



## CYNULLIAD CENEDLAETHOL CYMRU

## NATIONAL ASSEMBLY FOR WALES

### OFFERYNNAU STATUDOL

### STATUTORY INSTRUMENTS

**2001 Rhif 2536 (Cy.211)**

**2001 No. 2536 (W.211)**

### ADDYSG, CYMRU

### EDUCATION, WALES

**Rheoliadau Cymhellion Hyfforddi  
Athrawon (Addysg Bellach)  
(Cymru) 2001**

**The Teacher Training Incentive  
(Further Education) (Wales)  
Regulations 2001**

#### NODYN ESBONIADOL

#### EXPLANATORY NOTE

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

*(This note is not part of the Regulations)*

O dan y Rheoliadau hyn caiff y Cynulliad Cenedlaethol dalu grantiau fel cymhellion i annog mwy o bobl i ddilyn cyrsiau ôl-raddedig o hyfforddiant sy'n seiliedig mewn colegau ac sydd wedi'u dylunio'n unswydd i'w paratoi i addysgu personau sy'n dilyn addysg bellach mewn sefydliadau addysg bellach neu mewn mannau eraill.

Under these Regulations the National Assembly may pay grants by way of incentives to encourage more people to undergo college-based post-graduate teacher training courses which are specifically designed to equip them to teach persons undergoing further education in further education institutions or other settings.

O dan y Rheoliadau, caiff y Cynulliad Cenedlaethol dalu'r grant i gyd tra bod y derbynnydd yn dilyn yr hyfforddiant neu, ar y llaw arall, dalu rhan o'r grant tra bod y derbynnydd yn dilyn yr hyfforddiant a thalu rhan ar ôl iddo neu iddi gwblhau'r hyfforddiant ac ymgymryd â swydd addysgu. Yn yr achos olaf, caiff y Cynulliad Cenedlaethol, mewn achos person sy'n cael rhandaliadau grant mewn perthynas â chwrs mewn sefydliad yn Lloegr y mae grantiau tebyg yn daladwy ar ei gyfer o dan drefniadau cyfocrog, dalu unrhyw rhandaliadau sy'n weddill y byddai gan y person hwnnw hawl iddynt o dan y Rheoliadau hyn pe bai wedi cwblhau cwrs yng Nghymru y byddai grant wedi'i dalu ar ei gyfer o dan y Rheoliadau hyn.

Under the Regulations, the National Assembly may pay all of the grant while the recipient is undergoing the training or, alternatively, part of the grant while the recipient is undergoing the training and part after he or she has completed the training and taken up a teaching post. In the latter case, the National Assembly may, in the case of a person who receives instalments of grant in respect of a course at an institution in England for which similar grants are payable under parallel arrangements, pay any remaining instalments to which that person would have been entitled under these Regulations had he or she completed a course in Wales for which grant was paid under these Regulations.

Mae Rheoliad 2 yn diffinio'r termau a ddefnyddir yn y Rheoliadau hyn.

Regulation 2 defines terms used in the Regulations.

Mae Rheoliad 3 yn galluogi'r Cynulliad Cenedlaethol i dalu grantiau fel cymhellion i bersonau sy'n gymwys ar gyfer cymorth i fyfyrwyr i ddilyn cwrs ôl-raddedig o hyfforddiant athrawon o'r math y cyfeirir atynt uchod.

Regulation 3 enables the National Assembly to pay grants by way of incentives to persons who are eligible for student support to undergo a post-graduate teacher training course of the kind referred to above.

Mae Rheoliad 4 yn nodi nifer o achosion lle na ellir talu grantiau o dan Rheoliad 3, ond yn darparu nad yw hyn yn cyfyngu ar bŵer y Cynulliad Cenedlaethol i fabwysiadu meini prawf cymhwyster ar gyfer grantiau o'r fath.

Regulation 4 sets out a number of cases where grants may not be paid under Regulation 3, but provides that this does not limit the National Assembly's power to adopt criteria for eligibility for such grants.

Mae Rheoliad 5 yn caniatáu i'r Cynulliad Cenedlaethol dalu grant o dan Reoliad 3 ar yr amod ei bod yn ofynnol ei ad-dalu o dan amgylchiadau penodedig.

