CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 362 (Cy.48)

OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU

Gorchymyn Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) 2006

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dirymu tri offeryn statudol ac yn diwygio offerynnau statudol eraill o ganlyniad i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (2005 p.10) ("y Ddeddf"). Mae'r Gorchymyn hwn hefyd yn gwneud darpariaethau trosiannol mewn perthynas â swyddogaethau'r Comisiynydd Lleol yng Nghymru o dan Ran III o Ddeddf Llywodraeth Leol 2000 (p.22).

Mae'r Ddeddf yn sefydlu swydd Ombwdsmon Gwasanaethau Cyhoeddus Cymru ("yr Ombwdsmon"). Mae'r Ddeddf yn diddymu swyddi Ombwdsmon Gweinyddiaeth Cymru, Comisiynydd Gwasanaeth Iechyd Cymru ac Ombwdsmon Tai Cymdeithasol Cymru. Mae hefyd yn diddymu'r Comisiwn dros Weinyddu Lleol yng Nghymru (gan gynnwys swydd y Comisiynydd Lleol yng Nghymru). Yn fras, mae'r Ddeddf yn gwneud darpariaeth i'r Ombwdsmon ymchwilio i'r materion hynny a oedd o fewn cylch gwaith yr ombwdsmyn a'r comisiynwyr hynny yng Nghymru.

Bydd gan yr Ombwdsmon gyfrifoldeb am ymchwilio i gamweinyddu a methiant mewn gwasanaeth gan Gynulliad Cenedlaethol Cymru; ei gyrff cyhoeddus a noddir (yr hyn sy'n cyfateb yng Nghymru i gyrff cyhoeddus anadrannol) a nifer o gyrff eraill a noddir gan arian cyhoeddus; cyrff gwasanaeth iechyd Cymru (Ymddiriedolaethau'r Gwasanaeth Iechyd Gwladol a Byrddau Iechyd Lleol yng Nghymru

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 362 (W.48)

WELSH PUBLIC SERVICES OMBUDSMAN

The Public Services Ombudsman (Wales) Act 2005 (Transitional Provisions and Consequential Amendments) Order 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes three statutory instruments and amends others in consequence of the Public Services Ombudsman (Wales) Act 2005 (2005 c.10) ("the Act"). This Order also makes transitional provisions in respect of the functions of the Local Commissioner in Wales under Part III of the Local Government Act 2000 (c.22).

The Act establishes the office of the Public Services Ombudsman for Wales ("the Ombudsman"). The Act abolishes the offices of the Welsh Administration Ombudsman, the Health Service Commissioner for Wales and the Social Housing Ombudsman for Wales. It also abolishes the Commission for Local Administration in Wales (including the office of the Local Commissioner for Wales). Broadly speaking, the Act makes provision for the Ombudsman to investigate those matters that were within the remit of those ombudsmen and commissioners in Wales.

The Ombudsman will have responsibility for investigating maladministration and service failure by the National Assembly for Wales; its sponsored public bodies (the equivalent, in Wales, of non-departmental public bodies) and a number of other publicly funded bodies; Welsh health service bodies (primarily NHS Trusts and Local Health Boards in Wales); certain health service providers in Wales; local government

yn bennaf); darparwyr penodol y gwasanaeth iechyd yng Nghymru; cyrff llywodraeth leol yng Nghymru a landlordiaid cymdeithasol yng Nghymru. O ganlyniad bydd gwasanaeth ombwdsmon unedig yng Nghymru.

Mae'r diwygiadau a'r dirymiadau a wnaed gan y Gorchymyn hwn yn ganlyniad i'r newidiadau hynny.

bodies in Wales and social landlords in Wales. Thus there will be a unified ombudsman service in Wales.

The amendments and revocations made by this Order are consequential upon those changes.

