



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 29 Hydref 2014
Tabled on 29 October 2014

Bil Addysg Uwch (Cymru)
Higher Education (Wales) Bill

Bethan Jenkins

25

To insert a new section –

‘() **Promotion of financial literacy**

A fee and access plan must include measures which an institution proposes to take to promote the financial literacy of its students.’.

I fewnosod adran newydd –

‘() **Hyrwyddo llythrennedd ariannol**

Rhaid i gynllun ffioedd a mynediad gynnwys mesurau y mae sefydliad yn cynnig eu cymryd i hyrwyddo llythrennedd ariannol ei fyfyrwyr.’.

*** Suzy Davies**

26

Section 4, page 3, line 14, leave out ‘any maximum period prescribed for the purposes of this section’ and insert ‘two years’.

Adran 4, tudalen 3, llinell 14, hepgorer ‘nag unrhyw gyfnod hwyaf a ragnodir at ddibenion yr adran hon’ a mewnosoder ‘na dwy flynedd’.

*** Suzy Davies**

27

Section 4, page 3, after line 17, insert –

- '(4) The Welsh Ministers may, by regulations, amend the period specified in subsection (2).
- (5) Before making regulations under subsection (4), the Welsh Ministers must consult HEFCW and the governing bodies of institutions that already have fee and access plans that have been approved.'

Adran 4, tudalen 3, ar ôl llinell 17, mewnosoder –

- '(4) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio'r cyfnod a bennir yn is-adran (2).
- (5) Cyn gwneud rheoliadau o dan is-adran (4), rhaid i Weinidogion Cymru ymgynghori â CCAUC a chyrrff llywodraethu sefydliadau sydd eisoes â chynlluniau ffioedd a mynediad sydd wedi'u cymeradwyo.'

*** Suzy Davies**

28

Section 28, page 15, line 1, leave out –

'the approved draft before the National Assembly for Wales;

- (b) HEFCW must publish the Code in the terms of the approved draft.'

and insert –

'a copy of the draft before the National Assembly for Wales.

- (7) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the Code, HEFCW must not publish it in the form of that draft.
- (8) If no such resolution is made before the end of that period, HEFCW must issue the Code (or revised Code) in the form of the draft.
- (9) The 40 day period –
 - (a) begins on the day on which the draft is laid before the National Assembly, and
 - (b) does not include any time during which the National Assembly is dissolved or is in recess for more than four days.
- (10) Subsection (7) does not prevent a new draft of proposed Code or proposed revised Code from being laid before the National Assembly.'

Adran 28, tudalen 15, llinell 1, hepgorer –

'y drafft a gymeradwywyd gerbron Cynulliad Cenedlaethol Cymru;

- (b) rhaid i CCAUC gyhoeddi'r Cod yn nhelerau'r drafft a gymeradwywyd.'

a mewnosoder –

'copi o'r drafft gerbron Cynulliad Cenedlaethol Cymru.

- (7) Os, cyn diwedd y cyfnod o 40 niwrnod, bydd y Cynulliad Cenedlaethol yn penderfynu peidio â chymeradwyo'r drafft o'r Cod, ni chaniateir i CCAUC ei gyhoeddi ar ffurf y drafft hwnnw.
- (8) Os na wneir penderfyniad o'r fath cyn diwedd y cyfnod hwnnw, rhaid i CCAUC ddyroddi'r Cod (neu'r Cod diwygiedig) ar ffurf y drafft.

- (9) O ran y cyfnod o 40 niwrnod –
- (a) bydd yn dechrau ar y diwrnod y gosodir y drafft gerbron y Cynulliad Cenedlaethol, a
 - (b) nid yw'n cynnwys unrhyw bryd y mae'r Cynulliad Cenedlaethol wedi ei ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod.
- (10) Nid yw is-adran (7) yn atal drafft newydd o God arfaethedig neu God diwygiedig arfaethedig rhag cael ei osod gerbron y Cynulliad Cenedlaethol.'

*** Suzy Davies**

29

Section 29, page 15, line 30, leave out –

'the approved draft before the National Assembly for Wales;

- (b) HEFCW must publish the Code in the terms of the approved draft.'

and insert –

'a copy of the draft before the National Assembly for Wales.

