CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 3054 (Cy.292)

NYRSYS, BYDWRAGEDD AC YMWELWYR IECHYD, CYMRU

Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003 ("Rheoliadau 2003").

Mae Rheoliad 12 o Reoliadau 2003 yn ei gwneud yn ofynnol bod rhaid i'r person sydd wedi'i gofrestru o dan Ddeddf Safonau Gofal 2000 mewn perthynas ag asiantaeth nyrsys sicrhau na fydd unrhyw nyrs yn cael ei chyflenwi gan yr asiantaeth oni bai ei bod yn "ffit". Un o ofynion ffitrwydd yw bod yn rhaid i wybodaeth a dogfennau penodol fod ar gael mewn perthynas â'r nyrsys hyn. Ymhlith y dogfennau y mae'n rhaid iddynt fod ar gael y mae tystysgrifau record droseddol a roddir naill ai o dan adran 113 neu 115 o Ddeddf yr Heddlu 1997 ac adroddiad o wiriad gan yr heddlu.

Mae'r diwygiadau i Reoliadau 2003 yn darparu nad oes rhaid i wiriad gan yr heddlu fod ar gael ond lle bydd cais wedi'i wneud am dystysgrif o dan Ddeddf yr Heddlu ond nad yw'r dystysgrif wedi'i rhoi.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 3054 (W.292)

NURSES, MIDWIVES AND HEALTH VISITORS, WALES

The Nurses Agencies (Wales) (Amendment) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Nurses Agencies (Wales) Regulations 2003 ("the 2003 Regulations").

Regulation 12 of the 2003 Regulations requires that the person registered under the Care Standards Act 2000 in respect of a nurses agency must ensure that no nurse is supplied by the agency unless "fit". One requirement of fitness is that certain information and documentation is to be available in relation to these nurses. Amongst the documentation that is to be available are criminal record certificates issued under either section 113 or 115 of the Police Act 1997 and a report of a police check.

The amendments to the 2003 Regulations provide that a police check must be available only where a certificate under the Police Act has been applied for but the certificate has not been issued.

OFFERYNNAU STATUDOL

2003 Rhif 3054 (Cy.292)

NYRSYS, BYDWRAGEDD AC YMWELWYR IECHYD, CYMRU

Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003

Wedi'u gwneud *26 Tachwedd 2003*

Yn dod i rym *1 Rhagfyr 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 4(6), 16(3), 22(1) a (2)(b), 25, 34(1), 35 a 118(5) - (7) o Ddeddf Safonau Gofal 2000(**a**) drwy hyn yn gwneud y Rheoliadau canlynol:-

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003 a deuant i rym ar 1 Rhagfyr 2003.

(2) Mae'r Rheoliadau hyn yn gymwys i asiantaethau nyrsys yng Nghymru yn unig.

Diwygio Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003

2. Diwygir Rheoliadau Asiantaethau Nyrsys (Cymru) 2003(**b**) fel a ganlyn:-

yn rheoliad 12(1) (Ffitrwydd y nyrsys sy'n cael eu cyflenwi gan asiantaeth) yn lle isbaragraff (ch) rhodder y canlynol:-

"(ch) bod gwybodaeth lawn a boddhaol ar gael amdano/amdani -

(i) ac eithrio lle mae paragraff (3) yn gymwys, mewn perthynas â phob mater a bennir ym mharagraffau 1 i 4 a 6 i 13 o Atodlen 3;

(ii) lle mae paragraff (3) yn gymwys, mewn perthynas â phob mater a bennir ym mharagraffau 1 i 3 a 5 i 13 o Atodlen 3."

(a) 2000 p.14. Mae'r pwerau yn arferadwy gan y Gweinidog priodol, a ddiffinnir yn adran 121(1) fel y'i darllenir gydag adran 5(1)(b), mewn perthynas â Chymru fel Cynulliad Cenedlaethol Cymru.

(b) O.S. 2003/2527 (Cy.242).

STATUTORY INSTRUMENTS

2003 No. 3054 (W.292)

NURSES, MIDWIVES AND HEALTH VISITORS, WALES

The Nurses Agencies (Wales) (Amendment) Regulations 2003

Made *26th November 2003*

Coming into force *1st December 2003*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 4(6), 16(3), 22(1) and (2)(b), 25, 34(1), 35 and 118(5) - (7) of the Care Standards Act 2000(**a**) hereby makes the following Regulations:-

Citation, commencement and application

1.-(1) These Regulations may be cited as the Nurses Agencies (Wales) (Amendment) Regulations 2003 and come into force on 1st December 2003.

(2) These Regulations apply to nurses agencies in Wales only.

Amendment of the Nurses Agencies (Wales) Regulations 2003

2. The Nurses Agencies (Wales) Regulations 2003(**b**) are amended as follows:-

in regulation 12(1) (Fitness of nurses supplied by an agency) the following is substituted for subparagraph (d):-

"(d) full and satisfactory information is available in relation to him or her -

(i) except where paragraph (3) applies, in respect of each matter specified in paragraphs 1 to 4 and 6 to 13 of Schedule 3;

(ii) where paragraph (3) applies, in respect of each matter specified in paragraphs 1 to 3 and 5 to 13 of Schedule 3."

(a) 2000 c.14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1) as read with section 5(1)(b), in relation to Wales as the National Assembly for Wales.

(b) S.I. 2003/2527 (W.242).

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

26 Tachwedd 2003

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

26th November 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2003 Rhif 3054 (Cy.292)

NYRSYS, BYDWRAGEDD AC YMWELWYR IECHYD, CYMRU

Rheoliadau Asiantaethau Nyrsys (Cymru) (Diwygio) 2003

STATUTORY INSTRUMENTS

2003 No. 3054 (W.292)

NURSES, MIDWIVES AND HEALTH VISITORS, WALES

The Nurses Agencies (Wales) (Amendment) Regulations 2003

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