



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 1292 (Cy. 298)

2017 No. 1292 (W. 298)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

**Rheoliadau Gwasanaethau
Rheoleiddiedig (Hysbysiadau Cosb)
(Cymru) 2017**

**The Regulated Services (Penalty
Notices) (Wales) Regulations 2017**

NODYN ESBONIADOL

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

Mae Rhan 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (“y Ddeddf”) yn sefydlu system newydd o reoleiddio ac arolygu gwasanaethau gofal cymdeithasol yng Nghymru, sy'n disodli'r system a sefydlwyd o dan Ddeddf Safonau Gofal 2000.

Mae adran 2 o'r Ddeddf ac Atodlen 1 iddi yn pennu'r gwasanaethau sy'n “gwasanaethau rheoleiddiedig” at ddibenion y Ddeddf.

Cyfeirir at berson sydd wedi ei gofrestru'n ddarparwr gwasanaethau rheoleiddiedig fel “darparwr gwasanaeth” ac mae rheoliadau a wneir o dan adran 27 o'r Ddeddf yn gosod gofynion ar ddarparwyr gwasanaethau mewn cysylltiad â'r gwasanaethau rheoleiddiedig y maent yn eu darparu.

Mae adran 6 o'r Ddeddf yn ei gwneud yn ofynnol i ddarparwr gwasanaeth ddynodi unigolyn fel yr “unigolyn cyfrifol” mewn cysylltiad â phob man y mae gwasanaeth rheoleiddiedig i gael ei ddarparu ynddo, ohono neu mewn perthynas ag ef ac mae rheoliadau a wneir o dan adran 28 o'r Ddeddf yn gosod gofynion ar yr unigolyn cyfrifol mewn perthynas â'r gwasanaethau rheoleiddiedig y mae'n gyfrifol amdanynt.

Mae adran 52 o'r Ddeddf yn rhoi'r pŵer i Weinidogion Cymru (gan weithredu fel y rheoleidiwr gwasanaethau) i roi hysbysiad cosb i berson yn lle dwyn achos am drosedd, ond dim ond mewn perthynas â'r troseddau hynny a ragnodir mewn rheoliadau. Mae'r pŵer hwn yn ddarostyngedig i'r cyfyngiadau a bennir yn adran 52(2) o'r Ddeddf.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”) establishes a new system of regulation and inspection of social care services in Wales, which replaces the system that was established under the Care Standards Act 2000.

Section 2 of and Schedule 1 to the Act specify the services which are “regulated services” for the purposes of the Act.

A person who is registered as a provider of regulated services is referred to as a “service provider” and regulations made under section 27 of the Act impose requirements on service providers in respect of the regulated services they provide.

Section 6 of the Act requires a service provider to designate an individual as the “responsible individual” in respect of each place at, from, or in relation to which a regulated service is to be provided and regulations made under section 28 of the Act impose requirements on the responsible individual in relation to the regulated services for which they are responsible.

Section 52 of the Act gives the Welsh Ministers (acting as the service regulator) the power to give a penalty notice to a person instead of bringing proceedings for an offence, but only in relation to those offences that are prescribed in regulations. This power is subject to the limitations specified in section 52(2) of the Act.

Mae rheoliad 3 a'r golofn gyntaf yn y tabl yn yr Atodlen yn rhagnodi'r troseddau y caiff Gweinidogion Cymru roi hysbysiad cosb ar eu cyfer. Mae'r ail golofn yn y tabl hwnnw yn cynnwys disgrifiad o'r drosedd.

Mae rheoliad 4 a'r drydedd golofn yn y tabl yn yr Atodlen yn pennu swm y gosb sy'n daladwy mewn cysylltiad â phob un o'r troseddau rhagnodedig. Mynegir y symiau sy'n daladwy fel lluosrifau o'r swm sy'n cyfateb i lefel 4 ar y raddfa safonol (ac maent yn amrywio rhwng lluosrifau o un i ddwywaith a hanner).

Mae rheoliadau 5 a 6 yn gwneud darpariaeth ynghylch yr amser erbyn pryd y mae rhaid talu hysbysiad cosb ac yn pennu'r ffordd y caniateir i swm gael ei dalu ynddi.

Mae rheoliad 7 yn gwneud darpariaeth ynghylch y cyfnod pan na chaniateir i achos gael ei gychwyn am y drosedd y mae'r hysbysiad cosb yn ymwneud â hi.