- (9) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the Code, HEFCW must not publish it in the form of that draft.
- (10) If no such resolution is made before the end of that period, HEFCW must issue the Code (or revised Code) in the form of the draft.
- (11) The 40 day period –
- (a) begins on the day on which the draft is laid before the National Assembly, and
 - (b) does not include any time during which the National Assembly is dissolved or is in recess for more than four days.
- (12) Subsection (9) does not prevent a new draft of proposed Code or proposed revised Code from being laid before the National Assembly.'

Adran 29, tudalen 15, line 34, hepgorer –

'y drafft a gymeradwywyd gerbron Cynulliad Cenedlaethol Cymru;

- (b) rhaid i CCAUC gyhoeddi'r Cod yn nhelerau'r drafft a gymeradwywyd.'

a mewnosoder –

'copi o'r drafft gerbron Cynulliad Cenedlaethol Cymru.

- (9) Os, cyn diwedd y cyfnod o 40 niwrnod, bydd y Cynulliad Cenedlaethol yn penderfynu peidio â chymeradwyo'r drafft o'r Cod, ni chaniateir i CCAUC ei gyhoeddi ar ffurf y drafft hwnnw.
- (10) Os na wneir penderfyniad o'r fath cyn diwedd y cyfnod hwnnw, rhaid i CCAUC ddyroddi'r Cod (neu'r Cod diwygiedig) ar ffurf y drafft.
- (11) O ran y cyfnod o 40 niwrnod –
- (a) bydd yn dechrau ar y diwrnod y gosodir y drafft gerbron y Cynulliad Cenedlaethol, a

(b) nid yw'n cynnwys unrhyw bryd y mae'r Cynulliad Cenedlaethol wedi ei ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod

(12) Nid yw is-adran (9) yn atal drafft newydd o God arfaethedig neu God diwygiedig arfaethedig rhag cael ei osod gerbron y Cynulliad Cenedlaethol.'.

*** Suzy Davies** **30**

Section 29, page 15, line 32, leave out '(8)' and insert '(12)'.

Adran 29, tudalen 15, llinell 37, hepgorer '(8)' a mewnosoder '(12)'.

*** Suzy Davies** **31**

Section 47, page 22, after line 25, insert—

'(7) The Welsh Ministers must, within 14 days of receiving a report from HEFCW under subsection (1), lay that report before the National Assembly for Wales.'.

Adran 47, tudalen 22, ar ôl llinell 26, mewnosoder—

'(7) Rhaid i Weinidogion Cymru, o fewn 14 niwrnod i gael adroddiad gan CCAUC o dan is-adran (1), osod yr adroddiad hwnnw gerbron Cynulliad Cenedlaethol Cymru.'.

*** Suzy Davies** **32**

Section 52, page 24, after line 34, insert—

'() the first regulations to be made under section 2(4);'.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder—

'() y rheoliadau cyntaf sydd i'w gwneud o dan adran 2(4);'.

*** Suzy Davies** **33**

Section 52, page 24, after line 34, insert—

'() regulations under section 3(4);'.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder—

'() rheoliadau o dan adran 3(4);'.

*** Suzy Davies** **34**

Section 52, page 24, after line 34, insert—

'() regulations under section 4(4);'.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder—

'() rheoliadau o dan adran 4(4);'.

*** Suzy Davies** **35**

Section 52, page 24, after line 34, insert –

‘() the first regulations to be made under subsections (2), (3) and (5) of section 5;’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

‘() y rheoliadau cyntaf sydd i’w gwneud o dan is-adrannau (2), (3) a (5) o adran 5;’.

*** Suzy Davies** **36**

Section 52, page 24, after line 34, insert –

‘() regulations under section 6(1);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

‘() rheoliadau o dan adran 6(1);’.

*** Suzy Davies** **37**

Section 52, page 24, after line 34, insert –

‘() regulations under section 7(3);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

‘() rheoliadau o dan adran 7(3);’.

