OFFERYNNAU STATUDOL CYMRU

2016 Rhif 154 (Cy. 68)

COMISIYNYDD POBL HŶN CYMRU, CYMRU

Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) (Diwygio) 2016

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) 2007 ("Rheoliadau 2007"). Mae Rheoliadau 2007 yn gwneud darpariaeth mewn perthynas â phenodi Comisiynydd Pobl Hŷn Cymru sef swydd a sefydlwyd o dan Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006.

Mae'r Rheoliadau hyn yn darparu y caiff y Prif Weinidog estyn cyfnod swydd y Comisiynydd, sydd yng nghyfnod cyntaf y penodiad, am gyfnod o hyd at ddwy flynedd. Wrth ddod i benderfyniad ynghylch pa un ai i estyn cyfnod swydd y Comisiynydd, rhaid i'r Prif Weinidog gymryd i ystyriaeth farn pobl hŷn. Os yw'r Prif Weinidog yn estyn cyfnod swydd y Comisiynydd, ni chaniateir i'r Comisiynydd gael ei ailbenodi am ail gyfnod.

WELSH STATUTORY INSTRUMENTS

2016 No. 154 (W. 68)

COMMISSIONER FOR OLDER PEOPLE IN WALES, WALES

The Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Commissioner for Older People in Wales (Appointment) Regulations 2007 ("the 2007 Regulations"). The 2007 Regulations make provision in relation to the appointment of the Commissioner for Older People in Wales whose office is established under the Commissioner for Older People (Wales) Act 2006.

These Regulations provide that the First Minister may extend the term of the Commissioner, who is in the first term of appointment, for a period of up to two years. In reaching a decision on whether to extend the Commissioner's term, the First Minister must take into account the views of older people. If the First Minister extends the Commissioner's term, the Commissioner may not be reappointed for a second term.

OFFERYNNAU STATUDOL CYMRU

2016 Rhif 154 (Cy. 68)

COMISIYNYDD POBL HŶN CYMRU, CYMRU

Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) (Diwygio) 2016

Gwnaed *8 Chwefror 2016*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *11 Chwefror 2016*

Yn dod i rym *4 Ebrill 2016*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddwyd gan adran 28(2) o Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006(**1**), a pharagraff 2 o Atodlen 1 iddi, yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) (Diwygio) 2016.

(2) Daw'r Rheoliadau hyn i rym ar 4 Ebrill 2016.

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

Diwygio Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) 2007

2. Mae Rheoliadau Comisiynydd Pobl Hŷn Cymru (Penodi) 2007(**2**) wedi eu diwygio yn unol â rheoliadau 3 a 4.

(**1**) 2006 p. 30. Mae'r pwerau i wneud rheoliadau yn arferadwy gan Weinidogion Cymru. Yn unol â pharagraff 35(4) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, roedd y Rheoliadau hyn yn ddarostyngedig i ddiddymiad yn unol â phenderfyniad gan y Cynulliad.
(**2**) O.S. 2007/396 (Cy. 42).

WELSH STATUTORY INSTRUMENTS

2016 No. 154 (W. 68)

COMMISSIONER FOR OLDER PEOPLE IN WALES, WALES

The Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016

Made *8 February 2016*

Laid before the National Assembly for Wales *11 February 2016*

Coming into force *4 April 2016*

The Welsh Ministers in exercise of the powers conferred by section 28(2) of, and paragraph 2 of Schedule 1 to, the Commissioner for Older People (Wales) Act 2006(**1**), make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016.

(2) These Regulations come into force on 4 April 2016.

(3) These Regulations apply in relation to Wales.

Amendment of the Commissioner for Older People in Wales (Appointment) Regulations 2007

2. The Commissioner for Older People in Wales (Appointment) Regulations 2007(**2**) are amended in accordance with regulations 3 and 4.

(**1**) 2006 c. 30. The powers to make regulations are exercisable by the Welsh Ministers. In accordance with paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006, these Regulations were subject to annulment in pursuance of a resolution of the Assembly.
(**2**) S.I. 2007/396 (W. 42)

3. Yn rheoliad 3 (penodi'r Comisiynydd)—

(a) ym mharagraff (5) yn lle "reoliad 4" rhodder "reoliadau 4 a 4A"; a

(b) ym mharagraff (6) yn lle'r geiriau agoriadol "Caniateir i berson" rhodder "Yn ddarostyngedig i reoliad 4A, caniateir i berson".

4. Ar ôl rheoliad 4, mewnosoder—

"**4A.**—(1) Caiff y Prif Weinidog estyn cyfnod swydd Comisiynydd, sydd yng nghyfnod cyntaf y penodiad, am gyfnod o ddwy flynedd ar y mwyaf.

(2) Dim ond ar ôl cymryd i ystyriaeth farn pobl hŷn yng Nghymru neu'r personau hynny (fel yr ymddengys i'r Prif Weinidog) sy'n cynrychioli barn pobl hŷn yng Nghymru o ran yr estyniad arfaethedig y caniateir i'r estyniad i gyfnod swydd y Comisiynydd o dan baragraff (1) gael ei wneud.

(3) Mae cyfnod yr estyniad o dan baragraff (1) yn cychwyn ar y dyddiad y daw cyfnod pedair blynedd y Comisiynydd i ben.

(4) Yn dilyn yr estyniad i gyfnod swydd o dan baragraff (1), ni chaniateir i'r Comisiynydd gael ei benodi am ail gyfnod.".

3. In regulation 3 (appointment of the Commissioner)—

(a) in paragraph (5) for "regulation 4" substitute "regulations 4 and 4A"; and

(b) in paragraph (6) for the opening words "A person" substitute "Subject to regulation 4A, a person".

4. After regulation 4, insert—

"**4A.**—(1) The First Minister may extend the term of a Commissioner, who is in the first term of appointment, for a maximum period of two years.

(2) The extension of the Commissioner's term under paragraph (1) may only be made after taking account of the views of older people in Wales or those persons who (as appear to the First Minister) represent the views of older people in Wales as to the proposed extension.

(3) The period of extension under paragraph (1) commences on the date of the expiry of the Commissioner's four-year term.

(4) Following the extension of a term under paragraph (1), the Commissioner may not be appointed for a second term.".

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
8 Chwefror 2016

Minister for Health and Social Services, one of the Welsh Ministers
8 February 2016

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