Mae rheoliad 8 yn gwneud darpariaeth ynghylch yr amgylchiadau pan ganiateir i hysbysiad cosb gael ei dynnu'n ôl wedi iddo gael ei roi, canlyniadau'r tynnu'n ôl hwnnw, ac yn pennu pa bryd y caniateir i achos gael ei gychwyn neu ei barhau mewn cysylltiad â'r drosedd y mae'r hysbysiad cosb yn ymwneud â hi.

Mae rheoliad 9 yn nodi'r gofynion ar gyfer cynnwys hysbysiad cosb.

Mae rheoliad 10 yn nodi'r gofynion o ran y cofnodion sydd i gael eu cadw gan y rheoleiddiwr gwasanaethau mewn cysylltiad ag unrhyw hysbysiad cosb a roddir ganddo.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Regulation 3 and the first column in the table in the Schedule prescribe the offences for which the Welsh Ministers may give a penalty notice. The second column in that table contains a description of the offence.

Regulation 4 and the third column in the table in the Schedule specify the amount of the penalty payable in respect of each of the prescribed offences. The amounts payable are expressed as multiples of the amount corresponding to level 4 on the standard scale (and range between multiples of one to two and a half times).

Regulations 5 and 6 make provision about the time by which a penalty notice must be paid and specify the way in which a payment may be made.

Regulation 7 makes provision about the period during which proceedings may not be instituted for the offence to which the penalty notice relates.

Regulation 8 makes provision about the circumstances in which a penalty notice once given may be withdrawn, the consequences of such withdrawal, and specifies when proceedings may be instituted or continued in respect of the offence to which the penalty notice relates.

Regulation 9 sets out the requirements for the content of a penalty notice.

Regulation 10 sets out the record-keeping requirements of the service regulator in respect of any penalty notice that it gives.

The Welsh Ministers' Code of Practice on the carrying on of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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GOFAL CYMDEITHASOL,
CYMRU

SOCIAL CARE, WALES

Rheoliadau Gwasanaethau
Rheoleiddiedig (Hysbysiadau Cosb)
(Cymru) 2017

The Regulated Services (Penalty
Notices) (Wales) Regulations 2017

Gwnaed 14 Rhagfyr 2017

Made 14 December 2017

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 18 Rhagfyr 2017

*Laid before the National Assembly
for Wales* 18 December 2017

Yn dod i rym 2 Ebrill 2018

Coming into force 2 April 2018

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 52(1) a (6) a 187(1) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 52(1) and (6) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(1), make the following Regulations:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Rheoleiddiedig (Hysbysiadau Cosb) (Cymru) 2017.

(2) Daw'r Rheoliadau hyn i rym ar 2 Ebrill 2018.

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

Title, commencement and application

1.—(1) The title of these Regulations is the Regulated Services (Penalty Notices) (Wales) Regulations 2017.

(2) These Regulations come into force on 2 April 2018.

(3) These Regulations apply in relation to Wales.

Dehongli

2. Yn y Rheoliadau hyn—

mae i “cyfnod talu” (“*payment period*”) yr ystyr a roddir yn rheoliad 5;

ystyr “derbynnydd” (“*recipient*”) yw person y rhoddir hysbysiad cosb iddo yn unol ag adran 52 o'r Ddeddf;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016;

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Regulation and Inspection of Social Care (Wales) Act 2016;

“the Service Providers Regulations” (“*y Rheoliadau Darparwyr Gwasanaethau*”) means the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017(2);

“offence” (“*trosedd*”) means a prescribed offence;

(1) 2016 dccc 2.

(1) 2016 anaw 2.
(2) S.I. 2017/1264 (W. 295).

ystyr “hysbysiad cosb” (“*penalty notice*”) yw hysbysiad cosb a roddir yn unol ag adran 52 o’r Ddeddf;

ystyr “rheoleiddiwr gwasanaethau” (“*service regulator*”) yw Gweinidogion Cymru;

ystyr “y Rheoliadau Darparwyr Gwasanaethau” (“*the Service Providers Regulations*”) yw Rheoliadau Gwasanaethau Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2017(1);

ystyr “trosedd” (“*offence*”) yw trosedd ragnodedig.

Troseddau rhagnodedig

3. Mae’r troseddau o dan y darpariaethau a restrir yng ngholofn gyntaf y tabl yn yr Atodlen wedi eu rhagnodi(2) fel troseddau rhagnodedig(3) at ddibenion adran 52(1) o’r Ddeddf.