*** Suzy Davies** **38**

Section 52, page 25, line 5, after ‘Act’, insert ‘, or an order under section 56(2) that contains provisions within section 56(3)(b);’.

Adran 52, tudalen 25, llinell 5, ar ôl ‘hon’, mewnosoder ‘, neu orchymyn o dan adran 56(2) sy’n cynnwys darpariaethau o fewn adran 56(3)(b);’.

*** Aled Roberts** **39**

Section 17, page 9, line 24, leave out ‘in Wales’.

Adran 17, tudalen 9, llinell 25, hepgorer ‘yng Nghymru’.

*** Aled Roberts** **40**

Section 17, page 9, line 28, leave out subsection (2).

Adran 17, tudalen 9, llinell 29, hepgorer is-adran (2).

*** Aled Roberts**

41

Section 45, page 22, after line 2, insert—

- (c) must be limited to failures by a regulated institution of its obligations under this Act—
- (i) which HEFCW reasonably considers to be serious, and
 - (ii) where HEFCW reasonably considers that a direction is necessary to ensure compliance with such obligations;
- (d) must not require expenditure by a regulated institution other than from any sums derived from fees from qualifying students undertaking qualifying courses.’.

Adran 45, tudalen 22, ar ôl llinell 2, mewnosoder—

- (c) rhaid iddo fod wedi’i gyfyngu i fethiannau gan sefydliad rheoleiddiedig o ran ei oblygiadau o dan y Ddeddf hon—
- (i) y mae CCAUC yn barnu’n rhesymol eu bod yn ddifrifol, a
 - (ii) pan fo CCAUC yn barnu’n rhesymol bod cyfarwyddyd yn angenrheidiol er mwyn sicrhau cydymffurfedd â goblygiadau o’r fath;
- (d) ni chaniateir iddo ei gwneud yn ofynnol i sefydliad rheoleiddiedig fynd i wariant ac eithrio gwariant o unrhyw symiau sy’n deillio o ffioedd gan fyfyrwyr cymhwysol sy’n ymgymryd â chyrisiau cymhwysol.’.

*** Aled Roberts**

42

To insert a new section—

‘(1) Limitation on powers and functions of Welsh Ministers and HEFCW

- (1) The Welsh Ministers shall not exercise any powers or functions in this Act, or in regulations made under this Act, in respect of activities carried on by any particular institution or institutions.
- (2) Nothing in this Act, or any regulations made under this Act, shall enable the Welsh Ministers or HEFCW to require the governing body of a regulated institution:
 - (a) to apply any sums derived other than from fees payable by qualifying persons undertaking qualifying courses;
 - (b) to do anything which would limit an institution’s academic freedom, including in particular, the freedom of institutions —
 - (i) to determine the contents of particular courses of study or programmes of research and the manner in which they are taught, supervised or assessed;
 - (ii) to determine the criteria for the admission of students and to apply those criteria in particular cases;
 - (iii) to determine the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases.
- (3) In exercising functions under this Act, or in any regulations made under this Act, the Welsh Ministers and HEFCW shall have regard to the desirability of —

- (a) not discouraging any regulated institution from maintaining or developing its funding from other sources;
 - (b) maintaining an appropriate balance as between institutions which are of a denominational character and other institutions;
 - (c) maintaining any distinctive characteristics of any institution within the higher education sector.
- (4) For the purposes of subsection (3) above an institution is an institution of a denominational character if it appears to HEFCW that either –
- (a) at least one quarter of the members of the governing body of the institution are persons appointed to represent the interests of a religion or religious denomination;
 - (b) any of the property held for the purposes of the institution is held upon trusts which provide that, in the event of the discontinuance of the institution, the property concerned shall be held for, or sold and the proceeds of sale applied for, the benefit of a religion or religious denomination, or
 - (c) any of the property held for the purposes of the institution is held on trust for or in connection with –
 - (i) the provision of education, or
 - (ii) the conduct of an educational institution,in accordance with the tenets of a religion or religious denomination.’.

