

TERTIARY EDUCATION AND RESEARCH (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Jeremy Miles MS on 10 June 2022.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
1	Section 3, page 1, line 26, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education'.	Adran 3, tudalen 1, llinell 27, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
2	Section 3, page 1, line 31, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education'.	Adran 3, tudalen 1, llinell 31, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
3	Section 3, page 2, line 1, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education'.	Adran 3, tudalen 2, llinell 1, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
4	Section 3, page 2, line 4, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education'.	Adran 3, tudalen 2, llinell 4, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
5	Section 3, page 2, line 8, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education'.	Adran 3, tudalen 2, llinell 9, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
6	Section 4, page 2, line 16, after 'Wales', insert ' , in particular those who have additional learning needs, '	Adran 4, tudalen 2, llinell 16, ar ôl 'Nghymru', mewnosoder ' , yn benodol y rheini sydd ag anghenion dysgu ychwanegol, '.	<p>Purpose: the purpose of this amendment is to include express reference to individuals who have additional learning needs in the strategic duty requiring the Commission to encourage participation in tertiary education.</p> <p>Effect: when discharging their duty to encourage individuals who are ordinarily resident in Wales to participate in tertiary education, the Commission must, in particular,</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			encourage participation by individuals who have additional learning needs.
7	Section 5, page 2, line 20, leave out 'tertiary education in Wales' and insert 'Welsh tertiary education'.	Adran 5, tudalen 2, llinell 20, hepgorer 'yng Nghymru' a mewnosoder 'Gymreig'.	This amendment is consequential on 68.
8	Section 7, page 3, line 14, leave out 'providers of tertiary education in Wales' and insert 'tertiary education providers in Wales'.	Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.	<p>Purpose: this amendment clarifies that the strategic duty in section 7 applies to a 'tertiary education provider in Wales' as defined in section 141(1).</p> <p>Effect: the amendment provides the strategic duty applies to institutions providing tertiary education, including tertiary education provided on their behalf, if their activities are wholly or mainly carried on in Wales.</p>
9	Section 7, page 3, line 16, after 'education', insert 'by tertiary education providers'.	Adran 7, tudalen 3, llinell 16, ar ôl 'drydyddol', mewnosoder 'gan ddarparwyr addysg drydyddol'.	<p>Purpose: this amendment clarifies that the strategic duty in section 7 applies to a 'tertiary education provider in Wales' as defined in section 141(1).</p> <p>Effect: the amendment provides the strategic duty applies to institutions providing tertiary education, including tertiary education provided on their behalf, if their activities are wholly or mainly carried on in Wales.</p>
10	Section 9, page 3, line 29, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education provided'.	Adran 9, tudalen 3, llinell 29, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'Gymreig a ddarperir'.	This amendment is consequential on 68.
11	Section 9, page 3, line 31, leave out 'tertiary education provided in Wales' and insert 'Welsh tertiary education provided'.	Adran 9, tudalen 3, llinell 31, hepgorer 'yn cael ei darparu yng Nghymru' a mewnosoder 'Gymreig a ddarperir'.	This amendment is consequential on 68.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
12	Section 27, page 12, after line 12, insert— ' () the effectiveness of the applicant tertiary education provider's arrangements for supporting and promoting the welfare of its students and staff; '.	Adran 27, tudalen 12, ar ôl llinell 13, mewnosoder— ' () effeithiolrwydd trefniadau'r darparwr addysg drydyddol sy'n gwneud cais ar gyfer cefnogi a hybu lles ei fyfyrwyr a'i staff; '.	<p>Purpose: Section 27 sets out mandatory initial registration conditions applicable to all registration categories. This amendment provides for a further initial registration condition regarding the effectiveness of the applicant provider's arrangements for supporting and promoting the welfare of its students and staff.</p> <p>Effect: the amendment ensures that tertiary education providers applying to register with the Commission must satisfy the Commission's expectations regarding the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff.</p>
13	Section 31, page 15, after line 8, insert— ' () a condition relating to the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff; '.	Adran 31, tudalen 15, ar ôl llinell 8, mewnosoder— ' () amod sy'n ymwneud ag effeithiolrwydd trefniadau'r darparwr ar gyfer cefnogi a hybu lles ei fyfyrwyr a'i staff; '.	<p>Purpose: Section 31 sets out the mandatory ongoing registration conditions applicable to all registered providers. This amendment provides for a further mandatory ongoing registration condition regarding the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff.</p> <p>Effect: the amendment ensures that tertiary education providers registered with the Commission must satisfy the Commission's expectations regarding</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff on an ongoing basis.
14	Section 32, page 16, line 6, after 'Ministers', insert 'to which subsection (<i>sub-section to be inserted by amendment 15</i>) applies'.	Adran 32, tudalen 16, llinell 6, ar ôl 'Cymru', mewnosoder 'y mae is-adran (<i>yr is-adran sy'n cael ei mewnosod gan welliant 15</i>) yn gymwys iddo'.	This amendment is consequential on 15.
15	Section 32, page 16, after line 6, insert— '() This subsection applies to a course provided— (a) at one or more places in Wales or elsewhere, (b) by means of correspondence, equipment or other facility that enables persons who are not in the same place (whether in Wales or elsewhere) to participate in teaching or studying the course, or (c) by a combination of the ways described in paragraphs (a) and (b).'	Adran 32, tudalen 16, ar ôl llinell 6, mewnosoder— '() Mae'r is-adran hon yn gymwys i gwrs a ddarperir— (a)mewn un neu ragor o leoedd yng Nghymru neu mewn mannau eraill, (b)drwy gyfrwng gohebiaeth, offer neu gyfleuster arall sy'n galluogi personau nad ydynt yn yr un lle (pa un ai yng Nghymru neu mewn mannau eraill) i gymryd rhan mewn addysgu neu astudio'r cwrs, neu (c)drwy gyfuniad o'r ffyrdd a ddisgrifir ym mharagraffau (a) a (b).'	Purpose: the purpose of this amendment is to amend the definition of 'qualifying courses' for the purposes of fee limits under section 32 of the Bill to ensure that face-to-face and distance learning courses which are qualifying courses are subject to fee limits where applicable. Effect: this amendment has the effect that 'qualifying courses' are courses provided by a tertiary education provider in Wales either on a face-to-face basis in Wales or elsewhere or by way of distance learning (and where the student may not be in Wales).
16	Section 33, page 17, line 2, leave out 'in Wales' and insert 'by, or on behalf of, the registered provider'.	Adran 33, tudalen 17, llinell 3, hepgorer 'yng Nghymru' a mewnosoder 'gan, neu ar ran, y darparwr cofrestredig'.	Purpose: the purpose of this amendment is to remove the reference to "relevant tertiary education provided in Wales" and replace it with a reference to "relevant tertiary education provided by, or on behalf of, the registered provider". Relevant tertiary education is defined as 'courses of tertiary education

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>provided wholly or mainly in Wales and of a kind that relates to the category of the register in which the provider in question is registered”.</p> <p>Effect: this amendment has the effect of clarifying that the conditions of registration in respect of equality of opportunity apply to face-to-face courses provided wholly or mainly in Wales and to distance learning courses to the extent that they can be said to be wholly or mainly in Wales because of the physical location of lecturers and students.</p>
17	Section 33, page 17, line 5, leave out ‘in Wales’ and insert ‘by, or on behalf of, the registered provider’.	Adran 33, tudalen 17, llinell 6, hepgorer ‘yng Nghymru’ a mewnosoder ‘gan, neu ar ran, y darparwr cofrestredig’.	<p>Purpose: the purpose of this amendment is to remove the reference to “relevant tertiary education provided in Wales” and replace it with a reference to “relevant tertiary education provided by, or on behalf of, the registered provider”.</p> <p>Relevant tertiary education is defined as ‘courses of tertiary education provided wholly or mainly in Wales and of a kind that relates to the category of the register in which the provider in question is registered”.</p> <p>Effect: this amendment has the effect of clarifying that the conditions of registration in respect of equality of opportunity apply to face-to-face courses provided wholly or mainly in Wales and to distance learning</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			courses to the extent that they can be said to be wholly or mainly in Wales because of the physical location of lecturers and students.
