



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 896 (Cy.102)

2002 No. 896 (W.102)

**PLANT A PHERSONAU
IFANC, CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

Rheoliadau Datgymhwyso rhag
Gofalu am Blant (Cymru)
2002

The Disqualification from Caring
for Children (Wales) Regulations
2002

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn disodli, gydag addasiadau, Rheoliadau Datgymhwyso rhag Gofalu am Blant 1991, i'r graddau y maent yn gymwys i Gymru. Maent yn dod i rym ar 1 Ebrill 2002.

These Regulations replace, with modifications, the Disqualification for Caring for Children Regulations 1991, in so far as they apply in Wales. They come into force on 1st April 2002.

Mae'r Rheoliadau yn gwneud darpariaeth ar gyfer yr amgylchiadau lle mae person yn cael ei ddatgymhwyso rhag maethu plentyn yn breifat (rheoliad 2). Yn rhinwedd adran 65 o Ddeddf Plant 1989, fel y'i diwygiwyd gan Ddeddf Safonau Gofal 2000, mae person sydd wedi'i ddatgymhwyso rhag maethu plentyn yn breifat yn cael ei ddatgymhwyso hefyd rhag rhedeg cartref plant neu ymwneud â'i reoli, neu gael unrhyw fuddiant ariannol ynddo, ac ni chaniateir iddo gael ei gyflogi mewn cartref plant heb gydsyniad y Cynulliad Cenedlaethol.

The Regulations make provision for the circumstances in which a person is disqualified from fostering a child privately (regulation 2). By virtue of section 65 of the Children Act 1989, as amended by the Care Standards Act 2000, a person who is disqualified from fostering a child privately is also disqualified from carrying on or being concerned in the management of, or having any financial interest in, a children's home, and may not be employed in a children's home, without the consent of the National Assembly.

Mae'r Rheoliadau yn gwneud darpariaeth ar gyfer yr amgylchiadau lle mae person yn cael ei ddatgymhwyso rhag cofrestru ar gyfer gwarchod plant neu ddarparu gofal dydd (rheoliad 3). Maent yn darparu hefyd ar gyfer datgymhwyso personau sy'n byw ar yr un aelwyd â rhywun sydd wedi'i ddatgymhwyso rhag cofrestriad o'r fath neu ar aelwyd lle mae'r cyfryw berson sydd wedi'i ddatgymhwyso yn cael ei gyflogi rhag cofrestru ar gyfer gwarchod plant neu ddarparu gofal dydd.

The Regulations make provision for the circumstances in which a person is disqualified for registration for child minding or providing day care (regulation 3). They also provide for the disqualification for registration for child minding or providing day care of persons who live in the same household as someone who is disqualified for such registration or in a household at which such a disqualified person is employed.

Mae rheoliad 4 yn darparu ar gyfer achosion lle mae cydsyniad wedi'i roi cyn bod y Rheoliadau wedi dod i rym i bersonau gan awdurdod lleol ac effaith y cydsyniad yw caniatáu iddynt weithredu mewn amgylchiadau lle buasent fel arall wedi'u

Regulation 4 provides for cases where consent has been given prior to the coming into force of the Regulations to persons by a local authority which has the effect of permitting them to act in circumstances in which they would otherwise have been disqualified. In

datgymhwyso. Mewn achosion o'r fath ni fydd y personau o dan sylw yn cael eu hystyried yn bersonau sydd wedi'u datgymhwyso o ganlyniad i'r amgylchiadau hynny o dan y Rheoliadau hyn.

such cases the persons concerned will not be regarded as disqualified as a result of those circumstances under these Regulations.

2002 Rhif 896 (Cy.102)**2002 No. 896 (W.102)****PLANT A PHERSONAU
IFANC, CYMRU****CHILDREN AND YOUNG
PERSONS, WALES****Rheoliadau Datgymhwyso rhag
Gofalu am Blant (Cymru)
2002****The Disqualification from Caring
for Children (Wales) Regulations
2002***Wedi'u gwneud**26 Mawrth 2002**Made**26th March 2002**Yn dod i rym**1 Ebrill 2002**Coming into force**1 April 2002*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 68(1) a (2) a 104(4) o Ddeddf Plant 1989(a) a pharagraff 4 o Atodlen 9A iddi, drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 68(1) and (2) and 104(4) of and paragraph 4 of Schedule 9A to the Children Act 1989(a) hereby makes the following Regulations:

Enwi, cychwyn, dehongli a chymhwyso**Citation, commencement, interpretation and application**

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Datgymhwyso rhag Gofalu am Blant (Cymru) 2002 a deuant i rym ar 1 Ebrill 2002.

1.-(1) These Regulations may be cited as the Disqualification from Caring for Children (Wales) Regulations 2002 and shall come into force on 1st April 2002.

(2) Yn y Rheoliadau hyn -

(2) In these Regulations -

ystyr "yr Atodlen" ("*the Schedule*") yw'r Atodlen i'r Rheoliadau hyn;

"the Act" ("*y Ddeddf*") means the Children Act 1989;

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Safonau Gofal 2000(b);

"the 2000 Act" ("*Deddf 2000*") means the Care Standards Act 2000(b);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Plant 1989.