I fewnosod adran newydd –

‘(1) Cyfyngu pwerau a swyddogaethau Gweinidogion Cymru a CCAUC

- (1) Ni chaniateir i Weinidogion Cymru arfer unrhyw bwerau na swyddogaethau yn y Ddeddf hon, neu mewn rheoliadau a wneir o dan y Ddeddf hon, mewn perthynas â gweithgareddau sy’n cael eu cynnal gan unrhyw sefydliad neu sefydliadau penodol.
- (2) Ni fydd unrhyw beth yn y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, yn galluogi Gweinidogion Cymru neu CCAUC i’w gwneud yn ofynnol i gorff llywodraethu sefydliad rheoleiddiedig wneud fel a ganlyn:
 - (a) cymhwyso unrhyw symiau sy’n deillio o ffynonellau ac eithrio ffioedd sy’n daladwy gan bersonau cymhwysol sy’n ymgymryd â chyrsiau cymhwysol;
 - (b) gwneud unrhyw beth a fyddai’n cyfyngu ar ryddid academiaidd sefydliad, gan gynnwys yn benodol, rhyddid sefydliadau –
 - (i) i benderfynu ar gynnwys cyrsiau neu raglenni ymchwil penodol a’r dull o’u haddysgu, eu goruchwyllo neu eu hasesu;
 - (ii) i benderfynu ar y meini prawf ar gyfer derbyn myfyrwyr ac i gymhwyso’r meini prawf hynny mewn achosion penodol;
 - (iii) i benderfynu ar y meini prawf ar gyfer dethol a phenodi staff academiaidd ac i gymhwyso’r meini prawf hynny mewn achosion penodol.
- (3) Wrth arfer swyddogaethau o dan y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, rhaid i Weinidogion Cymru a CCAUC roi sylw i ddymunoldeb –

- (a) peidio ag annog unrhyw sefydliad rheoleiddiedig i beidio â chynnal neu ddatblygu ei gyllid o ffynonellau eraill;
 - (b) cynnal cydbwysedd priodol rhwng sefydliadau o natur enwadol a sefydliadau eraill;
 - (c) cynnal unrhyw nodweddion arbennig sydd gan unrhyw sefydliad yn y sector addysg uwch.
- (4) At ddibenion is-adran (3) uchod mae sefydliad yn sefydliad o natur enwadol os bydd CCAUC o'r farn bod naill ai –
- (a) o leiaf chwarter o aelodau corff llywodraethu'r sefydliad yn bersonau sydd wedi'u penodi i gynrychioli buddiannau crefydd neu enwad crefyddol;
 - (b) unrhyw eiddo a ddelir at ddibenion y sefydliad yn cael ei ddal ar ymddiriedolaethau sy'n darparu, os bydd y sefydliad yn cael ei ddirwyn i ben, y caiff yr eiddo o dan sylw ei ddal, neu ei werthu ac y caiff yr enillion o'r gwerthiant eu defnyddio, er lles crefydd neu enwad crefyddol, neu
 - (c) unrhyw eiddo a ddelir at ddibenion y sefydliad yn cael ei ddal ar ymddiriedolaeth er mwyn neu mewn perthynas â –
 - (i) darparu addysg, neu
 - (ii) rhedeg sefydliad addysgol,yn unol â daliadau crefydd neu enwad crefyddol.'.

*** Simon Thomas**

43

Section 6, page 4, after line 35, insert –

- '() to take measures to attract and retain students who are able and wish to study or undertake research through the medium of the Welsh language (or to secure the taking of such measures);'.

Adran 6, tudalen 4, ar ôl llinell 37, mewnosoder –

- '() cymryd camau i ddenu a chadw myfyrwyr sy'n gallu ac yn dymuno astudio neu ymgymryd â gwaith ymchwil drwy gyfrwng y Gymraeg (neu sicrhau bod camau o'r fath yn cael eu cymryd);'.

*** Simon Thomas**

44

Section 6, page 5, after line 16, insert –

- '(c) for expenditure by a regulated institution from any sums derived other than from fees from qualifying persons on qualifying courses.'

Adran 6, tudalen 5, ar ôl llinell 16, mewnosoder –

- '(c) ar gyfer gwariant gan sefydliad rheoleiddiedig o unrhyw symiau sy'n deillio o ffynonellau ac eithrio ffioedd gan bersonau cymhwysol sydd ar gyrsiau cymhwysol.'