18	Section 33, page 17, line 6, leave out 'in Wales' and insert 'by, or on behalf of, the registered provider'.	Adran 33, tudalen 17, llinell 8, hepgorer 'yng Nghymru' a mewnosoder 'gan, neu ar ran, y darparwr cofrestredig'.	<p>Purpose: the purpose of this amendment is to remove the reference to "relevant tertiary education provided in Wales" and replace it with a reference to "relevant tertiary education provided by, or on behalf of, the registered provider".</p> <p>Relevant tertiary education is defined as 'courses of tertiary education provided wholly or mainly in Wales and of a kind that relates to the category of the register in which the provider in question is registered'.</p> <p>Effect: this amendment has the effect of clarifying that the conditions of registration in respect of equality of opportunity apply to face-to-face courses provided wholly or mainly in Wales and to distance learning courses to the extent that they can be said to be wholly or mainly in Wales because of the physical location of lecturers and students.</p>
19	Section 33, page 17, line 9, leave out 'tertiary education provided in Wales' and insert 'relevant tertiary education provided by, or on behalf of, the registered provider'.	Adran 33, tudalen 17, llinell 11, hepgorer 'a ddarperir yng Nghymru' a mewnosoder 'berthnasol a ddarperir gan, neu ar ran, y darparwr cofrestredig'.	<p>Purpose: the purpose of this amendment is to remove the reference to "tertiary education provided in Wales" and replace it with a reference to "relevant tertiary education provided by, or on behalf of, the registered provider".</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>Relevant tertiary education is defined as ‘courses of tertiary education provided wholly or mainly in Wales and of a kind that relates to the category of the register in which the provider in question is registered’.</p> <p>Effect: this amendment has the effect of clarifying that the conditions of registration in respect of equality of opportunity apply to face-to-face courses provided wholly or mainly in Wales and to distance learning courses to the extent that they can be said to be wholly or mainly in Wales because of the physical location of lecturers and students.</p>
20	<p>Section 33, page 17, line 13, leave out ‘tertiary education of a kind’ and insert ‘courses of tertiary education provided wholly or mainly in Wales and’.</p>	<p>Adran 33, tudalen 17, llinell 15, hepgorer ‘addysg drydyddol’ yn y lle cyntaf y mae’n ymddangos a mewnosoder ‘cyrsgiau addysg drydyddol a ddarperir yn gyfan gwbl neu’n bennaf yng Nghymru ac’.</p>	<p>Purpose: the purpose of this amendment is to amend the definition of “relevant tertiary education” for the purposes of section 33 of the Bill.</p> <p>Effect: this amendment defines “relevant tertiary education” as courses of tertiary education provided wholly or mainly in Wales, thereby excluding courses, including those provided through distance learning, provided wholly or mainly outside Wales.</p>
21	<p>Section 33, page 17, line 18, leave out ‘in Wales’.</p>	<p>Adran 33, tudalen 17, llinell 20, hepgorer ‘yng Nghymru’.</p>	<p>Purpose: the purpose of this amendment is to amend the definition of “under-represented groups” for the purposes of section 33 of the Bill.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>Effect: this amendment removes the reference to “in Wales” as a consequence of the amendment to the definition of “relevant tertiary education” in amendment 20, which clarifies that relevant tertiary education means courses of tertiary education provided wholly or mainly in Wales.</p>
22	<p>Section 74, page 38, after line 20, insert— (11) In this section, “premises” means premises in Wales or England.’.</p>	<p>Adran 74, tudalen 38, ar ôl llinell 21, mewnosoder— (11) Yn yr adran hon, ystyr “mangre” yw mangre yng Nghymru neu Loegr.’.</p>	<p>Purpose: the purpose of this amendment is to provide for a definition of premises for the purposes of section 74 of the Bill which makes provision in respect of the powers of entry and inspection of a person authorised in writing by the Commission to exercise those powers.</p> <p>Effect: this amendment has the effect of providing a person authorised in writing by the Commission with a right of entry and inspection in respect of premises in England and Wales.</p>
23	<p>Section 87, page 46, line 8, leave out ‘, with the consent of the Commission,’.</p>	<p>Adran 87, tudalen 46, llinell 8, hepgorer ‘, gyda chydysyniad y Comisiwn,’.</p>	<p>This amendment is consequential to amendment 26.</p>
24	<p>Section 87, page 46, line 11, after ‘providing,’ insert ‘is proposing to provide’.</p>	<p>Adran 87, tudalen 46, llinell 11, ar ôl ‘darparu,’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘sy’n bwriadu darparu’.</p>	<p>Purpose: this amendment ensures that organisations who propose to provide (in addition to those already providing, or who have provided in the past) higher education on behalf of a tertiary education provider registered in a specified category of the Commission’s register are</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>included in the definition of “collaborating body”.</p> <p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to provide higher education on behalf of a tertiary education provider registered in a specified category of the register established under section 25.</p>
25	<p>Section 87, page 46, line 12, after ‘working,’ insert ‘is proposing to work’.</p>	<p>Adran 87, tudalen 46, llinell 12, ar ôl ‘cydlafurio,’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘sy’n bwriadu cydlafurio’.</p>	<p>Purpose: this amendment ensures that organisations who propose to work (in addition to those already working, or who have worked in the past) with a tertiary education provider registered in a specified category of the Commission’s register are included in the definition of “collaborating body”.</p> <p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to work with a tertiary education provider registered in a specified category of the register to provide higher education.</p>
26	<p>Section 87, page 46, after line 16, insert— () The Commission must give its consent before the governing body of the specified provider makes a payment to a collaborating body (see section 107 for further provision about the Commission’s consent).’.</p>	<p>Adran 87, tudalen 46, ar ôl llinell 16, mewnosoder— () Rhaid i’r Comisiwn roi ei gydsyniad cyn i gorff llywodraethu’r darparwr penodedig wneud taliad i gorff sy’n cydlafurio (gweler adran 107 am ddarpariaeth bellach ynghylch cydsyniad y Comisiwn).’.</p>	<p>Purpose: this amendment ensures that registered providers in receipt of funding from the Commission for the purpose of the provision of higher education, who wish to pass all or part of that funding to a collaborating body, must obtain the consent of the</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>Commission prior to making any payments to a collaborating body.</p> <p>Effect: the amendment clarifies that the Commission must give its consent to a registered tertiary provider prior to the registered provider passing funds to a collaborating body.</p>
27	Section 88, page 46, line 36, leave out ‘, with the consent of the Commission,’.	Adran 88, tudalen 46, llinell 35, hepgorer ‘, gyda chydsyniad y Comisiwn,’.	This amendment is consequential to amendment 30.
28	Section 88, page 46, line 38, after ‘providing,’ , insert ‘is proposing to provide’.	Adran 88, tudalen 46, llinell 37, ar ôl ‘darparu,’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘sy’n bwriadu darparu’.	<p>Purpose: this amendment ensures that organisations who propose to provide (in addition to those already providing, or who have provided in the past) higher education on behalf of a directly funded provider of specified higher education courses are included in the definition of “collaborating body”.</p> <p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to provide higher education on behalf of a directly funded provider of specified higher education courses.</p>
29	Section 88, page 46, line 39, after ‘working,’ , insert ‘is proposing to work’.	Adran 88, tudalen 46, llinell 38, ar ôl ‘cydlafurio,’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘sy’n bwriadu cydlafurio’.	<p>Purpose: this amendment ensures that organisations who propose to work (in addition to those already working, or who have worked in the past) with a provider of specified higher education courses directly funded by the Commission are included in the definition of “collaborating body”.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to work with a directly funded provider of specified higher education courses.</p>
30	<p>Section 88, page 46, after line 40, insert— '(5) The Commission must give its consent before the provider makes a payment to a collaborating body (see section 107 for further provision about the Commission's consent).'</p>	<p>Adran 88, tudalen 46, ar ôl llinell 39, mewnosoder— '(5) Rhaid i'r Comisiwn roi ei gydsyniad cyn i'r darparwr wneud taliad i gorff sy'n cydlafurio (gweler adran 107 am ddarpariaeth bellach ynghylch cydsyniad y Comisiwn).'</p>	<p>Purpose: this amendment ensures that providers of specified higher education courses in receipt of funding from the Commission who wish to pass part or all of that funding to a collaborating body must obtain the consent of the Commission prior to making any payments to a collaborating body.</p> <p>Effect: the amendment clarifies that the Commission must give its consent a directly funded provider of specified higher education courses prior to the provider passing funds to a collaborating body.</p>
31	<p>Section 89, page 47, line 24, leave out subsection (5).</p>	<p>Adran 89, tudalen 47, llinell 25, hepgorer is-adran (5).</p>	<p>Purpose: this amendment provides for a coherent approach to the application of terms and conditions of funding by the Commission by removing consultation requirements in respect of higher education funding.</p> <p>Effect: the amendment removes a requirement for the Commission to consult prior to determining the terms and conditions applicable to its higher education funding under sections 87 and 88.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
32	Section 91, page 47, line 37, leave out 'provide' and insert 'secure the provision of'.	Adran 91, tudalen 47, llinell 38, hepgorer 'ddarparu adnoddau ariannol' a mewnosoder 'sichau bod adnoddau ariannol yn cael eu darparu'.	This amendment is consequential to amendment 33.
33	Section 91, page 48, after line 2, insert— '() The Welsh Ministers may secure the provision of financial resources under subsection (1)— (a) by providing resources themselves; (b) by making arrangements for the provision of resources by another person; (c) by making arrangements for the provision of resources by persons jointly (whether or not including the Welsh Ministers).'	Adran 91, tudalen 48, ar ôl llinell 2, mewnosoder— '() Caiff Gweinidogion Cymru sichau bod adnoddau ariannol yn cael eu darparu o dan is-adran (1)— (a) drwy ddarparu adnoddau eu hunain; (b) drwy wneud trefniadau i berson arall ddarparu adnoddau; (c) drwy wneud trefniadau i bersonau ddarparu adnoddau ar y cyd (pa un a yw hynny'n cynnwys Gweinidogion Cymru ai peidio).'	Purpose: this amendment will enable the Welsh Ministers to make arrangements with other persons to fund the provision of relevant higher education courses in the same way that they can currently under section 34(2) of the Learning and Skills Act 2000. It also ensures consistency in the approach to the provision of financial resources for higher education courses fundable by the Welsh Ministers under section 91 and the provision of financial resources under section 96 in respect of further education or training. Effect: the amendment enables the Welsh Ministers to fund the provision of relevant higher education courses themselves, or to make arrangements with another person or persons jointly, to fund such courses. Any joint provision may or may not include the Welsh Ministers.
