



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 149 (Cy.19)

2003 No. 149 (W.19)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Rheoliadau Byrddau Iechyd Lleol
(Cyfansoddiad, Aelodaeth a
Gweithdrefnau) (Cymru)
2003**

**The Local Health Boards
(Constitution, Membership and
Procedures) (Wales) Regulations
2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Yr oedd y ddogfen strategaeth "Gwella Iechyd yng Nghymru", a gyhoeddwyd gan Gynulliad Cenedlaethol Cymru fis Chwefror 2001, yn dynodi'r bwriad i ddiddymu'r pum Awdurdod Iechyd presennol yng Nghymru ar 1 Ebrill 2003 a chreu Byrddau Iechyd Lleol y gall y Cynulliad Cenedlaethol ddirprwyo swyddogaethau'r Awdurdodau Iechyd a swyddogaethau eraill y Cynulliad Cenedlaethol sy'n ymwneud â'r gwasanaeth iechyd iddynt.

Mae Byrddau Iechyd Lleol i'w sefydlu gan Orchymyn Byrddau Iechyd Lleol (Sefydlu) (Cymru) 2003 (O.S. 2003/148, Cy.18) a byddant yn dechrau gweithredu ar 1 Ebrill 2003. Nodir eu swyddogaethau yn Rheoliadau Byrddau Iechyd Lleol (Swyddogaethau) (Cymru) 2003 (O.S. 2003/150, Cy.20)

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer cyfansoddiad ac aelodaeth Byrddau Iechyd Lleol, gan gynnwys eu gweithdrefnau a'u trefniadau gweinyddol.

The strategy document "Improving Health in Wales", published by the National Assembly for Wales in February 2001, signalled the intention to abolish the existing five Health Authorities in Wales on 31st March 2003 and to create Local Health Boards ("LHBs") to which the National Assembly may delegate the functions of Health Authorities and other functions of the National Assembly relating to the health service.

LHBs are to be established on by the Local Health Boards (Establishment) (Wales) Order 2003 (S.I. 2003/148, W.18) and will commence operating on 1st April 2003. Their functions are set out in the Local Health Boards (Functions) (Wales) Regulations 2003 (S.I. 2003/150, W.20).

These Regulations make provision for the constitution and membership of LHBs, including their procedures and administrative arrangements.

2003 Rhif 149 (Cy.19)**2003 No. 149 (W.19)****Y GWASANAETH IECHYD
GWLADOL, CYMRU****NATIONAL HEALTH
SERVICE, WALES****Rheoliadau Byrddau Iechyd Lleol
(Cyfansoddiad, Aelodaeth a
Gweithdrefnau) (Cymru)
2003****The Local Health Boards
(Constitution, Membership and
Procedures) (Wales) Regulations
2003***Wedi'u gwneud* 29 Ionawr 2003*Made* 29th January 2003*Yn dod i rym* 10 Chwefror 2003*Coming into force* 10th February 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 16BC(2) a (3) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 a pharagraffau 6(1), a (2) o Atodlen 5B iddi(a) sy'n arferadwy gan y Cynulliad Cenedlaethol(b) mewn perthynas â Chymru, yn gwneud y Rheoliadau canlynol -

The National Assembly for Wales, in exercise of the powers conferred by section 16BC(2) and (3) of, and paragraphs 6(1) and (2) of Schedule 5B to the National Health Service Act 1977(a) which are exercisable by the National Assembly(b) in relation to Wales, makes the following Regulations -

Enwi, cychwyn a chymhwyso

1. Enw'r Rheoliadau hyn yw Rheoliadau Byrddau Iechyd Lleol (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2003 a deuant i rym ar 10 Chwefror 2003.

Citation, commencement and application

1. These Regulations may be cited as the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2003 and shall come into force on 10th February 2003.

Dehongli

2. Bydd y geiriau a'r ymadroddion canlynol yn dwyn yr ystyron canlynol -

mae "aelod" ("*member*") yn cynnwys cadeirydd ac is-gadeirydd, aelodau sy'n swyddogion ac nad ydynt yn swyddogion, aelodau cyswllt ac aelodau cyfetholedig Bwrdd;

ystyr "aelod awdurdod lleol" ("*local authority member*") yw aelod o Fwrdd sy'n cael ei enwebu gan yr awdurdod lleol ar gyfer ardal y Bwrdd hwnnw;

ystyr "aelodau cyntaf" ("*first members*") yw'r personau hynny a benodir gyntaf fel aelodau'r Bwrdd yn union ar ôl iddo gael ei sefydlu;

ystyr "aelod cysgodol" ("*shadow member*") yw person a enwir i fod yn un o aelodau cyntaf

Interpretation

2. The following words and phrases shall bear the following meanings -

"1977 Act" ("*Deddf 1977*") means the National Health Service Act 1977;

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

"Board" ("*Bwrdd*") means a Local Health Board;

"Board's area" ("*ardal y Bwrdd*") (means the area for which a Board is established as set out in the Local Health Boards (Establishment) (Wales) Order 2003 (c), as such area may be varied from time to time;

"carer" ("*gofalwr*") means a person aged 16 or over who provides or has provided a substantial amount of care on a regular basis

(a) 1977 p.49.

(b) Mae swyddogaethau o dan adran 16BC ac Atodlen 5B o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 wedi eu breinio yn uniongyrchol yn y Cynulliad.

(a) 1977 c.49.

(b) Functions under section 16BC and Schedule 5B of the National Health Service Act 1977 are vested directly in the Assembly.

(c) S.I. 2003 No.148. W. 18.

Bwrdd ar ddyddiad dod i rym y Rheoliadau hyn;

ystyr "aelod nad yw'n swyddog" ("*non-officer member*") yw aelod o Fwrdd nad yw'n dal unrhyw swydd a nodir yn rheoliad 3(3);

ystyr "aelod sy'n swyddog" ("*officer member*") yw aelod sy'n dal unrhyw swydd a nodir yn rheoliad 3(3);

ystyr "ardal y Bwrdd" ("*Board's area*") yw'r ardal y mae Bwrdd yn cael ei sefydlu ar ei chyfer fel y nodir yng Ngorchymyn Byrddau Iechyd Lleol (Sefydlu) (Cymru) 2003 (a), fel y gellir amrywio ardal o'r fath o bryd i'w gilydd;

ystyr "awdurdod lleol" ("*local authority*") yw cyngor neu gyngor bwrdeistref yng Nghymru;

ystyr "Bwrdd" ("*Board*") yw Bwrdd Iechyd Lleol;

ystyr "corff gwasanaeth iechyd" ("*health service body*") yw Awdurdod Iechyd, Awdurdod Iechyd Arbennig, Awdurdod Iechyd Strategol, Bwrdd Iechyd Lleol, Ymddiredolaeth GIG neu Ymddiredolaeth Gofal Sylfaenol;

ystyr "Cynulliad" ("*Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "Cyngor Iechyd Cymuned" ("*Community Health Council*") yw Cyngor Iechyd Cymuned a sefydlwyd yng Nghymru yn unol ag adran 20 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977;

ystyr "Deddf 1977" ("*1977 Act*") yw Deddf y Gwasanaeth Iechyd Gwladol 1977;

ystyr "gofalwr" ("*carer*") yw person 16 oed neu drosodd sy'n darparu neu sydd wedi darparu cyfran sylweddol o ofal a hynny'n rheolaidd i berson arall, heblaw drwy rinwedd contract cyflogaeth neu gontract arall gydag unrhyw berson, neu fel gwirfoddolwr i gorff gwirfoddol;

bydd i "proffesiwn gofal iechyd" ("*health care profession*") yr un ystyr ag a roddir iddo yn adran 25(12) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002;

ystyr "ymarferydd meddygol cyffredinol" ("*general medical practitioner*") yw ymarferydd meddygol cyffredinol sy'n darparu gwasanaethau meddygol cyffredinol o dan Ran II o Ddeddf 1977 neu wasanaethau meddygol personol mewn cysylltiad â chynllun peilot o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Gofal Sylfaenol) 1997(b);

for another person, other than by virtue of a contract of employment or other contract with any person, or as a volunteer for a voluntary organisation;

"Community Health Council" ("*Cyngor Iechyd Cymuned*") means a Community Health Council established in Wales pursuant to section 20 of the National Health Service Act 1977;

"first members" ("*aelodau cyntaf*") means those persons who are the first to be appointed as members of a Board immediately following its establishment;

"general medical practitioner" ("*ymarferydd meddygol yffredinol*") means a medical practitioner who provides general medical services under Part II of the 1977 Act or personal medical services in connection with a pilot scheme under the National Health Service (Primary Care) Act 1997(a);

"health care profession" ("*proffesiwn gofal iechyd*") shall have the meaning given in section 25(12) of the National Health Service Reform and Healthcare Professions Act 2002;

"health service body" ("*corff gwasanaeth iechyd*") means a Health Authority, Special Health Authority, Strategic Health Authority, Local Health Board, NHS Trust or Primary Care Trust;

"local authority" ("*awdurdod lleol*") means a county or county borough council in Wales;

"local authority member" ("*aelod awdurdod lleol*") means a member of a Board who is nominated by the local authority for that Board's area;

"member" ("*aelod*") includes the chair and vice-chair, officer and non-officer members, associate members and co-opted members of a Board;

"officer member" ("*aelod sy'n swyddog*") means a member who is the holder of any office set out in regulation 3(3);

"non-officer member" ("*aelod nad yw'n swyddog*") means a member of a Board who does not hold any office set out in regulation 3(3); and

"shadow member" ("*aelod cysgodol*") means a person identified to be one of the first members of a Board as at the date of the coming into force of these Regulations.