OFFERYNNAU STATUDOL

2006 Rhif 362 (Cy.48)

OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU

Gorchymyn Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) 2006

Wedi'u gwneud *14 Chwefror 2006*

Yn dod i rym *1 Ebrill 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 43(1) a (2) a 44(1) o Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005(**1**) drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cychwyn, cymhwyso a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) 2006 a bydd yn dod i rym ar 1 Ebrill 2006.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Yn y Gorchymyn hwn-

ystyr "aelod cyfetholedig" ("*co-opted member*"), mewn perthynas ag awdurdod perthnasol, yw person nad yw'n aelod o'r awdurdod ond sy'n-

(a) aelod o unrhyw bwyllgor neu is-bwyllgor o'r awdurdod, neu

(b) aelod o unrhyw gydbwyllgor neu gyd is-bwyllgor o'r awdurdod ar y cydbwyllgor neu ar y cyd is-bwyllgor hwnnw,

ac sy'n gymwys i bleidleisio ar unrhyw fater sydd i'w benderfynu mewn unrhyw gyfarfod o'r pwyllgor neu is-bwyllgor hwnnw;

ystyr "awdurdod perthnasol" ("*relevant authority*") yw cyngor sir, cyngor bwrdeistref sirol, awdurdod

(**1**) 2005 p. 10.

STATUTORY INSTRUMENTS

2006 No. 362 (W.48)

WELSH PUBLIC SERVICES OMBUDSMAN

The Public Services Ombudsman (Wales) Act 2005 (Transitional Provisions and Consequential Amendments) Order 2006

Made *14 Febraury 2006*

Coming into force *1 April 2006*

The National Assembly for Wales, in exercise of powers conferred on it by sections 43(1) and (2) and 44(1) of the Public Services Ombudsman (Wales) Act 2005(**1**) hereby makes the following Order:

Title, commencement, application and interpretation

1.-(1) The title of this Order is the Public Services Ombudsman (Wales) Act 2005 (Transitional Provisions and Consequential Amendments) Order 2006 and it shall come into force on 1 April 2006.

(2) This Order applies in relation to Wales.

(3) In this Order-

"the Act" ("*y Ddeddf*") means the Public Services Ombudsman (Wales) Act 2005;

"co-opted member" ("*aelod cyfetholedig*") means, in relation to a relevant authority, a person who is not a member of the authority but who-

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee; and

(**1**) 2005 c. 1

Parc Cenedlaethol a sefydlwyd o dan adran 63 o Ddeddf Amgylchedd 1995(**1**) neu awdurdod tân ac achub a gyfansoddwyd gan gynllun o dan adran 2 o Ddeddf Tân ac Achub 2004(**2**) neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys iddo; ac

ystyr "y Ddeddf" ("*the Act*") yw Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005.

"relevant authority" ("*awdurdod perthnasol*") means a county council, a county borough council, a National Park authority established under section 63 of the Environment Act 1995(**1**) or a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(**2**) or a scheme to which section 4 of that Act applies.

Diddymu a diwygio is-ddeddfwriaeth

2. Mae'r is-ddeddfwriaeth y cyfeirir ati yn Atodlen 1 yn cael ei dirymu.

3. Mae Atodlen 2 yn cynnwys diwygiadau i is-ddeddfwriaeth.

Revocation and amendment of subordinate legislation

2. The subordinate legislation referred to in Schedule 1 is revoked.

3. Schedule 2 contains amendments to subordinate legislation.

Darpariaethau trosiannol

4.-(1) Mae paragraff (2) yn gymwys os-

(a) oes honiad wedi cael ei wneud i Gomisiynydd Lleol yng Nghymru o dan adran 69 Deddf Llywodraeth Leol 2000(**3**) cyn y dyddiad y daw adran 38 o'r Ddeddf i rym, a

(b) nad yw'r honiad wedi cael ei benderfynu gan y Comisiynydd hwnnw cyn y dyddiad hwnnw.

(2) Ar y dyddiad y daw adran 38 o'r Ddeddf i rym ac ar ôl hynny, mae Rhan III o Ddeddf Llywodraeth Leol 2000 a rheoliadau a gorchmynion a wnaed oddi tani yn parhau i fod yn gymwys at ddibenion yr honiad er gwaethaf darpariaethau'r Ddeddf neu'r Gorchymyn hwn.