34	Section 91, page 48, line 3, leave out 'Financial resources may be provided by the Welsh Ministers under this section on the terms and conditions that the Welsh Ministers' and insert 'If the Welsh Ministers themselves provide financial resources under this section, they may impose such terms and conditions as they'.	Adran 91, tudalen 48, llinell 3, hepgorer 'Caiff Gweinidogion Cymru ddarparu adnoddau ariannol o dan yr adran hon ar y telerau a'r amodau y mae Gweinidogion Cymru' a mewnosoder 'Os yw Gweinidogion Cymru eu hunain yn darparu adnoddau ariannol o dan yr adran hon, cânt osod y telerau a'r amodau hynny y maent'.	This amendment is consequential to amendment 33.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
35	Section 91, page 48, line 18, after 'providing,' insert 'is proposing to provide'.	Adran 91, tudalen 48, llinell 18, ar ôl 'darparu,' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'sy'n bwriadu darparu'.	<p>Purpose: this amendment ensures that organisations who propose to provide (in addition to those already providing or those who have provided) a relevant higher education course (or part of such a course) funded by the Welsh Ministers or as a result of arrangements made by the Welsh Ministers, are considered to be collaborating bodies.</p> <p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to provide a relevant higher education course (or part of such a course) on behalf of a provider that is funded by the Welsh Ministers or as a result of arrangements made by the Welsh Ministers.</p>
36	Section 91, page 48, line 19, after 'working,' insert 'is proposing to work'.	Adran 91, tudalen 48, llinell 19, ar ôl 'cydlafurio,' mewnosoder 'sy'n bwriadu cydlafurio'.	<p>Purpose: this amendment ensures that organisations who propose to work (in addition to those already working, or who have provided in the past) with a provider of higher education courses directly funded by the Welsh are included in the definition of "collaborating body".</p> <p>Effect: the amendment expands the definition of a collaborating body to include organisations which propose to work with a provider of higher education courses which is directly funded by the Welsh Ministers.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
37	Section 92, page 48, line 28, leave out 'in' and insert 'for'.	Adran 92, tudalen 48, llinell 28, hepgorer 'yng Nghymru' a mewnosoder 'i Gymru'.	<p>Purpose: this amendment is intended to more closely align the Commission's duty to secure the provision of proper facilities for further education and training for persons aged 16 to 19 with the current duties of the Welsh Ministers to secure that provision pursuant to section 31 of the Learning and Skills Act 2000. This amendment is linked to amendment 67 which defines "facilities for Wales".</p> <p>Effect: this amendment provides for the Commission to be under a duty to secure proper facilities for further education and training for Wales for persons aged 16 to 19. This includes both facilities in Wales and to persons ordinarily resident in Wales (such as provision by means of distance learning and face-to-face learning which may take place outside of Wales).</p>
38	Section 93, page 49, line 2, leave out 'in' and insert 'for'.	Adran 93, tudalen 49, llinell 2, hepgorer 'yng Nghymru' a mewnosoder 'i Gymru'.	<p>Purpose: this amendment is intended to ensure that the Commission's duty to secure proper facilities for relevant education and training for eligible persons over 19 is a duty for Wales rather than being limited to a duty to secure facilities in Wales. This amendment is linked to amendment 67 which defines "facilities for Wales".</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>Effect: this amendment ensures that the Commission's duties to secure further education and training are consistent in that they relate to securing facilities "for Wales". "Facilities for Wales" include facilities in Wales and to persons ordinarily resident in Wales (which may include provision by means of distance learning and face-to-face learning which may take place outside Wales).</p>
39	<p>Section 93, page 49, line 12, leave out 'levels 1, 2 and 3' and insert '—</p> <ul style="list-style-type: none"> (i) the level of attainment which, in the opinion of the Welsh Ministers, is demonstrated by a qualification falling within level 1, 2 or 3 of the Credit and Qualifications Framework for Wales, or (ii) another document specified in the regulations that sets out descriptions of levels of qualifications'. 	<p>Adran 93, tudalen 49, llinell 13, hepgorer 'at lefelau 1, 2 a 3' a mewnosoder '—</p> <ul style="list-style-type: none"> (i) at y lefel cyrhaeddiad sydd, ym marn Gweinidogion Cymru, wedi ei dangos gan gymhwyster sy'n dod o fewn lefel 1, 2 neu 3 o Fframwaith Credydau a Chymwysterau Cymru, neu (ii) at ddogfen arall a bennir yn y rheoliadau sy'n nodi disgrifiadau o lefelau cymwysterau'. 	<p>Purpose: In relation to eligible persons over the age of 19, section 93 requires the Welsh Ministers to make regulations describing the relevant further education or training for which the Commission must secure proper facilities. The regulations can, amongst other things, refer to the level of attainment. This amendment allows those regulations to make provision for the level of attainment to be specified by way of reference to the Credit and Qualifications Framework for Wales or, should the need arise, by reference to another document that sets out descriptions of levels of qualifications.</p> <p>Effect: the amendment adjusts the regulation making power in section 93 to allow regulations to refer to the level of attainment by way of reference to the Credit and Qualifications Framework for Wales</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			or another document specified by the Welsh Ministers in the regulations that sets out descriptions of the levels of qualifications.
40	<p>Section 93, page 49, line 15, leave out— “level 1” means the level of attainment which, in the opinion of the Welsh Ministers, is demonstrated by the General Certificate of Secondary Education at Grade D, E, F or G; “level 2” means the level of attainment which, in the opinion of the Welsh Ministers, is demonstrated by the General Certificate of Secondary Education at Grade C or above; “level 3” means the level of attainment which, in the opinion of the Welsh Ministers, is demonstrated by the General Certificate of Education at the advanced level’</p> <p>and insert</p> <p>“the Credit and Qualifications Framework for Wales” means the document with that title published by the Welsh Ministers (as updated from time to time) and which includes descriptions of levels of qualifications’.</p>	<p>Adran 93, tudalen 49, llinell 16, hepgorer— ‘ystyr “lefel 1” yw’r lefel cyrhaeddiad sydd, ym marn Gweinidogion Cymru, wedi ei dangos gan Radd D, E, F neu G o’r Dystysgrif Gyffredinol Addysg Uwchradd; ystyr “lefel 2” yw’r lefel cyrhaeddiad sydd, ym marn Gweinidogion Cymru, wedi ei dangos gan Radd C neu uwch o’r Dystysgrif Gyffredinol Addysg Uwchradd; ystyr “lefel 3” yw’r lefel cyrhaeddiad sydd, ym marn Gweinidogion Cymru, wedi ei dangos gan safon uwch y Dystysgrif Addysg Gyffredinol’</p> <p>a mewnosoder</p> <p>‘ystyr” Fframwaith Credydau a Chymwysterau Cymru” yw’r ddogfen sy’n dwyn y teitl hwnnw a gyhoeddir gan Weindogion Cymru (fel y mae’n cael ei diweddarau o bryd i’w gilydd) ac sy’n cynnwys disgrifiadau o lefelau cymwysterau’.</p>	<p>Purpose: this amendment defines the Credit and Qualifications Framework for Wales for the purpose of regulations to be made under section 93 (and amendment 39 refers)</p> <p>Effect: the amendment defines the Credit and Qualifications Framework for Wales as meaning a document with that title published by the Welsh Ministers. The document may be updated periodically and is to include a description of levels of qualifications.</p> <p>As a consequence of amendment 39, this amendment removes the previous references to qualifications defined by way of reference to the General Certificate of Secondary Education (GCSEs) and the General Certificate of Education at advanced level (A-levels).</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
41	Section 93, page 49, line 23, leave out '(5)' and insert '(4)(b)(<i>first sub-paragraph to be inserted by amendment 39</i>) and before specifying a document under subsection (4)(b)(<i>second sub-paragraph to be inserted by amendment 39</i>)'.	Adran 93, tudalen 49, llinell 22, hepgorer '(5)' a mewnosoder '(4)(b)(<i>yr is-baragraff cyntaf sy'n cael ei fewnosod gan Welliant 39</i>) a chyn pennu dogfen o dan is-adran (4)(b)(<i>yr ail is-baragraff sy'n cael ei fewnosod gan Welliant 39</i>)'.	<p>Purpose: this amendment enables the Welsh Ministers, either in forming an opinion as regards the level of attainment demonstrated by a qualification falling within level 1, 2 or 3 of the Credit and Qualifications Framework for Wales; or before specifying a document that sets out descriptions of levels of qualifications for the purposes of regulations under section 93(3), to have regard to advice or information relating to qualifications provided by Qualifications Wales (amendment 39 also refers).</p> <p>Effect: the amendment allows the Welsh Ministers, in forming an opinion as regards the level of attainment demonstrated by a qualification falling within level 1, 2 or 3 of the Credit and Qualifications Framework for Wales, or before specifying a document to set out descriptions of qualifications, to have regard, in particular, to advice or information relating to qualifications which is provided by Qualifications Wales.</p>
42	Section 94, page 50, line 2, leave out 'in' and insert 'for'.	Adran 94, tudalen 50, llinell 2, hepgorer 'yng Nghymru' a mewnosoder 'i Gymru'.	Purpose: this amendment is intended to more closely align the Commission's duty to secure the provision of reasonable facilities for further education and training for persons aged 19 and over with the

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<p>current duties of the Welsh Ministers to secure such provision pursuant to section 32 of the Learning and Skills Act 2000. This amendment is linked to amendment 67 which defines “facilities for Wales”.</p> <p>Effect: this amendment provides for the Commission to be under a duty to secure reasonable facilities for further education and training for Wales in respect of persons aged 19 and over. This includes both facilities in Wales and to persons ordinarily resident in Wales (such as provision by means of distance learning and face-to-face learning which may take place outside Wales).</p>
43	Section 95, page 50, line 14, after ‘employers’, insert ‘, employees and potential employees’.	Adran 95, tudalen 50, llinell 15, ar ôl ‘cyflogwyr’, mewnosoder ‘, cyflogeion a chyflogeion posibl’.	<p>Purpose: section 95 requires the Commission when discharging its duties to secure facilities for further education and training under sections 92 – 94 to have regard (amongst other things) to the requirements of employers in relation to the education and training required in different sectors of employment. This amendment ensures the Commission is also required to have regard to the requirements of employees and potential employees.</p> <p>Effect: the amendment ensures that the Commission must have regard to the requirements of employees and potential employees when</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			discharging its duties to secure proper and reasonable facilities for further education and training.
