

SCHEDULE 2

Article 15

MODIFICATION OF STATUTORY INSTRUMENTS

Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983 (S.I. 1983/893)

1. In regulation 11(1) of the Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983 (removal to England and Wales)(1), for “Part 6 of the Mental Health (Scotland) Act 1960” substitute “the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005 and regulations made under section 290 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595)

2.—(1) The Mental Health (Northern Ireland) Order 1986(2) is amended as follows.

(2) In Article 84(1)(c) (interpretation), for “section 80(2) of the Mental Health (Scotland) Act 1984 substitute “article 4(2) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005”.

(3) In Article 129(3) (warrant to search for and remove patients), for “section 84 of the Mental Health (Scotland) Act 1984” substitute “article 8 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005”.

(4) In Article 132(5) (retaking of patients escaping from custody)—

- (a) for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and
- (b) for “Part 7 of the Act of 1984” substitute “being removed to Northern Ireland under regulations made under section 290 of the Act of 2003”.

(5) In Article 134 (patients removed to or from Northern Ireland)—

- (a) in paragraph (1), for “Part 7 of the 1984 Act” substitute “admitted to hospital in Northern Ireland under article 4 of the 2005 Order”;
- (b) in paragraph (3), for “Part 7 of the 1984 Act” substitute “regulations made under section 290 of the Mental Health (Care and Treatment) (Scotland) Act 2003”;
- (c) in paragraph (4)—
 - (i) for “Part 7 of the 1984 Act” substitute “article 6 of the 2005 Order”; and
 - (ii) after “guardianship” where secondly appearing, insert “or, where he is not received into a hospital but his detention in hospital is authorised by virtue of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995”;
- (d) in paragraph (6), for “Part 7 of the 1984 Act” substitute “article 6 of the 2005 Order”;
- (e) in paragraph (7)—
 - (i) omit the words from “the 1984 Act” to the end; and
 - (ii) at the end add—

“the 2005 Order” means the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005.”; and

(1) S.I. 1983/893 to which there are amendments not relevant to this Order.

(2) S.I. 1986/595 (N.I. 4) to which there are amendments not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(f) after paragraph (7) add—

“(8) Reference in this Article to a patient whose detention in hospital is authorised by virtue of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995, shall be read as including references to a patient in respect of whom a certificate under one of the provisions listed in section 290(7)(a) of the Act of 2003 is in operation.”.

Income Support (General) Regulations 1987 (S.I. 1987/1967)

3.—(1) The Income Support (General) Regulations 1987(3) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “nursing home”, for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(3) In regulation 16 (circumstances in which a person is to be treated as being or not being a member of the household), in paragraph (3)(a), for “section 90(1) of the Mental Health (Scotland) Act 1984 (provision of hospitals for patients requiring special security)” substitute “section 102 of the National Health Service (Scotland) Act 1978 (state hospitals)”.

(4) In regulation 21 (special cases)—

(a) in paragraph (3)—

(i) in the definition of “prisoner”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and

(ii) in the definition of “residential accommodation”, for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (care and support services etc.)”; and

(b) in paragraph (3E), for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

(5) In paragraph 2A of Schedule 7 (applicable amounts in special cases) for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

(6) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 15A(1), for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”; and

(b) in paragraph 66, for “section 8 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Housing Benefit (General) Regulations 1987 (S.I. 1987/1971)

4.—(1) The Housing Benefit (General) Regulations 1987(4) are amended as follows.

(2) In regulation 5 (circumstances in which a person is or is not to be treated as occupying a dwelling as his home)—

(a) in paragraph (8ZA)(a), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and

(3) S.I. 1987/1967; relevant amending instruments are S.I. 1990/547, S.I. 992/3147, S.I. 1993/518, S.I. 1994/2139, S.I. 1995/516, S.I. 1998/563, S.I. 1998/2117 and S.I. 2001/3767.

(4) S.I. 1987/1971; relevant amending instruments are S.I. 1990/2564, S.I. 1992/50, S.I. 1995/560, S.I. 1998/563, S.I. 2003/325 and S.I. 2005/573.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) in paragraph (9), in the definition of “residential accommodation”, in sub-paragraph (j)(ii), for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(3) In regulation 7(3)(e)(ii) (circumstances in which a person is to be treated as not liable to make payments in respect of a dwelling), for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(4) In regulation 25(5)(d) (meaning of income), for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

(5) In regulation 63(7)(e)(iii) (non dependant deductions), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

(6) The amendment made by sub paragraph (4) is to the Housing Benefit (General) Regulations 1997 as modified in their application to persons to whom regulation 2 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003(5) applies.

Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405)

5. In article 348A(3)(c) of the Insolvency (Northern Ireland) Order 1989 (authorisation of nominees and supervisors)(6), for “section 125(1) of the Mental Health (Scotland) Act 1984 (c. 36)” substitute “section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

National Health Service Trusts (Membership and Procedure) Regulations 1990 (S.I. 1990/2024)

6. In regulation 1(2) of the National Health Service Trusts (Membership and Procedure) Regulations 1990 (citation, commencement and interpretation)(7), in the definition of “health service body”, omit sub paragraph (c).

Radioactive Substances (Hospitals) Exemption Order 1990 (S.I. 1990/2512)

7. In article 2(1) of the Radioactive Substances (Hospitals) Exemption Order 1990 (interpretation)(8), in the definition of “hospital”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

Income Tax (Building Societies) (Dividends and Interest) Regulations 1990 (S.I. 1990/2231)

8. In regulation 2(1) of the Income Tax (Building Societies) (Dividends and Interest) Regulations 1990 (interpretation)(9), in the definition of “mental disorder”, for “section 1(2) of the Mental Health (Scotland) Act 1984” substitute “section 328 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Income Tax (Deposit-Takers) (Interest Payments) Regulations 1990 (S.I. 1990/2232)

9. In regulation 2 of the Income Tax (Deposit-Takers) (Interest Payments) Regulations 1990 (interpretation)(10), in the definition of “mental disorder”, for “section 1(2) of the Mental Health

(5) S.I. 2003/325.

(6) S.I. 1989/2405; the relevant amending instrument is S.I. 2002/3152.

(7) S.I. 1990/2024 to which there are amendments not relevant to this Order.

(8) S.I. 1990/2512 to which there are amendments not relevant to this Order.

(9) S.I. 1990/2231; the relevant amending instrument is S.I. 1992/11.

(10) S.I. 1990/2232; the relevant amending instrument is S.I. 1992/13.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(Scotland) Act 1984” substitute “section 328 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Savings Certificates Regulations 1991 (S.I. 1991/1031)

10. In regulation 33(a) of the Savings Certificates Regulations 1991 (application to Scotland)(**11**), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

Savings Certificates (Children’s Bonus Bonds) Regulations 1991 (S.I. 1991/1407)

11. In regulation 29(a) of the Savings Certificates (Children’s Bonus Bonds) Regulations 1991 (application to Scotland)(**12**), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

Social Security (Attendance Allowance) Regulations 1991 (S.I. 1991/2740)

12. In regulation 7(1)(a)(ii) of the Social Security (Attendance Allowance) Regulations 1991 (persons in certain accommodation other than hospitals)(**13**), for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Social Security (Disability Living Allowance) Regulations 1991 (S.I. 1991/2890)

13.—(1) The Social Security (Disability Living Allowance) Regulations 1991(**14**) are amended as follows.

(2) In regulation 9(1)(a)(ii) (persons in certain accommodation other than hospitals), for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

(3) In regulation 12B (exemption from regulation 12A), in paragraphs (5) and (6)(a), for “Part 5 or 6 of the Mental Health (Scotland) Act 1984” substitute “Part 5, 6 or 7 or section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003 or section 52D or 52M of the Criminal Procedure (Scotland) Act 1995”.

Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814)

14.—(1) The Council Tax Benefit (General) Regulations 1992(**15**) are amended as follows.

(2) In regulation 4C—

(a) in paragraph (5)(a), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and

(b) in paragraph (6), in the definition of “residential accommodation”, in sub paragraph (i)(ii), for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(11) S.I. 1991/1031 to which there are amendments not relevant to this Order.

(12) S.I. 1991/1407 to which there are amendments not relevant to this Order.

(13) S.I. 1991/2740 to which there are amendments not relevant to this Order.

(14) S.I. 1991/2890; the relevant amending instrument is S.I. 1996/1436.

(15) S.I. 1992/1814; relevant amending instruments are S.I. 1995/560, S.I. 1995/625, S.I. 1998/563, S.I. 2003/325 and S.I. 2005/573.

(3) In regulation 17(5)(d) (meaning of “income”), for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (care and support services etc.)”.

(4) The amendment made by sub paragraph (3) is to the Council Tax Benefit (General) Regulations 1992 as modified in their application to persons to whom regulation 12 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003(16) applies.

Child Support (Maintenance Assessments and Special Cases) Regulations 1992 (S.I. 1992/1815)

15. In regulation 1(2) of the Child Support (Maintenance Assessments and Special Cases) Regulations 1992 (citation, commencement and interpretation)(17), in the definition of “prisoner”, for “the Mental Health (Scotland) Act 1984” substitute “Part 5, 6 or 7 or section 136 of the Mental Health (Care and Treatment) (Scotland) Act 2003 or section 52D or 52M of the Criminal Procedure (Scotland) Act 1995”.