Mae Rheoliad 6 yn caniatáu i'r Cynulliad Cenedlaethol benderfynu swm y grant, y gellir ei dalu naill ai mewn cyfandaliad neu mewn rhandaliadau (y gellir gohirio rhai ohonynt hyd nes bod y person wedi cwblhau'r cwrs ac wedi ymgymryd â swydd addysgu). Mae hefyd yn caniatáu i'r Cynulliad Cenedlaethol gyfeirio taliadau'r grant drwy'r sefydliad sydd o dan sylw.

Regulation 5 allows the National Assembly to make payment of grant under Regulation 3 subject to a requirement that it shall be repaid in specified circumstances.

Regulation 6 allows the National Assembly to decide the amount of grant, which may be paid either in a lump sum or in instalments (some of which may be deferred until after the person has completed the course and taken up a teaching post). It also allows the National Assembly to route payment of grant through the institution concerned.

**Rhif 2001 2536 (Cy.211)****2001 No. 2536 (W.211)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Cymhellion Hyfforddi  
Athrawon (Addysg Bellach)  
(Cymru) 2001****The Teacher Training Incentive  
(Further Education) (Wales)  
Regulations 2001***Wedi'u gwneud* 10 Gorffennaf 2001*Made* 10th July 2001*Yn dod i rym* 1 Medi 2001*Coming into force* 1st September 2001

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 50 a 63(3) o Ddeddf Addysg (Rhif 2) 1986(a), ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru(b), drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 50 and 63(3) of the Education (No. 2) Act 1986(a), and now vested in the National Assembly for Wales(b), hereby makes the following Regulations:

**Enwi, cychwyn a chymhwyso****Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymhellion Hyfforddi Athrawon (Addysg Bellach) (Cymru) 2001 a deuant i rym ar 1 Medi 2001.

1.-(1) These Regulations are called the Teacher Training Incentive (Further Education) (Wales) Regulations 2001 and shall come into force on 1st September 2001.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

(2) These Regulations apply only to Wales.

**Dehongli****Interpretation****2. Yn y Rheoliadau hyn -****2. In these Regulations -**

mae i "addysg bellach" yr ystyr a roddir i "*further education*" gan adran 2 o Ddeddf Addysg 1996(c);

"accredited institution" ("*sefydliad achrededig*") means an institution accredited by the Higher Education Funding Council for Wales as a provider of courses satisfying such provisions as to curricula and other criteria as may be from time to time specified by the National Assembly(c);

ystyr "athro neu athrawes gymwysedig" ("*qualified teacher*") yw person sydd -

"further education" ("*addysg bellach*") has the meaning given to it by section 2 of the

- (a) yn athro neu athrawes gymwysedig yn unol â darpariaeth a wnaed gan neu o dan reoliadau a wnaed ar gyfer naill ai Cymru neu Loegr o dan adran

(a) 1986 p.61. Diwygiwyd adran 63(3) gan baragraff 107(a) o Atodlen 19 i Ddeddf Addysg 1993 (p.35).

(a) 1986 c.61. Section 63(3) is amended by paragraph 107(a) of Schedule 19 to the Education Act 1993 (c. 35).

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) 1996 p.56.

(c) A list of currently accredited institutions may be obtained from the Higher Education Funding Council for Wales at Linden Court, The Orchards, Ty Glas Avenue, Llanishen, Cardiff, CF4 5DZ.

218 o Ddeddf Diwygio Addysg 1988(a); neu

- (b) yn athro neu athrawes gymwysedig yn ôl penderfyniad y Cynulliad Cenedlaethol neu benderfyniad yr Ysgrifennydd Gwladol yn unol ag unrhyw ddarpariaeth a wnaed felly;

ystyr "cwrs ôl-raddedig o hyfforddiant athrawon addysg bellach" ("*post-graduate FE teacher training course*") yw cwrs ôl-raddedig o hyfforddiant cychwynnol i athrawon sydd -

- (a) yn cael ei ddarparu mewn sefydliad achrededig yng Nghymru; a
- (b) wedi'i ddylunio'n benodol i baratoi personau sy'n dilyn y cwrs i addysgu personau sy'n dilyn addysg bellach mewn sefydliad neu mewn man arall sy'n darparu addysg bellach;

ystyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "sefydliad achrededig" ("*accredited institution*") yw sefydliad sydd wedi'i achredu gan Gyngor Cyllido Addysg Uwch Cymru yn ddarparwydd cyrsiau sy'n bodloni unrhyw ddarpariaethau ynghylch cwricwla a meini prawf eraill a bennir o dro i dro gan y Cynulliad Cenedlaethol(b).