Swm y gosb

4. Mae swm y gosb sydd i gael ei dalu ar gyfer pob trosedd wedi ei bennu yn nhrydedd golofn y tabl yn yr Atodlen.

Y cyfnod ar gyfer talu’r gosb

5. Yr amser erbyn pryd y mae’r gosb a bennir mewn hysbysiad cosb i gael ei thalu yw diwedd y cyfnod o 28 o ddiwrnodau sy’n dechrau â’r dyddiad y ceir yr hysbysiad (“cyfnod talu”).

Talu’r gosb

6.—(1) Rhaid talu’r gosb a bennir mewn hysbysiad cosb i’r rheoleiddiwr gwasanaethau drwy’r dull a bennir yn yr hysbysiad.

(2) Mewn unrhyw achos, mae tystysgrif yr honnir ei bod wedi ei llofnodi gan y rheoleiddiwr gwasanaethau neu ar ei ran, sy’n datgan bod taliad cosb wedi dod i law neu heb ddod i law erbyn y dyddiad a bennir yn y dystysgrif, yn dystiolaeth i’r ffeithiau a ddatgenir.

Y cyfnod pan na chaniateir i achos gael ei gychwyn

7.—(1) Pan fo derbynnydd yn cael hysbysiad cosb, ni chaniateir i achos am y drosedd y mae’r hysbysiad yn ymwneud â hi gael ei gychwyn yn erbyn y derbynnydd cyn diwedd y cyfnod talu.

“payment period” (“*cyfnod talu*”) has the meaning given in regulation 5;

“penalty notice” (“*hysbysiad cosb*”) means a penalty notice given pursuant to section 52 of the Act;

“recipient” (“*derbynnydd*”) means a person to whom a penalty notice is given in accordance with section 52 of the Act;

“service regulator” (“*rheoleiddiwr gwasanaethau*”) means the Welsh Ministers.

Prescribed offences

3. The offences under the provisions listed in the first column of the table in the Schedule are prescribed(1) as prescribed offences(2) for the purposes of section 52(1) of the Act.

Amount of penalty

4. The amount of the penalty to be paid for each offence is specified in the third column of the table in the Schedule.

Period for payment of the penalty

5. The time by which the penalty specified in a penalty notice is to be paid is the end of the period of 28 days beginning with the date of receipt of the notice (“payment period”).

Payment of the penalty

6.—(1) Payment of the penalty specified in a penalty notice must be made to the service regulator by the method specified in the notice.

(2) In any proceedings a certificate purporting to be signed by or on behalf of the service regulator stating that payment of a penalty was or was not received by the date specified in the certificate is evidence of the facts stated.

Period during which proceedings may not be instituted

7.—(1) Where a recipient is given a penalty notice, proceedings for the offence to which the notice relates may not be instituted against the recipient before the expiry of the payment period.

(1) O.S. 2017/1264 (Cy. 295).

(2) *Gweler* adran 189 o’r Ddeddf i gael y diffiniad o “a ragnodir” a “rhagnodedig”.

(3) Mae’r ail golofn yn y tabl yn yr Atodlen yn cynnwys disgrifiad o’r drosedd ragnodedig.

(1) *See* section 189 of the Act for the definition of “prescribed”.

(2) The second column in the table in the Schedule contains a description of the prescribed offence.

(2) Mae adran 184 o'r Ddeddf(1) yn gymwys i hysbysiad cosb fel y mae'n gymwys i hysbysiad y mae'n ofynnol ei roi o dan y Ddeddf.

Tynnu hysbysiad cosb yn ôl

8.—(1) Caiff y rheoleiddiwr gwasanaethau dynnu hysbysiad cosb yn ôl drwy roi rhybudd ysgrifenedig o'r tynnu'n ôl i'r derbynnnydd—

- (a) os yw'r rheoleiddiwr gwasanaethau yn penderfynu—
 - (i) na ddylai fod wedi cael ei roi, neu
 - (ii) na ddylai fod wedi cael ei roi i'r person a enwir fel y derbynnnydd; neu
- (b) os yw'n ymddangos i'r rheoleiddiwr gwasanaethau fod yr hysbysiad yn cynnwys gwallau perthnasol.

(2) Caniateir i hysbysiad cosb gael ei dynnu'n ôl yn unol â pharagraff (1) pa un a yw'r cyfnod talu wedi dod i ben ai peidio, a pha un a yw'r gosb wedi cael ei thalu ai peidio.