*** Simon Thomas** **45**

Section 7, page 5, after line 29, insert—

‘() HEFCW may not approve a plan unless it is satisfied that it complies with the requirements prescribed under section 6.’.

Adran 7, tudalen 5, ar ôl llinell 30, mewnosoder—

‘() Ni chaiff CCAUC gymeradwyo cynllun oni bai ei fod wedi ei fodloni ei fod yn cydymffurfio â’r gofynion a ragnodir o dan adran 6.’.

*** Simon Thomas** **46**

Section 13, page 8, after line 22, insert—

‘(4) The governing body of a regulated institution is not to be regarded for any purpose in this Act, or for any purpose in any regulations made under this Act, as having failed to comply with any of the general provisions of the institution’s approved plan, if the governing body shows that it has taken all reasonable steps to comply with that provision.’.

Adran 13, tudalen 8, ar ôl llinell 25, mewnosoder—

‘(4) Nid yw corff llywodraethu sefydliad rheoleiddiedig i’w ystyried at unrhyw ddiben yn y Ddeddf hon, neu at unrhyw ddiben mewn unrhyw reoliadau a wneir o dan y Ddeddf hon, fel pe bai wedi methu â chydymffurfio ag unrhyw rai o ddarpariaethau cyffredinol cynllun cymeradwy'r sefydliad, os bydd y corff llywodraethu yn dangos ei fod wedi cymryd pob cam rhesymol i gydymffurfio â’r ddarpariaeth honno.’.

*** Simon Thomas** **47**

Section 17, page 9, after line 30, insert—

‘() Arrangements for assessment under subsection (1) may only be made by HEFCW with the Quality Assurance Agency for Higher Education or another charitable or not for profit organisation that undertakes similar work.’.

Adran 17, tudalen 9, ar ôl llinell 31, mewnosoder—

‘() Ni chaniateir i drefniadau ar gyfer asesu o dan is-adran (1) ond gael eu gwneud gan CCAUC gyda’r Asiantaeth Sicrhau Ansawdd ar gyfer Addysg Uwch neu sefydliad elusennol neu ddielw arall sy’n ymgymryd â gwaith tebyg.’.

*** Simon Thomas** **48**

Section 24, page 12, after line 37, insert—

‘() Before issuing or approving guidance under this section (or any revised guidance), HEFCW must consult —

- (a) the governing body of each regulated institution, and
- (b) any other persons they think appropriate.’.

Adran 24, tudalen 12, ar ôl llinell 37, mewnosoder –

- () Cyn dyroddi neu gymeradwyo canllawiau o dan yr adran hon (neu unrhyw ganllawiau diwygiedig), rhaid i CCAUC ymgynghori â'r canlynol –
- (a) corff llywodraethu pob sefydliad rheoleiddiedig, a
 - (b) unrhyw bersonau eraill sy'n briodol yn ei farn ef'.

*** Simon Thomas**

49

Section 25, page 13, line 5, after 'appropriate', insert 'other than the function of undertaking quality assessment functions'.

Adran 25, tudalen 13, llinell 5, ar ôl 'ef', mewnosoder 'ac eithrio'r swyddogaeth o ymgymryd â swyddogaethau asesu ansawdd'.

*** Simon Thomas**

50

Section 25, page 13, line 8, leave out ', or to have shown capacity in,' and insert 'teaching or undertaking research as part of'.

Adran 25, tudalen 13, llinell 9, hepgorer 'ddarparu addysg uwch neu eu bod wedi dangos galluedd o ran darparu' a mewnosoder 'addysgu neu ymgymryd â gwaith ymchwil fel rhan o'r gwaith o ddarparu'.

*** Simon Thomas**

51

Section 27, page 13, line 32, leave out 'relating to the organisation and management of the financial affairs of regulated institutions (referred to in this Act as "the Code")' and insert –

'(referred to in this Act as "the Code") which –

- (a) relates to the organisation and management of the financial affairs of regulated institutions;
- (b) must only include provisions which are necessary to enable the governing body of a regulated institution to demonstrate –
 - (i) that it is exercising appropriate control and management of the financial affairs of a regulated institution; and
 - (ii) that it is safeguarding the financial viability of a regulated institution'.

