CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2004 Rhif 1390 (Cy.140)

Y GWASANAETH IECHYD GWLADOL, CYMRU

LLYWODRAETH LEOL, CYMRU

Rheoliadau Trefniadau Partneriaeth Cyrff Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) (Diwygio) 2004

NODYN ESBONIADOL

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

Gwnaeth Cynulliad Cenedlaethol Cymru Reoliadau Trefniadau Partneriaeth Cyrff Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) 2000 ("Rheoliadau 2000") o dan adran 31 o Ddeddf Iechyd 1999 ac adran 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977.

Mae Rheoliadau 2000 yn darparu fframwaith ar gyfer trefniadau partneriaeth rhwng cyrff y Gwasanaeth Iechyd Gwladol ac awdurdodau lleol. Yn arbennig mae Rheoliadau 2000 yn pennu'r cyrff gwasanaeth iechyd gwladol y maent yn gymwys iddynt, ac yn darparu ar gyfer ffurfio cydbwyllgorau i ysgwyddo'r cyfrifoldeb dros reoli'r trefniadau partneriaeth hynny.

Mae rheoliad 2(2) yn diwygio Rheoliadau 2000 drwy roi cyfeiriadau at Fyrddau Iechyd Lleol yn lle'r cyfeiriadau presennol at Awdurdodau Iechyd.

Mae rheoliad 2(3) a 2(4) yn diwygio Rheoliadau 2000 i ddarparu, pan fydd awdurdod lleol yn gweithredu trefniadau gweithrediaeth neu drefniadau amgen o dan Ran II o Ddeddf Llywodraeth Leol 2000, y caiff unrhyw aelod o'r awdurdod hwnnw eistedd ar y cydbwyllgor, p'un a yw'r aelod hwnnw hefyd yn aelod o weithrediaeth neu Fwrdd yr awdurdod neu beidio.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2004 No. 1390 (W.140)

NATIONAL HEALTH SERVICE, WALES

LOCAL GOVERNMENT, WALES

The National Health Service Bodies and Local Authority Partnership Arrangements (Wales) (Amendment) Regulations 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

The National Assembly for Wales made the National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000 (the "2000 Regulations") under section 31 of the Health Act 1999 and section 126(4) of the National Health Service Act 1977.

The 2000 Regulations provide a framework for partnership arrangements between National Health Service bodies and local authorities. In particular the 2000 Regulations prescribe the national health service bodies to which they apply, and provide for the formation of joint committees to take responsibility for the management of those partnership arrangements.

Regulation 2(2) amends the 2000 Regulations by substituting references to Local Health Boards for the existing references to Health Authorities.

Regulation 2(3) and 2(4) amend the 2000 Regulations to provide that where a local authority is operating executive arrangements or alternative arrangements under Part II of the Local Government Act 2000, any member of that authority may sit on the joint committee, whether or not that member is also a member of the authority's executive or Board.

OFFERYNNAU STATUDOL

2004 Rhif 1390 (Cy.140)

Y GWASANAETH IECHYD GWLADOL, CYMRU

LLYWODRAETH LEOL, CYMRU

Rheoliadau Trefniadau Partneriaeth Cyrff Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) (Diwygio) 2004

Wedi'u gwneud	*18 Mai 2004*
Yn dod i rym	*31 Mai 2004*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 31 o Ddeddf Iechyd 1999(**a**) ac adran 126(4) o Ddeddf Gwasanaeth Iechyd Gwladol 1977(**b**) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru a'r holl bwerau eraill sy'n ei alluogi yn y cyswllt hwnnw:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Trefniadau Partneriaeth Cyrff Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) (Diwygio) 2004 a deuant i rym ar 31 Mai 2004.

(a) 1999 p.8. Mae swyddogaethau'r Ysgrifennydd Gwladol o dan adran 31 o'r Ddeddf yn arferadwy gan Gynulliad Cenedlaethol Cymru yn rhinwedd y diwygiad i Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 O.S. 1999/672 a wnaed gan adran 66(5)(c) o'r Ddeddf (*gweler* erthygl 2(a) o'r Gorchymyn ac adran 22(1) o Ddeddf Llywodraeth Cymru 1998 (p.38)). *Gweler* adran 62(1) a (4) o'r Ddeddf ynghylch y pŵer i wneud rheoliadau ac ynghylch cymhwyso adran 126 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 (1977 p.49) ynghylch y pŵer i wneud rheoliadau.

(b) 1977 p.49. Mae swyddogaethau'r Ysgrifennydd Gwladol o dan adran 126(4) o'r Ddeddf yn arferadwy gan Gynulliad Cenedlaethol Cymru yn rhinwedd cynnwys y Ddeddf (gydag eithriadau) yn Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 O.S. 1999/672 (*gweler* erthygl 2(a) o'r Gorchymyn ac adran 22(1) o Ddeddf Llywodraeth Cymru 1998 (p.38)).

STATUTORY INSTRUMENTS

2004 No. 1390 (W.140)

NATIONAL HEALTH SERVICE, WALES

LOCAL GOVERNMENT, WALES

The National Health Service Bodies and Local Authority Partnership Arrangements (Wales) (Amendment) Regulations 2004

Made	*18th May 2004*
Coming into force	*31st May 2004*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by section 31 of the Health Act 1999(**a**) and section 126(4) of the National Health Service Act 1977(**b**) and now vested in the National Assembly for Wales and of all other powers enabling it in that behalf:

Name and commencement

1. These Regulations are called the National Health Service Bodies and Local Authority Partnership Arrangements (Wales) (Amendment) Regulations 2004 and come into force on 31st May 2004.