(3) Pan fo hysbysiad cosb wedi cael ei dynnu'n ôl yn unol â pharagraff (1), rhaid i'r rheoleiddiwr gwasanaethau ad-dalu unrhyw swm sydd wedi ei dalu fel cosb yn unol â'r hysbysiad hwnnw, i'r person a'i talodd.

(4) Ac eithrio fel y darperir ym mharagraff (5), ni chaniateir i achos gael ei gychwyn neu ei barhau yn erbyn derbynnnydd am y drosedd y mae'r hysbysiad cosb yn ymwneud â hi pan fo'r hysbysiad wedi cael ei dynnu'n ôl yn unol â pharagraff (1).

(5) Pan fo hysbysiad cosb wedi cael ei dynnu'n ôl o dan baragraff (1)(b), caniateir i achos gael ei gychwyn neu ei barhau am y drosedd y rhoddwyd yr hysbysiad cosb hwnnw mewn cysylltiad â hi os yw hysbysiad cosb pellach wedi cael ei roi mewn cysylltiad â'r drosedd ac nad yw'r gosb wedi ei thalu cyn diwedd y cyfnod talu.

Cynnwys hysbysiad cosb

9.—(1) Rhaid i hysbysiad cosb roi'r manylion hynny am yr amgylchiadau yr honnir eu bod yn drosedd y mae'n ymddangos i'r rheoleiddiwr gwasanaethau eu bod yn rhesymol ofynnol i roi gwybodaeth i'r derbynnnydd amdani.

(2) Section 184 of the Act(1) applies to a penalty notice as it applies to a notice required to be given under the Act.

Withdrawal of penalty notice

8.—(1) The service regulator may withdraw a penalty notice by giving written notice of the withdrawal to the recipient if—

- (a) the service regulator determines that—
 - (i) it ought not to have been given, or
 - (ii) it ought not to have been given to the person named as the recipient; or
- (b) it appears to the service regulator that the notice contains material errors.

(2) A penalty notice may be withdrawn in accordance with paragraph (1) whether or not the payment period has expired, and whether or not the penalty has been paid.

(3) Where a penalty notice has been withdrawn in accordance with paragraph (1), the service regulator must repay any amount paid by way of penalty in pursuance of that notice to the person who paid it.

(4) Except as provided in paragraph (5), no proceedings may be instituted or continued against a recipient for the offence to which the penalty notice relates where the notice has been withdrawn in accordance with paragraph (1).

(5) Where a penalty notice has been withdrawn under paragraph (1)(b), proceedings may be instituted or continued for the offence in connection with which that penalty notice was given if a further penalty notice in respect of the offence has been given and the penalty has not been paid before the expiry of the payment period.

Content of penalty notice

9.—(1) A penalty notice must give such details of the circumstances alleged to constitute the offence as seem to the service regulator to be reasonably required to give the recipient information about it.

(1) Mae adran 184 o'r Ddeddf (cyflwyno dogfennau etc.) yn pennu y caniateir i hysbysiadau gael eu dosbarthu â llaw, cael eu gadael yng nghyfeiriad y derbynnnydd, cael eu hanfon drwy'r gwasanaeth danfon cofnodedig neu, os yw'r derbynnnydd wedi cytuno i'w gael ar ffurf electronig, drwy gael ei anfon yn electronig i gyfeiriad a ddarperir at y diben hwnnw; mae is-adran (8) yn darparu pan fo hysbysiad yn cael ei anfon drwy'r gwasanaeth danfon cofnodedig neu ar ffurf electronig fod rhaid barnu bod yr hysbysiad wedi ei gael 48 awr ar ôl iddo gael ei anfon (oni ddangosir i'r gwrthwyneb).

(1) Section 184 of the Act (service of documents etc.) specifies that notices may be hand delivered, may be left at a recipient's address, sent by recorded delivery or, if the recipient has agreed to receive it electronically, by being sent electronically to an address provided for that purpose; subsection (8) provides that where a notice is sent by recorded delivery or electronically it is to be taken to have been received 48 hours after it is sent (unless the contrary is shown).