(a) O.S. 2003 Rhif 148. Cy. 18.

(b) 1997 p.46.

(a) 1997 c.46.

RHAN I
Aelodaeth

Aelodaeth Byrddau Iechyd Lleol

3. -(1) Bydd Bwrdd wedi ei ffurfio o'r aelodau a ddisgrifir yn y Rheoliadau hyn.

(2) Yr aelodau sy'n swyddogion fydd -

- (a) y prif swyddog;
- (b) y swyddog meddygol;
- (c) y swyddog cyllid; ac
- (ch) y swyddog nyrs.

(3) Yr aelodau nad ydynt yn swyddogion fydd -

- (a) y cadeirydd;
- (b) yr is-gadeirydd;
- (c) hyd at bedwar aelod awdurdod lleol, y mae'n rhaid i o leiaf un ohonynt fod yn aelod etholedig o gyngor yr awdurdod lleol hwnnw, a rhaid i un ohonynt fod yn uwch-swyddog gwasanaethau cymdeithasol yr awdurdod lleol hwnnw;
- (ch) arbenigydd iechyd y cyhoedd;
- (d) hyd at dri aelod ymarferydd meddygol cyffredinol;
- (dd) aelod fferylllydd;
- (e) aelod ymarferydd deintyddol;
- (f) aelod optometrydd;
- (ff) aelod nyrsio, bydwreigiaeth neu ymwelydd iechyd;
- (g) aelod therapi;
- (ng) hyd at ddau aelod o'r sector gwirfoddol;
- (h) hyd at ddau aelod lleyg o'r gymuned, y mae'n rhaid i un ohonynt fod yn ofalwr; a
- (i) pedwar aelod cyswllt.

(4) Yn ychwanegol at yr aelodau y cyfeirir atynt ym mharagraff (1) uchod, caiff y Bwrdd o bryd i'w gilydd benodi cyfryw aelodau cyfetholedig sydd yn ei farn ef yn angenrheidiol neu'n briodol er mwyn i'r Bwrdd gyflawni ei swyddogaethau.

Penodi aelodau Byrddau Iechyd Lleol

4.-(1) Nid yw'r rheoliad hwn yn gymwys i benodiad yr aelodau cyntaf.

(2) Bydd y Cynulliad yn penodi'r cadeirydd ac, os yw o'r farn ei fod yn briodol, is-gadeirydd Bwrdd.

(3) Penodir yr holl aelodau (heblaw'r cadeirydd, is-gadeirydd a'r aelodau cyfetholedig) gan y Bwrdd yn ddarostyngedig i gymeradwyaeth y Cynulliad.

(4) Penodir aelodau cyfetholedig gan y Bwrdd, a fydd yn rhoi sylw i unrhyw gyfarwyddyd a roddir gan

PART I
Membership

Membership of Local Health Boards

3. -(1) A Board shall be comprised of the members described in this Regulation..

(2) The officer members shall be -

- (a) the chief officer;
- (b) the medical officer;
- (c) the finance officer; and
- (d) the nurse officer.

(3) The non-officer members shall be -

- (a) the chair;
- (b) the vice-chair;
- (c) up to four local authority members, a minimum of one of whom must be an elected member of the council of that local authority, and one of whom must be a senior social services officer of that local authority;
- (d) a public health specialist;
- (e) up to three general medical practitioner members;
- (f) a pharmacist member;
- (g) a dental practitioner member;
- (h) an optometrist member;
- (i) a nursing, midwifery or health visiting member;
- (j) a therapy member;
- (k) up to two voluntary sector members;
- (l) up to two community lay members, one of whom shall be a carer; and
- (m) four associate members.

(4) In addition to the number of members referred to in paragraph (1) above, the Board may from time to time appoint such co-opted members as appear to it to be necessary or expedient for the performance by the Board of its functions.

Appointment of Local Health Board members

4.-(1) This regulation does not apply to the appointment of the first members.

(2) The Assembly shall appoint the chair and, if it thinks fit, the vice chair of a Board.

(3) All members (other than the chair, vice chair and co-opted members) will be appointed by the Board subject to the approval of the Assembly.

(4) Co-opted members will be appointed by the Board, which shall have regard to any guidance issued

y Cynulliad o dro i dro ynghylch penodiadau.

(5) Rhaid i'r person neu'r personau sy'n gyfrifol am wneud unrhyw bendodiad o dan baragraff (3) sicrhau, cyn iddynt wneud unrhyw benodiad o'r fath, y cydymffurfir â darpariaethau Atodlen 1 i'r Rheoliadau hyn (i'r graddau y maent yn gymwys i'r penodiad), a rhaid iddynt barchu unrhyw gyfarwyddyd a ddyroddir gan y Cynulliad o bryd i'w gilydd ynghylch penodiadau.

Trefniadau trosiannol ar gyfer penodi aelodau cyntaf Bwrdd Iechyd Lleol

5.-(1) Mae'r rheoliad hwn yn gymwys i benodiad aelodau cyntaf Bwrdd yn unig.

(2) Rhaid i gadeirydd cyntaf Bwrdd (ac is-gadeirydd os oes un i gael ei benodi gan y Cynulliad) fod y person neu bersonau a ddynodir gan y Cynulliad i ddal swydd neu swyddi o'r fath ar y dyddiad pan ddaw'r Rheoliadau hyn i rym.

(3) Rhaid i brif swyddog cyntaf Bwrdd fod y person a ddynodwyd gan y Cynulliad i ddal swydd o'r fath ar y dyddiad pan ddaw'r Rheoliadau hyn i rym.

(4) Rhaid i aelodau cyntaf Bwrdd (heblaw am y cadeirydd, is-gadeirydd neu brif swyddog) fod y personau hynny a ddynodir gan y Cynulliad i ddal y swyddi o aelodau ar y dyddiad pan ddaw'r Rheoliadau hyn i rym.

(5) Os oes unrhyw swydd wag (heblaw mewn perthynas â swydd cadeirydd neu is-gadeirydd) yn aelodaeth y Bwrdd ar y dyddiad y daw'r Rheoliadau hyn i rym, caiff y Bwrdd benodi aelodau i unrhyw swydd wag o'r fath yn unol â darpariaethau rheoliad 4.

Gofynion i fod yn gymwys i fod yn aelod o Fwrdd Iechyd Lleol

6. Rhaid i unrhyw berson sy'n gwneud cais i fod yn aelod o Fwrdd fodloni'r gofynion ar gyfer bod yn gymwys a nodir yn Atodlen 2 i'r Rheoliadau hyn cyn y gall person o'r fath gael ei benodi'n aelod.

Cyfnod penodiad aelodau cyfetholedig

7. Ni chaiff aelodau cyfetholedig eu penodi am gyfnod sy'n hwy na blwyddyn a ni chânt eu hailbenodi pan ddaw eu tymor i ben oni bai fod y Bwrdd yn penderfynu bod ailbenodiad o'r fath yn angenrheidiol neu'n hwylus i'r Bwrdd gyflawni ei swyddogaethau.

Terfynu penodiad ac atal dros dro aelodau sy'n swyddogion

8.-(1) Os bydd y cadeirydd ac aelodau nad ydynt yn swyddogion yn penderfynu nad yw o fudd i'r Bwrdd i

by the Assembly from time to time concerning appointments.

(5) The person or persons responsible for making any appointment under paragraph (3) shall, before making any such appointment, ensure that the provisions of Schedule 1 to these Regulations are complied with, and shall have regard to any guidance issued by the Assembly from time to time concerning appointments.

Transitional arrangements for the appointment of the first members of a Local Health Board

5.-(1) This regulation applies to the appointment of the first members of a Board only.

(2) The first chair of a Board (and vice-chair if one is to be appointed by the Assembly) shall be the person or persons identified by the Assembly to hold such office or offices at the date when these Regulations come into force.

(3) The first chief officer of a Board shall be the person identified by the Assembly to hold such office at the date when these Regulations come into force.

(4) The first members of a Board (other than the chair, vice-chair or chief officer) shall be those persons identified by the Assembly to hold the posts of members at the date when these Regulations come into force.

(5) If there exists any vacancy (other than in relation to the position of chair or vice-chair) in the membership of a Board at the date when these Regulations come into force, the Board may appoint members to fill any such vacancy in accordance with the provisions of regulation 4.

Eligibility requirements for membership of a Local Health Board

6. Any person who applies to be a member of a Board must fulfil the relevant requirements for eligibility set out in Schedule 2 to these Regulations before such person may be appointed as a member.

Period of appointment of co-opted members

7. Co-opted members may not be appointed for a period exceeding one year and shall not be re-appointed at the expiry of their term unless the Board decides that such reappointment is necessary or expedient for the performance by the Board of its functions.

Termination of appointment and suspension of officer members

8.-(1) If the chair and non-officer members are of the opinion that it is not in the interests of the Board that a

person sy'n aelod fel swyddog barhau i ddal ei swydd fel aelod o'r fath, gallant derfynu cyfnod dal swydd y person hwnnw ar unwaith.

(2) Os bydd yr aelodau sy'n swyddogion (heblaw aelod sy'n swyddog ac sy'n destun hysbysiad i'r cadeirydd o dan y paragraff hwn) yn hysbysu'r cadeirydd eu bod o'r farn na ddylai person sy'n aelod fel swyddog barhau i ddal swydd fel aelod o'r fath, gall y cadeirydd ac aelodau nad ydynt yn swyddogion y Bwrdd derfynu cyfnod dal swydd y person hwnnw os ydynt o'r farn nad yw o fudd i'r Bwrdd i'r person hwnnw barhau i ddal y swydd.