(3) Mae paragraff (4) yn gymwys os-

(a) gallesid (heblaw am ddarpariaethau'r Ddeddf) bod wedi gwneud honiad i Gomisiynydd Lleol yng Nghymru, a

(b) yw'r honiad yn honiad bod aelod neu aelod cyfetholedig (neu gyn aelod neu gyn aelod cyfetholedig) o awdurdod perthnasol yng Nghymru wedi methu neu y gall fod wedi methu â chydymffurfio â chod ymddygiad yr awdurdod cyn y dyddiad y daw adran 38 o'r Ddeddf i rym.

(4) Ar y dyddiad y daw adran 38 o'r Ddeddf i rym ac ar ôl hynny, mae Rhan III o Ddeddf Llywodraeth Leol 2000(**4**) a rheoliadau a gorchmynion a wnaed oddi tani yn parhau i fod yn gymwys at ddibenion galluogi i'r honiad gael ei wneud, ac at ddibenion yr honiad os y'i gwneir, er gwaethaf darpariaethau'r Ddeddf neu'r Gorchymyn hwn.

Transitional provisions

4.-(1) Paragraph (2) applies if-

(a) an allegation has been made to a Local Commissioner in Wales under section 69 of the Local Government Act 2000(**3**) before the date on which section 38 of the Act comes into force, and

(b) the allegation has not been determined by that Commissioner before that date.

(2) On and after the date on which section 38 of the Act comes into force, Part III of the Local Government Act 2000 and regulations and orders made thereunder continue to apply for the purposes of the allegation despite the provisions of the Act or this Order.

(3) Paragraph (4) applies if-

(a) an allegation could (but for the provisions of the Act) have been made to a Local Commissioner in Wales, and

(b) the allegation is an allegation that a member or co-opted member (or former member or co-opted member) of a relevant authority in Wales has failed or may have failed to comply with the authority's code of conduct before the date on which section 38 of the Act comes into force.

(4) On and after the date on which section 38 of the Act comes into force, Part III of the Local Government Act 2000(**4**) and regulations and orders made thereunder continue to apply for the purposes of enabling the allegation to be made, and for the purposes of the allegation if made, despite the provisions of the Act or this Order.

(**1**) 1995 p. 25.

(**2**) 2004 p.21.

(**3**) 2000 p. 22.

(**4**) 2000 p.22.

(**1**) 1995 c. 25.

(**2**) 2004 c.21.

(**3**) 2000 c. 22.

(**4**) 2000 c.22.

(5) Pan fo paragraffau (2) a (4) yn gymwys, mae Rhan III o Ddeddf Llywodraeth Leol 2000 a rheoliadau a gorchmynion a wnaed oddi tani yn effeithiol fel pe bai cyfeiriadau at Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi eu rhoi yn lle cyfeiriadau at y Comisiynydd Lleol yng Nghymru.

(5) Where paragraphs (2) and (4) apply, Part III of the Local Government Act 2000 and regulations and orders made thereunder have effect as if for references to the Local Commissioner in Wales there were substituted references to the Public Services Ombudsman for Wales.

Llofnodwyd ar ran 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**).

14 Chwefror 2006

14 February 2006

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(**1**) 1998 p.38.

(**1**) 1998 c.38.

ATODLEN 1

DIRYMU IS-DDEDDFWRIAETH

Erthygl 2

Mae'r is-ddeddfwriaeth ganlynol yn cael ei dirymu-

(a) Gorchymyn Deddf Llywodraeth Cymru (Cwynion am Gamweinyddu) (Darpariaethau Trosiannol ac Arbedion) 1999(**1**);

(b) Rheoliadau'r Comisiwn dros Weinyddu Lleol yng Nghymru a Chomisiynydd Lleol yng Nghymru (Swyddogaethau a Threuliau) 2001(**2**); ac

(c) Gorchymyn Diwygio Rheoleiddio (Comisiynydd Lleol yng Nghymru) 2004(**3**).