44	Section 96, page 51, leave out lines 20-21 and insert '— (a) subsection (sub-section to be inserted by amendment 45) applies.'	Adran 96, tudalen 51, hepgorer llinellau 20-22, a mewnosoder '— (a) os yw is-adran (<i>yr is-adran sy'n cael ei mewnosod gan welliant 45</i>) yn gymwys.'	This amendment is consequential to amendment 45.
45	Section 96, page 51, line 22, leave out— 'the collaborating body is providing, or has provided, further education or training on behalf of the provider, or is working' and insert— 'This subsection applies if the collaborating body is providing, is proposing to provide or has provided, further education or training on behalf of the provider, or is working, is proposing to work'.	Adran 96, tudalen 51, llinell 23, hepgorer— 'os yw'r corff sy'n cydlafurio yn darparu, neu wedi darparu, addysg bellach neu hyfforddiant ar ran y darparwr, neu os yw'n cydlafurio' a mewnosoder— 'Mae'r is-adran hon yn gymwys os yw'r corff sy'n cydlafurio yn darparu, yn bwriadu darparu neu wedi darparu, addysg bellach neu hyfforddiant ar ran y darparwr, neu os yw'n cydlafurio, yn bwriadu cydlafurio'.	Purpose: this amendment ensures that providers of further education or training who are in receipt of funding from the Commission or the Welsh Ministers (or as a result of arrangements made by the Welsh Ministers), may make payments to collaborating bodies who propose to provide further education or training (in addition to those already doing so, or who have done so in the past) on their behalf. Effect: the amendment expands the definition of a collaborating body to include organisations which propose to provide of further education or training on behalf of a provider which is directly funded by either the Welsh Ministers or the Commission.
46	Section 96, page 51, after line 24, insert—	Adran 96, tudalen 51, ar ôl llinell 25, mewnosoder—	Purpose: this amendment ensures that providers of further education or training in receipt of funding from the Welsh Ministers who wish to pass all or part of that funding to a collaborating body must obtain the consent of the Welsh Ministers prior

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>() The Commission (in the case of financial resources secured by it) or the Welsh Ministers (in the case of financial resources secured by them) must give their consent before the provider makes a payment to a collaborating body (see section 107 for further provision about the Commission’s consent).’.</p>	<p>() Rhaid i’r Comisiwn (yn achos adnoddau ariannol a sicrheir ganddo) neu Weinidogion Cymru (yn achos adnoddau ariannol a sicrheir ganddynt) roi ei gydsyniad neu eu cydsyniad cyn i’r darparwr wneud taliad i gorff sy’n cydlafurio (gweler adran 107 am ddarpariaeth bellach ynghylch cydsyniad y Comisiwn).’.</p>	<p>to making a payment to a collaborating body. Where providers of further education or training receive funding from the Commission, they must obtain the consent of the Commission before making a payment to a collaborating body.</p> <p>Effect: the amendment clarifies that the Welsh Ministers (in respect of their funding) or the Commission (in respect of its funding) must give consent to the governing body of a directly funded further education and training provider prior to the provider passing funds to a collaborating body.</p>
47	<p>Section 102, page 55, line 9, leave out ‘education or training in Wales’ and insert ‘relevant education’.</p>	<p>Adran 102, tudalen 55, llinell 9, hepgorer ‘neu hyfforddiant yng Nghymru’ a mewnosoder ‘berthnasol’.</p>	<p>This amendment is consequential on amendment 51.</p>
48	<p>Section 102, page 55, line 15, leave out ‘education or training in Wales’ and insert ‘relevant education’.</p>	<p>Adran 102, tudalen 55, llinell 15, hepgorer ‘neu hyfforddiant yng Nghymru’ a mewnosoder ‘berthnasol’.</p>	<p>This amendment is consequential on amendment 51.</p>
49	<p>Section 102, page 55, line 17, leave out ‘the provision of tertiary education in Wales through the medium of Welsh’ and insert ‘providing, through the medium of Welsh, relevant education that is tertiary education’.</p>	<p>Adran 102, tudalen 55, llinell 17, hepgorer ‘drydyddol yng Nghymru’ a mewnosoder ‘berthnasolsy’n addysg drydyddol’.</p>	<p>This amendment is consequential on amendment 51.</p>
50	<p>Section 102, page 55, line 19, leave out ‘to persons over compulsory school age in Wales’ and insert ‘by means of relevant education that is tertiary education’.</p>	<p>Adran 102, tudalen 55, llinell 18, hepgorer ‘i bersonau dros yr oedran ysgol gorfodol yng Nghymru’ a mewnosoder ‘drwy gyfrwng addysg berthnasol sy’n addysg drydyddol’.</p>	<p>This amendment is consequential on amendment 51.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
51	Section 102, page 55, after line 20, insert— '() In subsections (1) and (2), "relevant education" means— (a) Welsh tertiary education, or (b) other education or training provided wholly or mainly in Wales or to persons who are ordinarily resident in Wales.'	Adran 102, tudalen 55, ar ôl llinell 20, mewnosoder— '() Yn is-adrannau (1) a (2), ystyr "addysg berthnasol" yw— (a) addysg drydyddol Gymreig, neu (b) addysg arall neu hyfforddiant arall a ddarperir yn gyfan gwbl neu'n bennaf yng Nghymru neu i bersonau sy'n preswyllo fel arfer yng Nghymru.'	Purpose: this amendment provides for a definition of "relevant education" for the purposes of section 102(1) and (2) of the Bill. Effect: this amendment has the effect of providing that 'relevant education', for the purposes of section 102(1) and (2) of the Bill, includes 'Welsh tertiary education' (as defined in section 141 by amendment 68) and other education or training: <ul style="list-style-type: none"> • provided wholly or mainly in Wales; • delivered by way of distance learning to persons ordinarily resident in Wales; and • face-to-face provision outside Wales provided to persons ordinarily resident in Wales.
52	Section 103, page 56, line 18, leave out '— (a) the Commission gives its consent, and' and insert— 'subsection (<i>sub-section to be inserted by amendment 53</i>) applies.'	Adran 103, tudalen 56, llinell 18, hepgorer '— (a) os yw'r Comisiwn yn rhoi ei gydsyniad, a' a mewnosoder— 'os yw is-adran (yr is-adran sy'n cael ei mewnosod gan welliant 53) yn gymwys.'	This amendment is consequential to amendment 53.
53	Section 103, page 56, line 20, leave out— 'the collaborating body is providing, or has provided, an approved Welsh apprenticeship on behalf of the provider, or is working' and insert— 'This subsection applies if the collaborating body is providing, is proposing to provide or has provided, an approved Welsh	Adran 103, tudalen 56, llinell 20, hepgorer— 'os yw'r corff sy'n cydlafurio yn darparu, neu wedi darparu, prentisiaeth Gymreig gymeradwy ar ran y darparwr, neu os yw'n cydlafurio' a mewnosoder— 'Mae'r is-adran hon yn gymwys os yw'r corff sy'n cydlafurio yn darparu, yn bwriadu darparu neu wedi darparu, prentisiaeth	Purpose: this amendment ensures that organisations who propose to provide (in addition to those already providing, or who have provided in the past) an approved Welsh apprenticeship framework are included in the definition of "collaborating body".

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	apprenticeship on behalf of the provider, or is working, is proposing to work’.	Gymreig gymeradwy ar ran y darparwr, neu os yw’n cydlafurio, yn bwriadu cydlafurio’.	Effect: the amendment expands the definition of a collaborating body to include organisations which propose to provide an approved Welsh apprenticeship funded by the Commission.