(3) Os bydd y cadeirydd ac aelodau nad ydynt yn swyddogion o dan baragraff (2) yn terfynu cyfnod dal swydd aelod sy'n swyddog neu'n penderfynu y dylai person o'r fath barhau i ddal swydd, rhaid iddynt hysbysu'r Cynulliad yn ddiymdroi yn ysgrifenedig, gan ddatgan y rhesymau am eu penderfyniad.

(4) Pan fo person wedi cael ei benodi i fod yn aelod sy'n swyddog -

- (a) os daw'n hysbys i'r cadeirydd a'r aelodau nad ydynt yn swyddogion bod y person bellach yn anghymwys i gael ei benodi o dan Atodlen 2 i'r Rheoliadau hyn, rhaid iddynt hysbysu'r person a'r Cynulliad yn ysgrifenedig a hynny'n ddiymdroi am anghymwystr o'r fath; neu
- (b) os daw'n hysbys i'r cadeirydd a'r aelodau nad ydynt yn swyddogion bod y person yn anghymwys felly ar adeg ei benodi, rhaid iddynt hysbysu'r person a'r Cynulliad yn ysgrifenedig a hynny'n ddiymdroi o'u barn na chafodd y person ei benodi yn briodol;

ac, yn dilyn hysbysiad o'r fath, gall y cadeirydd a'r aelodau nad ydynt yn swyddogion derfynu cyfnod dal swydd y person hwnnw a bydd y person hwnnw yn peidio â gweithredu fel aelod sy'n swyddog.

(5) Os yw'n ymddangos i'r cadeirydd a'r aelodau nad ydynt yn swyddogion bod aelod sy'n swyddog wedi methu â chydymffurfio â rheoliad 15, gallant derfynu cyfnod dal swydd y person hwnnw a bydd y person hwnnw yn peidio â bod yn aelod sy'n swyddog.

(6) Os yw person sy'n aelod sy'n swyddog wedi methu â mynychu cyfarfod o'r Bwrdd am gyfnod o dri mis, rhaid i'r cadeirydd a'r aelodau nad ydynt yn swyddogion derfynu cyfnod dal swydd y person hwnnw oni bai eu bod yn fodlon -

- (a) mai achos rhesymol oedd y rheswm dros yr absenoldeb; a
- (b) y bydd modd i'r person fynychu cyfarfodydd o'r fath o fewn cyfnod o'r fath sydd yn rhesymol ym marn y cadeirydd a'r aelodau nad ydynt yn swyddogion.

(7) Cyn iddynt wneud eu penderfyniad terfynol ynghylch derfynu cyfnod dal swydd aelod sy'n swyddog, gall y cadeirydd a'r aelodau nad ydynt yn

person who is an officer member should continue to hold office as such a member, they may immediately terminate that person's tenure of office.

(2) If the officer members (other than an officer member who is the subject of a notification to the chair under this paragraph) notify the chair that they are of the opinion that a person who is an officer member should not continue to hold office as such a member, the chair and non-officer members of the Board may terminate that person's tenure of office if they are of the opinion that it is not in the interests of the Board for that person to continue to hold office.

(3) Where under paragraph (2) the chair and non-officer members terminate the tenure of office of an officer member or determine that such a person should continue to hold office, they shall forthwith notify the Assembly in writing, stating the reasons for their decision.

(4) Where a person has been appointed to be an officer member -

- (a) if it comes to the notice of the chair and the non-officer members that the person has become ineligible for appointment under Schedule 2 to these Regulations, they shall forthwith notify the person and the Assembly in writing of such ineligibility; or
- (b) if it comes to the notice of the chair and the non-officer members that at the time of appointment the person was so ineligible, they shall forthwith notify the person and the Assembly in writing of their view that the person was not duly appointed;

and, following such notification, the chair and the non-officer members may terminate the person's tenure of office and that person shall cease to act as an officer member.

(5) If it appears to the chair and the non-officer members that an officer member has failed to comply with regulation 15, they may terminate that person's tenure of office and that person shall cease to act as an officer member.

(6) If a person who is an officer member has failed to attend a meeting of the Board for a period of three months, the chair and non-officer members shall terminate that person's tenure of office unless they are satisfied that -

- (a) the absence was due to a reasonable cause; and
- (b) the person will be able to attend such meetings within such period as the chair and non-officer members consider reasonable.

(7) Before making their final decision upon whether to terminate the tenure of office of an officer member, the chair and the non-officer members may, if they

swyddogion, os ydynt yn ystyried ei bod yn briodol i wneud hynny, atal dros dro cyfnod dal swydd aelod sy'n swyddog am gyfnod o'r fath sydd yn eu barn hwy yn rhesymol cyn eu bod yn gwneud eu penderfyniad terfynol.

(8) Os bydd y cadeirydd a'r aelodau nad ydynt yn swyddogion yn penderfynu atal dros dro gyfnod dal swydd aelod sy'n swyddog, rhaid iddynt hysbysu'r Cynulliad yn ysgrifedneig a hynny'n ddiymdroi, gan ddatgan y rhesymau am eu penderfyniad.

(9) Rhaid i aelod sy'n swyddog y mae ei gyfnod dal swydd yn cael ei atal dros dro gael ei atal dros dro hefyd rhag cyflawni swyddogaethau aelod, a bydd aelod sy'n swyddog y mae ei gyfnod dal swydd yn cael ei derfynu yn peidio â bod yn aelod.

Terfynu penodiad ac atal dros dro aelodau nad ydynt yn swyddogion

9.-(1) Os bydd y Bwrdd yn penderfynu -

- (a) nad yw o fudd i'r gwasanaeth iechyd yn yr ardal y mae'r Bwrdd yn gweithredu ynddi; neu
- (b) nad yw'n gydnaws â rheolaeth dda y Bwrdd,

i berson a benodwyd i ddal swydd fel aelod nad yw'n swyddog o'r Bwrdd hwnnw barhau i ddal y swydd honno, gall y Bwrdd, gyda chaniatâd y Cynulliad, derfynu aelodaeth y person hwn yn ddiymdroi.

(2) Pan fo person wedi'i benodi yn aelod nad yw'n swyddog -

- (a) os daw'n hysbys i'r Bwrdd bod y person bellach yn anghymwys i gael ei benodi o dan Ran 1 o Atodlen 2 i'r Rheoliadau hyn, rhaid i'r Bwrdd hysbysu'r person hwnnw a'r Cynulliad yn ddiymdroi a hynny'n ysgrifenedig o anghymwysedd o'r fath, neu
- (b) os daw'n hysbys i'r Bwrdd bod y person yn anghymwys felly ar adeg ei benodi, rhaid i'r Bwrdd yn ddiymdroi hysbysu'r person a'r Cynulliad yn ysgrifenedig am yr anghymwysiad hwnnw,

caiff y Bwrdd, gyda chydysyniad blaenorol y Cynulliad, derfynu aelodaeth y person hwnnw yn ddiymdroi a bydd y person hwnnw yn peidio â gweithredu fel y cadeirydd, is-gadeirydd neu aelod nad yw'n swyddog arall.

(3) Os yw'n ymddangos i'r Bwrdd bod aelod nad yw'n swyddog wedi methu â chydymffurfio â rheoliad 15, gall y Bwrdd, gyda chaniatâd y Cynulliad, derfynu aelodaeth y person hwnnw yn ddiymdroi.

(4) Os yw aelod nad yw'n swyddog wedi methu â mynychu cyfarfod o'r Bwrdd am gyfnod o dri mis, rhaid i'r Bwrdd derfynu aelodaeth y person hwnnw oni bai ei fod yn fodlon bod -

- (a) yr absenoldeb o ganlyniad i achos rhesymol; a

consider it appropriate to do so, suspend the tenure of office of an officer member for such period as they consider reasonable before making their final decision.

(8) If the chair and non-officer members decide to suspend the tenure of office of an officer member, they shall immediately notify the Assembly in writing, stating the reasons for their decision.

(9) An officer member whose tenure of office is suspended shall also be suspended from performing the functions of a member, and an officer member whose tenure of office is terminated shall cease to be a member.

Termination of appointment and suspension of non-officer members

9.-(1) If the Board determines that -

- (a) it is not in the interests of the health service in the area for which a Board acts; or
- (b) it is not conducive to the good management of a Board,

for a person who has been appointed as a non-officer member of that Board to continue to hold that office, the Board may, with the Assembly's prior consent, forthwith terminate that person's membership.

(2) Where a person has been appointed to be a non-officer member -

- (a) if it comes to the notice of the Board that the person has become ineligible for appointment under Part I of Schedule 2 to these Regulations, the Board shall forthwith notify the person and the Assembly in writing of such ineligibility; or
- (b) if it comes to the notice of the Board that at the time of appointment the person was so ineligible, the Board shall forthwith notify the person and the Assembly in writing of such ineligibility,

the Board may, with the Assembly's prior consent, forthwith terminate that person's membership and that person shall cease to act as the chair, vice-chair or other non-officer member.

(3) If it appears to the Board that a non-officer member has failed to comply with regulation 15, the Board may, with the Assembly's prior consent, forthwith terminate that person's membership.

(4) If a non-officer member has failed to attend a meeting of the Board for a period of three months, the Board shall terminate that person's membership unless satisfied that -

- (a) the absence was due to a reasonable cause; and

(b) y bydd modd i'r person fynychu cyfarfodydd o'r fath o fewn cyfnod o'r fath sydd ym marn y Bwrdd yn rhesymol.

