OFFERYNNAU STATUDOL CYMRU

2020 Rhif 366 (Cy. 81) (C. 19)

IECHYD MEDDWL, CYMRU

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Deddf y Coronafeirws 2020 (Cychwyn Rhif 1) (Cymru) 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn dwyn i rym ddarpariaethau penodol o Ddeddf y Coronafeirws 2020 ("y Ddeddf").

Mae rheoliad 2 yn dwyn i rym am 9 a.m. ar 27 Mawrth 2020 adran 10 o'r Ddeddf, a Rhan 1 a pharagraffau 11, 12 a 13 o Atodlen 8 iddi, fel nad yw'n ofynnol i Dribiwnlys Adolygu Iechyd Meddwl Cymru gydymffurfio â gofynion penodol o dan Ddeddf Iechyd Meddwl 1983. Mae Rhan 1 o Atodlen 8 yn cynnwys darpariaeth ragarweiniol ac mae paragraffau 11 a 12 yn dileu'r gofyniad bod rhaid cael o leiaf dri aelod er mwyn cyfansoddi tribiwnlys ac yn darparu y caniateir i achosion gael eu penderfynu heb wrandawiad, o dan amgylchiadau penodedig. Mae paragraff 13 yn darparu y caiff Llywydd Tribiwnlysoedd Cymru enwebu aelod cyfreithiol arall i weithredu fel dirprwy os nad yw Llywydd y Tribiwnlys ar gael am gyfnod dros dro.

Mae rheoliad 3 yn dwyn i rym ar 1 Ebrill 2020 adran 15 o'r Ddeddf, a Rhan 2 o Atodlen 12 iddi, fel nad oes rhaid i awdurdodau lleol yng Nghymru gydymffurfio â dyletswyddau penodol mewn perthynas â diwallu anghenion, a chynnal asesiadau, o dan Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ("Deddf 2014"), ac i addasu dyletswyddau i ddiwallu anghenion o dan Ddeddf 2014, hyd nes bod rheoliadau mewn grym o dan adran 88 o'r Ddeddf (pŵer i atal dros dro ac adfer darpariaethau'r Ddeddf), neu nad yw'r Ddeddf mewn grym mwyach.

WELSH STATUTORY INSTRUMENTS

2020 No. 366 (W. 81) (C. 19)

MENTAL HEALTH, WALES

SOCIAL CARE, WALES

The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force certain provisions of the Coronavirus Act 2020 ("the Act").

Regulation 2 brings into force at 9 a.m. on 27 March 2020 section 10 of, Part 1 of and paragraphs 11, 12 and 13 of Schedule 8 to, the Act so that the Mental Health Review Tribunal for Wales does not have to comply with certain requirements under the Mental Health Act 1983. Part 1 of Schedule 8 contains introductory provision and paragraphs 11 and 12 remove the requirement that there must be at least three members to constitute a tribunal and provides that in specified circumstances cases may be determined without a hearing. Paragraph 13 provides that if the President of the Tribunal is temporarily unavailable the President of Welsh Tribunals may nominate another legal member to act as deputy.

Regulation 3 brings into force on 1 April 2020 section 15 of, and Part 2 of Schedule 12 to, the Act so that local authorities in Wales do not have to comply with certain duties in relation to meeting needs, and carrying out assessments, under the Social Services and Well-being (Wales) Act 2014 ("the 2014 Act"), and to modify duties to meet needs under the 2014 Act, until such time as regulations are in force under section 88 of the Act (power to suspend and revive provisions of the Act), or the Act is no longer in force.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 366 (Cy. 81) (C. 19)

IECHYD MEDDWL, CYMRU

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Deddf y Coronafeirws 2020 (Cychwyn Rhif 1) (Cymru) 2020

Gwnaed *26 Mawrth 2020*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adran 87(4) o Ddeddf y Coronafeirws 2020(**1**).

Mae Gweinidogion Cymru wedi eu bodloni bod yr amod a bennir yn adran 87(5) o'r Ddeddf honno, wedi ei fodloni mewn perthynas â'r darpariaethau sydd wedi eu cychwyn gan y Rheoliadau hyn.

Enwi, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf y Coronafeirws 2020 (Cychwyn Rhif 1) (Cymru) 2020.

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

(3) Yn y Rheoliadau hyn, ystyr "y Ddeddf" yw Deddf y Coronafeirws 2020.

Y darpariaethau sy'n dod i rym ar 27 Mawrth 2020

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym am 9 a.m. ar 27 Mawrth 2020—

(a) adran 10 (addasu dros dro ddeddfwriaeth iechyd meddwl a galluedd meddyliol);

(b) Rhan 1 o Atodlen 8 (darpariaeth ragarweiniol);

(**1**) 2020 p. 7.

WELSH STATUTORY INSTRUMENTS

2020 No. 366 (W. 81) (C. 19)

MENTAL HEALTH, WALES

SOCIAL CARE, WALES

The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020

Made *26 March 2020*

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 87(4) of the Coronavirus Act 2020(**1**).

The Welsh Ministers are satisfied that the condition specified in section 87(5) of that Act, is satisfied in relation to the provisions commenced by these Regulations.

Title, application and interpretation

1.—(1) The title of these Regulations is the Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations, "the Act" means the Coronavirus Act 2020.

Provisions coming into force on 27 March 2020

2. The following provisions of the Act come into force at 9 a.m. on 27 March 2020—

(a) section 10 (temporary modification of mental health and mental capacity legislation);

(b) Part 1 of Schedule 8 (introductory provision);

(**1**) 2020 c.7.

(c) paragraffau 11, 12 a 13 o Atodlen 8 (cyfansoddiad a thrafodion Tribiwnlys Adolygu Iechyd Meddwl Cymru).

(c) paragraphs 11, 12 and 13 of Schedule 8 (constitution and proceedings of the Mental Health Review Tribunal for Wales).

Y darpariaethau sy'n dod i rym ar 1 Ebrill 2020

3. Daw adran 15 (gofal a chymorth gan awdurdodau lleol) o'r Ddeddf, a Rhan 2 o Atodlen 12 (pwerau a dyletswyddau awdurdodau lleol yng Nghymru) iddi i rym ar 1 Ebrill 2020.

Provisions coming into force on 1 April 2020

3. Section 15 (local authority care and support) of, and Part 2 of Schedule 12 (powers and duties of local authorities in Wales) to, the Act come into force on 1 April 2020.

Vaughan Gething

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
26 Mawrth 2020

Minister for Health and Social Services, one of the Welsh Ministers
26 March 2020

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