(2) Rhaid i hysbysiad cosb ddatgan—

- (a) enw a chyfeiriad y derbynydd;
- (b) swm y gosb;
- (c) y cyfnod talu;
- (d) y bydd talu o fewn y cyfnod hwnnw yn rhyddhau unrhyw atebolrwydd am y drosedd;
- (e) y cyfnod pan na fydd achos yn cael ei ddwyn mewn cysylltiad â'r drosedd y mae'r hysbysiad yn ymwneud â hi;
- (f) y canlyniadau os na chaiff y gosb ei thalu cyn i'r cyfnod ar gyfer ei thalu ddod i ben;
- (g) y person y caniateir i'r gosb gael ei thalu iddo a'r cyfeiriad lle y caniateir ei thalu ac y caniateir anfon unrhyw ohebiaeth am yr hysbysiad cosb iddo;
- (h) y dulliau a ganiateir ar gyfer talu'r gosb;
- (i) ar ba seiliau y caniateir i'r hysbysiad cosb gael ei dynnu'n ôl.

Cofnodion

10. Rhaid i'r rheoleiddiwr gwasanaethau gadw cofnod o unrhyw hysbysiadau cosb a roddir, y mae rhaid iddo gynnwys—

- (a) copi o bob hysbysiad cosb a roddir;
- (b) cofnod o'r holl daliadau a wnaed a'r dyddiad pan y'u derbyniwyd;
- (c) manylion unrhyw hysbysiad cosb sydd wedi ei dynnu'n ôl a'r seiliau dros hynny;
- (d) manylion ynghylch a gafodd y derbynydd ei erlyn am y drosedd y rhoddwyd yr hysbysiad cosb ar ei chyfer.

(2) A penalty notice must state—

- (a) the name and address of the recipient;
- (b) the amount of the penalty;
- (c) the payment period;
- (d) that payment within that period will discharge any liability for the offence;
- (e) the period within which proceedings in respect of the offence to which the notice relates will not be brought;
- (f) the consequences of the penalty not being paid before the expiry of the period for paying it;
- (g) the person to whom and the address at which the penalty may be paid and to which any correspondence about the penalty notice may be sent;
- (h) the means by which payment of the penalty may be made;
- (i) the grounds on which the penalty notice may be withdrawn.

Records

10. The service regulator must keep a record of any penalty notices given, which must include—

- (a) a copy of each penalty notice given;
- (b) a record of all payments made and the dates upon which they were received;
- (c) details of any penalty notice which was withdrawn and the grounds for its withdrawal;
- (d) details of whether the recipient was prosecuted for the offence for which the penalty notice was given.

Huw Irranca-Davies

Gweinidog Gofal Cymdeithasol a Phlant, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
14 Rhagfyr 2017

Minister for Children and Social Care, under authority of the Cabinet Secretary for Health and Social Services, one of the Welsh Ministers

14 December 2017

Troseddau rhagnodedig

Prescribed offences

<i>Y ddarpariaeth sy'n creu'r drosedd</i>	<i>Natur gyffredinol y drosedd</i>	<i>Swm y gosb</i>	<i>Provision creating offence</i>	<i>General nature of the offence</i>	<i>Amount of penalty</i>
Adran 47 o'r Ddeddf	Gwneud datganiadau anwir	Swm sy'n cyfateb i ddwywaith a hanner lefel 4 ar y raddfa safonol ⁽¹⁾	Section 47 of the Act	Making false statements	An amount corresponding to two and a half times level 4 on the standard scale ⁽¹⁾
Adran 48 o'r Ddeddf	Methiant i gyflwyno datganiad blynyddol	Swm sy'n cyfateb i lefel 4 ar y raddfa safonol	Section 48 of the Act	Failure to submit an annual return	An amount corresponding to level 4 on the standard scale
Adran 49 o'r Ddeddf	Methiant i ddarparu gwybodaeth	Swm sy'n cyfateb i lefel 4 ar y raddfa safonol	Section 49 of the Act	Failure to provide information	An amount corresponding to level 4 on the standard scale
Rheoliad 7(3) a (5) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â'r datganiad o ddiben, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith a hanner lefel 4 ar y raddfa safonol	Regulation 7(3) and (5) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the statement of purpose	An amount corresponding to two and a half times level 4 on the standard scale
Rheoliad 11(3) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â sefyllfa ariannol y gwasanaeth, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i lefel 4 ar y raddfa safonol	Regulation 11(3) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the financial position of the service	An amount corresponding to level 4 on the standard scale
Rheoliad 12(1) a (2) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion i gael polisïau a gweithdrefnau penodedig yn eu lle, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i lefel 4 ar y raddfa safonol	Regulation 12(1) and (2) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements to have in place specified policies and procedures	An amount corresponding to level 4 on the standard scale