### Cymhellion i bersonau ddilyn hyfforddiant athrawon addysg bellach

3.-(1) Caiff y Cynulliad Cenedlaethol dalu grantiau o dan y rheoliad hwn yn gymhellion i bersonau cymwys ddilyn cwrs ôl-raddedig o hyfforddiant athrawon addysg bellach.

(2) Mae'r pŵer a roddwyd i'r Cynulliad Cenedlaethol gan baragraff (1) uchod yn cynnwys pŵer i dalu grant i berson cymwys os yw'r person hwnnw -

- (a) wedi cwblhau cwrs ôl-raddedig o hyfforddiant cychwynnol athrawon yn llwyddiannus mewn sefydliad yn Lloegr sydd wedi'i ddylunio'n benodol i baratoi personau sy'n dilyn y cwrs i addysgu personau sy'n dilyn addysg bellach mewn sefydliad neu mewn man arall sy'n darparu addysg bellach;
- (b) wedi cael swm llawn unrhyw randaliadau grant a oedd yn daladwy mewn perthynas â'r cyfnod pryd yr oedd yn dilyn y cwrs o dan unrhyw drefniadau a oedd yn gymwys yn

Education Act 1996(a);

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales;

"post-graduate FE teacher training course" ("*cwrs ôl-raddedig o hyfforddiant athrawon addysg bellach*") means a post-graduate course of initial training for teachers which is -

- (a) provided at an accredited institution in Wales; and
- (b) specifically designed to equip persons undertaking the course to teach, in an institution or other setting which provides further education, persons undergoing such education;

"qualified teacher" ("*athro neu athrawes gymwysedig*") means a person who -

- (a) is a qualified teacher in accordance with provision made by or under regulations made for either Wales or England under section 218 of the Education Reform Act 1988(b); or
- (b) is determined to be a qualified teacher by the National Assembly or the Secretary of State in accordance with any provision so made.

### Incentives for persons to undergo further education teacher training

3.-(1) The National Assembly may pay grants under this regulation by way of incentives for eligible persons to undergo a post-graduate FE teacher training course.

(2) The power conferred on the National Assembly by paragraph (1) above includes power to pay grant to an eligible person if that person has -

- (a) successfully completed a post-graduate course of initial training for teachers at an institution in England which is specifically designed to equip persons undergoing the course to teach, in an institution or other setting which provides further education, persons undergoing such education;
- (b) received the full amount of any instalments of grant payable in respect of the period when he or she was undergoing the course under any arrangements applying in England which the

(a) 1988 p.40. Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999 (O.S. 1999/2817 (Cy.18)) a Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Lloegr) 1999 (O.S. 1999/2166) yw'r Rheoliadau cyfredol.

(b) Gellir cael rhestr o'r sefydliadau achrededig cyfredol oddi wrth Gyngor Cyllido Addysg Uwch Cymru yn Linden Court, The Orchards, Ty Glas Avenue, Llanisien, Caerdydd, CF4 5DZ.

(a) 1996 c.56.

(b) 1988 c.40. The current Regulations are the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 (S.I. 1999/2817 (W.18)) and the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166).

Lloegr y mae'r Cynulliad Cenedlaethol wedi'i fodloni eu bod yn cyfateb i'r trefniadau a wnaed yn unol â'r Rheoliadau hyn; ac

- (c) wedi ymgymryd â swydd addysgu mewn sefydliad neu mewn man arall sy'n darparu addysg bellach ac sydd wedi'i leoli yng Nghymru.

(3) Ym mharagraffau (1) a (2), ystyr "cymwys" yw cymwys i gael cymorth i fyfyrwyr o dan reoliadau a wnaed o dan adran 22 o Ddeddf Addysgu ac Addysg Uwch 1998(a).

#### **Amodau**

4.-(1) Rhaid peidio â thalu unrhyw daliad o dan reoliad 3 i berson -

- (a) sydd wedi cwblhau cwrs o hyfforddiant cychwynnol i athrawon cyn 1 Medi 2001 o fath sydd wedi'i ddylunio'n benodol i alluogi personau sy'n dilyn y cwrs i addysgu personau sy'n dilyn addysg bellach mewn sefydliad neu mewn man arall sy'n darparu addysg bellach;
- (b) sydd wedi cwblhau cwrs o hyfforddiant cychwynnol i athrawon cyn 1 Medi 2001 o fath sy'n arwain person sy'n ei gwblhau'n llwyddiannus i ddod yn athro neu athrawes gymwysedig; neu
- (c) sy'n dilyn (ond nad yw wedi cwblhau) cwrs o fath y cyfeirir ato ym mharagraff (1)(a) neu (b) a ddechreuodd cyn 1 Medi 2001.