ATODLEN 2

DIWYGIO IS-DDEDDFWRIAETH

Erthygl 3

Gorchymyn Deddf Cyfrinachau Swyddogol 1989 (Rhagnodi) 1990

1. Yn y Ddeddf Cyfrinachau Swyddogol 1989 (Cyfarwyddyd) 1990(**4**), yn Atodlen 2 (Rhagnodi), yn y cofnod yn y golofn gyntaf ar gyfer "Officer of the Health Service Commissioner for England or Wales" hepgorer y geiriau "or Wales".

Rheoliadau Cefnogi Plant (Gwybodaeth, Tystiolaeth a Datgeliad) 1992

2. Yn Rheoliadau Cefnogi Plant (Gwybodaeth, Tystiolaeth a Datgeliad) 1992(**5**), yn Rheoliad 11 (Cyflogaeth y mae adran 50 o'r Ddeddf yn gymwys iddi)-

(a) hepgorer paragraff (d);

(b) hepgorer "and" ar ôl paragraff (h);

(c) ar ôl paragraff (i), mewnosoder-

"; and (j) the Public Services Ombudsman for Wales, a member of his staff, or another person acting on his behalf or assisting him in the discharge of any of his functions".

(**1**) O.S. 1999/1791.

(**2**) O.S. 2001/2275 (Cy.165).

(**3**) O.S. 2004/2359.

(**4**) O.S. 1990/200, diwygiwyd gan O.S. 1999/1042 ac O.S. 2004/1823; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

(**5**) O.S.1992/1812, diwygiwyd gan O.S. 2004/1823; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

SCHEDULE 1

SUBORDINATE LEGISLATION REVOKED

Article 2

The following subordinate legislation is revoked-

(a) The Government of Wales Act (Complaints of Maladministration) (Transitional and Saving Provisions) Order 1999(1);

(b) The Commission for Local Administration in Wales and Local Commissioner in Wales (Functions and Expenses) Regulations 2001(**2**); and

(c) The Regulatory Reform (Local Commissioner for Wales) Order 2004(**3**).

SCHEDULE 2

SUBORDINATE LEGISLATION AMENDED

Article 3

Official Secrets Act 1989 (Prescription) Order 1990

1. In the Official Secrets Act 1989 (Prescription) Order 1990(**4**), in Schedule 2 (Prescriptions), in the entry in the first column for "Officer of the Health Service Commissioner for England or Wales" omit the words "or Wales".

Child Support (Information, Evidence and Disclosure) Regulations 1992

2. In the Child Support (Information, Evidence and Disclosure) Regulations 1992(**5**), in Regulation 11 (Employment to which section 50 of the Act applies)-

(a) omit paragraph (d);

(b) omit "and" after paragraph (h);

(c) after paragraph (i), insert-

"; and (j) the Public Services Ombudsman for Wales, a member of his or her staff, or another person acting on his or her behalf or assisting him or her in the discharge of any of his or her functions".

(**1**) S.I. 1999/1791.

(**2**) S.I 2001/2275 (W.165).

(**3**) S.I. 2004/2359.

(**4**) S.I. 1990/200, amended by S.I. 1999/1042 and S.I 2004/1823; there are other amending instruments but none is relevant.

(**5**) S.I.1992/1812, amended by S.I.2004/1823; there are other amending instruments but none is relevant.

Rheoliadau Contractau Gwasanaethau Cyhoeddus 1993

3. Yn Rheoliadau Contractau Gwasanaethau Cyhoeddus 1993(**1**), yn Atodlen 3 (GPA Atodiad I Awdurdodau Contractio)-

(a) yn lle "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners", rhodder "Office of the Parliamentary Commissioner for Administration";

(b) ar ôl y cofnod y cyfeirir ato ym mharagraph (a) uchod mewnosoder, "Office of the Public Services Ombudsman for Wales";

(c) ar ôl y cyfeiriad at "Office of Fair Trading" mewnosoder "Office of the Health Service Commissioner for England".