54	Section 103, page 56, after line 23, insert— () The Commission must give its consent before the provider makes a payment to a collaborating body (see section 107 for further provision about the Commission’s consent).’.	Adran 103, tudalen 56, ar ôl llinell 22, mewnosoder— () Rhaid i’r Comisiwn roi ei gydsyniad cyn i’r darparwr wneud taliad i gorff sy’n cydlafurio (gweler adran 107 am ddarpariaeth bellach ynghylch cydsyniad y Comisiwn).’.	Purpose: this amendment ensures that a provider of an approved Welsh apprenticeship in receipt of funding from the Commission who wishes to pass part or all of that funding to a collaborating body must obtain the consent of the Commission prior to making any payments to a collaborating body. Effect: the amendment clarifies that the Commission must give its consent to a directly funded provider of an approved Welsh apprenticeship prior to the provider passing funds to a collaborating body.
55	Section 104, page 58, line 7, leave out ‘, with the consent of the Commission,’.	Adran 104, tudalen 58, llinell 7, hepgorer ‘, gyda chydsyniad y Comisiwn,’.	This amendment is consequential to amendment 57.
56	Section 104, page 58, line 10, leave out ‘working’ and insert ‘carrying out, is proposing to carry out or has carried out research or innovation on behalf of the specified provider, or who is working, is proposing to work’.	Adran 104, tudalen 58, llinell 10, hepgorer ‘cydlafurio,’ yn y lle cyntaf y mae’n ymddangos a mewnosoder ‘gwneud, sy’n bwriadu gwneud neu sydd wedi gwneud gwaith ymchwil neu arloesi ar ran y darparwr penodedig, neu sy’n cydlafurio, sy’n bwriadu cydlafurio’.	Purpose: this amendment ensures the Commission can give its consent to the passage of funds from a directly funded provider to a collaborating body proposing to work with or proposing to carry out research or innovation on behalf of the directly funded provider. Effect: the amendment clarifies that the Commission may give its consent

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			to the passage of funds for the purpose of supporting research and innovation from directly funded providers to collaborating bodies who propose to work with a directly funded provider or who propose to carry out research or innovation on behalf of a directly funded provider.
57	Section 104, page 58, after line 14, insert— '(5) The Commission must give its consent before the governing body of the specified provider makes a payment to a collaborating body (see section 107 for further provision about the Commission's consent).'	Adran 104, tudalen 58, ar ôl llinell 14, mewnosoder— '(5) Rhaid i'r Comisiwn roi ei gydsyniad cyn i gorff llywodraethu'r darparwr penodedig wneud taliad i gorff sy'n cydlafurio (gweler adran 107 am ddarpariaeth bellach ynghylch cydsyniad y Comisiwn).'	Purpose: this amendment ensures that registered providers in receipt of funding from the Commission of the purpose of research or innovation who wish to pass part or all of that funding to a collaborating body must obtain the consent of the Commission prior to making any payments to a collaborating body. Effect: the amendment clarifies that the Commission must give its consent to the governing body of a registered tertiary education provider prior to the registered provider passing funds to a collaborating body.
58	Page 59, after line 10, insert a new section— '[] Financial support under sections 88, 96 and 103: further provision about terms and conditions	Tudalen 59, ar ôl llinell 11, mewnosoder adran newydd— '[] Cymorth ariannol o dan adrannau 88, 96 a 103: darpariaeth bellach ynghylch telerau ac amodau	Purpose: this amendment requires the Commission to consider imposing terms and conditions on its funding to non-registered providers. The terms and conditions concern matters that are mandatory ongoing conditions applied to registered providers. This approach provides greater alignment between the regulatory requirements

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(1) When determining the terms and conditions to be imposed in relation to financial resources provided under section 88(3), 96(1)(a) or (b) or 103(1)(a) to a provider who is not a registered provider, the Commission must consider whether to impose terms and conditions relating to—</p> <ul style="list-style-type: none"> (a) the quality of the relevant education provided by or on behalf of the provider; (b) the effectiveness of the governance and management of the provider (including its financial management); (c) the financial sustainability of the provider; (d) the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff; (e) the delivery of measurable outcomes to further each of the aims in subsection (2). <p>(2) The aims are—</p> <ul style="list-style-type: none"> (a) increasing participation in relevant education provided by or on behalf of the provider 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 by or on behalf of the provider; (c) reduction of any gaps of attainment in relevant education provided by or on behalf of the provider between different groups of students specified in the terms and conditions where the differences arise from social, cultural, economic or organisational factors; 	<p>(1) Wrth benderfynu'r telerau a'r amodau i'w gosod mewn perthynas ag adnoddau ariannol a ddarperir o dan adran 88(3), 96(1)(a) neu (b) neu 103(1)(a) i ddarparwr nad yw'n ddarparwr cofrestredig, rhaid i'r Comisiwn ystyried pa un ai i osod telerau ac amodau sy'n ymwneud—</p> <ul style="list-style-type: none"> (a) ag ansawdd yr addysg berthnasol a ddarperir gan neu ar ran y darparwr; (b) ag effeithiolrwydd trefniadau llywodraethu a rheoli'r darparwr (gan gynnwys ei drefniadau rheoli ariannol); (c) â chynaliadwyedd ariannol y darparwr; (d) ag effeithiolrwydd trefniadau'r darparwr ar gyfer cefnogi a hybu lles ei fyfyrwyr a'i staff; (e) â chyflawni canlyniadau y gellir eu mesur i hyrwyddo pob un o'r nodau yn is-adran (2). <p>(2) Y nodau yw—</p> <ul style="list-style-type: none"> (a) cynyddu cyfranogiad, gan bersonau sy'n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol, mewn addysg berthnasol a ddarperir gan neu ar ran y darparwr; (b) cadw myfyrwyr sy'n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol hyd at ddiwedd cyrsiau addysg berthnasol a ddarperir gan neu ar ran y darparwr; (c) lleihau unrhyw fylchau o ran cyrhaeddiad mewn addysg berthnasol a ddarperir gan neu ar ran y darparwr 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; 	<p>applied to registered and non-registered providers.</p> <p>Effect: the amendment ensures that the Commission, when determining the terms and conditions to be imposed on its funding to a non-registered provider must consider whether to impose requirements relating to the following:</p> <ul style="list-style-type: none"> • the quality of education provided by or on behalf of the provider, • the effectiveness of governance and management of the provider, • the financial sustainability of the provider, • the effectiveness of the provider's arrangements for supporting and promoting the welfare of its students and staff, • the delivery of measurable outcomes in respect of widening participation, retention and attainment of students from under-represented groups in the tertiary education provided by or on behalf of the provider.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(d) provision of support for students finishing courses of relevant education provided by or on behalf of the provider who are members of under-represented groups to continue their tertiary education, find employment or start a business.</p> <p>(3) In this section— “relevant education” (“<i>addysg berthnasol</i>”) means—</p> <p>(a) where financial resources are provided under section 88(3)(a) or (b), the eligible course (within the meaning given by section 88(1)) in respect of which the resources are provided;</p> <p>(b) where financial resources are provided under section 96(1)(a) or (b), the further education or training in respect of which the resources are provided;</p> <p>(c) where financial resources are provided under section 103(1)(a), the approved Welsh apprenticeship (within the meaning given by section 107) in respect of which the resources are provided;</p> <p>“under-represented groups” (“<i>grwpiau sydd heb gynrychiolaeth ddigonol</i>”) are groups specified in the terms and conditions that are under-represented in relevant education as a result of social, cultural, economic or organisational factors.’.</p>	<p>(d) darparu cymorth i fyfyrwyr sy’n gorffen cyrsiau addysg berthnasol a ddarperir gan neu ar ran y darparwr sy’n aelodau o grwpiau sydd heb gynrychiolaeth ddigonol i barhau â’u haddysg drydyddol, dod o hyd i gyflogaeth neu ddechrau busnes.</p> <p>(3) Yn yr adran hon— ystyr “addysg berthnasol” (“<i>relevant education</i>”) yw—</p> <p>(a) pan fo adnoddau ariannol yn cael eu darparu o dan adran 88(3)(a) neu (b), y cwrs cymwys (o fewn yr ystyr a roddir gan adran 88(1)) y darperir yr adnoddau mewn cysylltiad ag ef;</p> <p>(b) pan fo adnoddau ariannol yn cael eu darparu o dan adran 96(1)(a) neu (b), yr addysg bellach neu’r hyfforddiant y darperir yr adnoddau mewn cysylltiad â hi neu ag ef;</p> <p>(c) pan fo adnoddau ariannol yn cael eu darparu o dan adran 103(1)(a), y brentisiaeth Gymreig gymeradwy (o fewn yr ystyr a roddir gan adran 107) y darperir yr adnoddau mewn cysylltiad â hi;</p> <p>“grwpiau sydd heb gynrychiolaeth ddigonol” (“<i>under-represented groups</i>”) yw grwpiau a bennir yn y telerau a’r amodau nad oes ganddynt gynrychiolaeth ddigonol mewn addysg berthnasol o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol.’.</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