Rheoliad 19(1), (2) a (3) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â darparu gwybodaeth am y gwasanaeth, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 19(1), (2) and (3) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of information about the service	An amount corresponding to two times level 4 on the standard scale
Rheoliad 20(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â darparu cytundeb gwasanaeth, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i lefel 4 ar y raddfa safonol	Regulation 20(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of a service agreement	An amount corresponding to level 4 on the standard scale
Rheoliad 35(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas ag addasrwydd staff, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith a hanner lefel 4 ar y raddfa safonol	Regulation 35(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the fitness of staff	An amount corresponding to two and a half times level 4 on the standard scale
Rheoliad 38(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â darparu gwybodaeth ar gyfer staff, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 38(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of information for staff	An amount corresponding to two times level 4 on the standard scale
Rheoliad 59(1), (2) a (3) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â chreu a chynnal cofnodion, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 59(1), (2) and (3) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the making and maintenance of records	An amount corresponding to two times level 4 on the standard scale
Rheoliad 60(1), (2) a (4) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â hysbysadau i'r rheoleiddiwr gwasanaethau, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 60(1), (2) and (4) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to notifications to the service regulator	An amount corresponding to two times level 4 on the standard scale

Rheoliad 67(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â dyletswydd unigolyn cyfrifol i benodi rheolwr, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith a hanner lefel 4 ar y raddfa safonol	Regulation 67(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the duty of a responsible individual to appoint a manager	An amount corresponding to two and a half times level 4 on the standard scale
Rheoliad 74(1) a (2) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â dyletswydd unigolyn cyfrifol i adrodd ar ddigonolrwydd yr adnoddau, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 74(1) and (2) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the duty of a responsible individual to report the adequacy of resources	An amount corresponding to two times level 4 on the standard scale
Rheoliad 75(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas ag unigolyn cyfrifol yn gwneud adroddiadau eraill i'r darparwr gwasanaeth, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 75(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the making by a responsible individual of other reports to the service provider	An amount corresponding to two times level 4 on the standard scale
Rheoliad 80(4) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â llunio gan unigolyn cyfrifol adroddiad mewn cysylltiad ag adolygiad o ansawdd y gofal, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 80(4) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the preparation by a responsible individual of a report in respect of a quality of care review	An amount corresponding to two times level 4 on the standard scale

Rheoliad 81(1) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â llunio gan unigolyn cyfrifol ddatganiad o gydymffurfedd â'r gofynion o ran safonau gofal a chymorth, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 81(1) of the Service Providers Regulations	Contravention of, or failure to comply with, requirements in relation to the preparation by a responsible individual of a statement of compliance with the requirements as to standards of care and support	An amount corresponding to two times level 4 on the standard scale
Rheoliad 84(1) a (3) o'r Rheoliadau Darparwyr Gwasanaethau	Mynd yn groes i'r gofynion mewn perthynas â dyletswydd yr unigolyn cyfrifol i wneud hysbysiadau i'r rheoleiddiwr gwasanaethau, neu fethiant i gydymffurfio â hwy	Swm sy'n cyfateb i ddwywaith lefel 4 ar y raddfa safonol	Regulation 84(1) and (3) of the Service Providers Regulations	Contravention of, or failure to comply with requirements in relation to the responsible individual's duty to make notifications to the service regulator	An amount corresponding to two times level 4 on the standard scale

⁽¹⁾ *Gweler* adran 37 o Ddeddf Cyfiawnder Troseddol 1982 (p. 48) (“Deddf 1982”); ar y dyddiad y daw'r Rheoliadau hyn i rym, mae lefel 4 ar y raddfa safonol wedi ei phennu'n £2,500 (caniateir i'r ffigur hwn gael ei gynyddu yn rhinwedd diwygiad i Ddeddf 1982).

⁽¹⁾ *See* section 37 of the Criminal Justice Act 1982 (c. 48) (“the 1982 Act”); at the date of the coming into force of these Regulations, level 4 on the standard scale is set at £2,500 (this figure may be increased by virtue of an amendment to the 1982 Act).

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

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INSTRUMENTS

2017 Rhif 1292 (Cy. 298)

2017 No. 1292 (W. 298)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

Rheoliadau Gwasanaethau
Rheoleiddiedig (Hysbysiadau Cosb)
(Cymru) 2017

The Regulated Services (Penalty
Notices) (Wales) Regulations 2017

£6.00

W201712151010 12/2017

<http://www.legislation.gov.uk/id/wsi/2017/1292>

ISBN 978-0-348-20184-0



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