Redundancy Payments (National Health Service) (Modification) Order 1993 (S.I. 1993/3167)

16. In Schedule 1 of the Redundancy Payments (National Health Service) (Modification) Order 1993(18), omit paragraph 7.

Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207)

17.—(1) The Jobseeker’s Allowance Regulations 1996(19) are amended as follows.

(2) In regulation 1(3) (citation, commencement and interpretation), in the definition of “nursing home”, for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(3) In regulation 85(4) (special cases)—

- (a) in the definition of “prisoner”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and
- (b) in the definition of “residential accommodation”, for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (care and support services etc.)”.

(4) In Schedule 7, paragraph 16(1) (sums to be disregarded in the calculation of income other than earnings), for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

*Courts-Martial and Standing Civilian Courts (Army and Royal Air Force)
(Additional Powers on Trial of Civilians) Regulations 1997 (S.I. 1997/579)*

18. In regulation 2 of the Courts-Martial and Standing Civilian Courts (Army and Royal Air Force) (Additional Powers on Trial of Civilians) Regulations 1997 (interpretation)(20), in the definition of “duly qualified medical practitioner”, for “section 20 or 39 of the Mental Health (Scotland) Act 1984” substitute “section 22(4) of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

(16) S.I. 2003/325.

(17) S.I. 1992/1815 to which there are amendments not relevant to this Order.

(18) S.I. 1993/3167 to which there are amendments not relevant to this Order.

(19) S.I. 1996/207; the relevant amending instrument is S.I. 1998/563.

(20) S.I. 1997/579.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Individual Savings Account Regulations 1998 (S.I. 1998/1870)

19. In regulation 12(13) of the Individual Savings Account Regulations 1998 (conditions for application to subscribe to an account)(**21**), for “section 1(2) of the Mental Health (Scotland) Act 1984” substitute “section 328 of the Mental Health (Care and Treatment) (Scotland) Act 2003”.

Asylum Support Regulations 2000 (S.I. 2000/704)

20. In regulation 23(1)(e) of the Asylum Support Regulations 2000 (meaning of “destitute” for certain other purposes)(**22**), for “sections 7(3) and 8(4) of the Mental Health (Scotland) Act 1984” substitute “article 14 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005”.

Child Support (Maintenance Calculations and Special Cases) Regulations 2000 (S.I. 2001/155)

21. In regulation 1(2) of the Child Support (Maintenance Calculations and Special Cases) Regulations 2000 (citation, commencement and interpretation)(**23**), in the definition of “prisoner”, for “the Mental Health (Scotland) Act 1984” substitute “Part 5, 6 or 7 or section 136 of the Mental Health (Care and Treatment) (Scotland) 2003 Act or section 52D or 52M of the Criminal Procedure (Scotland) Act 1995”.

State Pension Credit Regulations 2002 (S.I. 2002/1792)

22.—(1) The State Pension Credit Regulations 2002(**24**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), in the definition of “prisoner”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

(3) In regulation 5(1)(c)(i) (persons treated as being or not being members of the same household), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

(4) In regulation 15(7)(d) (income for the purposes of the Act), for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (care and support services etc.)”.

Child Benefit (General) Regulations 2003 (S.I. 2003/493)

23. In regulation 1(2) of the Child Benefit (General) Regulations 2003 (citation, commencement and interpretation)(**25**), in the definition of “the Mental Health Acts”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

Guardian’s Allowance (General) Regulations 2003 (S.I. 2003/495)

24. In regulation 7(1)(b)(iv) of the Guardian’s Allowance (General) Regulations 2003 (circumstances in which a person is to be treated as being in prison)(**26**), for “58” substitute “57A”.

(21) [S.I. 1998/1870](#); the relevant amending instrument is [S.I. 2002/3158](#).

(22) [S.I. 2000/704](#) to which there are amendments not relevant to this Order.

(23) [S.I. 2001/155](#) to which there are amendments not relevant to this Order.

(24) [S.I. 2002/1792](#); the relevant amending instrument is [S.I. 2003/2274](#).

(25) [S.I. 2003/493](#) to which there are amendments not relevant to this Order.

(26) [S.I. 2003/495](#) to which there are amendments not relevant to this Order.

*Community Care, Services for Carers and Children's Services
(Direct Payments) (England) Regulations 2003 (S.I. 2003/762)*

25.—(1) The Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2003(**27**) are amended as follows.

(2) In regulation 1(2) (citation, commencement and application)—

- (a) omit ““the 1984 Act” means the Mental Health (Scotland) Act 1984;” and
- (b) before ““direct payment”” insert ““the 2003 Act” means the Mental Health (Care and Treatment) (Scotland) Act 2003;”.