(5) Cyn gwneud penderfyniad terfynol ynghylch terfynu aelodaeth unrhyw aelod nad yw'n swyddog gall y Bwrdd, os yw o'r farn ei bod yn briodol gwneud hynny, atal dros dro aelodaeth aelod nad yw'n swyddog am gyfnod sydd yn ei farn ef yn rhesymol cyn iddo wneud ei benderfyniad terfynol.

(6) Os bydd y Bwrdd yn penderfynu atal dros dro aelodaeth aelod nad yw'n swyddog, rhaid iddo hysbysu'r Cynulliad yn ysgrifenedig yn ddiymdroi gan ddatgan ei resymau am ei benderfyniad.

(7) Bydd aelod nad yw'n swyddog y mae ei aelodaeth yn cael ei atal dros dro hefyd yn cael ei atal dros dro rhag cyflawni swyddogaethau aelod.

(b) the person will be able to attend such meetings within such period as the Board considers reasonable.

(5) Before making a final decision upon whether to terminate the membership of a non-officer member, the Board may, if they consider it appropriate to do so, suspend the tenure of office of a non-officer member for such period as they consider reasonable before making their final decision.

(6) If the Board decides to suspend the membership of a non-officer member, they shall immediately notify the Assembly in writing, stating the reasons for their decision.

(7) A non-officer member whose membership is suspended shall be suspended from performing the functions of a member.

RHAN II

Trafodion a threfniadau gweinyddol Byrddau

Penodi is-gadeirydd

10.-(1) Os nad oes is-gadeirydd wedi cael ei benodi gan y Cynulliad, yna yn ddarostyngedig i baragraff (2), gall y cadeirydd ac aelodau nad ydynt yn swyddogion o'r Bwrdd benodi un o'u plith, nad yw'n aelod sy'n swyddog o'r Bwrdd, i fod yn is-gadeirydd am gyfnod, nad yw'n hwy na gweddill ei dymor fel aelod o'r Bwrdd, ag y gallant ei bennu.

(2) Gall unrhyw aelod a benodwyd felly ymddiswyddo ar unrhyw adeg o'i swydd fel is-gadeirydd drwy roi hysbysiad ysgrifenedig i'r cadeirydd.

(3) Y dyddiad pan gaiff ymddiswyddiad drwy hysbysiad a roddwyd yn unol â pharagraff (2) effaith fydd -

- (a) pan fo'r dyddiad wedi'i bennu yn yr hysbysiad fel y dyddiad pan fydd yr ymddiswyddiad i gael effaith, y dyddiad hwnnw; a
- (b) mewn unrhyw achos arall, y dyddiad pan dderbynnir yr hysbysiad gan y cadeirydd.

Pwerau is-gadeirydd

11. Pan -

- (a) gaiff aelod Bwrdd ei benodi yn is-gadeirydd naill ai gan y Cynulliad neu o dan reoliad 10, a
- (b) bod cadeirydd y Bwrdd wedi marw neu wedi peidio â dal swydd, neu yn methu â chyflawni dyletswyddau cadeirydd o ganlyniad i salwch, absenoldeb o Gymru a Lloegr neu unrhyw achos arall,

PART II

Proceedings and administrative arrangements of Boards

Appointment of vice-chair

10.-(1) If no vice-chair has been appointed by the Assembly, then subject to paragraph (2), the chair and non-officer members of a Board may appoint one of their number, who is not an officer member of the Board, to be vice-chair for such period, not exceeding the remainder of his term as a member of the Board, as they may specify.

(2) Any member so appointed may at any time resign from the office of vice-chair by giving notice in writing to the chair.

(3) The date on which a resignation by notice given pursuant to paragraph (2) shall take effect shall be -

- (a) where a date is specified in the notice as being that on which the resignation is to take effect, that date; and
- (b) In any other case, the date on which the notice is received by the chair.

Powers of vice-chair

11. Where -

- (a) a member of a Board is appointed to be vice-chair either by the Assembly or under regulation 10, and
- (b) the chair of the Board has died or has ceased to hold office, or is unable to perform the duties of chair owing to illness, absence from England and Wales or any other cause,

bydd yr is-gadeirydd yn gweithredu fel cadeirydd hyd nes y caiff cadeirydd newydd ei benodi neu bod y cadeirydd presennol yn ailafael yn nyletswyddau cadeirydd, yn ôl fel y digwydd; a dylid cymryd bod cyfeiriadau at y cadeirydd yn Atodlen 3, cyn belled nad oes cadeirydd all gyflawni dyletswyddau cadeirydd, yn cynnyws cyfeiriadau at yr is-gadeirydd.

Penodi pwyllgorau ac is-bwyllgorau

12. Yn ddarostyngedig i gyfarwyddiadau y gall y Cynulliad eu rhoi, gall Bwrdd, ac os yw'n cael ei gyfarwyddo gan y Cynulliad, rhaid iddo -

- (a) benodi pwyllgorau ar gyfer y Bwrdd, neu
- (b) ynghyd ag un Bwrdd neu Ymddiredolaeth GIG neu fwy neu'r awdurdod lleol ar gyfer ardal y Bwrdd, benodi pwyllgorau ar y cyd neu is-bwyllgorau,

sy'n cynnwys yn rhannol neu'n gyfan gwbl aelodau'r Bwrdd neu gyrff gwasanaeth iechyd eraill neu bersonau nad ydynt yn aelodau o'r Bwrdd neu gyrff gwasanaeth iechyd eraill.

Cyfarfodydd a thrafodion

13.-(1) Rhaid i gyfarfodydd a thrafodion Bwrdd gael eu cynnal yn unol â'r rheolau a nodwyd yn Atodlen 3 a'r Rheolau Sefydlog a wnaed o dan baragraff (2).

(2) Yn ddarostyngedig i'r rheolau hynny, rheoliad 16 ac unrhyw gyfarwyddiadau y gellir eu rhoi gan y Cynulliad rhaid i Fwrdd wneud, a gall amrywio neu ddiddymu, Rheolau Sefydlog ar gyfer rheoleiddio ei drafodion a'i fusnes; a gall Rheolau Sefydlog o'r fath gynnwys darpariaeth ar gyfer eu hatal dros dro.

(3) Yn ddarostyngedig i gyfarwyddiadau y gellir eu rhoi gan y Cynulliad, caiff y Bwrdd -

- (a) ar ei ben ei hun, neu
- (b) yn achos pwyllgor neu is-bwyllgor o'r Bwrdd, gan y pwyllgor neu'r is-bwyllgor hwnnw, neu
- (c) yn achos pwyllgor neu is-bwyllgor a sefydlir ar y cyd â Byrddau eraill, Ymddiriedolaethau GIG neu'r awdurdod lleol ar gyfer ardal y Bwrdd, ar y cyd â'r Byrddau eraill hynny, yr Ymddiriedolaethau GIG neu'r awdurdod lleol,

wneud, amrywio a dirymu Rheolau Sefydlog sy'n ymwneud â chworwm, trafodion a lleoliad cyfarfod pwyllgor neu is-bwyllgor ond, yn ddarostyngedig i unrhyw Reolau Sefydlog o'r fath, bydd y chworwm, trafodion a lleoliad y cyfarfod o'r math y gall y pwyllgor neu is-bwyllgor benderfynu arnynt.

Aelodau cyswllt ac aelodau cyfetholedig

14. Ni chaiff aelodau cyswllt ac aelodau cyfetholedig bleidleisio mewn unrhyw gyfarfod o Fwrdd.

the vice chair shall act as chair until a new chair is appointed or the existing chair resumes the duties of chair, as the case may be; and references to the chair in Schedule 3 shall, so long as there is no chair able to perform the duties of chair, be taken to include references to the vice-chair.

Appointment of committees and sub-committees

12. Subject to such directions as may be given by the Assembly, a Board may and, if directed by the Assembly, shall -

- (a) appoint committees of the Board, or
- (b) together with one or more Boards or NHS Trusts or the local authority for the Board's area, appoint joint committees or sub-committees,

consisting wholly or partly of the members of the Board or other health service bodies or of persons who are not members of the Board or other health service bodies.

Meetings and proceedings

13.-(1) The meetings and proceedings of a Board shall be conducted in accordance with the rules set out in Schedule 3 and with Standing Orders made under paragraph (2).

(2) Subject to those rules, to regulation 16 and to such directions as may be given by the Assembly a Board shall make, and may vary or revoke, Standing Orders for the regulation of its proceedings and business; and such Standing Orders may contain provision for their own suspension.

(3) Subject to such directions as may be given by the Assembly, a Board may -

- (a) on its own, or
- (b) in the case of a committee or sub-committee of the Board, by such committee or sub-committee, or
- (c) in the case of a committee or sub-committee established jointly with other Boards, NHS Trusts or the local authority for the Board's area, jointly with such other Boards, NHS Trusts or local authority,

make, vary and revoke Standing Orders relating to the quorum, proceedings and place of meeting of a committee or sub-committee but, subject to any such Standing Orders, the quorum, proceedings and place of meeting shall be such as the committee or sub-committee may determine.