Rheoliadau Contractau Cyflenwi Cyhoeddus 1995

4. Yn Rheoliadau Contractau Cyflenwi Cyhoeddus 1995(**2**), yn Atodlen 1 (GPA Atodiad I Awdurdodau Contractio)-

(a) yn lle'r cofnod ar gyfer "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners", rhodder "Office of the Parliamentary Commissioner for Administration";

(b) ar ôl y cofnod y cyfeirir ato ym mharagraph (a) uchod mewnosoder, "Office of the Public Services Ombudsman for Wales";

(c) ar ôl y cofnod ar gyfer "Office of Fair Trading" mewnosoder "Office of the Health Service Commissioner for England".

Gorchymyn Deddf Awdurdodau Iechyd 1995 (Darpariaethau Trosiannol) 1996

5. Yng Ngorchymyn Deddf Awdurdodau Iechyd 1995 (Darpariaethau Trosiannol) 1996(**3**), yn Erthygl 9(1) hepgorer "or Wales".

Public Services Contracts Regulations 1993

3. In the Public Services Contracts Regulations 1993(**1**), in Schedule 3 (GPA Annex I Contracting Authorities)-

(a) for the entry "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners", substitute "Office of the Parliamentary Commissioner for Administration";

(b) after the entry referred to in paragraph (a) above insert, "Office of the Public Services Ombudsman for Wales";

(c) after the entry for "Office of Fair Trading" insert "Office of the Health Service Commissioner for England".

Public Supply Contracts Regulations 1995

4. In the Public Supply Contracts Regulations 1995(**2**), in Schedule 1 (GPA Annex I Contracting Authorities)-

(a) for the entry "Office of the Parliamentary Commissioner for Administration and Health Service Commissioners", substitute "Office of the Parliamentary Commissioner for Administration";

(b) after the entry referred to in paragraph (a) above insert, "Office of the Public Services Ombudsman for Wales";

(c) after the entry for "Office of Fair Trading" insert "Office of the Health Service Commissioner for England".

Health Authorities Act 1995 (Transitional Provisions) Order 1996

5. In the Health Authorities Act 1995 (Transitional Provisions) Order 1996(**3**), in Article 9(1) omit "or Wales".

(**1**) O.S. 1993/3228, diwygiwyd gan Ddeddf Heddlu (Gogledd Iwerddon) 2000 (p.32), a gan O.S. 2000/2009, O.S. 2001/1149, ac O.S.A. 2003/242, mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol.

(**2**) O.S. 1995/201, diwygiwyd gan Ddeddf Heddlu (Gogledd Iwerddon) 2000 (p.32), a gan O.S. 2000/209, 2002/881, ac O.S.A. 2003/242; mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol.

(**3**) O.S. 1996/709, y mae diwygiadau iddo sydd ddim yn berthnasol i'r Gorchymyn hwn.

(**1**) S.I. 1993/3228, amended by the Police (Northern Ireland) Act 2000 (c.32), and by S.I. 2000/2009, S.I. 2001/1149, and S.S.I. 2003/242, there are other amendments but none is relevant.

(**2**) S.I. 1995/201, amended by the Police (Northern Ireland) Act 2000 (c.32), and by S.I. 2000/209, 2002/881, and S.S.I. 2003/242; there are other amendments but none is relevant.

(**3**) S.I 1996/709, to which there are amendments not relevant to this Order.

Rheoliadau Ymchwiliadau Llywodraeth Leol (Swyddogaethau Swyddogion Monitro a Phwyllgorau Safonau) (Cymru) 2001

6. Yn Rheoliadau Ymchwiliadau Llywodraeth Leol (Swyddogaethau Swyddogion Monitro a Phwyllgorau Safonau) (Cymru) 2001(**1**)-

(a) Yn Rheoliadau 3(2), 5(1)(b), 7 ac 8(3)(a) yn lle "Comisiynydd Lleol yng Nghymru" neu "Gomisiynydd Lleol yng Nghymru" yn ôl y digwydd, rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru" fel bo'n briodol;

(b) Yn Rheoliadau 7(a), 9(3) ac 13(1) yn lle "Comisiynydd Lleol yng Nghymru" neu "Gomisiynydd Lleol yng Nghymru" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru" fel bo'n briodol; a

(c) Yn Rheoliad 12 yn lle "Comisiynydd Lleol i Gymru " dylid rhoi "Public Services Ombudsman for Wales".

