



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2023 Rhif 65 (Cy. 10)**

**2023 No. 65 (W. 10)**

**TRIBIWNLYSOEDD CYMRU**

**WELSH TRIBUNALS**

**Rheoliadau Swyddi Barnwrol  
(Eistedd mewn Ymddeoliad –  
Swyddi Rhagnodedig a'u  
Disgrifiadau) (Cymru) 2023**

**The Judicial Offices (Sitting in  
Retirement – Prescribed Offices  
and Descriptions) (Wales)  
Regulations 2023**

**NODYN ESBONIADOL**

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

Gwneir y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 124(3) a (4)(e) a 129(1)(b) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus a Swyddi Barnwrol 2022 er mwyn rhagnodi swyddi a ddelir gan bersonau sy'n gymwys i'w penodi i swydd eistedd mewn ymddeoliad. Dim ond i swyddi eistedd mewn ymddeoliad pan mai Llywydd Tribiwnlysoedd Cymru yw'r awdurdod penodi y mae'r Rheoliadau hyn yn gymwys.

Mae'r Tabl yn yr Atodlen i'r Rheoliadau hyn yn rhestru'r swyddi barnwrol rhagnodedig y mae rhaid i berson eu dal neu fod wedi eu dal cyn ymddeol er mwyn ei benodi i'r swydd eistedd mewn ymddeoliad gyfatebol.

Ystyriwyd cod ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac ar wefan Llywodraeth Cymru ar [www.llyw.cymru](http://www.llyw.cymru).

**EXPLANATORY NOTE**

*(This note is not part of these Regulations)*

These Regulations are made in exercise of the powers conferred by section 124(3) and (4)(e) and 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022 in order to prescribe offices held by persons eligible to be appointed to a sitting in retirement office. These Regulations only apply to sitting in retirement offices where the appointing authority is the President of Welsh Tribunals.

The Table in the Schedule to these Regulations lists the prescribed judicial offices that a person must hold or have held prior to their retirement in order to be appointed to the corresponding sitting in retirement office.

The Welsh Ministers' code of practice on the carrying out 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 Welsh Government, Cathays Park, Cardiff CF10 3NQ and on the Welsh Government's website at [www.gov.wales](http://www.gov.wales).

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**TRIBIWNLYSOEDD CYMRU**

**WELSH TRIBUNALS**

Rheoliadau Swyddi Barnwrol  
(Eistedd mewn Ymddeoliad –  
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The Judicial Offices (Sitting in  
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*Gwnaed* 23 Ionawr 2023  
*Gosodwyd* gerbron *Senedd*  
*Cymru* 25 Ionawr 2023  
*Yn dod i rym* 17 Chwefror 2023

*Made* 23 January 2023  
*Laid before Senedd Cymru* 25 January 2023  
*Coming into force* 17 February 2023

Mae Gweinidogion Cymru gyda chydsyniad Llywydd Tribiwnlysoedd Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 124(3) a 4(e) a 129(1)(b) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus a Swyddi Barnwrol 2022(1).

The Welsh Ministers with the concurrence of the President of Welsh Tribunals make the following Regulations in exercise of the powers conferred by sections 124(3) and (4)(e) and 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022(1).

**Enwi a chychwyn**

1. Enw'r Rheoliadau hyn yw Rheoliadau Swyddi Barnwrol (Eistedd mewn Ymddeoliad – Swyddi Rhagnodedig a’u Disgrifiadau) (Cymru) 2023 a deuant i rym ar 17 Chwefror 2023.

**Title and commencement**

1. The title of these Regulations is the Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023 and they come into force on 17 February 2023.

**Dehongli**

2. Yn y Rheoliadau hyn—

ystyr “aelod wedi ymgymhwyso yn y gyfraith o Banel Dyfarnu Cymru” (“*legally qualified member of the Adjudication Panel for Wales*”) yw person (“P”) a oedd pan y’i penodwyd i swydd ragnodedig yn bodloni’r disgrifiad a ganlyn—

(a) roedd P yn bodloni’r amod o ran cymhwysedd ar gyfer penodiad barnwrol ar sail pum mlynedd;

**Interpretation**

2. In these Regulations—

“Legally qualified member of the Adjudication Panel for Wales” (“*aelod wedi ymgymhwyso yn gyfraith o Banel Dyfarnu Cymru*”) means a person (“P”) who when appointed to a prescribed office satisfied the following description—

(a) P satisfied the judicial appointment eligibility condition on a five-year basis;

- (b) roedd P yn eiriolwr neu'n gyfreithiwr yn yr Alban a chanddo bum mlynedd o wasanaeth;
- (c) roedd P yn aelod o Far Gogledd Iwerddon; neu
- (d) roedd gan P brofiad cyfreithiol a oedd yn addas ym marn Gweinidogion Cymru.

- (b) P was an advocate or solicitor in Scotland of at least five years' standing;
- (c) P was a member of the Bar of Northern Ireland; or
- (d) P had such legal experience as the Welsh Ministers considered suitable.

