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WELSH STATUTORY
INSTRUMENTS

2018 Rhif 123 (Cy. 29)

2018 No. 123 (W. 29)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

**Rheoliadau Gofal a Chymorth
(Gosod Ffioedd) (Cymru)
(Diwygio) 2018**

**The Care and Support (Charging)
(Wales) (Amendment)
Regulations 2018**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015 ("Rheoliadau 2015").

These Regulations amend the Care and Support (Charging) (Wales) Regulations 2015 ("the 2015 Regulations").

Mae Rheoliadau 2015 yn nodi'r gofynion y mae rhaid i awdurdodau lleol eu dilyn wrth ddyfarnu swm y ffioedd sy'n gymwys mewn perthynas â gofal a chymorth a ddarperir neu a drefnir ganddynt, neu y cynigiant eu darparu neu eu trefnu, wrth gyflawni eu swyddogaethau o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ("y Ddeddf"). Mae Rheoliadau 2015 hefyd yn cynnwys darpariaeth gyfochrog sy'n nodi'r gofynion sy'n gymwys pan fo awdurdod lleol yn gwneud taliadau uniongyrchol i ddiwallu anghenion person am ofal a chymorth.

The 2015 Regulations set out the requirements which local authorities must follow when making a determination of the amount of the charges which apply in relation to care and support which they are providing or arranging or propose to provide or arrange in the course of carrying out their functions under Part 4 of the Social Services and Well-being (Wales) Act 2014 ("the Act"). The 2015 Regulations also contain parallel provisions setting out requirements which apply where a local authority makes direct payments to meet a person's need for care and support.

Mae'r Rheoliadau hyn yn diwygio Rhan 2 o Rheoliadau 2015 (codi ffioedd o dan Ran 5 o'r Ddeddf) fel a ganlyn:

These Regulations amend Part 2 of the 2015 Regulations (charging under Part 5 of the Act) as follows:

- cynnydd yn yr uchafswm ffi wythnosol am ofal a chymorth amhreswyl o £70 i £80,
- cynnydd yn y terfyn cyfalaf perthnasol am ofal preswyl o £30,000 i £40,000,
- cynnydd yn yr isafswm incwm wythnosol ar gyfer person y darperir llety iddo mewn cartref gofal o £27.50 i £28.50.

- the amount of the maximum weekly charge for non-residential care and support is increased from £70 to £80,
- the relevant capital limit for residential care is increased from £30,000 to £40,000,
- the weekly minimum income amount where a person is provided with accommodation in a care home is increased from £27.50 to £28.50.

Mae'r Rheoliadau hyn yn diwygio Rhan 4 o Reoliadau 2015 (cyfraniadau ac ad-daliadau am daliadau uniongyrchol) fel a ganlyn:

- cynnydd yn yr uchafswm cyfraniad neu ad-daliad wythnosol am ofal a chymorth amhreswyl o £70 i £80,
- cynnydd yn yr isafswm incwm wythnosol ar gyfer person y darperir llety iddo mewn cartref gofal ac sy'n cael taliadau uniongyrchol o dan y Ddeddf o £27.50 i £28.50.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Y Grŵp Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

These Regulations amend Part 4 of the 2015 Regulations (contributions and reimbursements for direct payments) as follows:

- the amount of the maximum weekly contribution or reimbursement for non-residential care and support is increased from £70 to £80,
- the weekly minimum income amount where a person is provided with accommodation in a care home and receives direct payments under the Act is increased from £27.50 to £28.50.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Health and Social Services Group, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

2018 Rhif 123 (Cy. 29)

**GOFAL CYMDEITHASOL,
CYMRU**

**Rheoliadau Gofal a Chymorth
(Gosod Ffioedd) (Cymru)
(Diwygio) 2018**

Gwnaed 30 Ionawr 2018

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 2 Chwefror 2018

Yn dod i rym 9 Ebrill 2018

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 50, 52, 53(3), 61, 66 a 196(2) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1), yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) (Diwygio) 2018.

(2) Daw'r Rheoliadau hyn i rym ar 9 Ebrill 2018.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015

2. Mae Rheoliadau Gofal a Chymorth (Gosod Ffioedd) (Cymru) 2015(2) wedi eu diwygio fel a ganlyn—

- (a) yn rheoliad 7 (uchafswm ffi wythnosol am ofal a chymorth amhreswyl), ym mharagraff (1), yn lle “£70” rhodder “£80”;
- (b) yn rheoliad 11 (terfyn cyfalaf perthnasol), ym mharagraff (2)(a), yn lle “£30,000” rhodder “£40,000”;

(1) 2014 dccc 4.

(2) O.S. 2015/1843 (Cy. 271), fel y'i diwygiwyd gan O.S. 2017/214 (Cy. 58).

2018 No. 123 (W. 29)

SOCIAL CARE, WALES

**The Care and Support (Charging)
(Wales) (Amendment)
Regulations 2018**

Made 30 January 2018

*Laid before the National Assembly
for Wales* 2 February 2018

Coming into force 9 April 2018

The Welsh Ministers in exercise of the powers conferred by sections 50, 52, 53(3), 61, 66 and 196(2) of the Social Services and Well-being (Wales) Act 2014(1), make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Care and Support (Charging) (Wales) (Amendment) Regulations 2018.

(2) These Regulations come into force on 9 April 2018.

(3) These Regulations apply in relation to Wales.

Amendment of the Care and Support (Charging) (Wales) Regulations 2015

2. The Care and Support (Charging) (Wales) Regulations 2015(2) are amended as follows—

- (a) in regulation 7 (maximum weekly charge for non-residential care and support), in paragraph (1), for “£70” substitute “£80”;
- (b) in regulation 11 (relevant capital limit), in paragraph (2)(a), for “£30,000” substitute “£40,000”;

(1) 2014 anaw 4.

(2) S.I. 2015/1843 (W. 271), as amended by S.I. 2017/214 (W. 58).

- (c) yn rheoliad 13 (isafswm incwm ar gyfer person y darperir llety iddo mewn cartref gofal) yn lle “£27.50” rhodder “£28.50”;
- (d) yn rheoliad 22 (uchafswm cyfraniad neu ad-daliad wythnosol am ofal a chymorth amhreswyl), ym mharagraff (1), yn lle “£70” rhodder “£80”; ac
- (e) yn rheoliad 28 (isafswm incwm ar gyfer person y darperir llety iddo mewn cartref gofal) yn lle “£27.50” rhodder “£28.50”.

- (c) in regulation 13 (minimum income amount where a person is provided with accommodation in a care home) for “£27.50” substitute “£28.50”;
- (d) in regulation 22 (maximum weekly contribution or reimbursement for non-residential care and support), in paragraph (1), for “£70” substitute “£80”; and
- (e) in regulation 28 (minimum income amount where a person is provided with accommodation in a care home) for “£27.50” substitute “£28.50”.

Huw Irranca-Davies

Y Gweinidog Gofal Cymdeithasol a Phlant, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
30 Ionawr 2018

Minister for Children and Social Care, under authority of the Cabinet Secretary for Health and Social Services, one of the Welsh Ministers

30 January 2018

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