(2) Rhaid peidio â thalu unrhyw grant o dan reoliad 3 i berson oni bai ei fod wedi gwneud cais i'r Cynulliad Cenedlaethol ar unrhyw ffurf ac ar unrhyw bryd a benderfynir gan y Cynulliad Cenedlaethol a chan gynnwys unrhyw fanylion a benderfynir gan y Cynulliad Cenedlaethol.

(3) Rhaid peidio â chymryd bod dim yn y rheoliad hwn yn cyfyngu pŵer y Cynulliad Cenedlaethol i fabwysiadu meini prawf cymhwyster i gael grantiau o dan reoliad 3.

#### **Amodau Pellach**

5.-(1) Caiff y Cynulliad Cenedlaethol osod gofynion y bydd grant a delir yn unol â rheoliad 3 yn ad-daladwy odanynt.

(2) Dim ond o dan yr amgylchiadau canlynol y gellir gosod gofyniad o dan baragraff (1) -

- (a) os yw'n ofyniad sydd â'r nod o sicrhau bod diben rhoi'r grant yn cael ei gyflawni;
- (b) os yw'n darparu ar gyfer ad-dalu'r grant os yw'r derbynnydd, ar ôl cael unrhyw randaliad grant, yn methu â bodloni unrhyw un o'r meini prawf

National Assembly is satisfied correspond to those made in pursuance of these Regulations; and

- (c) taken up a teaching post at an institution or other setting which provides further education and is situated in Wales.

(3) In paragraphs (1) and (2) "eligible" means eligible for student support under regulations made under section 22 of the Teaching and Higher Education Act 1998(a).

#### **Conditions**

4.-(1) No payment shall be made under regulation 3 to a person -

- (a) who has, before 1st September 2001, completed a course of initial training for teachers of a kind which is specifically designed to equip persons undergoing the course to teach, in an institution or other setting which provides further education, persons undergoing such education; or
- (b) who has, before 1st September 2001, completed a course of initial teacher training of a kind which leads to a person who completes it successfully becoming a qualified teacher; or
- (c) who is undergoing (but has not completed) a course of a kind referred to in paragraph (1)(a) or (b) which began before 1st September 2001.

(2) No grant shall be paid under regulation 3 to a person unless he or she has made an application to the National Assembly in such form, at such time and containing such particulars as the National Assembly may determine.

(3) Nothing in this regulation shall be taken as limiting the power of the National Assembly to adopt criteria for eligibility for grants under regulation 3.

#### **Further Conditions**

5.-(1) The National Assembly may impose requirements under which grant paid in pursuance of regulation 3 shall be repayable.

(2) A requirement may be imposed under paragraph (1) only if -

- (a) it is a requirement which has as its objective ensuring that the purpose of making the grant is fulfilled;
- (b) it provides for repayment of grant where, after receiving any instalment of grant, the recipient fails to meet any eligibility criteria adopted by

(a) 1998 p.30; Rheoliadau Addysg (Cymorth i Fyfyrwyr) 2001 (O.S. 2001/951) yw'r Rheoliadau cyfredol.

(a) 1998 c.30; the current Regulations are the Education (Student Support) Regulations 2001 (S.I. 2001/951).

cymhwyster a fabwysiedir gan y Cynulliad Cenedlaethol mewn perthynas â rhandaliad dilynol; neu

- (c) os yw'n darparu ar gyfer ad-dalu grant os yw'r derbynydd wedi rhoi gwybodaeth sy'n ffug neu yn sylweddol gamarweiniol yn ei gais am grant neu mewn perthynas ag ef.

### **Swm y grant a thaliadau grant**

6.-(1) Rhaid i grantiau o dan reoliad 3 beidio â bod yn fwy nag unrhyw symiau y penderfynir arnynt gan y Cynulliad Cenedlaethol.

(2) Gellir penderfynu ar wahanol symiau o dan baragraff (1) ar gyfer gwahanol achosion ac amgylchiadau.