Rheoliadau Pwyllgorau Safonau (Cymru) 2001

7. Yn Rheoliadau Pwyllgorau Safonau (Cymru) 2001(**2**), yn Rheoliad 29(2) yn lle "Comisiwn dros Weinyddu Lleol yng Nghymru" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru".

Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001

8. Yn Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001(**3**), yn Rhan I (Swyddogaethau amrywiol) o Atodlen 1, ym mharagraff 16, colofn 1, yn lle "y Comisiynydd Lleol" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru".

Rheoliadau Dyfarniadau gan Dribiwnlysoedd Achos a Thribiwnlysoedd Achos Interim (Cymru) 2001

9. Yn Rheoliadau Dyfarniadau gan Dribiwnlysoedd Achos a Thribiwnlysoedd Achos Interim (Cymru) 2001 (**4**), yn yr Atodlen-

(a) ym mharagraff 1, yn y diffiniad o "adroddiad" ("*report*") , paragraff 2, paragraff 8 a pharagraff 16 (ym mhob lle y mae'n ymddangos) yn lle "Comisiynydd Lleol yng Nghymru" neu "Gomisiynydd Lleol yng Nghymru" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru" fel bo'n briodol;

(**1**) O.S. 2001/2281 (Cy.171), diwygiwyd gan O.S. 2005/761.

(**2**) O.S. 2001/2283 (Cy.172).

(**3**) O.S. 2001/2284 (Cy.173), diwygiwyd gan O.S. 2002/810 (Cy.90), O.S. 2004/3092, O.S. 2005/368; mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol.

(**4**) O.S. 2001/2288 (Cy.176).

Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001

6. In the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001(**1**)-

(a) In Regulations 3(2), 5(1)(b), 7 and 8(3)(a) for "a Local Commissioner in Wales" substitute "the Public Services Ombudsman for Wales";

(b) In Regulations 7(a), 9(3) and 13(1) for "Local Commissioner in Wales" substitute "Public Services Ombudsman for Wales, and

(c) In Regulation 12 for "Local Commissioner for Wales" substitute "Public Services Ombudsman for Wales."

Standards Committees (Wales) Regulations 2001

7. In the Standards Committees (Wales) Regulations 2001(**2**), in Regulation 29(2) for "Commission for Local Administration in Wales" substitute "Public Services Ombudsman for Wales".

Local Authorities (Alternative Arrangements) (Wales) Regulations 2001

8. In the Local Authorities (Alternative Arrangements) (Wales) Regulations 2001(**3**), in Part I (Miscellaneous functions) of Schedule 1, in paragraph 16, column 1, for "Local Commissioner" substitute "Public Services Ombudsman for Wales".

Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001

9. In the Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001 (**4**), in the Schedule-

(a) in paragraph 1, in the definition of "report" ("*adroddiad*"), paragraph 2, paragraph 8 and paragraph 16 (in each place where it appears) for "a Local Commissioner in Wales" substitute "the Public Services Ombudsman for Wales";

(**1**) S.I. 2001/2281 (W.171), amended by S.I. 2005/761.

(**2**) S.I. 2001/2283 (W.172).

(**3**) S.I. 2001/2284 (W.173), amended by S.I. 2002/810 (W.90), S.I. 2004/3092, S.I. 2005 /368; there are other amendments but none is relevant.

(**4**) S.I. 2001/2288 (W.176).

(b) Ym mharagraff 2(a), yn lle "Comisiynydd Lleol" dylid rhoi "Ombwdsmon Gwasanaethau Cyhoeddus Cymru"; ac

(c) Ym mharagraff 8, yn lle'r "Comisiwn dros Weinyddu Lleol yng Nghymru" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru".