"the Schedule" ("*yr Atodlen*") means the Schedule to these Regulations.

(3) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru.

(3) These Regulations apply in relation to Wales.

(a) 1989 p.41. Mae'r swyddogaethau o dan adran 68, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, wedi'u trosglwyddo i Gynulliad Cenedlaethol Cymru gan erthygl 2(a) o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672. Mewnosodwyd Atodlen 9A yn Neddf Plant 1989 gan adran 79(2) o Ddeddf Safonau Gofal 2000 (p.14) ac Atodlen 3 iddi. *Gweler* adran 105(1) o Ddeddf 1989 i gael ystyr "prescribed" ac adran 79B(7) o'r Ddeddf honno, a fewnosodwyd gan adran 79 o Ddeddf Safonau Gofal 2000, i gael ystyr "regulations".

(a) 1989 c. 41. The functions under section 68 are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672. Schedule 9A was inserted into the Children Act 1989 by section 79(2) of and Schedule 3 to the Care Standards Act 2000 (c.14). For the meaning of "prescribed" see section 105(1) of the 1989 Act and for the meaning of "regulations" see section 79B(7) of that Act, inserted by section 79 of the Care Standards Act 2000.

(b) 2000 p.14.

(b) 2000 c.14.

Datgymhwyso rhag maethu plentyn yn breifat

2. At ddiben adran 68 o'r Ddeddf (personau sydd wedi'u datgymhwyso rhag bod yn rhieni maeth preifat) mae person wedi'i ddatgymhwyso rhag maethu plentyn yn breifat -

- (a) os yw'r person wedi'i gollfarnu o unrhyw dramgwydd a bennir yn Rhan I o'r Atodlen; neu
- (b) os yw'r person yn berson perthnasol a grybwyllir yn Rhan II o'r Atodlen.

Datgymhwyso rhag cofrestru ar gyfer gwarchod plant a darparu gofal dydd

3. -(1) At ddiben paragraff 4 o Atodlen 9A i'r Ddeddf (datgymhwyso rhag cofrestru) mae person, yn ddarostyngedig i reoliad 4, wedi'i ddatgymhwyso rhag cofrestru o dan Ran XA o'r Ddeddf ar gyfer gwarchod plant neu ddarparu gofal dydd -

- (a) os yw'r person wedi'i gollfarnu o unrhyw dramgwydd a grybwyllir yn Rhan I o'r Atodlen; neu
- (b) os yw'r person yn berson perthnasol a grybwyllir yn Rhannau II neu III o'r Atodlen; neu
- (c) os yw'r person wedi'i ddatgymhwyso ar unrhyw bryd rhag maethu plentyn yn breifat.

(2) Yn ddarostyngedig i reoliad 4, mae person sy'n byw -

- (a) ar yr un aelwyd â pherson sydd wedi'i ddatgymhwyso o dan baragraff (1); neu
- (b) ar aelwyd lle mae unrhyw berson o'r fath yn cael ei gyflogi,

wedi'i ddatgymhwyso rhag cofrestru o dan Ran XA o'r Ddeddf ar gyfer gwarchod plant neu ddarparu gofal dydd.

Hepgoriadau awdurdod lleol

4. Rhaid peidio ag ystyried bod person wedi'i ddatgymhwyso o dan reoliad 3 os oedd y person, cyn i'r Rheoliadau hyn ddod i rym -

- (a) wedi datgelu ffeithiau i awdurdod lleol priodol o dan baragraff 2 o Atodlen 9 i'r Ddeddf a fyddai'n datgymhwyso'r person o dan reoliad 3; a
- (b) wedi sicrhau cydsyniad ysgrifenedig yr awdurdod lleol hwnnw.

Diddymu

5. Mae Rheoliadau Datgymhwyso rhag Gofalu am Blant 1991(a) wedi'u diddymu i'r graddau y maent yn gymwys i Gymru.

- (a) O.S. 1991/2094 fel y'i diwygiwyd gan O.S. 1997/2308. Mae'r Rheoliadau wedi'u diddymu mewn perthynas â Lloegr gan O.S. 2002/635.

Disqualification from fostering a child privately

2. For the purpose of section 68 of the Act (persons disqualified from being private foster parents) a person is disqualified from fostering a child privately if -

- (a) the person has been convicted of any offence specified in Part I of the Schedule; or
- (b) the person is a relevant person mentioned in Part II of the Schedule.

Disqualification for registration for child minding and providing day care

3.-(1) For the purpose of paragraph 4 of Schedule 9A to the Act (disqualification for registration) a person is, subject to regulation 4, disqualified for registration under Part XA of the Act for child minding or providing day care if -

- (a) the person has been convicted of any offence mentioned in Part I of the Schedule; or
- (b) the person is a relevant person mentioned in Parts II or III of the Schedule; or
- (c) the person has at any time been disqualified from fostering a child privately.

(2) Subject to regulation 4, a person who lives -

- (a) in the same household as a person who is disqualified under paragraph (1); or
- (b) in a household at which any such person is employed,

is disqualified for registration under Part XA of the Act for child minding or providing day care.

Local authority waivers

4. A person shall not be regarded as disqualified under regulation 3 if, prior to the coming into force of these Regulations, the person -

- (a) disclosed facts to an appropriate local authority under paragraph 2 of Schedule 9 to the Act which would disqualify the person under regulation 3; and
- (b) obtained the written consent of that local authority.

