



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 2840 (Cy.256)

2006 No. 2840 (W.256)

**GWASANAETHAU
CYMDEITHASOL, CYMRU**

**SOCIAL SERVICES,
WALES**

Rheoliadau Diwygio Gofal
Cymunedol, Gwasanaethau ar
gyfer Gofalwyr a Gwasanaethau
Plant (Taliadau Uniongyrchol)
(Cymru) 2006

The Community Care, Services for
Carers and Children's Services
(Direct Payments) (Wales)
Amendment Regulations
2006

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 Cymunedol, Gwasanaethau ar gyfer Gofalwyr a Gwasanaethau Plant (Taliadau Uniongyrchol) (Cymru) 2004 ("Rheoliadau 2004").

These Regulations amend the Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004 ("the 2004 Regulations").

Mae Rheoliad 2 o'r Rheoliadau hyn yn diwygio Rheoliad 3 o Reoliadau 2004 er mwyn darparu bod pob person y mae awdurdodau lleol Cymru wedi penderfynu darparu gwasanaethau gofal yn y gymuned iddo yn berson rhagnodedig at ddibenion Rheoliadau 2004.

Regulation 3 of the 2004 Regulations is amended by regulation 2 of these Regulations to provide that all persons for whom Welsh local authorities have decided to provide community care services are prescribed persons for the purposes of the 2004 Regulations.

Mae Rheoliad 2 o'r Rheoliadau hyn hefyd yn diwygio Rheoliad 5 o Reoliadau 2004 gyda'r effaith bod rhaid i'r awdurdodau lleol wneud taliadau uniongyrchol, yn hytrach na darparu gwasanaethau'n uniongyrchol, i bob person rhagnodedig o dan reoliad 3 os yw'r person hwnnw wedi cytuno i dderbyn taliadau o'r fath ac nad yw wedi ei eithrio fel arall rhag eu derbyn o dan Reoliadau 2004.

Regulation 5 of the 2004 Regulations is also amended by regulation 2 of these Regulations with the effect that direct payments must be made by local authorities, instead of the direct provision of services, to all persons prescribed under regulation 3 if such persons have consented to such payments and are not otherwise excluded from receiving them under the 2004 Regulations.

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Wedi'u gwneud 25 Hydref 2006

Made 25 October 2006

Yn dod i rym 1 Tachwedd 2006

Coming into force 1 October 2006

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adrannau 57(1), (3), (6) a (7) a 64(6) o Deddf Iechyd a Gofal Cymdeithasol 2001(1) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred by sections 57(1), (3), (6) and (7) and 64(6) of the Health and Social Care Act 2001(1) hereby makes the following Regulations:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Diwygio Gofal Cymunedol, Gwasanaethau ar gyfer Gofalwyr a Gwasanaethau Plant (Taliadau Uniongyrchol) (Cymru) 2006 a deuant i rym ar 1 Tachwedd 2006.

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

Title, commencement and application

1.-(1) The title of these Regulations is the Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Amendment Regulations 2006 and they come into force on 1 November 2006.

(2) These Regulations apply in relation to Wales.

Diwygiadau i Reoliadau 2004

2. Diwygir Rheoliadau Gofal Cymunedol, Gwasanaethau ar gyfer Gofalwyr a Gwasanaethau Plant (Taliadau Uniongyrchol) (Cymru) 2004(2) fel a ganlyn-

- (a) yn rheoliad 3-
- (i) ym mharagraff (1) hepgorer y geiriau "a os daw o fewn disgrifiad ym mharagraff (2);";
 - (ii) hepgorer paragraff (2);
- (b) yn rheoliad 5(1) hepgorer y geiriau o "sy'n dod o fewn" i "(2)(b) o'r rheoliad hwnnw".

Amendments to the 2004 Regulations

2. The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004(2) are amended as follows-

- (a) in regulation 3-
- (i) in paragraph (1) omit the words "and he or she falls within a description in paragraph (2);";
 - (ii) omit paragraph (2);
- (b) in regulation 5(1) omit the words from "who falls within" to "(2)(b) of that regulation".

(1) 2001 p.15. Mae adran 66 o Ddeddf 2001 yn diffinio "rheoliadau" fel "rheoliadau wedi'u gwneud gan yr awdurdod perthnasol" a'r "awdurdod perthnasol" fel Cynulliad Cenedlaethol Cymru o ran Cymru (a'r Ysgrifennydd Gwladol o ran Lloegr). *Gweler* adran 57(8) o Ddeddf 2001 i gael y diffiniad o "prescribed".

(2) O.S. 2004/1748

(1) 2001 c.15. Section 66 of the 2001 Act defines "regulations" as "regulations made by the relevant authority" and "relevant authority" as the National Assembly for Wales in relation to Wales (and the Secretary of State in relation to England). *See* section 57(8) of the 2001 Act for the definition of "prescribed".

(2) S.I. 2004/1748

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

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

25 Hydref 2006

25 October 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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