**Swyddi a ragnodir mewn perthynas â phenodiad i swydd eistedd mewn ymddeoliad**

3. Mae person sy'n dal neu sydd wedi dal swydd a restrir yng ngholofn 2 o'r Tabl yn yr Atodlen ("swyddi rhagnodedig") yn gymwys i'w benodi i'r swydd eistedd mewn ymddeoliad a restrir yn rhes gyfatebol colofn 1.

**Offices prescribed in relation to an appointment to a sitting in retirement office**

3. A person who holds or has held an office listed in column 2 of the Table in the Schedule ("prescribed offices") is eligible for appointment to the sitting in retirement office listed in the corresponding row of column 1.

*Mark Drakeford*

Y Prif Weinidog, un o Weinidogion Cymru  
23 Ionawr 2023

First Minister, one of the Welsh Ministers  
23 January 2023

Rwyf yn cydsynio

I concur

*Wyn Williams*

Llywydd Tribiwnlysoedd Cymru  
19 Ionawr 2023

President of Welsh Tribunals  
19 January 2023

## Swyddi Eistedd mewn Ymddeoliad

Swyddi Barnwrol a Restrir yn Rhan 5 o  
Atodlen 3 i'r Ddeddf a Swyddi  
Rhagnodedig Cyfatebol

## Tabl

<i>Colofn 1:</i>	<i>Colofn 2:</i>
<i>Swydd eistedd mewn ymddeoliad</i>	<i>Swyddi rhagnodedig</i>
1. Dirprwy Gadeirydd Tribiwnlys Tir Amaethyddol Cymru (eistedd mewn ymddeoliad)	Cadeirydd Tribiwnlys Tir Amaethyddol Cymru  Dirprwy Gadeirydd Tribiwnlys Tir Amaethyddol Cymru
2. Aelod cyfreithiol o Dribiwnlys Adolygu Iechyd Meddwl Cymru (eistedd mewn ymddeoliad)	Llywydd Tribiwnlys Adolygu Iechyd Meddwl Cymru  Aelod cyfreithiol o Dribiwnlys Adolygu Iechyd Meddwl Cymru
3. Aelod cyfreithiol o Bwyllgor Asesu Rhenti Cymru (eistedd mewn ymddeoliad)	Llywydd Pwyllgor Asesu Rhenti Cymru  Is-lywydd Pwyllgor Asesu Rhenti Cymru  Aelod o'r panel o bersonau a benodwyd i weithredu fel cadeirydd Pwyllgor Asesu Rhenti Cymru
4. Aelod cyfreithiol o Dribiwnlys y Gymraeg (eistedd mewn ymddeoliad)	Llywydd Tribiwnlys y Gymraeg  Aelod wedi ymgymhwysu yn y gyfraith o Dribiwnlys y Gymraeg
5. Aelod o Banel Dyfarnu Cymru (eistedd mewn ymddeoliad)	Llywydd Panel Dyfarnu Cymru

## Sitting in Retirement Offices

Judicial Offices Listed in Part 5 of  
Schedule 3 to the Act and Corresponding  
Prescribed Offices

## Table

<i>Column 1:</i>	<i>Column 2:</i>
<i>Sitting in retirement office</i>	<i>Prescribed offices</i>
1. Deputy Chair of the Agricultural Land Tribunal for Wales (sitting in retirement)	Chairman of the Agricultural Land Tribunal for Wales  Deputy Chairman of the Agricultural Land Tribunal for Wales
2. Legal member of the Mental Health Review Tribunal for Wales (sitting in retirement)	President of the Mental Health Review Tribunal for Wales  Legal member of the Mental Health Review Tribunal for Wales
3. Legal member of the Rent Assessment Committee Wales (sitting in retirement)	President of the Rent Assessment Committee Wales  Vice President of the Rent Assessment Committee Wales  Member of the panel of persons appointed to act as chairman of the Rent Assessment Committee Wales
4. Legal member of the Welsh Language Tribunal (sitting in retirement)	President of the Welsh Language Tribunal  Legally qualified member of the Welsh Language Tribunal
5. Member of the Adjudication Panel for Wales (sitting in retirement)	President of the Adjudication Panel for Wales

	Dirprwy Lywydd Panel Dyfarnu Cymru		Deputy President of the Adjudication Panel for Wales
	Aelod wedi ymgymhwysu yn y gyfraith o Banel Dyfarnu Cymru		Legally qualified Member of the Adjudication Panel for Wales
6. Aelod o banel cadeirydd cyfreithiol Tribiwnlys Addysg Cymru (eistedd mewn ymddeoliad)	Llywydd Tribiwnlys Addysg Cymru	6. Member of the legal chair panel of the Education Tribunal for Wales (sitting in retirement)	President of the Education Tribunal for Wales
	Dirprwy Lywydd Tribiwnlys Addysg Cymru		Deputy President of the Education Tribunal for Wales
	Aelod o banel cadeirydd cyfreithiol Tribiwnlys Addysg Cymru		Member of the legal chair panel of the Education Tribunal for Wales

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£4.90

<http://www.legislation.gov.uk/id/wsi/2023/65>

ISBN 978-0-348-39410-8



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