59	<p>Section 107, page 59, line 13, leave out subsection (1) and insert—</p> <p>() The Commission may give consent for the purpose of section 87(<i>sub-section to be inserted by amendment 26</i>), 88(<i>sub-section to be inserted by amendment 30</i>), 96(<i>sub-section to be inserted by amendment 46</i>), 103(<i>sub-section to be inserted by amendment 54</i>) or 104(<i>sub-section to be inserted by amendment 57</i>) generally or in relation to a specific payment or a specific collaborating body.’.</p>	<p>Adran 107, tudalen 59, llinell 14, hepgorer is-adran (1) a mewnosoder—</p> <p>() Caiff y Comisiwn roi cydsyniad at ddiben adran 87(<i>yr is-adran sy’n cael ei mewnosod gan welliant 26</i>), 88(<i>yr is-adran sy’n cael ei mewnosod gan welliant 30</i>), 96(<i>yr is-adran sy’n cael ei mewnosod gan welliant 46</i>), 103(<i>yr is-adran sy’n cael ei mewnosod gan welliant 54</i>) neu 104(<i>yr is adran sy’n cael ei mewnosod gan welliant 57</i>) yn gyffredinol neu mewn perthynas â thaliad penodol neu gorff penodol sy’n cydlafurio.’.</p>	<p>Purpose: this amendment removes the power for the Welsh Ministers to make regulations specifying the matters the Commission must consider when deciding whether to consent to the passing of funds from a directly funded provider to a collaborating body and specifies that the Commission may give its consent to the passage of funds from directly funded bodies to collaborating bodies either generally or in respect of a specific payment or a specific collaborating body.</p> <p>The amendment applies to the Commission’s powers to fund: higher education, further education and training, the provision of approved Welsh apprenticeships as well as research and innovation.</p> <p>Effect: the amendment removes the power for the Welsh Ministers to make regulations to specify the matters to which the Commission must have regard when giving consent to the passage of funds from a directly funded body to a collaborating body. The amendment also enables the Commission to give its consent to the passage of funds to collaborating bodies in general or to limit its consent to a specific payment or a specific collaborating body.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
60	<p>Section 107, page 59, after line 18, insert— ' () The conditions must include a requirement that the person to whom financial resources are being provided or secured under section 87, 88, 96, 103 or 104 (as the case may be) makes arrangements for the purpose of ensuring that the resources paid to a collaborating body are managed efficiently and used in a way that provides value for money.'</p>	<p>Adran 107, tudalen 59, ar ôl llinell 19, mewnosoder— ' () Rhaid i'r amodau gynnwys gofyniad bod y person y mae adnoddau ariannol yn cael eu darparu neu eu sicrhau iddo o dan adran 87, 88, 96, 103 neu 104 (yn ôl y digwydd) yn gwneud trefniadau at ddiben sicrhau bod yr adnoddau a delir i gorff sy'n cydlafurio yn cael eu rheoli'n effeithlon ac yn cael eu defnyddio mewn ffordd sy'n darparu gwerth am arian.'</p>	<p>Purpose: this amendment ensures that the Commission, when giving consent to the passage of funds to a collaborating body, applies conditions to protect the use of public money. This requirement applies to funds for the purpose of supporting the provision of higher education, further education, and training, approved Welsh apprenticeships or the undertaking of research and innovation.</p> <p>Effect: the amendment imposes a duty on the Commission to apply conditions to its consent to the passage of funds from a directly funded provider to a collaborating body. Those conditions must require the directly funded provider to make arrangements to ensure that financial resources paid to a collaborating body are managed efficiently and in a way that provides value for money.</p>
61	<p>Section 107, page 59, line 20, after 'provisions', insert ', and where consent has been given generally, it may do so generally or in relation to a specific payment or a specific collaborating body'.</p>	<p>Adran 107, tudalen 59, llinell 21, ar ôl 'hynny', mewnosoder ', a phan fo cydsyniad wedi ei roi yn gyffredinol, caiff wneud hynny yn gyffredinol neu mewn perthynas â thaliad penodol neu gorff penodol sy'n cydlafurio'.</p>	<p>Purpose: this amendment ensures the Commission may withdraw, suspend or vary its consent to the passage of funds to collaborating bodies in general or in respect of a specific payment or a specific collaborating body.</p> <p>Effect: the amendment clarifies that where consent to the passage of funds to a collaborating body has been given generally the Commission</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			may, withdraw, suspend or vary its consent in general or in respect of a specific payment or a specific collaborating body.
62	Section 107, page 59, line 34, leave out '(3) (see paragraph (a) in the definition of "collaborating body")', 88(4)(a), 96(3)(a), 103(2)(a) or 104(4) (see paragraph (a) in the definition of "collaborating body")' and insert '(sub-section to be inserted by amendment 26), 88(sub-section to be inserted by amendment 30), 96(sub-section to be inserted by amendment 46), 103(sub-section to be inserted by amendment 54) or 104(sub-section to be inserted by amendment 57)'. <i>(Note: The original text in the image contains a typo "54" which has been corrected to "54" based on the context of the amendment numbers.)</i>	Adran 107, tudalen 59, llinell 35, hepgorer '(3) (gweler paragraff (a) yn y diffiniad o "corff sy'n cydlafurio")', 88(4)(a), 96(3)(a), 103(2)(a) neu 104(4) (gweler paragraff (a) yn y diffiniad o "corff sy'n cydlafurio")' a mewnosoder '(yr is-adran sy'n cael ei mewnosod gan welliant 26), 88(yr is-adran sy'n cael ei mewnosod gan welliant 30), 96(yr is-adran sy'n cael ei mewnosod gan welliant 46), 103(yr is-adran sy'n cael ei mewnosod gan welliant 54) neu 104(yr is-adran sy'n cael ei mewnosod gan welliant 57)'. <i>(Note: The original text in the image contains a typo "54" which has been corrected to "54" based on the context of the amendment numbers.)</i>	This amendment is consequential on 61.
63	Section 134, page 74, leave out line 26 and insert— 'Welsh tertiary education; (b) other education or training— (i) provided wholly or mainly in Wales, or (ii) to persons who are ordinarily resident'.	Adran 134, tudalen 74, hepgorer llinell 28 a mewnosoder— 'ag addysg drydyddol Gymreig; (b) ag addysg arall neu hyfforddiant arall— (i) a ddarperir yn gyfan gwbl neu'n bennaf yng Nghymru, neu (ii) i bersonau sy'n preswyllo fel arfer'.	Purpose: amendment 63 alters section 134, which makes provision in respect of the Commission's and Welsh Ministers' powers to carry out or fund research in relation to education or training. Effect: this amendment has the effect of providing that the education or training falling within the scope of section 134 is not limited to education and training in Wales and will include: <ul style="list-style-type: none"> • tertiary education provided by or on behalf of tertiary education providers in Wales, • tertiary education funded or otherwise secured by the Commission, and

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
			<ul style="list-style-type: none"> • other education or training provided: <ul style="list-style-type: none"> - wholly or mainly in Wales or - by way of distance learning to persons ordinarily resident in Wales and / or - delivered face-to-face to such persons outside Wales.
64	Section 134, page 74, line 27, leave out 'in Wales' and insert 'described in paragraph (a) or (paragraph inserted by amendment 63)'.	Adran 134, tudalen 74, llinell 29, hepgorer 'yng Nghymru' a mewnosoder 'a ddisgrifir ym mharagraff (a) neu (y paragraff sy'n cael ei fewnosod gan Welliant 63)'.	This amendment is consequential on amendment 63.