(a) 1999 c.8. Functions of the Secretary of State under section 31 of the Act are exercisable by the National Assembly for Wales by virtue of the amendment to Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 made by section 66(5)(c) of the Act (*see* article 2(a) of the Order and section 22(1) of the Government of Wales Act 1998 (c.38)). *See* section 62(1) and (4) of the Act as to the power to make regulations and as to the application of section 126 of the National Health Service Act 1977 (1977 c.49) to the power to make regulations.

(b) 1977 c.49. Functions of the Secretary of State under section 126(4) of the Act are made exercisable by the National Assembly for Wales by virtue of the inclusion of the Act (with exceptions) in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 (*see* article 2(a) of the Order and section 22(1) of the Government of Wales Act 1998 (c.38)).

Diwygio Rheoliadau Trefniadau Partneriaeth Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) 2000

2.-(1) Diwygir Reoliadau Trefniadau Partneriaeth Cyrff Gwasanaeth Iechyd Gwladol ac Awdurdodau Lleol (Cymru) 2000(**a**) fel a ganlyn.

(2) Yn rheoliadau 2(1), 3(1)(a), 4(3), 7(2), a 9(2) rhodder "Bwrdd Iechyd Lleol" yn lle "Awdurdod Iechyd"(**b**).

(3) Ar ôl rheoliad 10(2), rhodder -

"(2A) Pan fydd awdurdod lleol yn gweithredu trefniadau gweithrediaeth neu drefniadau amgen, caiff cydbwyllgor sy'n cael ei ffurfio o dan baragraff (2) gynnwys unrhyw aelod o'r awdurdod p'un a yw'r aelod hefyd yn aelod o weithrediaeth neu Fwrdd yr awdurdod.".

(4) Ar ôl rheoliad 10(4), ychwaneger -

"(4) Ym mharagraff (2A) -

Mae i "Bwrdd" ("*Board*") yr un ystyr ag yn Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001(**c**);

Mae i "gweithrediaeth" a "trefniadau gweithrediaeth" yr ystyr a roddir i "*executive*" ac "*executive arrangements*" yn Rhan II o Ddeddf Llywodraeth Leol 2000(**ch**);

Mae i "trefniadau amgen" yr ystyr a roddir i "*alternative arrangements*" yn Rhan II o Ddeddf Llywodraeth Leol 2000.".

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

18 Mai 2004

Llywydd y Cynulliad Cenedlaethol

Amendment of the National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000

2.-(1) The National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000(**a**) are amended as follows.

(2) In regulations 2(1), 3(1)(a), 4(3), 7(2) and 9(2) for "Health Authority", substitute "Local Health Board"(**b**).

(3) After regulation 10(2), insert -

"(2A) Where a local authority is operating executive arrangements or alternative arrangements, a joint committee formed under paragraph (2) may include any member of the authority whether or not the member is also a member of the executive or the Board of the authority.".

(4) After regulation 10(4), add -

"(4) In paragraph (2A) -

"Alternative arrangements" ("*trefniadau amgen*") has the same meaning as in Part II of the Local Government Act 2000(**c**);

"Board" ("*Bwrdd*") has the same meaning as in the Local Authorities (Alternative Arrangements) (Wales) Regulations 2001(**d**);

"executive" ("*gweithrediaeth*") and "executive arrangements" ("*trefniadau gweithrediaeth*") have the same meaning as in Part II of the Local Government Act 2000.".

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

18th May 2004

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) O.S. 2000/2993 (Cy. 193).

(b) Diddymwyd awdurdodau iechyd yng Nghymru gan Orchymyn Awdurdodau Iechyd (Trosglwyddo Swyddogaethau, Staff, Eiddo, Hawliau a Rhwymedigaethau a Diddymu) (Cymru) 2003 O.S. 2003/813 (Cy.98). Sefydlwyd Byrddau Iechyd Lleol gan Orchymyn Byrddau Iechyd Lleol (Sefydlu) 2003, O.S. 2003/148 (Cy.18).

(c) O.S. 2001/2284.

(ch) 2000 p.22. Mae O.S. 2001/2284 (Cy.173) (fel y'i diwygiwyd) yn darparu yn rheoliad 4 ar gyfer ffurf y trefniadau amgen yng Nghymru. Diwygiwyd rheoliad 4 o O.S. 2001/2284 gan O.S. 2002/810 (Cy.90) ac O.S. 2001/3711 (Cy.307).

(d) 1998 p.38.

(a) S.I. 2000/2993 (W.193).

(b) Health Authorities in Wales were abolished by the Health Authorities (Transfer of Functions, Staff, Property, Rights and Liabilities and Abolition) (Wales) Order 2003, S.I. 2003/813 (W.98). Local Health Boards were established by the Local Health Boards (Establishment) (Wales) Order 2003, S.I. 2003/148 (W.18).

(c) 2000 c.22. S.I. 2001/2284 (W.173) (as amended) provides in regulation 4 for the form of alternative arrangements in Wales. Regulation 4 of S.I. 2001/2284 has been amended by S.I. 2002/810 (W.90) and S.I. 2001/3711 (W.307).

(d) S.I. 2001/2284.

(e) 1998 c.38.

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STATUTORY INSTRUMENTS

2004 No. 1390 (W.140)

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The National Health Service Bodies and Local Authority Partnership Arrangements (Wales) (Amendment) Regulations 2004

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ISBN 0-11-090944-5

9 780110 909448

£3.00

W87/5/04 ON