comisiwn Addysg Drydyddol ac Ymchwil wedi ei dynnu yn ôl o dan adran 73(6)”.’”.

Laura Anne Jones

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Schedule 4, page 113, leave out lines 11 to 12.

Atodlen 4, tudalen 113, hepgorer llinellau 11 hyd at 12.

Laura Anne Jones

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Schedule 4, page 113, leave out lines 13 to 19.

Atodlen 4, tudalen 113, hepgorer llinellau 13 hyd at 20.

Laura Anne Jones

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Schedule 4, page 113, leave out lines 20 to 24.

Atodlen 4, tudalen 113, hepgorer llinellau 21 hyd at 25.

Laura Anne Jones

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Section 143, page 78, line 19, leave out ‘the day after the day on which this Act receives Royal Assent’ and insert ‘1 January 2024’.

Adran 143, tudalen 78, llinell 21, hepgorer ‘drannoeth y diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol’ a mewnosoder ‘ar 1 Ionawr 2024’.