Associate and co-opted members

14. Associate members and co-opted members may not vote in any meetings or proceedings of a Board.

Analluedd aelodau o ganlyniad i fuddiant ariannol

15.-(1) Yn ddarostyngedig i'r darpariaethau canlynol o'r rheoliad hwn, os oes gan aelod o Fwrdd unrhyw fuddiant ariannol, uniongyrchol neu anuniongyrchol, mewn unrhyw gontract, contract arfaethedig neu fater arall a'i fod yn bresennol mewn cyfarfod o'r Bwrdd lle mae'r contract, contract arfaethedig neu fater arall yn destun ystyriaeth, rhaid i'r Aelod hwnnw ddatgelu hynny yn y cyfarfod a hynny cyn gynted ag y bo hynny'n ymarferol wedi i'r cyfarfod ddechrau ac ni chaiff gymryd rhan yn yr ystyriaeth neu drafodaeth o'r contract, contract arfaethedig neu fater arall neu bleidleisio ar unrhyw gwestiwn sy'n ymwneud ag ef.

(2) Gall y Cynulliad, yn ddarostyngedig i amodau o'r fath y mae'n addas yn ei farn ef eu gosod, godi unrhyw analluedd a osodwyd gan y rheoliad hwn mewn unrhyw achos pan fo'n ymddangos i'r Cynulliad y byddai o fudd i'r gwasanaeth iechyd i wneud hynny.

(3) Gall Bwrdd, drwy Reol Sefydlog a wnaed o dan reoliad 13(2) ddarparu ar gyfer eithrio unrhyw aelod o gyfarfod o'r Bwrdd tra bo unrhyw gontract, contract arfaethedig neu fater arall y mae gan yr aelod hwnnw fuddiant ariannol ynddo, yn uniongyrchol neu'n anuniongyrchol, o dan ystyriaeth.

(4) Ni chaiff unrhyw dâl, iawndal neu lwfans sy'n daladwy i aelod drwy rinwedd paragraff 12 o Atodlen 4 i Ddeddf 1977 ei drin fel buddiant ariannol at ddiben y rheoliad hwn.

(5) Yn ddarostyngedig i baragraffau (2) a (6), caiff aelod ei drin at ddibenion y rheoliad hwn fel pe bai ganddo fuddiant ariannol anuniongyrchol mewn contract, contract arfaethedig neu fater arall os yw aelod o'r fath, neu unrhyw un a enwebir gan aelod o'r fath -

- (a) yn gyfarwyddwr cwmni neu'n swyddog o fath arall cwmni neu gorff, nad yw'n gorff cyhoeddus, y gwnaed y contract ag ef neu y bwriedir ei wneud ag ef neu y mae ganddo fuddiant ariannol uniongyrchol yn y mater o dan ystyriaeth; neu
- (b) yn berson y gwnaed y contract gydag ef neu y bwriedir ei wneud gydag ef, neu y mae ganddo fuddiant ariannol uniongyrchol yn y mater o dan ystyriaeth, neu y mae'n bartner i berson o'r fath, neu'n cael ei gyflogi gan berson o'r fath;

ac yn achos personau sy'n briod â'i gilydd neu sy'n cyd-fyw fel pobl briod (p'un a ydynt o wahanol ryw neu beidio), caiff buddiant un ohonynt, os ydyw'n wybyddus i'r llall, ei ystyried at ddiben y rheoliad hwn fel pe bai hefyd yn fuddiant sy'n perthyn i'r llall.

(6) Ni chaiff aelod gael ei drin fel pe bai ganddo fuddiant ariannol mewn unrhyw gontract, contract arfaethedig neu fater arall am y rhesymau canlynol yn unig -

Disability of members on account of pecuniary interest

15.-(1) Subject to the following provisions of this regulation, if a member of a Board has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter and is present at a meeting of the Board at which the contract, proposed contract or other matter is the subject of consideration, that member shall at the meeting and as soon as practicable after its commencement disclose the fact and shall not take part in the consideration or discussion of the contract, proposed contract or other matter or vote on any question with respect to it.

(2) The Assembly may, subject to such conditions as it may consider fit to impose, remove any disability imposed by this regulation in any case in which it appears to the Assembly to be in the interests of the health service to do so.

(3) A Board may, by Standing Orders made under regulation 13(2), provide for the exclusion of any member from a meeting of the Board while any contract, proposed contract or other matter in which that member has a pecuniary interest, direct or indirect, is under consideration.

(4) Any remuneration, compensation or allowances payable to a member by virtue of paragraph 12 of Schedule 4 to the 1977 Act shall not be treated as a pecuniary interest for the purpose of this regulation.

(5) Subject to paragraphs (2) and (6), a member shall be treated for the purposes of this regulation as having an indirect pecuniary interest in a contract, proposed contract or other matter if such member, or any nominee of such member -

- (a) is a director or other officer of a company or other body, not being a public body, with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the matter under consideration; or
- (b) is a person with whom the contract was made or is proposed to be made, or who has a direct pecuniary interest in the matter under consideration, or is a partner of, or is in the employment of, such a person;

and in the case of persons who are married to each other or who are living together as spouses (whether of different sexes or not), the interest of one such person shall, if known to the other, be deemed for the purpose of this regulation to be also an interest of the other.

(6) A member shall not be treated as having a pecuniary interest in any contract, proposed contract or other matter by reason only -

- (a) bod yr aelod hwnnw yn aelod o gwmini neu gorff arall os nad oes gan yr aelod hwnnw unrhyw fuddiant buddiol mewn unrhyw warantau y cwmni neu'r corff hwnnw; neu
- (b) bod ganddo fuddiant mewn unrhyw gwmini, corff neu berson y mae gan aelod o'r fath gysylltiad ag ef fel y crybwyllir ym mharagraff (5) sydd mor wan neu ansylweddol fel nad oes modd ei ystyried yn rhesymol y byddai'n debygol o ddylanwadu ar aelod wrth ystyried neu drafod neu bleidleisio ar, unrhyw gwestiwn mewn perthynas â'r contract hwnnw, contract arfaethedig neu fater.

(7) Pan fo gan aelod fuddiant ariannol anuniongyrchol mewn contract, contract arfaethedig neu fater arall a hynny'n unig oherwydd bod ganddo fuddiant buddiol mewn gwarannau cwmni neu gorff arall, ac -

- (a) nad yw cyfanswm gwerth tybiannol y gwarannau hynny yn fwy na £5,000 neu un rhan o gant cyfanswm gwerth tybiannol y cyfalaf cyfranddaliadau a ddyroddwyd y cwmni neu gorff, p'un bynnag yw'r isaf, a
- (b) os yw'r cyfalaf cyfranddaliadau yn perthyn i fwy nag un dosbarth, nad yw cyfanswm gwerth tybiannol cyfranddaliadau unrhyw ddsbarth y mae gan yr aelod fuddiant buddiol ynddo yn fwy na un rhan o gant cyfanswm y cyfalaf cyfranddaliadau a ddyroddwyd y dosbarth hwnnw,

ni fydd y rheoliad hwn yn gwahardd yr aelod hwnnw rhag cymryd rhan wrth i'r contract, contract arfaethedig neu fater arall gael ei ystyried neu ei drafod na rhag pleidleisio ar unrhyw gwestiwn mewn perthynas ag ef.

(8) Nid yw paragraff (7) yn effeithio ar ddyletswydd aelod i ddatgelu buddiant o dan baragraff (1).

(9) Mae'r rheoliad hwn yn gymwys mewn perthynas â phwyllgor neu is-bwyllgor ac i gyd bwyllgor neu is-bwyllgor fel y mae'n gymwys mewn perthynas â Bwrdd, ac mae'n gymwys i aelod unrhyw bwyllgor, is-bwyllgor neu gyd-bwyllgor o'r fath (p'un a ydyw person o'r fath hefyd yn aelod o Fwrdd ai peidio) fel y mae'n gymwys i aelod o Fwrdd.

(10) Yn y rheoliad hwn -

mae "corff cyhoeddus" ("*public body*") yn cynnwys unrhyw gorff a sefydlwyd at y diben o gyflawni, o dan berchnogaeth genedlaethol, unrhyw ddiwydiant neu ran o unrhyw ddiwydiant neu ymgymeriad, corff llywodraethu unrhyw brifysgol, coleg prifysgol neu goleg, ysgol neu neuadd brifysgol a'r Ymddiredolaeth Genedlaethol ar gyfer Mannau o Ddiddordeb Hanesyddol neu Harddwch Naturiol a ymgorfforwyd gan Ddeddf yr Ymddiredolaeth Genedlaethol 1907(a);

ystyr "gwarannau" ("*securities*") yw -

- (a) cyfranddaliadau neu ddebenturau, p'un a ydynt

- (a) of such member's membership of a company or other body if such member has no beneficial interest in any securities of that company or body; or
- (b) of an interest in any company, body or person with which such member is connected as mentioned in paragraph (5) which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a member in the consideration or discussion of or in voting on, any question with respect to that contract, proposed contract or matter.

(7) Where a member has an indirect pecuniary interest in a contract, proposed contract or other matter by reason only of a beneficial interest in securities of a company or other body, and -

- (a) the total nominal value of those securities does not exceed £5,000 or one hundredth of the total nominal value of the issued share capital of the company or body, whichever is the less, and
- (b) if the share capital is of more than one class, the total nominal value of shares of any one class in which in which that member has a beneficial interest does not exceed one hundredth of the total issued share capital of that class,

this regulation shall not prohibit that member from taking part in the consideration or discussion of the contract, proposed contract or other matter or from voting on any question with respect to it.

(8) Paragraph (7) does not affect a member's duty to disclose an interest under paragraph (1).

(9) This regulation applies in relation to a committee or sub-committee and to a joint committee or sub-committee as it applies in relation to a Board, and applies to a member of any such committee, sub-committee or joint committee or sub-committee (whether or not such person is also a member of a Board) as it applies to a member of a Board.