(3) Yn achos grant sy'n daladwy i berson yn rhinwedd rheoliad 3(2), rhaid i'r cyfanswm sy'n daladwy gan y Cynulliad Cenedlaethol beidio â bod yn fwy na'r gwahaniaeth rhwng swm y grant y mae wedi'i gael oddi wrth yr Ysgrifennydd Gwladol o dan y trefniadau cyfatebol sy'n gymwys yn Lloegr a'r swm y penderfynir arno gan y Cynulliad Cenedlaethol o dan baragraff (1) uchod fel yr uchafswm sy'n daladwy i berson sydd -

- (a) yn cwblhau yn llwyddiannus, mewn sefydliad achrededig, gwrs ôl-raddedig o hyfforddiant athrawon addysg bellach o'r un disgrifiad â'r cwrs yn y sefydliad yn Lloegr;
- (b) yn bodloni'r holl amodau perthnasol a geir yn y Rheoliadau hyn; ac
- (c) yn bodloni unrhyw feini prawf perthnasol ar gyfer cymhwyster i gael grantiau o dan reoliad 3 a fabwysiadwyd gan y Cynulliad Cenedlaethol.

(4) Gall grantiau o dan reoliad 3 gael eu talu mewn cyfandaliad neu mewn unrhyw randaliadau ac ar unrhyw adegau y penderfynir arnynt gan y Cynulliad Cenedlaethol, a chaiff y Cynulliad Cenedlaethol benderfynu yn benodol fod rhandaliadau yn daladwy ar ddyddiadau ar ôl i'r person ymgymryd â swydd addysgu mewn sefydliad neu mewn man arall yng Nghymru sy'n darparu addysg bellach.

(5) Yn achos unrhyw grant sy'n daladwy tra bydd person yn dilyn cwrs ôl-raddedig o hyfforddiant athrawon addysg bellach, caiff y Cynulliad Cenedlaethol roi arian i sefydliad achrededig i'w dalu i'r person hwnnw ar unrhyw adegau a gyfarwyddir gan y Cynulliad Cenedlaethol.

the National Assembly in relation to a subsequent instalment; or

- (c) it provides for repayment of grant where the recipient has provided in, or in connection with, his or her application for grant information which is false or materially misleading.

### **Amount and payment of grant**

6.-(1) Grants under regulation 3 shall not exceed such amounts as the National Assembly may determine.

(2) Different amounts may be determined under paragraph (1) for different cases and circumstances.

(3) In the case of grant payable to a person by virtue of regulation 3(2), the total amount payable by the National Assembly shall not exceed the difference between the amount of grant he or she received from the Secretary of State under corresponding arrangements applying in England and the amount determined by the National Assembly under paragraph (1) above as the maximum amount of grant payable to a person who -

- (a) successfully completes, at an accredited institution, a post-graduate FE teacher training course of the same description as the course at the institution in England;
- (b) meets all relevant conditions contained in these Regulations; and
- (c) meets any relevant criteria for eligibility for grants under regulation 3 adopted by the National Assembly.

(4) Grants under regulation 3 may be paid in a lump sum or in such instalments and at such times as the National Assembly determines, and the National Assembly may in particular determine that instalments shall be payable on dates which are after the person has taken up a teaching post at an institution or setting in Wales which provides further education.

(5) In the case of any grant payable while a person is undergoing a post-graduate FE teacher training course, the National Assembly may provide funds to an accredited institution for payment to that person at such times as it may direct.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly under section 66(1) of the Government of Wales Act 1998(a).

10 Gorffennaf 2001

10th July 2001

*John Marek*

Dirpwy Lywydd Cynulliad Cenedlaethol Cymru

The Deputy Presiding Officer of the National Assembly

---

(a) 1998 p.38.

---

(a) 1998 c.38.

**CYNULLIAD CENEDLAETHOL CYMRU**

---

**OFFERYNNAU STATUDOL**

---

**2001 Rhif 2536 (Cy.211)**

**ADDYSG, CYMRU**

**Rheoliadau Cymhellion Hyfforddi  
Athrawon (Addysg Bellach)  
(Cymru) 2001**

**NATIONAL ASSEMBLY FOR WALES**

---

**STATUTORY INSTRUMENTS**

---

**2001 No. 2536 (W.211)**

**EDUCATION, WALES**

**The Teacher Training Incentive  
(Further Education) (Wales)  
Regulations 2001**

© Hawlfraint y Goron 2001

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

**£2.00**

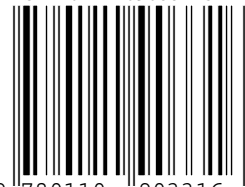
W311/08/01

ON

© Crown copyright 2001

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090331-5



9 780110 903316