Revocation

5. The Disqualification for Caring for Children Regulations 1991(a) are revoked in so far as they apply to Wales.

- (a) S.I. 1991/2094 as amended by S.I. 1997/2308. The Regulations are revoked in relation to England by S.I. 2002/635.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

26 Mawrth 2002

26th March 2002

Rhodri Morgan

Prif Weinidog Cynulliad Cenedlaethol Cymru

The First Minister of the National Assembly for
Wales

(a) 1998 p. 38.

(a) 1998 c.38.

YR ATODLEN

Rheoliadau 2 a 3

RHAN I

Tramgwyddau yng Nghymru a Lloegr

1. Llofruddiaeth.
2. Dynladdiad.
3. Herwgipio.
4. Camgarcharu.
5. Tramgwydd o dan adran 16 o Ddeddf Tramgwyddau yn erbyn y Person 1861 (bygythion i ladd)(a).
6. Tramgwydd o dan adran 18, 20 neu 47 o'r Ddeddf honno (clwyfo ac achosi niwed corfforol).
7. Tramgwydd o dan adran 1 o Ddeddf Plant a Phersonau Ifanc 1933 (creulondeb i blant)(b).
8. Tramgwydd o dan adran 1 o Ddeddf Babanladdiad 1938 (babanladdiad)(c).
9. Tramgwydd o dan adran 1 o Ddeddf Tramgwyddau Rhywiol 1956 (trais rhywiol)(ch).
10. Tramgwydd o dan adran 2 neu 3 o'r Ddeddf honno (caffael menyw drwy fygythion neu haeriad anwir).
11. Tramgwydd o dan adran 4 o'r Ddeddf honno (rhoi cyffuriau er mwyn sicrhau neu hwyluso cyfathrach).
12. Tramgwydd o dan adran 5 o'r Ddeddf honno (cyfathrach â merch o dan 13).
13. Tramgwydd o dan adran 6 o'r Ddeddf honno (cyfathrach â merch o dan 16).
14. Tramgwydd o dan adran 7 o'r Ddeddf honno (cyfathrach â pherson diffygiol)(d).
15. Tramgwydd o dan adran 9 o'r Ddeddf honno (caffael person diffygiol).
16. Tramgwydd o dan adran 10 o'r Ddeddf honno (llogach gan ddyn).
17. Tramgwydd o dan adran 11 o'r Ddeddf honno

(a) 1861 p.100. Amnewidiwyd adran 16 gan Ddeddf Cyfraith Troseddau 1977 (p.45).

(b) 1933 p.12.

(c) 1938 p.36.

(ch) 1956 p.69. Amnewidiwyd adran 1 gan Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994 (p.33).

(d) Diddymwyd adran 7 gan Ddeddf Iechyd Meddwl 1959 (p.72).

SCHEDULE

Regulations 2 and 3

PART I

Offences in England and Wales

1. Murder.
2. Manslaughter.
3. Kidnapping.
4. False imprisonment.
5. An offence under section 16 of the Offences against the Person Act 1861 (threats to kill)(a).
6. An offence under section 18, 20 or 47 of that Act (wounding and causing bodily harm).
7. An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children)(b).
8. An offence under section 1 of the Infanticide Act 1938 (infanticide)(c).
9. An offence under section 1 of the Sexual Offences Act 1956 (rape)(d).
10. An offence under section 2 or 3 of that Act (procurement of woman by threats or false pretences).
11. An offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse).
12. An offence under section 5 of that Act (intercourse with a girl under 13).
13. An offence under section 6 of that Act (intercourse with a girl under 16).
14. An offence under section 7 of that Act (intercourse with defective)(e).
15. An offence under section 9 of that Act (procurement of defective).
16. An offence under section 10 of that Act (incest by a man).
17. An offence under section 11 of that Act (incest

(a) 1861 c.100. Section 16 was substituted by the Criminal Law Act 1977 (c.45).

(b) 1933 c.12.

(c) 1938 c.36.

(d) 1956 c.69. Section 1 was substituted by the Criminal Justice and Public Order Act 1994 (c.33).

(e) Section 7 was substituted by the Mental Health Act 1959 (c.72).