65	Page 78, after line 9, insert a new section— [] Data Protection (1) This section applies to a duty or power to disclose or use information where the duty or power is imposed or conferred by or under any provision of this Act. (2) A duty or power to which this section applies does not operate to require or authorise the disclosure or use of information which would contravene the data protection legislation; but the duty or power is to be taken into account in determining whether the disclosure or use would contravene that legislation. (3) In this section, "data protection legislation" has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).'.	Tudalen 78, ar ôl llinell 9, mewnosoder adran newydd— [] Diogelu Data (1) Mae'r adran hon yn gymwys i ddyletswydd neu bŵer i ddatgelu neu ddefnyddio gwybodaeth pan osodir y ddyletswydd neu'r pŵer neu pan y'i rhoddir gan neu o dan unrhyw ddarpariaeth yn y Ddeddf hon. (2) Nid yw dyletswydd na phŵer y mae'r adran hon yn gymwys iddi neu iddo yn gweithredu i'w gwneud yn ofynnol, neu i awdurdodi, datgelu neu ddefnyddio gwybodaeth a fyddai'n torri'r ddeddfwriaeth diogelu data; ond mae'r ddyletswydd neu'r pŵer i'w hystyried neu ei ystyried wrth benderfynu a fyddai'r datgeliad neu'r defnydd yn torri'r ddeddfwriaeth honno. (3) Yn yr adran hon, mae i "deddfwriaeth diogelu data" yr un ystyr ag a roddir i "data protection legislation" yn Neddf Diogelu Data 2018 (gweler adran 3 o'r Ddeddf honno).'.	Purpose: the purpose of this amendment is to provide for a new section to be included in the Bill to provide a 'statutory override' provision in respect of data protection legislation. Effect: this amendment has the effect of clarifying that no provision made by the Bill requiring, or enabling, the disclosure or use of information disappplies, in any way, existing data protection legislation.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
66	Section 140, page 78, line 31, leave out '33(1),'.	Adran 140, tudalen 78, llinell 34, hepgorer '33(1),'.	<p>Purpose: this amendment updates section 140 of the Bill to reflect amendments made to section 33(1) at Stage 2.</p> <p>Effect: the amendment removes reference to a regulation making power which is no longer in the Bill because of amendments made at Stage 2.</p>
67	Section 141, page 79, after line 16, insert— “facilities for Wales” (“ <i>cyfleusterau i Gymru</i> ”) includes— (a) facilities in Wales, and (b) other facilities available to persons ordinarily resident in Wales;’.	Adran 141, tudalen 79, ar ôl llinell 36, mewnosoder— ‘mae “ <i>cyfleusterau i Gymru</i> ” (“ <i>facilities for Wales</i> ”) yn cynnwys— (a) cyfleusterau yng Nghymru, a (b) cyfleusterau eraill sydd ar gael i bersonau sy’n preswyllo fel arfer yng Nghymru;’.	<p>Purpose: the purpose of this amendment is to define “facilities for Wales” for the purposes of the Commission’s duties to secure facilities for further education and training for the purposes of amendments 37, 38 and 42.</p> <p>Effect: this amendment has the effect of defining ‘facilities in Wales’ as those located in Wales and other facilities available to persons ordinarily resident in Wales (which may include provision by way of distance learning or face-to-face-provision taking place outside Wales).</p>
68	Section 141, page 80, after line 16, insert— “Welsh tertiary education” (“ <i>addysg drydyddol Gymreig</i> ”) means tertiary education— () provided by, or on behalf of, a tertiary education provider in Wales, or () funded or otherwise secured by the Commission.’.	Adran 141, tudalen 79, ar ôl llinell 12, mewnosoder— ‘ystyr “ <i>addysg drydyddol Gymreig</i> ” (“ <i>Welsh tertiary education</i> ”) yw addysg drydyddol— () a ddarperir gan, neu ar ran, darparwr addysg drydyddol yng Nghymru, neu () a gyllidir gan y Comisiwn neu a sicrhair fel arall ganddo;’	<p>Purpose: the purpose of this amendment is to define “Welsh tertiary education”</p> <p>Effect: this amendment has the effect of defining “Welsh tertiary education” as being tertiary education provided by, or on behalf of, a tertiary education provider in Wales, or</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
69	<p>Section 141, page 81, after line 3, insert—</p> <p>() References in this Act (however expressed) to the provision of tertiary education by, or on behalf of, a tertiary education provider in Wales (including a registered provider or specified provider) include courses of tertiary education provided—</p> <p>(a) at one or more places in Wales or elsewhere,</p> <p>(b) by means of correspondence, equipment or other facility that enables persons who are not in the same place (whether in Wales or elsewhere) to participate in the tertiary education, or</p> <p>(c) by a combination of the ways described in paragraphs (a) and (b).’.</p>	<p>Adran 141, tudalen 81, ar ôl llinell 3, mewnosoder—</p> <p>() Mae cyfeiriadau yn y Ddeddf hon (sut bynnag y’u mynegir) at ddarparu addysg drydyddol gan, neu ar ran, darparwr addysg drydyddol yng Nghymru (gan gynnwys darparwr cofrestredig neu ddarparwr penodedig) yn cynnwys cyrsiau addysg drydyddol a ddarperir—</p> <p>(a) mewn un neu ragor o leoedd yng Nghymru neu mewn mannau eraill,</p> <p>(b) drwy gyfrwng gohebiaeth, offer neu gyfleuster arall sy’n galluogi personau nad ydynt yn yr un lle (pa un ai yng Nghymru neu mewn mannau eraill) i gymryd rhan yn yr addysg drydyddol, neu</p> <p>(c) drwy gyfuniad o’r ffyrdd a ddisgrifir ym mharagraffau (a) a (b).’.</p>	<p>funded or otherwise secured by the Commission.</p> <p>The purpose and effect of this amendment is to amend section 141 of the Bill to provide for the meaning of “the provision of tertiary education by, or on behalf of, a tertiary education provider in Wales”; this is defined as including courses provided:</p> <ul style="list-style-type: none"> • by way of face-to-face learning in Wales or elsewhere, and/or • by way of distance learning (where the student might not be in Wales).
70	<p>Schedule 4, page 100, after line 3, insert—</p> <p><i>‘Employment and Training Act 1973 (c. 50)</i></p> <p>[] (1) The Employment and Training Act 1973 is amended as follows.</p> <p>(2) In section 8 (careers services), in subsection (4), for paragraph (a) substitute—</p>	<p>Atodlen 4, tudalen 100, ar ôl llinell 3, mewnosoder—</p> <p><i>‘Deddf Cyflogaeth a Hyfforddiant 1973 (p. 50)</i></p> <p>[] (1) Mae Deddf Cyflogaeth a Hyfforddiant 1973 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 8 (gwasanaethau gyrfaoedd), yn is-adran (4), yn lle paragraff (a) rhodder—</p>	<p>Purpose: this amendment makes consequential alterations to subsection (4) of section 8 of the Employment and Training Act 1973 in respect of the definition of what constitutes an educational institution within the higher education sector. It ensures that tertiary education providers registered with the Commission for the purpose of higher education (excluding institutions within the further education sector) are excluded from the Welsh Ministers’ duty to secure the provision of careers services for school and</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>“(a) as respects Wales as references to a tertiary education provider registered under section 25 of the Tertiary Education and Research (Wales) Act 2022 to provide higher education, other than a provider which is also an institution within the further education sector (within the meaning given by section 91(3) of the Further and Higher Education Act 1992) or a school (within the meaning given by section 4 of the Education Act 1996), and”.</p>	<p>“(a) as respects Wales as references to a tertiary education provider registered under section 25 of the Tertiary Education and Research (Wales) Act 2022 to provide higher education, other than a provider which is also an institution within the further education sector (within the meaning given by section 91(3) of the Further and Higher Education Act 1992) or a school (within the meaning given by section 4 of the Education Act 1996), and”.</p>	<p>college students. This aligns with the current exclusion of institutions within the higher education sector from this duty.</p> <p>Effect: the amendment replaces reference to an institution falling within scope of section 91(5) of the Further and Higher Education Act 1992 with reference to a tertiary education provider registered with the Commission to provide higher education, other than an institution which is also within the further education sector.</p>
71	<p>Schedule 4, page 100, after line 12, insert— ‘() in subsection (5), for paragraph (aa) substitute— “(aa) a tertiary education provider registered under section 25 of the Tertiary Education and Research (Wales) Act 2022 to provide higher education, other than an institution within paragraph (a) or (ba) or a school;”.</p>	<p>Atodlen 4, tudalen 100, ar ôl llinell 12, mewnosoder— ‘() yn is-adran (5), yn lle paragraff (aa) rhodder— “(aa) a tertiary education provider registered under section 25 of the Tertiary Education and Research (Wales) Act 2022 to provide higher education, other than an institution within paragraph (a)</p>	<p>Purpose: Section 43 of the Education (No 2) Act 1986 provides for a duty to secure freedom of speech and applies, in Wales, to universities and ‘any institution other than a university within the higher education sector’ as well as institutions in the further education sector. This amendment makes consequential alterations to subsection (5) of section 43 to ensure that the duty to secure freedom of speech applies to universities, further education institutions and any other tertiary education provider registered</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
		or (ba) or a school;”;	<p>with the Commission for the purpose of providing higher education.</p> <p>Effect: this amendment replaces the reference in section 43(5)(aa) to ‘any institution other than a university within the higher education sector’ with a reference to tertiary education providers registered with the Commission to provider higher education.</p>