Adran 27, tudalen 13, llinell 35, hepgorer 'sy'n ymwneud â threfnu a rheoli materion ariannol sefydliadau rheoleiddiedig (y cyfeirir ato yn y Ddeddf hon fel "y Cod")' a mewnosoder – '(y cyfeirir ato yn y Ddeddf hon fel "y Cod") –

- (a) sy'n ymwneud â threfnu a rheoli materion ariannol sefydliadau rheoleiddiedig;
- (b) y mae'n rhaid iddo ond gynnwys darpariaethau sy'n angenrheidiol i alluogi corff llywodraethu sefydliad rheoleiddiedig i ddangos –
 - (i) ei fod yn trefnu ac yn rheoli materion ariannol sefydliad rheoleiddiedig yn briodol; a
 - (ii) ei fod yn diogelu hyfywedd ariannol sefydliad rheoleiddiedig'.

*** Simon Thomas** **52**

Section 28, page 14, line 26, after 'appropriate', insert 'and allow those persons a period of at least 12 weeks to submit comments on the proposed draft Code'.

Adran 28, tudalen 14, llinell 27, ar ôl 'ef', mewnosoder 'a rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny i gyflwyno sylwadau ar y Cod drafft arfaethedig'.

*** Simon Thomas** **53**

To insert a new section –

'() Status of information, advice and guidance

(1) Nothing in this Act, or any regulations made under this Act, shall require the governing body of a regulated institution –

(a) to comply with information, advice or guidance which is specified as applicable to every regulated institution (or to every class or description of regulated institution specified in the information, advice or guidance) unless –

(i) it is in writing;

(ii) it is clearly specified as mandatory to be taken into account by virtue of this Act;

(iii) there has been prior consultation with the governing body of every regulated institution about the information, advice or guidance; and

(iv) the governing body of a regulated institution considers that it is appropriate to comply with the information, advice or guidance in all the circumstances;

(b) to comply with information, advice or guidance which is specified as applicable to a particular regulated institution unless –

(i) it is in writing;

(ii) it is clearly specified as mandatory to be taken into account by virtue of this Act; and

(iii) the governing body of the regulated institution considers that it is appropriate to comply with the information, advice or guidance in all the circumstances.'

I fewnosod adran newydd –

'() Statws gwybodaeth, cyngor a chanllawiau

(1) Ni fydd unrhyw beth yn y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, yn ei gwneud yn ofynnol i gorff llywodraethu sefydliad rheoleiddiedig wneud fel a ganlyn –

(a) cydymffurfio â gwybodaeth, cyngor neu ganllawiau y nodir eu bod yn gymwys i bob sefydliad rheoleiddiedig (neu i bob dosbarth neu ddisgrifiad o sefydliad rheoleiddiedig a nodir yn y wybodaeth, y cyngor neu'r canllawiau) oni bai –

(i) bod y wybodaeth, y cyngor neu'r canllawiau yn ysgrifenedig;

- (ii) ei fod wedi'i nodi'n glir ei bod yn orfodol rhoi ystyriaeth i'r wybodaeth, y cyngor neu'r canllawiau drwy rinwedd y Ddeddf hon;
 - (iii) bod ymgynghoiad wedi'i gynnal ymlaen llaw â chorff llywodraethu pob sefydliad rheoleiddiedig ynghylch y wybodaeth, y cyngor neu'r canllawiau; a
 - (iv) bod corff llywodraethu sefydliad rheoleiddiedig o'r farn ei bod yn briodol cydymffurfio â'r wybodaeth, y cyngor neu'r canllawiau o dan yr holl amgylchiadau;
- (b) cydymffurfio â gwybodaeth, cyngor neu ganllawiau y nodir eu bod yn gymwys i sefydliad rheoleiddiedig penodol oni bai—
- (i) bod y wybodaeth, y cyngor neu'r canllawiau yn ysgrifenedig;
 - (ii) ei fod wedi'i nodi'n glir ei bod yn orfodol rhoi ystyriaeth i'r wybodaeth, y cyngor neu'r canllawiau drwy rinwedd y Ddeddf hon;
 - (iii) bod corff llywodraethu sefydliad rheoleiddiedig o'r farn ei bod yn briodol cydymffurfio â'r wybodaeth, y cyngor neu'r canllawiau o dan yr holl amgylchiadau.'.