- (llosgach gan fenyw).
18. Tramgwydd o dan adran 12 o'r Ddeddf honno drwy gyflawni sodomiaeth â phlentyn o dan 16.
 19. Tramgwydd o dan adran 13 o'r Ddeddf honno drwy gyflawni gweithred anwedduster dybryd gyda phlentyn.
 20. Tramgwydd o dan adran 14 neu 15 o'r Ddeddf honno (ymosodiad anweddus).
 21. Tramgwydd o dan adran 16 o'r Ddeddf honno (ymosodiad gyda'r bwriad o gyflawni sodomiaeth).
 22. Tramgwydd o dan adran 17 o'r Ddeddf honno (herwydio menyw drwy rym neu er mwyn ei heiddo).
 23. Tramgwydd o dan adran 19 neu 20 o'r Ddeddf honno (herwydio merch o dan 18 neu 16).
 24. Tramgwydd o dan adran 21 o'r Ddeddf honno (herwydio person diffygiol o riant neu warcheidwad) drwy gymryd plentyn allan o feddiant rhiant neu warcheidwad y plentyn.
 25. Tramgwydd o dan adran 22 o'r Ddeddf honno (peri i fenywod buteinio).
 26. Tramgwydd o dan adran 23 o'r Ddeddf honno (caffael merch o dan 21).
 27. Tramgwydd o dan adran 24 o'r Ddeddf honno (cadw menyw mewn puteindy neu safle arall).
 28. Tramgwydd o dan adran 25 neu 26 o'r Ddeddf honno (caniatáu i ferch o dan 13, neu rhwng 13 ac 16, ddefnyddio safle ar gyfer cyfathrach).
 29. Tramgwydd o dan adran 27 o'r Ddeddf honno (caniatáu i berson diffygiol ddefnyddio safle ar gyfer cyfathrach).
 30. Tramgwydd o dan adran 28 o'r Ddeddf honno (peri i ferch o dan 16 buteinio neu ei hannog i wneud hynny, neu beri i berson gael cyfathrach â merch o'r fath neu i ymosod yn anweddus arni neu annog person i wneud hynny).
 31. Tramgwydd o dan adran 29 o'r Ddeddf honno (peri i berson diffygiol buteinio neu ei annog i wneud hynny).
 32. Tramgwydd o dan adran 30 o'r Ddeddf honno (dyn yn byw ar enillion puteindra).
 33. Tramgwydd o dan adran 31 o'r Ddeddf honno (menyw yn arfer rheolaeth ar butain).
 34. Tramgwydd o dan adran 128 o Ddeddf Iechyd Meddwl 1959 (cyfathrach rywiol â chleifion)(a).
 35. Tramgwydd o dan adran 1 o Ddeddf Anwedduster â Phlant 1960 (ymddygiad

(a) 1959 p.72.

(b) 1960 p.33.

- by a woman).
18. An offence under section 12 of that Act by committing buggery with a child under the age of 16.
 19. An offence under section 13 of that Act by committing an act of gross indecency with a child.
 20. An offence under section 14 or 15 of that Act (indecent assault).
 21. An offence under section 16 of that Act (assault with intent to commit buggery).
 22. An offence under section 17 of that Act (abduction of woman by force or for the sake of her property).
 23. An offence under section 19 or 20 of that Act (abduction of girl under 18 or 16).
 24. An offence under section 21 of that Act (abduction of defective from parent or guardian) by taking a child out of the possession of the child's parent or guardian.
 25. An offence under section 22 of that Act (causing prostitution of women).
 26. An offence under section 23 of that Act (procuration of girl under 21).
 27. An offence under section 24 of that Act (detention of woman in brothel or other premises).
 28. An offence under section 25 or 26 of that Act (permitting girl under 13, or between 13 and 16, to use premises for intercourse).
 29. An offence under section 27 of that Act (permitting defective to use premises for intercourse).
 30. An offence under section 28 of that Act (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16).
 31. An offence under section 29 of that Act (causing or encouraging prostitution of defective).
 32. An offence under section 30 of that Act (man living on earnings of prostitution).
 33. An offence under section 31 of that Act (woman exercising control over prostitute).
 34. An offence under section 128 of the Mental Health Act 1959 (sexual intercourse with patients)(a).
 35. An offence under section 1 of the Indecency

(a) 1959 c.72.

(b) 1960 c.33.

anweddus tuag at blentyn ifanc)(b).

36. Tramgwydd o dan adran 4 o Ddeddf Tramgwyddau Rhywiol 1967 (caffael eraill i gyflawni gweithredoedd gwrygydiol)(a) drwy -
 - (a) caffael plentyn i gyflawni gweithred sodomiaeth gydag unrhyw berson, neu
 - (b) caffael unrhyw berson i gyflawni gweithred sodomiaeth gyda plentyn.
37. Tramgwydd o dan adran 5 o'r Ddeddf honno (byw ar enillion puteindra gwryw).
38. Tramgwydd o dan adran 9(1)(a) o Ddeddf Dwyn 1968 (byrgleriaeth)(b) drwy fynd i mewn i adeilad neu ran o adeilad gyda'r bwriad o dreisio plentyn.
39. Tramgwydd o dan adran 4(3) o Ddeddf Camddefnyddio Cyffuriau 1971(c).
40. Tramgwydd o dan adran 54 o Ddeddf Cyfraith Troseddau 1977 (ysgogi merch o dan 16 oed i ymlogach)(ch).
41. Tramgwydd o dan adran 1 o Ddeddf Amddiffyn Plant 1978 (ffotograffau anweddus o blant)(d).
42. Tramgwydd o dan adran 170 o Ddeddf Rheoli Tollau Tramor a Chartref 1979(dd) mewn perthynas â nwyddau y gwaherddir eu mewnforio o dan adran 42 o Ddeddf Cydgrynhoi Tollau 1876 (gwaharddiadau a chyfyngiadau mewn perthynas â phornograffi)(e) os oedd y nwyddau gwaharddedig yn cynnwys ffotograffau anweddus o blant o dan 16 oed.
43. Tramgwydd o dan adran 1 o Ddeddf Herwydio Plant 1984 (herwydio plentyn gan riant)(f) neu adran 32(3) o Ddeddf Plant a Phersonau Ifanc 1969 (ysgogi etc. personau absennol)(ff).
44. Tramgwydd o dan adran 160 o Ddeddf Cyfiawnder Troseddol 1988 (meddu ar ffotograff anweddus o blentyn)(g).
45. Tramgwydd o dan adran 14 o Ddeddf Plant 1958(ng), adran 16 o Ddeddf Plant Maeth 1980(h) neu adran 70 o'r Ddeddf (tramgwyddau mewn perthynas â maethu'n