(3) In regulation 2(2) (prescribed descriptions of persons – community care services and services for carers)—

- (a) in sub paragraph (i), for “after-care under a community care order under section 35A of the 1984 Act” substitute “the imposition of any of the requirements mentioned in section 66(1) (c), (d), (e) or (f) of the 2003 Act”;
- (b) in sub paragraph (j), for “section 27 of the 1984 Act” substitute “section 41(1), 53(1) or 127 of the 2003 Act”;
- (c) in sub paragraph (l), for “a restricted patient within the meaning of section 63(1) of the 1984 Act who has been given a conditional discharge under section 64 or 68 of that Act” substitute “a patient who is subject to a restriction order within the meaning of the 2003 Act who has been conditionally discharged under section 193(7) of that Act”; and
- (d) in sub paragraph (m), after “57(2)(a), (b), (c) or (d),” insert “57A(2),”.

Communications (Television Licensing) Regulations 2004 (S.I. 2004/692)

26.—(1) The Communications (Television Licensing) Regulations 2004(**28**) are amended as follows.

(2) In Schedule 4, paragraph 7(1) (Scotland)—

- (a) in the definition of “accommodation for residential care”, for “section 7 of the Mental Health (Scotland) Act 1984” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003”; and
- (b) in the definition of “mental disorder”, for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

*Community Care, Services for Carers and Children's Services
(Direct Payments) (Wales) Regulations 2004 (S.I. 2004/1748)*

27.—(1) The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004(**29**) are amended as follows.

(2) in regulation 2(1) of the English text (interpretation)—

- (a) omit ““the 1984 Act” (“Deddf 1984”) means the Mental Health (Scotland) Act 1984;” and
- (b) before ““the 2003 Regulations”” insert ““the 2003 Act” (“Deddf 2003”) means the Mental Health (Care and Treatment) (Scotland) Act 2003;”.

(3) In regulation 2(1) of the Welsh text (dehongli)—

(27) S.I. 2003/762.

(28) S.I. 2004/692; the relevant amending instrument is S.I. 2005/606.

(29) S.I. 2004/1748 (W.185). The Welsh title of the Regulations is “Rheoliadau Gofal Cymunedol, Gwasanaethau ar gyfer Gofalwyr a Gwasanaethau Plant (Taliadau Uniongyrchol) (Cymru) 2004 (S.I. 2004/1748 (Cy. 185)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) omit “ystyr “Deddf 1984” (“the 1984 Act”) yw Deddf Iechyd Meddwl (Yr Alban) 1984;”;
 - (b) before “mae I “gwasanaeth perthnasol”” insert ystyr “Deddf 2003” (“the 2003 Act”) yw Deddf Iechyd Meddwl (Gofal a Thriniaeth) (Yr Alban) 2003;”.
- (4) In Schedule 1 of the English text (persons to whom direct payments may not be made)–
- (a) in paragraph (i), for “after care under a community care order under section 35A of the 1984 Act” substitute “the imposition of any of the requirements mentioned in section 66(1) (c), (d), (e) or (f) of the 2003 Act”;
 - (b) in paragraph (j), for “section 27 of the 1984 Act” substitute “section 41(1), 53(1) or 127 of the 2003 Act”;
 - (c) in paragraph (l), for “a restricted patient within the meaning of section 63(1) of the 1984 Act and who has been given a conditional discharge under section 64 or 68 of that Act” substitute “a patient who is subject to a restriction order within the meaning of the 2003 Act who has been conditionally discharged under section 193(7) of that Act”; and
 - (d) in paragraph (m), after “57(2)(a), (b), (c) or (d),” insert “57A(2),”.
- (5) In Schedule 1 of the Welsh text (Atodlen 1 – personau na cheir gwneud taliadau uniongyrchol iddynt)–
- (a) in paragraph (ff), for “yn destun ol olaf o dan orchymyn gofal cymunedol o dan adran 35A o Ddeddf 1984” substitute “sy'n ddarostyngedig i unrhyw un neu rhai o'r gofynion a grybwyllir yn adran 66(1)(c), (d), (e) neu (f) o Ddeddf 2003”;
 - (b) in paragraph (g), for “adran 27 o Ddeddf 1984” substitute “adran 41(1), 53(1) neu 127 o Ddeddf 2003”;
 - (c) in paragraph (h), for “cyfyngedig yn ystyr adran 63(1) o Ddeddf 1984 y rhoddwyd rhyddhad amodol iddo o dan adran 64 neu 68 o'r Ddeddf honno” substitute “, sy'n destun gorchymyn cyfyngu yn ystyr Deddf 2003 ac y rhoddwyd rhyddhad amodol id do o dan adran 193(7) o'r Ddeddf honno”;
 - (d) in paragraph (i), after “57(2)(a), (b), (c) neu (d),” insert “57A(2),”.