* Suzy Davies

54

Section 6, page 5, after line 3, insert—

- '() Where provision prescribed under subsection (3)(b) has been made on the basis of financial provision made by the Welsh Ministers, the Welsh Ministers must, before changing that financial provision —
- (a) consult that governing body on the proposal to change to that financial provision, and
 - (b) provide reasonable notice of that proposal.'.

Adran 6, tudalen 5, ar ôl llinell 3, mewnosoder—

- '() Pan fo darpariaeth a ragnodir o dan isadran (3)(b) wedi'i gwneud ar sail darpariaeth ariannol a wneir gan Weinidogion Cymru, rhaid i Weinidogion Cymru, cyn newid y ddarpariaeth ariannol honno—
- (a) ymgynghori â'r corff llywodraethu hwnnw ynghylch y cynnig i newid i'r ddarpariaeth ariannol honno, a
 - (b) rhoi rhybudd rhesymol ynghylch y cynnig hwnnw.'.

* Suzy Davies

55

Section 36, page 18, line 27, leave out 'to give or withdraw notice under this section' and insert 'one or more of the conditions in section 36(3) has been met'.

Adran 36, tudalen 18, llinell 31, hepgorer 'pa un ai i roi hysbysiad o dan yr adran hon neu ei dynnu'n ôl' a mewnosoder 'a oes un neu ragor o'r amodau yn adran 36(3) wedi'i fodloni'.

*** Suzy Davies** **56**

Section 36, page 18, after line 28, insert –

‘() matters to be taken into account by HEFCW in deciding whether to withdraw a notice given in accordance with section 36(1);’.

Adran 36, tudalen 18, ar ôl llinell 32, mewnosoder –

‘() materion i’w hystyried gan CCAUC wrth benderfynu pa un ai i dynnu hysbysiad a roddwyd yn unol ag adran 36(1) yn ôl;’.

*** Simon Thomas** **57**

Section 28, page 15, leave out line 1 and insert –

‘() the draft Code may not be published unless that draft has been laid before, and approved by resolution of, the National Assembly for Wales;’.

Adran 28, tudalen 15, hepgorer llinellau 1 hyd at 2 a mewnosoder –

‘() ni chaniateir cyhoeddi’r Cod drafft oni bai bod y drafft hwnnw wedi’i osod gerbron Cynulliad Cenedlaethol Cymru, a’i gymeradwyo ganddo drwy benderfyniad;’.

*** Simon Thomas** **58**

Section 28, page 15, line 2, leave out ‘approved draft’ and insert ‘draft approved by the National Assembly for Wales’.

Adran 28, tudalen 15, llinell 3, ar ôl ‘gymeradwywyd’, mewnosoder ‘gan Gynulliad Cenedlaethol Cymru’.

*** Simon Thomas** **59**

Section 29, page 15, line 30, leave out line 30 and insert –

‘() the draft Code may not be published unless that draft has been laid before, and approved by resolution of, the National Assembly for Wales;’.

Adran 29, tudalen 15, hepgorer llinellau 34 hyd at 35 a mewnosoder –

‘() ni chaniateir cyhoeddi’r Cod drafft oni bai bod y drafft hwnnw wedi’i osod gerbron Cynulliad Cenedlaethol Cymru, a’i gymeradwyo ganddo drwy benderfyniad;’.

*** Simon Thomas** **60**

Section 29, page 15, line 31, leave out ‘approved draft’ and insert ‘draft approved by the National Assembly for Wales’.

Adran 29, tudalen 15, llinell 36, ar ôl ‘gymeradwywyd’, mewnosoder ‘gan Gynulliad Cenedlaethol Cymru’.