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- (a) 1967 p.60. Diddymwyd adran 4(2) gan Ddeddf Cyfraith Troseddau 1977.
 - (b) 1968 p.60.
 - (c) 1971 p.38.
 - (ch) 1977 p.45.
 - (d) 1978 p.37.
 - (dd) 1979 p.2.
 - (e) 1876 p.36.
 - (f) 1984 p.37.
 - (ff) 1969 p.54.
 - (g) 1988 p.33.
 - (ng) 1958 p. 65.
 - (h) 1980 p. 86.

with Children Act 1960 (indecent conduct towards young child)(b).

36. An offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts)(a) by -
 - (a) procuring a child to commit an act of buggery with any person, or
 - (b) procuring any person to commit an act of buggery with a child.
37. An offence under section 5 of that Act (living on earnings of male prostitution).
38. An offence under section 9(1)(a) of the Theft Act 1968 (burglary)(b) by entering a building or part of a building with intent to rape a child.
39. An offence under section 4(3) of the Misuse of Drugs Act 1971(c).
40. An offence under section 54 of the Criminal Law Act 1977 (inciting girl under sixteen to incest)(d).
41. An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children)(e).
42. An offence under section 170 of the Customs and Excise Management Act 1979(f) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography)(g) where the prohibited goods included indecent photographs of children under the age of 16.
43. An offence under section 1 of the Child Abduction Act 1984 (abduction of child by parent)(h) or section 32(3) of the Children and Young Persons Act 1969 (incitement etc. of absentees)(i).
44. An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child)(j).
45. An offence under section 14 of the Children Act 1958(k), section 16 of the Foster Children Act 1980(l) or section 70 of the Act (offences relating to private fostering).

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- (a) 1967 c.60. Section 4(2) was repealed by the Criminal Law Act 1977.
 - (b) 1968 c.60.
 - (c) 1971 c.38.
 - (d) 1977 c.45.
 - (e) 1978 c.37.
 - (f) 1979 c.2.
 - (g) 1876 c.36.
 - (h) 1984 c.37.
 - (i) 1969 c.54.
 - (j) 1988 c.33.
 - (k) 1958 c.65.
 - (l) 1980 c. 86

breifat).

46. Tramgwydd o dan adran 44(15), 49 neu 50(9) o'r Ddeddf (tramgwyddau rhwystro a thramgwyddau mewn perthynas â herwydio plentyn mewn gofal).
47. Tramgwydd o dan adran 63(10), paragraff 1(5) o Atodlen 5 neu baragraff 2(3) o Atodlen 6 i'r Ddeddf (tramgwyddau mewn perthynas â chartrefi gwirfoddol a chartrefi plant)(a).
48. Tramgwydd o dan adran 78, 79D neu 79F(6) o'r Ddeddf (tramgwyddau mewn perthynas â gwarchod plant a gofal dydd)(b).
49. Tramgwydd o dan adran 3 o Ddeddf Tramgwyddau Rhywiol (Diwygio) 2000 (manteisio ar ffydd)(c).
50. Tramgwydd mewn perthynas â chartref plant o dan ddarpariaethau canlynol Deddf 2000 neu yn rhinwedd y darpariaethau hynny -
 - (a) adran 11(1) (methu â chofrestru);
 - (b) adran 24 (methu â chydymffurfio ag amodau);
 - (c) adran 25 (torri rheoliadau);
 - (ch) adran 26 (disgrifiadau ffug o sefydliadau ac asiantaethau); neu
 - (d) adran 27 (datganiadau ffug mewn ceisiadau).
51. Tramgwydd -
 - (a) helpu, annog, cwnsela neu ysgogi person i gyflawni tramgwydd a bennir ym mharagraffau 1 i 50 o'r Atodlen hon, neu beri iddynt wneud hynny; neu
 - (b) cynllwynio neu geisio cyflawni tramgwydd o'r fath.

Tramgwyddau yn yr Alban

52. Tramgwydd trais rhywiol.
53. Llofruddiaeth.
54. Lladdiad beius.
55. Tramgwydd o dan adran 60(3), 61(3) neu 62(6) o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968 (tramgwyddau mewn perthynas â sefydliadau preswyl a sefydliadau eraill)(ch), neu yn rhinwedd un o'r adrannau hynny
56. Tramgwydd o dan adran 32(3) o Ddeddf Plant a Phersonau Ifanc 1969 (ysgogi etc. person absennol).
57. Tramgwydd a bennir yn Atodlen 1 i Ddeddf

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- (a) Mae darpariaeth ar gyfer diddymu'r darpariaethau hyn wedi'i chynnwys yn Neddf Safonau Gofal 2000.
- (b) Mewnosodwyd adrannau 79D a 79F yn Neddf 1989 gan Ddeddf Safonau Gofal 2000.
- (c) 2000 p.44.
- (ch) 1968 p.49.
- (d) 1995 p.46.