Gorchymyn Ymddygiad Aelodau (Cod Ymddygiad Enghreifftiol) (Cymru) 2001

10. Yn y Gorchymyn Ymddygiad Aelodau (Cod Ymddygiad Enghreifftiol) (Cymru) 2001(**1**), yn Rhan II o'r Atodlen, ym mharagraff 6(1)(c), yn lle "Comisiynydd Lleol dros Weinyddu Lleol yng Nghymru" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru".

Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001

11. Yn Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001(**2**), yn Rhan I (Swyddogaethau amrywiol) o Atodlen 1, ym mharagraff 16, colofn 1, yn lle "y Comisiynydd Lleol" rhodder "Ombwdsmon Gwasanaethau Cyhoeddus Cymru".

Gorchymyn Cynulliad Cenedlaethol Cymru (Datgymhwyso) 2003

12. Yng Ngorchymyn Cynulliad Cenedlaethol Cymru (Datgymhwyso) 2003(**3**)-

(a) Yn Rhan 1 o'r Atodlen hepgorer y cyfeiriad at "The Commission for Local Administration in Wales"; ac

(b) Yn Rhan 2 o'r Atodlen hepgorer y cyfeiriad at "Health Service Commissioner for Wales" .

Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005

13. Yn Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005(**4**), yn Rheoliad 43(1), yn is-baragraff (ch), dylid rhoi "Ombwdsmon Gwasanaethau Cyhoeddus Cymru" yn lle "Gomisiynydd Gweinyddiaeth Leol yng Nghymru".

(**1**) O.S. 2001/2289 (Cy.177).

(**2**) O.S. 2001/2291 (Cy.179), diwygiwyd gan O.S. 2002/783 (Cy .84) ac O.S. 2004/3093; mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol.

(**3**) O.S. 2003/437, diwygiwyd gan O.S. 2004/664.

(**4**) O.S. 2005/1313 (Cy. 95).

(b) In paragraph 2(a), for "Local Commissioner" substitute "Public Services Ombudsman for Wales"; and

(c) In paragraph 8, for "the Commission for Local Administration in Wales" substitute "the Public Services Ombudsman for Wales".

Conduct of Members (Model Code of Conduct) (Wales) Order 2001

10. In the Conduct of Members (Model Code of Conduct) (Wales) Order 2001(**1**), in Part II of the Schedule, in paragraph 6(1)(c), for "the Local Commissioner for Local Administration in Wales" substitute "the Public Services Ombudsman for Wales".

Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001

11. In the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001(**2**), in Part I (Miscellaneous functions) of Schedule 1, in paragraph 16, column 1, for "Local Commissioner" substitute "Public Services Ombudsman for Wales".

National Assembly for Wales (Disqualification) Order 2003

12. In the National Assembly for Wales (Disqualification) Order 2003(**3**)-

(a) In Part 1 of the Schedule omit the reference to "The Commission for Local Administration in Wales"; and

(b) In Part 2 of the Schedule omit the reference to "Health Service Commissioner for Wales".

Adoption Agencies (Wales) Regulations 2005

13. In the Adoption Agencies (Wales) Regulations 2005(**4**), in Regulation 43(1), in sub-paragraph (d), substitute "Public Services Ombudsman for Wales" for "Commissioner for Local Administration in Wales".

(**1**) S.I. 2001/2289 (W.177).

(**2**) S.I. 2001/2291 (W.179), amended by S.I. 2002/783 (W.84) and S.I. 2004/3093; there are other amendments but none is relevant.

(**3**) S.I. 2003/437, amended by S.I. 2004/664.

(**4**) S.I. 2005/1313 (W. 95).

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2006 Rhif 362 (Cy.48)

OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU

Gorchymyn Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (Darpariaethau Trosiannol a Diwygiadau Canlyniadol) 2006

STATUTORY INSTRUMENTS

2006 No. 362 (W.48)

WELSH PUBLIC SERVICES OMBUDSMAN

The Public Services Ombudsman (Wales) Act 2005 (Transitional Provisions and Consequential Amendments) Order 2006

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