(10) In this regulation -

"public body" ("*corff cyhoeddus*") includes any body established for the purpose of carrying on, under national ownership, any industry or part of any industry or undertaking, the governing body of any university, university college or college, school or hall of a university and the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907(a);

"securities" ("*gwarannau*") means -

- (a) shares or debentures, whether or not

(a) 1907 p.136.

(a) 1907 c.136.

yn cynnwys tâl ar asedau cwmni neu gorff arall, neu hawliau neu log mewn unrhyw gyfranddaliad neu ddebentur; neu

- (b) hawliau (boed yn wirioneddol neu'n amodol) mewn perthynas ag arian a fenthycwyd i, neu a adneuwyd gyda, unrhyw gymdeithas ddiwydiannol neu ddarbodus neu gymdeithas adeiladu;

ystyr "cyfranddaliadau" ("*shares*") yw cyfranddaliadau yng nghyfalaf cyfranddaliadau cwmni neu gorff arall neu stoc cwmni neu gorff arall.

Trefniadau gan Fyrddau ar gyfer arfer eu swyddogaethau

16.-(1) Yn ddarostyngedig i unrhyw gyfarwyddiadau a roddir gan y Cynulliad, gall unrhyw swyddogaeth sy'n arferadwy gan Fwrdd drwy drefniant â'r Bwrdd hwnnw, ac yn ddarostyngedig i gyfyngiadau ac amodau o'r fath ag y gwêl y Bwrdd yn ddoeth, gael eu harfer -

- (a) gan Fwrdd arall;
- (b) gan Awdurdod Iechyd Arbennig;
- (c) ar y cyd gydag un neu fwy o'r canlynol -
 - (i) awdurdodau lleol;
 - (ii) ymddiredolaethau GIG;
 - (iii) Awdurdodau Iechyd Strategol yn Lloegr;
 - (iv) Ymddiredolaethau Gofal Sylfaenol yn Lloegr; neu
- (ch) ar ran y Bwrdd gan bwyllgor, is-bwyllgor neu swyddog o'r Bwrdd.

(2) Yn ddarostyngedig i unrhyw gyfarwyddiadau a roddir gan y Cynulliad, gall unrhyw swyddogaeth sy'n arferadwy gan Fwrdd ar y cyd ag un neu fwy o'r cyrff a restrir ym mharagraff (1)(c) drwy drefniant â chorff neu chyrff o'r fath gael ei harfer ar eu rhan ar y cyd gan gyd-bwyllgor neu is-bwyllgor.

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

29 Ionawr 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

constituting a charge on the assets of a company or other body, or rights or interests in any share or debentures; or

- (b) rights (whether actual or contingent) in respect of money lent to, or deposited with, any industrial or provident society or building society;

"shares" ("*cyfranddaliadau*") means shares in the share capital of a company or other body or the stock of a company or other body.

Arrangements by Boards for the exercise of their functions

16.-(1) Subject to any directions given by the Assembly, any function exercisable by a Board may by arrangement with that Board, and subject to such restrictions and conditions as the Board may think fit, be exercised -

- (a) by another Board;
- (b) by a Special Health Authority;
- (c) jointly with any one or more of the following -
 - (i) local authorities;
 - (ii) NHS trusts;
 - (iii) Strategic Health Authorities in England;
 - (iv) Primary Care Trusts in England; or
- (d) on behalf of the Board by a committee, sub-committee or officer of the Board.

(2) Subject to any directions given by the Assembly, any function which is exercisable by a Board jointly with one or more of the bodies listed in paragraph (1)(c) may by arrangement with such body or bodies be exercised on their joint behalf by a joint committee or sub-committee.

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

29th January 2003

The Presiding Officer of the National Assembly

(a) 1998 p. 38.

(a) 1998 c. 38.

ATODLEN 1

Rheoliad 4(5)

Gweithdrefnau ar gyfer penodi swyddogion sy'n aelodau a swyddogion nad ydynt yn aelodau

- (1) Mae'r Atodlen hon yn gymwys ar gyfer dethol a phenodi holl aelodau'r Bwrdd heblaw'r cadeirydd a'r is-gadeirydd, aelodau cyswllt, aelodau cyfetholedig a'r aelodau cyntaf.
- (2) Rhaid i'r Bwrdd sicrhau bod trefniadau priodol yn cael eu cyflwyno ar gyfer dethol a phenodi personau yn aelodau a bod y trefniadau hynny yn cymryd i ystyriaeth -
 - (a) yr egwyddorion a osodir o dro i dro gan y Comisiynydd Penodiadau Cyhoeddus(a) ac yng Nghod Ymarfer y Cynulliad ar Benodi Gweinidogion i Gyrrff Cyhoeddus(b);
 - (b) y gofyniad i'r broses o dethol a phenodi aelodau fod yn agored a thryloyw;
 - (c) y gofyniad ar gyfer cystadleuaeth deg ac agored wrth dethol a phenodi aelodau; ac
 - (ch) yr angen i sicrhau bod ymgeiswyr llwyddiannus yn bodloni'r gofynion cymhwyster a nodir yn Atodlen 2 a'u bod yn bodloni'r meini prawf ar gyfer dethol a'r safonau cymhwysedd a ddefnyddir gan y Bwrdd.

SCHEDULE 1

Regulation 4(5)

Procedures for appointment of officer and non-officer members

- (1) This Schedule applies to the selection and appointment of all members of the Board except the chair and vice-chair, co-opted members and the first members.
- (2) The Board shall ensure that appropriate arrangements are in place for the selection and appointment of persons as members and that those arrangements take into account -
 - (a) the principles from time to time laid down by the Commissioner for Public Appointments(a) and in the Assembly's Code of Practice for Ministerial Appointments to Public Bodies(b);
 - (b) the requirement that the selection and appointment of members be open and transparent;
 - (c) the requirement of fair and open competition in the selection and appointment of members; and
 - (d) the need to ensure that successful candidates meet the eligibility requirements set out in Schedule 2 and that they meet the selection criteria and standards of competence applied by the Board.

(a) Ceir copïau o'r ddogfen hon drwy ysgrifennu i'r Is-adran (Adnoddau Dynol) GIG, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

(b) Ceir copïau o'r ddogfen hon drwy ysgrifennu i'r Is-adran (Adnoddau Dynol) GIG, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

(a) Copies of this document may be obtained by writing to the NHS (Human Resources) Division, the National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ.

(b) Copies of this document may be obtained by writing to the NHS (Human Resources) Division, the National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ.

ATODLEN 2

Rheoliad 6

Gofynion cymhwyster ar gyfer aelodau

RHAN I

Gofynion cyffredinol

- (1) Yn ddarostyngedig i baragraff (4), (5) a (7), ni fydd person yn gymwys i gael ei benodi fel aelod os yw'r person hwnnw -
 - (a) wedi'i gael yn euog o fewn y pum mlynedd blaenorol yn y Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw o unrhyw dramgwydd a'i fod wedi derbyn dedfryd o gael ei ddedfrydu i garchar (boed honno'n ddedfryd ohiriedig ai peidio) am gyfnod nad yw'n llai na thri mis heb y dewis o ddirwy
 - (b) wedi'i ddyfarnu'n fethdalwr neu wedi gwneud cyfamod neu drefniant â chredydwy;
 - (c) wedi cael ei orfodi i adael, heblaw drwy ddiswyddiad, unrhyw gyflogaeth gyflogedig gyda chorff gwasanaeth iechyd;
 - (ch) bod ei aelodaeth fel cadeirydd, aelod neu gyfarwyddwr corff gwasanaeth iechyd wedi'i derfynu, heblaw o ganlyniad i ddiswyddiad, ymddiswyddiad gwirfoddol, ad-drefnu'r corff gwasanaeth iechyd, neu bod cyfnod mewn swydd y cafodd y person hwnnw ei phenodi iddi wedi dod i ben;
 - (d) (heblaw yn achos aelod cyswllt) yn gadeirydd neu'n gyfarwyddwr Ymddiredolaeth GIG.
- (2) At ddibenion paragraff (1) (a) ystyrir mai dyddiad yr euogfarn yw'r dyddiad pan ddaw'r cyfnod arferol a ganiatier ar gyfer gwneud apêl neu gais mewn perthynas â'r euogfarn i ben neu, os gwneir apêl neu gais o'r fath, y dyddiad pan gaiff yr apêl ei gwblhau neu ei roi heibio neu'n methu o ganlyniad i beidio â'i erlyn.
- (3) At ddibenion paragraff (1) (c), ni chaiff person ei drin fel pe bai wedi bod mewn cyflogaeth gyflogedig dim ond am ei fod wedi dal swydd cadeirydd, aelod neu gyfarwyddwr corff gwasanaeth iechyd.
- (4) Pan fo person yn anghymwys o ganlyniad i baragarff (1) (b) -
 - (a) os caiff y methdaliad ei ddirymu ar y sail na ddylai'r person fod wedi cael ei

SCHEDULE 2

Regulation 6

Eligibility requirements for members

PART I

General requirements

- (1) Subject to paragraph (4), (5) and (7), a person shall not be eligible for appointment as a member if that person -
 - (a) has within the preceding five years been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has received a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
 - (b) has been adjudged bankrupt or has made a composition or arrangement with creditors;
 - (c) has been dismissed, other than by reason of redundancy, from any paid employment with a health service body;
 - (d) has had his or her membership as chair, member or director of a health service body terminated, other than by reason of redundancy, voluntary resignation, reorganisation of the health service body, or expiry of the period of office for which that person was appointed;
 - (e) (except in the case of an associate member) is a chair or a director of an NHS Trust.
- (2) For the purposes of paragraph (1) (a) the date of conviction shall be deemed to be the date on which the ordinary period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its not being prosecuted.
- (3) For the purposes of paragraph (1) (c), a person shall not be treated as having been in paid employment by reason only of having held the position of chair, member or director of a health service body.
- (4) Where a person is ineligible by reason of paragraph (1) (b) -
 - (a) if the bankruptcy is annulled on the ground that the person ought not to have been

ddyfarnu'n fethdalwr neu ar y sail bod dyledion y person wedi cael eu talu'n llawn, bydd y person hwnnw yn gymwys i gael ei benodi fel aelod ar ddyddiad y dirymu;