46. An offence under section 44(15), 49 or 50(9) of the Act (offences of obstruction and relating to the abduction of a child in care).
47. An offence under section 63(10) of, paragraph 1(5) of Schedule 5 to, or paragraph 2(3) of Schedule 6 to, the Act (offences relating to voluntary homes and children's homes)(a).
48. An offence under section 78, 79D or 79F(6) of the Act (offences relating to child minding and daycare)(b).
49. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)(c).
50. An offence in relation to a children's home under or by virtue of the following provisions of the 2000 Act-
 - (a) section 11(1) (failure to register);
 - (b) section 24 (failure to comply with conditions);
 - (c) section 25 (contravention of regulations);
 - (d) section 26 (false descriptions of establishments and agencies); or
 - (e) section 27 (false statements in applications).
51. An offence of -
 - (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in paragraphs 1 to 50 of this Schedule; or
 - (b) conspiring or attempting to commit such an offence.

Offences in Scotland

52. An offence of rape.
53. Murder.
54. Culpable homicide.
55. An offence under or by virtue of section 60(3), 61(3) or 62(6) of the Social Work (Scotland) Act 1968 (offences relating to residential and other establishments)(d).
56. An offence under section 32(3) of the Children and Young Persons Act 1969 (inciting etc. of absentee).
57. An offence specified in Schedule 1 to the

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- (a) Provision for the repeal of these provisions is contained in the Care Standards Act 2000.
- (b) Sections 79D and 79F are inserted into the 1989 Act by the Care Standards Act 2000.
- (c) 2000 c.44.
- (d) 1968 c.49.
- (e) 1995 c.46.

Gweithdrefn Droseddol (Yr Alban) 1995(d).

58. Tramgwydd cyfraith gwlad yn yr Alban, sef plagiwm (dwyn plentyn islaw oedran aeddfedrwydd).
59. Tramgwydd o dan adran 170 o Ddeddf Rheoli Tollau Tramor a Chartref 1979 mewn perthynas â nwyddau y gwaherddir eu mewnforio o dan adran 42 o Ddeddf Cydgrynhoi Tollau 1876 (gwaharddiadau a chyfyngiadau mewn perthynas â phornograffi) os oedd y nwyddau gwaharddedig yn cynnwys ffotograffau anweddus o blant o dan 16.
60. Tramgwydd o dan adran 52 neu 52A o Ddeddf Llywodraeth Ddinesig (Yr Alban) 1982 (tramgwyddau mewn perthynas â ffotograffau anweddus o blant)(a).
61. Tramgwydd o dan adran 6 o Ddeddf Herwydio Plant 1984 (cymryd plentyn o'r Deyrnas Unedig neu ei anfon oddi yno).
62. Tramgwydd o dan adran 15 o Ddeddf Plant Maeth (Yr Alban) 1984 (tramgwyddau mewn perthynas â maethu'n breifat)(b).
63. Tramgwydd o dan adran 78 o'r Ddeddf (tramgwyddau mewn perthynas â gwarchod plant a gofal dydd).
64. Tramgwydd o dan adran 81, 83 neu 89 o Ddeddf Plant (Yr Alban) 1995(c) neu adran 17(8) neu 71 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968(ch) (tramgwyddau llochesu).
65. Tramgwydd o dan adran 3 o Ddeddf Tramgwyddau Rhywiol (Diwygio) 2000 (manteisio ar ffydd).
66. Tramgwydd mewn perthynas â gwasanaeth cartref gofal, gwarchod plant neu ofal dydd dros blant, o dan unrhyw un o ddarpariaethau canlynol Deddf Rheoleiddio Gofal (Yr Alban) 2001(d) neu yn rhinwedd unrhyw un o'r darpariaethau hynny -
 - (a) adran 21 (tramgwyddau mewn perthynas â chofrestru);
 - (b) adran 22 (datganiadau ffug mewn ceisiadau); neu
 - (c) adran 29(10) (tramgwyddau mewn rheoliadau).

Criminal Procedure (Scotland) Act 1995(e).

58. The common law offence in Scotland of plagiwm (theft of a child below the age of puberty).
59. An offence under section 170 of the Customs and Excise Management Act 1979 in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography) where the prohibited goods included indecent photographs of children under the age of 16.
60. An offence under Section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children)(a).
61. An offence under section 6 of the Child Abduction Act 1984 (taking or sending child out of the United Kingdom).
62. An offence under section 15 of the Foster Children (Scotland) Act 1984 (offences relating to private fostering)(b).
63. An offence under section 78 of the Act (offences relating to child minding and day care).
64. An offence under section 81, 83 or 89 of the Children (Scotland) Act 1995(c) or section 17(8) or 71 of the Social Work (Scotland) Act 1968(d) (harbouring offences).
65. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).
66. An offence in relation to a care home service, child minding or day care of children, under or by virtue of any of the following provisions of the Regulation of Care (Scotland) Act 2001(e)-
 - (a) section 21 (offences in relation to registration);
 - (b) section 22 (false statements in applications); or
 - (c) section 29(10) (offences in regulations).