72	<p>Schedule 4, page 101, after line 37, insert—</p> <p>‘(a) in subsection (5)—</p> <p>(i) for paragraphs (a) and (aa) substitute—</p> <p>“(a) tertiary education providers registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022, other than providers that are also institutions within the further</p>	<p>Atodlen 4, tudalen 101, ar ôl llinell 37, mewnosoder—</p> <p>‘(a) yn is-adran (5)—</p> <p>(i) yn lle paragraffau (a) ac (aa) rhodder—</p> <p>“(a) tertiary education providers registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022, other than providers that are also institutions</p>	<p>Purpose: Section 91(5) of the Further and Higher Education Act 1992 defines what constitutes ‘<i>institutions within the higher education sector</i>’. The definition relies on references to universities receiving financial support from HEFCW and universities that are regulated institutions under the Higher Education (Wales) Act 2015. This amendment makes consequential alterations to section 91(5) of the 1992 Act to ensure that the definition of an institution within the higher education sector captures, in relation to Wales, tertiary education providers registered in a category specified in regulations made for the purposes of sections 87 or 104 of the Bill, excluding institutions within the further education sector and schools.</p> <p>Effect: this amendment repeals subsections (5)(a) and (5)(aa) of section 91 of the Further and Higher Education Act 1992 and replaces</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p style="text-align: center;">education sector or schools,”;</p> <p>(ii) in paragraph (b) after “in Wales” insert “, other than ones falling within paragraph (a),”;</p> <p>(iii) in paragraph (c) after “Act)” insert “, other than institutions falling within paragraph (a),”;</p> <p>(b) omit subsection (5A).’.</p>	<p style="text-align: center;">within the further education sector or schools,”;</p> <p>(ii) ym mharagraff (b) ar ôl “in Wales” mewnosoder “, other than ones falling within paragraph (a),”;</p> <p>(iii) ym mharagraff (c) ar ôl “Act)” mewnosoder “, other than institutions falling within paragraph (a),”;</p> <p>(b) hepgorer is-adran (5A).’.</p>	<p>them with a new subsection which refers to tertiary education providers registered with the Commission for the purpose of being eligible to receive funding from the Commission under section 87(higher education) or section 104 (research and innovation).</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
73	<p>Schedule 4, page 105, line 29, after ‘Wales),’ insert—</p> <p style="padding-left: 40px;">‘ () for paragraph 7, substitute—</p> <p style="padding-left: 80px;">“7 Any tertiary education provider (other than one within paragraph 5, 6, 8 or 9) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022.”.</p>	<p>Atodlen 4, tudalen 105, llinell 32, ar ôl ‘Cymru),’ mewnosoder—</p> <p style="padding-left: 40px;">‘ () yn lle paragraff 7, rhodder—</p> <p style="padding-left: 80px;">“7 Any tertiary education provider (other than one within paragraph 5, 6, 8 or 9) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022.”.</p>	<p>Purpose: this amendment makes consequential alterations to Schedule 2A of the Care Standards Act 2000. It specifies that tertiary education providers registered in a category specified in regulations as being eligible to receive funding for higher education or research or innovation from the Commission will fall within the scope of Schedule 2A to the 2000 Act thereby enabling the Children’s Commissioner for Wales to review the effect of the exercise, or proposed exercise of any function of such providers on children ordinarily resident in Wales.</p> <p>Effect: the amendment ensures that registered tertiary education providers eligible for receipt of funding from the Commission for the purposes of higher education or research or innovation fall within scope of the Children’s Commissioner of Wales functions under Section 72B of the Care Standard Act 2000.</p>
74	<p>Schedule 4, page 110, line 17, leave out paragraph 18 and insert—</p> <p>‘ [] (1) The Commissioner for Older People (Wales) Act 2006 is amended as follows.</p> <p>(4) In Schedule 2 (persons whose functions are subject to review under section 3), under the sub-heading “Education and training”—</p> <p style="padding-left: 40px;">(a) for “The Higher Education Funding Council for Wales” substitute “The</p>	<p>Atodlen 4, tudalen 110, llinell 18, hepgorer paragraff 18 a mewnosoder—</p> <p>‘ [] (1) Mae Deddf Comisiynydd Pobl Hŷn (Cymru) 2006 wedi ei diwygio fel a ganlyn.</p> <p>(4) Yn Atodlen 2 (personau y mae eu swyddogaethau yn ddarostyngedig i’w hadolygu o dan adran 3), o dan yr is-bennawd “Education and training”—</p> <p style="padding-left: 40px;">(a) yn lle “The Higher Education Funding Council for Wales” rhodder “The</p>	<p>Purpose: this amendment makes consequential alterations to Schedules 2 and 3 of the Commissioner for Older People (Wales) Act 2006. It specifies that tertiary education providers registered in a category specified in regulations as being eligible to receive funding for higher education or research or innovation from the Commission will</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>Commission for Tertiary Education and Research”;</p> <p>(b) for “an institution in Wales falling within section 91(5)(a) of the Further and Higher Education Act 1992 (c. 13)” substitute “a tertiary education provider (other than one mentioned elsewhere in this Schedule) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022”.</p> <p>(5) In Schedule 3 (persons whose arrangements are subject to review under section 5), under the sub-heading “Education and training”, for “an institution in Wales falling within section 91(5)(a) of the Further and Higher Education Act 1992 (c. 13)” substitute “a tertiary education provider (other than one mentioned elsewhere in this Schedule) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022”.</p>	<p>Commission for Tertiary Education and Research”;</p> <p>(b) yn lle “an institution in Wales falling within section 91(5)(a) of the Further and Higher Education Act 1992 (c. 13)” rhodder “a tertiary education provider (other than one mentioned elsewhere in this Schedule) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022”.</p> <p>(5) Yn Atodlen 3 (personau y mae eu trefniadau yn ddarostyngedig i’w hadolygu o dan adran 5), o dan yr is-bennawd “Education and training”, yn lle “an institution in Wales falling within section 91(5)(a) of the Further and Higher Education Act 1992 (c. 13)” rhodder “a tertiary education provider (other than one mentioned elsewhere in this Schedule) that is registered in a category specified in regulations made for the purposes of section 87 or 104 of the Tertiary Education and Research (Wales) Act 2022”.</p>	<p>fall within the scope of Schedules 2 and 3 to the 2006 Act to enable the Commissioner for Older People to determine whether specified arrangements at such providers are effective in safeguarding and promoting the interests of relevant older people in Wales.</p> <p>Effect: the amendment ensures that registered tertiary education providers eligible for receipt of funding from the Commission for the purposes of higher education or research or innovation fall within scope of the functions of the Commissioner for Older People under sections 3 and 5 of the Commissioner for Older People (Wales) Act 2006.</p>
75	<p>Schedule 4, page 111, after line 2, insert—</p> <p>() In Schedule 4 (regulated activities relating to children), in paragraph 1, after subparagraph (9B)(i) insert—</p>	<p>Atodlen 4, tudalen 111, ar ôl llinell 2, mewnosoder—</p> <p>() Yn Atodlen 4 (gweithgareddau rheoleiddiedig sy’n ymwneud â phlant), ym mharagraff 1, ar ôl is-baragraff (9B)(i) mewnosoder—</p>	<p>Purpose: this amendment makes consequential alterations to Schedule 4 of the Safeguarding Vulnerable Groups Act 2006. It specifies that inspections conducted by the Chief Inspector under the Tertiary Education and Research (Wales) Act are considered a regulated activity</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	“(ia) an inspection under section 57, 58, 59, 60 or 63 of the Tertiary Education and Research (Wales) Act 2022 (inspection of further education and training, etc. by Her Majesty’s Chief Inspector of Education and Training in Wales);”.	“(ia) an inspection under section 57, 58, 59, 60 or 63 of the Tertiary Education and Research (Wales) Act 2022 (inspection of further education and training, etc. by Her Majesty’s Chief Inspector of Education and Training in Wales);”.	related to children for the purposes of the 2006 Act. Effect: the amendment effectively continues the status of these inspections as regulated activities relating to children, which were previously functions held under Part 4 of the Learning and Skills Act 2000.
76	Schedule 4, page 113, leave out lines 12 to 25	Atodlen 4, tudalen 113, hepgorer llinellau 12 hyd at 25.	Purpose: this amendment removing provision which is no longer necessary as a result of provision added to the Bill at Stage 2 in respect of amendments to the School Standards and Organisation (Wales) Act 2013. Effect: the amendments by the 2013 Act by the Bill were refined at Stage 2 with provision inserted requiring the Welsh Ministers to approve any proposals, made by a local authority of the governing body of a voluntary or foundation school, which were subject to a relevant objection submitted, and not withdrawn, in line with the requirements of the 2014 Act.
77	Schedule 4, page 118, after line 21, insert— <i>‘Social Services and Well-being (Wales) Act 2014 (anaw 4)</i> [] (1) The Social Services and Well-being (Wales) Act 2014 is amended as follows.	Atodlen 4, tudalen 118, ar ôl llinell 23, mewnosoder—	Purpose: this amendment makes consequential alterations to section 162 of the Social Services and Well-being (Wales) Act 2014 in light of the repeal of the Welsh Ministers’ functions of funding of further

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(2) In section 162 (arrangements to promote co-operation: adults with needs for care and support and carers), in subsection (4)—</p> <p>(a) in paragraph (g), for “Part 2 of the Learning and Skills Act 2000” substitute “section 91, 96 or 102(1) of the Tertiary Education and Research (Wales) Act 2022”;</p> <p>(b) after paragraph (g) insert—</p> <p>“(ga) the Commission for Tertiary Education and Research to the extent that it is discharging functions under section 92, 93, 94, 96 or 102(1) of the Tertiary Education and Research (Wales) Act 2022;”.</p>	<p><i>‘Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)</i></p> <p>[] (1) Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 162 (trefniadau i hyrwyddo cydweithrediad: oedolion y mae arnynt anghenion am ofal a chymorth a gofalwyr), yn is-adran (4)—</p> <p>(a) ym mharagraff (g), yn lle “Ran 2 o Ddeddf Dysgu a Medrau 2000” rhodder “adran 91, 96 neu 102(1) o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022”;</p> <p>(b) ar ôl paragraff (g) mewnosoder—</p> <p>“(ga) y Comisiwn Addysg Drydyddol ac Ymchwil i’r graddau y mae’n cyflawni swyddogaethau o dan adran 92, 93, 94, 96 neu 102(1) o Ddeddf Addysg Drydyddol ac Ymchwil (Cymru) 2022;”.</p>	<p>education and school sixth form education under Part 2 of the Learning and Skills Act 2000. Section 162 of the 2014 Act provides that a local authority must make arrangements to promote cooperation between the local authority, each of the authority’s ‘relevant partners’ and other bodies who are engaged in activities relevant to adults in need of care and support and carers in need of support. The amendment specifies that both the Commission and the Welsh Ministers are relevant partners of local authorities to the extent to which they are exercising specified funding functions under the Bill.</p> <p>Effect: the amendment ensures that the Commission is defined as a relevant partner of local authorities to the extent the Commission is exercising its functions under sections 92, 93, 94, 96 or 102(1) of the Bill. The amendment also ensures that the Welsh Ministers are defined as a relevant partner of local authorities to the extent they are exercising their function under sections 91, 96 or 102(1) of the Bill.</p>