- (b) os yw person yn cael ei ryddhau o fethdaliad, bydd y person hwnnw yn gymwys i gael ei benodi fel aelod ar ddyddiad y rhyddhau;
 - (c) os, ag yntau wedi gwneud cyfamod neu drefniant â chredydwyr, bod dyledion y person yn cael eu talu'n llawn, bydd y person hwnnw yn gymwys i gael ei benodi fel aelod ar y dyddiad pan gaiff y dyledion hynny eu talu'n llawn; ac
 - (ch) os, ag yntau wedi gwneud cyfamod neu drefniant â chredydwyr, bod y person hwnnw yn dod yn gymwys i gael ei benodi fel aelod pan ddaw'r pum mlynedd o'r dyddiad pan fodlonwyd amodau'r weithred gyfamod neu drefniant i ben.
- (5) Yn ddarostyngedig i baragraff (6), pan fo person yn anghymwys o ganlyniad i baragraff (1) (c), gall y person hwnnw, ar ôl i ddwy flynedd o dyddiad y diswyddiad ddod i ben, wneud cais ysgrifenedig i'r Cynulliad i waredu'r anghymwysedd, a gall y Cynulliad gyfarwyddo y bydd yr anghymwysedd yn dod i ben.
- (6) Pan fo'r Cynulliad yn gwrthod cais i dynnu anghymwysedd, ni all y person hwnnw wneud unrhyw gais pellach hyd nes bod dwy flynedd wedi dod i ben gan ddechrau â dyddiad gwneud y cais a bydd y paragraff hwn yn gymwys i unrhyw gais dilynol.
- (7) Pan fo person yn anghymwys o ganlyniad i baragraff (1) (d), bydd y person hwnnw yn gymwys i gael ei benodi fel aelod pan fydd cyfnod o ddwy flynedd ers dyddiad terfynu'r aelodaeth neu unrhyw gyfnod hirach y gallai'r awdurdod fod wedi'i bennu a derfynodd yr aelodaeth ddod i ben, ond gall y Cynulliad, os caiff cais ysgrifenedig ei wneud iddo gan y person hwnnw, leihau'r cyfnod anghymwysedd.

RHAN II

Gofynion cymhwysedd ar gyfer categorïau penodol o aelod

Swyddog meddygol

- (8) Er mwyn bod yn gymwys i gael ei benodi fel

adjudged bankrupt or on the ground that the person's debts have been paid in full, that person shall become eligible for appointment as a member on the date of the annulment;

- (b) if the person is discharged from bankruptcy, that person shall become eligible for appointment as a member on the date of the discharge;
 - (c) if, having made a composition or arrangement with creditors, the person's debts are paid in full, that person shall become eligible for appointment as a member on the date upon which such debts are paid in full; and
 - (d) if, having made a composition or arrangement with creditors, that person shall become eligible for appointment as a member on the expiry of five years from the date on which the terms of the deed of composition or arrangement were fulfilled.
- (5) Subject to paragraph (6), where a person is ineligible by reason of paragraph (1) (c), that person may, after the expiry of two years from the date of dismissal, apply in writing to the Assembly to remove the ineligibility, and the Assembly may direct that the ineligibility shall cease.
- (6) Where the Assembly refuses an application to remove an ineligibility, no further application may be made by that person until the expiry of two years beginning with the date of the application and this paragraph shall apply to any subsequent application.
- (7) Where a person is ineligible by reason of paragraph (1) (d), that person shall become eligible for appointment as a member on the expiry of two years from the date of termination of membership or such longer period as may have been specified by the authority which terminated the membership, but the Assembly may, on application being made in writing to it by that person, reduce the period of ineligibility.

PART II

Eligibility requirements for specific categories of member

Medical officer

- (8) To be eligible for appointment as the medical

y swyddog meddygol, rhaid i berson fod yn aelod o broffesiwn gofal iechyd, a gynhwysir ar gofrestr briodol a gedwir gan y corff proffesiynol sy'n gyfrifol am gofrestru aelodau proffesiwn y person hwnnw.

Swyddog nyrs

(9) Er mwyn bod yn gymwys i gael ei benodi fel y swyddog nyrs, rhaid i berson gael ei gynnwys ar y gofrestr a gedwir gan y Cyngor Nyrsys a Bydwagedd.

Aelodau ymarferydd meddygol cyffredinol

(10) Er mwyn bod yn gymwys i gael ei benodi fel aelod ymarferydd meddygol cyffredinol, rhaid i berson fodloni gofynion paragraff (18) a rhaid iddo fod yn ymarferydd meddygol cyffredinol sydd wedi ymddeol o gofrestr o'r fath yn ystod y cyfnod o ddeuddeg mis yn union cyn y dyddiad pan gafodd cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

Aelod ymarferydd deintyddol

(11) Er mwyn bod yn gymwys i gael ei benodi fel yr aelod ymarferydd deintyddol, rhaid i berson fodloni gofynion paragraff (18) a rhaid iddo fod wedi cael ei gynnwys ar y gofrestr a gedwir gan y Cyngor Deintyddol Cyffredinol, neu wedi ymddeol o gofrestr o'r fath yn ystod y cyfnod o ddeuddeg mis yn union cyn y dyddiad pan gafodd cais y person hwnnw ei gyflwyno i'r Bwrdd.

Aelod bydwreigiaeth nyrsio ac ymwelydd iechyd

(12) Er mwyn bod yn gymwys i gael ei benodi fel yr aelod bydwreigiaeth nyrsio ac ymwelydd iechyd, rhaid i berson fodloni gofynion paragraff (18) a rhaid iddo fod wedi'i gynnwys ar gofrestr a gedwir gan y Cyngor Nyrsys a Bydwagedd, neu fod wedi ymddeol o gofrestr o'r fath yn ystod y cyfnod o ddeuddeg mis yn union cyn y dyddiad pan gaiff cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

Aelod optometrydd

(13) Er mwyn bod yn gymwys i gael ei benodi fel yr aelod optometrydd, rhaid i berson fodloni gofynion paragraff (18) a rhaid iddo fod wedi'i gynnwys ar y gofrestr a gedwir gan y Cyngor Optegol Cyffredinol; neu fod wedi ymddeol o gofrestr o'r fath yn ystod y cyfnod deuddeg mis yn union cyn y dyddiad pan gaiff cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

Aelod fferylliaeth

(14) Er mwyn bod yn gymwys i gael ei benodi fel yr aelod fferylliaeth, rhaid i berson fodloni gofynion paragraff (18) a rhaid iddo gael ei gynnwys ar y gofrestr a gedwir gan Gymdeithas Fferyllol Frenhinol Prydain Fawr; neu fod wedi ymddeol o gofrestr o'r fath yn ystod y cyfnod o ddeuddeg mis yn union cyn y dyddiad pan gafodd cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

officer, a person must be a member of a healthcare profession who is included on the appropriate register maintained by the professional body responsible for registering members of that person's profession.

Nurse officer

(9) To be eligible for appointment as the nurse officer, a person must be included on the register maintained by the Nurses and Midwives Council.

General medical practitioner members

(10) To be eligible for appointment as a general medical practitioner member, a person must fulfil the requirements of paragraph (18) and must be a general medical practitioner who is included in the register of general medical practitioners maintained by the General Medical Council, or have retired from such register during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Dental Practitioner member

(11) To be eligible for appointment as the dental practitioner member, a person must satisfy the requirements of paragraph (18) and must be included on the register maintained by the General Dental Council, or have retired from such register during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Nursing midwifery and health visiting member

(12) To be eligible for appointment as the nursing midwifery and health visiting member, a person must satisfy the requirements of paragraph (18) and must be included on the register maintained by the Nurses and Midwives Council, or have retired from such register during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Optometrist member

(13) To be eligible for appointment as the optometrist member, a person must satisfy the requirements of paragraph (18) and must be included on the register maintained by the General Optical Council or have retired from such register during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Pharmacy member

(14) To be eligible for appointment as the pharmacy member, a person must satisfy the requirements of paragraph (18) and must be included on the register maintained by the Royal Pharmaceutical Society of Great Britain or have retired from such register during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Aelod therapi

(15) Er mwyn bod yn gymwys i gael ei benodi fel yr aelod therapi, rhaid i berson -

- (a) bodloni gofynion paragraff (18); a
- (b) rhaid iddo fod yn aelod o un o'r proffesiynau canlynol -

Therapyddion Celfyddyd
Therapyddion Drama
Therapyddion Cerddoriaeth
Ceiropodyddion/Podiatryddion
Deietygwyr
Therapyddion Galwedigaethol
Orthoptyddion
Ffysiotherapyddion
Therapyddion Siarad ac Iaith

neu fod wedi ymddeol o ymarfer mewn proffesiwn o'r fath yn ystod y cyfnod o ddeuddeg mis yn union cyn y dyddiad pan gaiff cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

Arbenigydd iechyd y cyhoedd

(16) Er mwyn bod yn gymwys i gael ei benodi fel yr arbenigydd iechyd y cyhoedd rhaid i berson gael ei gyflogi gan Wasanaeth Cenedlaethol Iechyd y Cyhoedd pan gaiff cais y person hwnnw ei gyflwyno i'r Bwrdd hwnnw.