(a) 1982 p.45. Mewnosodwyd adran 52A gan adran 161 o Ddeddf Cyfiawnder Troseddol 1988 (p.33).

(b) 1984 p.56.

(c) 1995 p.36.

(ch) Diddymwyd adrannau 17(8) a 71 o Ddeddf 1968 gan Ddeddf Plant (Yr Alban) 1995.

(d) 2001 dsa 8.

(a) 1982 c.45. Section 52A was inserted by section 161 of the Criminal Justice Act 1988 (c.33).

(b) 1984 c.56.

(c) 1995 c.36.

(d) Sections 17(8) and 71 of the 1968 Act were repealed by the Children (Scotland) Act 1995.

(e) 2001 asp 8.

Tramgwyddau yng Ngogledd Iwerddon

67. Tramgwydd trais rhywiol.
68. Tramgwydd a bennir yn Atodlen 1 i Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968(a).
69. Tramgwydd o dan adran 32(3) o Ddeddf Plant a Phersonau Ifanc 1969 (ysgogi etc. person absennol).
70. Tramgwydd o dan Erthygl 3 o Orchymyn Amddiffyn Plant (Gogledd Iwerddon) 1978 (ffotograffau anweddu)(b).
71. Tramgwydd o dan adran 170 o Ddeddf Rheoli Tollau Tramor a Chartref 1979 mewn perthynas â nwyddau y gwaherddir eu mewnforio o dan adran 42 o Ddeddf Cydgrynhoi Tollau 1876 (gwaharddiadau a chyfyngiadau mewn perthynas â phornograffi) os oedd y nwyddau gwaharddedig yn cynnwys ffotograffau anweddu o blant o dan 16 oed.
72. Tramgwydd yn groes i Erthygl 9 o Orchymyn Cyfiawnder Troseddol (Gogledd Iwerddon) 1980 (ysgogi merch o dan 16 oed i gael cyfathrach rywiol losgachol)(c).
73. Tramgwydd o dan i Erthygl 15 o Orchymyn Cyfiawnder Troseddol (Tystiolaeth etc.) (Gogledd Iwerddon) 1988 (meddu ar ffotograffau anweddu o blant)(ch).
74. Tramgwydd o dan Erthygl 63(15), 68 neu 69(9) o Orchymyn Plant (Gogledd Iwerddon) 1995 (tramgwyddau rhwystro a thramgwyddau mewn perthynas â herwydio plentyn mewn gofal)(d).
75. Tramgwydd o dan adran 32(3), 140(6) neu 144(3) o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968.
76. Tramgwydd o dan Erthygl 132 o Orchymyn Plant (Gogledd Iwerddon) 1995 neu adran 14 o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968 (tramgwyddau mewn perthynas â gwarchod plant a gofal dydd)(dd).
77. Tramgwydd o dan Erthygl 117 o Orchymyn Plant (Gogledd Iwerddon) 1995 neu adran 9(1) o Ddeddf Plant a Phersonau Ifanc (Gogledd

(a) 1968 p.34 (G.I.). Diwygiwyd Atodlen 1 gan Orchymyn Cyfiawnder Troseddol (Gogledd Iwerddon) 1980; Gorchymyn Herwydio Plentyn (Gogledd Iwerddon) 1985; Gorchymyn Iechyd Meddwl (Gogledd Iwerddon) 1986. Mae cyfeiriad yng Ngorchymyn Amddiffyn Plant (Gogledd Iwerddon) 1978 at dramgwyddau o dan Atodlen 1 yn cynnwys tramgwydd o dan Orchymyn Amddiffyn Plant (Gogledd Iwerddon) 1978.

(b) O.S. 1978/1047 (G.I.17).

(c) O.S. 1980/1704 (G.I.6).

(ch) O.S. 1988/1847 (G.I.17).

(d) O.S. 1995/755 (G.I.2).

(dd) Diddymwyd yr adran hon o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968 a'r adrannau a grybwyllir yn yr is-baragraffau dilynol gan Orchymyn Plant (Gogledd Iwerddon) 1995.

Offences in Northern Ireland

67. An offence of rape.
68. An offence specified in Schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968(a).
69. An offence under section 32(3) of the Children and Young Persons Act 1969 (inciting etc. of absentee).
70. An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs)(b).
71. An offence under section 170 of the Customs and Excise Management Act 1979 in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography) where the prohibited goods included indecent photographs of children under the age of 16.
72. An offence contrary to Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (inciting girl under 16 to have incestuous sexual intercourse)(c).
73. An offence under Article 15 of the Criminal Justice (Evidence etc.) (Northern Ireland) Order 1988 (possession of indecent photographs of children)(d).
74. An offence under Article 63(15), 68 or 69(9) of the Children (Northern Ireland) Order 1995 (offences of obstruction and relating to the abduction of a child in care)(e).
75. An offence under section 32(3), 140(6) or 144(3) of the Children and Young Persons Act (Northern Ireland) 1968.
76. An offence under Article 132 of the Children (Northern Ireland) Order 1995 or section 14 of the Children and Young Persons Act (Northern Ireland) Order 1968 (offences relating to child minding and day care)(f).
77. An offence under Article 117 of the Children (Northern Ireland) Order 1995 or section 9(1) of the Children and Young Persons Act

(a) 1968 c.34 (N.I.). Schedule 1 was amended by the Criminal Justice (Northern Ireland) Order 1980; the Child Abduction (Northern Ireland) Order 1985; the Mental Health (Northern Ireland) Order 1986. Reference in the Protection of Children (Northern Ireland) Order 1978 to offences under Schedule 1 include an offence under the Protection of Children (Northern Ireland) Order 1978.