Aelodau cyswllt

(17) O'r pedwar aelod cyswllt -

- (a) rhaid i un fod yn aelod neu'n swyddog Cyngor Iechyd Cymuned sy'n gyfrifol am ardal Bwrdd neu ran o'r ardal honno;
- (b) rhaid i un fod yn gadeirydd, aelod neu swyddog Bwrdd Ymddiriedolaeth GIG; ac
- (c) rhaid i un fod yn ymarferydd meddygol a gyflogir gan Ymddiriedolaeth GIG neu gorff gwasanaeth iechyd arall;
- (ch) rhaid i un fod yn swyddog amser llawn neu'n gynrychiolydd achrededig lleol undeb llafur sy'n cynrychioli personau a gyflogir yn y gwasanaeth iechyd yng Nghymru.

Gofynion cyffredinol ar gyfer aelodau proffesiynol

(18) Er mwyn bod yn gymwys i gael ei benodi fel -

- (a) aelod ymarferydd meddygol cyffredinol;
- (b) aelod ymarferydd deintyddol;
- (c) aelod fferyllol;
- (ch) aelod optometrydd;
- (d) aelod bydwreigiaeth nyrsio ac ymwelydd iechyd; neu

Therapy member

(15) To be eligible for appointment as the therapy member, a person must -

- (a) satisfy the requirements of paragraph (18); and
- (b) must be a member of one of the following professions -

Arts Therapists
Drama Therapists
Music Therapists
Chiroprodists/Podiatrists
Dieticians
Occupational Therapists
Orthoptists
Physiotherapists
Speech & Language Therapists,

or have retired from practising in such a profession during the period of twelve months immediately preceding the date upon which that person's application is submitted to the Board.

Public health specialist

(16) To be eligible for appointment as the public health specialist a person must be employed by the National Public Health Service upon the date on which that person's application is submitted to that Board.

Associate members

(17) Of the four associate members -

- (a) one must be a member or officer of a Community Health Council which is responsible for a Board's area or a part of that area;
- (b) one must be the chair, a member or officer of an NHS Trust Board;
- (c) one must be a consultant medical practitioner employed by an NHS Trust or other health service body; and
- (d) one must be a full-time official or a local accredited representative of a trade union which is affiliated to the Trades Union Congress and which represents persons employed in the health service in Wales.

General requirement for professional members

(18) In order to be eligible to be appointed as a -

- (a) general medical practitioner member;
- (b) dental practitioner member;
- (c) pharmacist member;
- (d) optometrist member;
- (e) nursing midwifery and health visiting member; or

(dd) aelod therapi,

rhaid i berson fod wedi ymwneud â darparu gofal i aelodau o'r cyhoedd yn ardal y Bwrdd am gyfartaledd o un diwrnod yr wythnos o leiaf yn ystod y cyfnod deuddeg mis yn union cyn dyddiad cais y person hwnnw.

(f) therapy member,

a person must have been concerned in the provision of care to members of the public in the Board's area for an average of at least one day per week, or have retired from doing so, during the period of twelve months immediately preceding the date of that person's application.

**Rheolau ynghylch cyfarfodydd a thrafodion
Byrddau**

1. Rhaid i gyfarfod cyntaf Bwrdd gael ei gynnal ar ddiwrnod ac mewn lle y gellir ei bennu gan y cadeirydd a'r cadeirydd fydd yn gyfrifol am gynnull y cyfarfod.

2. - (1) Gall y cadeirydd alw cyfarfod o'r Bwrdd ar unrhyw adeg.

(2) Os bydd y cadeirydd yn gwrthod galw cyfarfod wedi i gais at y diben hwnnw, a lofnodwyd gan o leiaf draean o'r aelodau, gael ei gyflwyno iddo, neu os nad yw'n gwrthod, ond nad yw'n galw cyfarfod o fewn saith diwrnod ar ôl i gais o'r fath gael ei gyflwyno iddo, gall y traean hwnnw neu fwy o'r aelodau alw cyfarfod yn ddiymdroi.

(3) Cyn bob cyfarfod o Fwrdd, rhaid i hysbysiad o'r cyfarfod, yn nodi'r busnes y bwriedir ei drin ynddo, ac wedi'i lofnodi gan y cadeirydd neu gan swyddog o'r Bwrdd a awdurdodwyd gan y cadeirydd i lofnodi ar ei ran gael ei ddanfod i bob aelod, neu gael ei anfon drwy'r post i breswylfa arferol aelod o'r fath, fel ei fod ar gael i aelod o'r fath o leiaf dri diwrnod clir cyn y cyfarfod.

(4) Ni fydd diffyg cyflwyno'r hysbysiad ar unrhyw aelod yn effeithio ar ddilysrwydd cyfarfod.

(5) Yn achos cyfarfod sy'n cael ei alw gan aelodau yn absenoldeb y cadeirydd, rhaid i'r hysbysiad gael ei lofnodi gan yr aelodau hynny ac ni chaiff unrhyw fusnes ei drin yn y cyfarfod heblaw'r hyn a bennir yn yr hysbysiad.

3.-(1) Mewn unrhyw gyfarfod o'r Bwrdd y cadeirydd, os yw'n bresennol, fydd yn llywyddu.

(2) Os yw'r cadeirydd yn absennol o'r cyfarfod, yr is-gadeirydd, os oes un wedi'i benodi ac os yw'n bresennol, fydd yn llywyddu.

(3) Os yw'r cadeirydd a'r is-gadeirydd yn absennol, aelod nad yw'n swyddog a ddewisir gan yr aelodau sy'n bresennol fydd yn llywyddu.

4. Rhaid i bob cwestiwn mewn cyfarfod gael ei benderfynu gan fwyafriif pleidleisiau'r aelodau sy'n bresennol a thrwy bleidleisio ar y cwestiwn ac, os yw'r pleidleisiau yn gydradd, bydd gan y person sy'n llywyddu ail bleidlais a phleidlais fwrw.

5. Caiff enwau'r cadeirydd a'r aelodau sy'n bresennol yn y cyfarfod eu cofnodi.

6. Yn ddarostyngedig i baragraff 7, ni chaiff busnes ei drin mewn cyfarfod oni bai -

- (a) nad yw'r nifer sy'n bresennol yn llai na thraean o aelodaeth y Bwrdd yn ei gyfanrwydd; a

Rules as to meetings and proceedings of Boards

1. The first meeting of a Board shall be held on such day and at such place as may be fixed by the chair and the chair shall be responsible for convening the meeting.

2. - (1) The chair may call a meeting of the Board at any time.

(2) If the chair refuses to call a meeting after a requisition for that purpose, signed by at least one third of the members, has been presented to him, or if, without so refusing, the chair does not call a meeting within seven days after such requisition has been presented to him, such one third or more members may forthwith call a meeting.

(3) Before each meeting of a Board, a notice of the meeting, specifying the business proposed to be transacted at it, and signed by the chair or by an officer of the Board authorised by the chair to sign on his behalf shall be delivered to every member, or sent by post to the usual place of residence of such member, so as to be available to such member at least three clear days before the meeting.

(4) Want of service of the notice on any member shall not affect the validity of a meeting.

(5) In the case of a meeting called by members in default of the chair, the notice shall be signed by those members and no business shall be transacted at the meeting other than that specified in the notice.

3.-(1) At any meeting of the Board the chair, if present, shall preside.

(2) If the chair is absent from the meeting, the vice-chair, if one has been appointed and is present, shall preside.

(3) If the chair and vice-chair are absent, such non-officer member as the members present shall choose shall preside.

4. Every question at a meeting shall be determined by a majority of the votes of the members present and voting on the question and, in the case of any equality of votes, the person presiding shall have a second and casting vote.

5. The names of the chair and members present at the meeting shall be recorded.

6. Subject to paragraph 7, no business shall be transacted at a meeting unless -

- (a) -the number present is not less than one third of the whole membership of the Board; and

(b) bod y sawl sy'n bresennol yn cynnwys o leiaf un aelod sy'n swyddog ac un aelod nad yw'n swyddog.

7. Rhaid i gofnodion y trafodion gael eu llunio a'u cyflwyno i gael eu cytuno arnynt yng nghyfarfod nesaf y Bwrdd, lle cânt, os cytunir arnynt, eu llofnodi gan y person sy'n llywyddu.

8-(1) Yn ddarostyngedig i baragraff (2), rhaid i unrhyw gyfarfod Bwrdd fod yn agored i'r cyhoedd.

(2) Caiff Bwrdd benderfynu gwahardd y cyhoedd o gyfarfod yn unol â darpariaethau adran 1(2) a (3) o Ddeddf Cyrff Cyhoeddus (Mynediad i Gyfarfodydd) 1960(a).

(b) those present include at least one officer member and one non-officer member.

7. The minutes of the proceedings of a meeting shall be drawn up and submitted for agreement at the next meeting of the Board where, if agreed, they shall be signed by the person presiding.

8-(1) Subject to paragraph (2), any meeting of a Board shall be open to the public.

(2) A Board may resolve to exclude the public from a meeting in accordance with the provisions of section 1(2) and (3) of the Public Bodies (Admission to Meetings) Act 1960(a).

(a) 1960 p.67.

(a) 1960 c.67.

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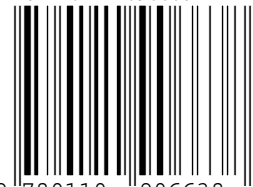
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