(b) S.I. 1978/1047 (N.I.17).

(c) S.I. 1980/1704 (N.I.6).

(d) S.I. 1988/1847 (N.I.17).

(e) S.I. 1995/755 (N.I.2).

(f) This section of the Children and Young Persons Act (Northern Ireland) 1968 and those mentioned in the following sub-paragraphs were repealed by the Children (Northern Ireland) Order 1995.

Iwerddon) 1968 (tramgwyddau mewn perthynas â maethu'n breifat).

78. Tramgwydd o dan Erthygl 79(3), 81(4), 95(3) neu 97(4) o Orchymyn Plant (Gogledd Iwerddon) 1995 neu adran 127(5) neu 129(3) o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968 (tramgwyddau mewn perthynas â chartrefi gwirfoddol a chartrefi plant).
79. Tramgwydd o dan adran 3 o Ddeddf Tramgwyddau Rhywiol (Diwygio) 2000 (manteisio ar ffydd).

Tramgwyddau eraill

80. Unrhyw dramgwydd, heblaw'r tramgwyddau a grybwyllir ym mharagraffau 1 i 79, sy'n cynnwys niwed neu fygythiad niwed i berson arall.
81. Tramgwydd yn rhinwedd -
- (a) adran 7 o Ddeddf Tramgwyddwyr Rhywiol 1997 (ymestyn awdurdodaeth: Cymru a Lloegr a Gogledd Iwerddon)(a); neu
 - (b) adran 16B o Ddeddf Cyfraith Troseddau (Cydgrynhoi) (Yr Alban) 1995 (cyflawni tramgwyddau rhywiol penodol tu allan i'r Deyrnas Unedig)(b).

RHAN II

1. Mae'r person perthnasol yn rhiant i blentyn sydd wedi'i wneud ar unrhyw adeg yn destun gorchymyn o dan -
- (a) adran 31(1) o'r Ddeddf (gorchymyn gofal a goruchwyllo); neu
 - (b) erthygl 50(1) o Orchymyn Plant (Gogledd Iwerddon) 1995 (gorchymyn gofal a goruchwyllo).
2. Mae un o'r gorchymynion canlynol wedi'i wneud ar unrhyw adeg mewn perthynas â phlentyn er mwyn symud y plentyn o ofal y person perthnasol neu er mwyn atal y plentyn rhag byw gyda'r person -
- (a) gorchymyn o dan adran 31(1)(a) o'r Ddeddf neu orchymyn o dan adran 1(3)(c) neu 7(7)(a) o Ddeddf Plant a Phersonau Ifanc 1969 (gorchymynion gofal)(c);
 - (b) unrhyw orchymyn arall a fuasai wedi'i ystyried yn orchymyn gofal yn rhinwedd

(a) 1997 p.51.

(b) 1995 p.39. Mewnosodwyd adran 16B gan adran 8 o Ddeddf Tramgwyddwyr Rhywiol 1997.

(c) Diddymwyd adran 1(3)(c) gan Ddeddf Plant 1989. Diddymwyd adran 7(7)(a) gan Ddeddf Pwerau Llysoedd Troseddau (Dedfrydu) 2000 (c.6).

(Northern Ireland) 1968 (offences relating to private fostering).

78. An offence under Article 79(3), 81(4), 95(3) or 97(4) of the Children (Northern Ireland) Order 1995 or section 127(5) or 129(3) of the Children and Young Persons Act (Northern Ireland) 1968 (offences relating to voluntary homes and children's homes).
79. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

Other offences

80. Any offence, other than the offences mentioned in paragraphs 1 to 79, involving injury or threat of injury to another person.
81. An offence by virtue of-
- (a) section 7 of the Sex Offenders Act 1997 (extension of jurisdiction: England and Wales and Northern Ireland)(a); or
 - (b) section 16B of the Criminal Law (Consolidation)(Scotland) Act 1995 (commission of certain sexual offences outside the United Kingdom)(b).

PART II

1. The relevant person is a parent of a child who at any time has been made the subject of an order under-
- (a) section 31(1) of the Act (care and supervision orders); or
 - (b) article 50(1) of the Children (Northern Ireland) Order 1995 (care and supervision orders).
2. One of the following orders has been made at any time with respect to a child so as to remove the child from the relevant person's care or prevent the child living with the person -
- (a) an order under section 31(1)(a) of the Act or an order under section 1(3)(c) or 7(7)(a) of the Children and Young Persons Act 1969 (care orders)(c);
 - (b) any other order that would have been deemed to be a care order by virtue of

(a) 1997 c.51.

(b) 1995 c.39. Section 16B was inserted by section 8 of the Sex Offenders Act 1997.

(c) Section 1(3) of the Act was repealed by the Children Act 1989. Section 7(7)(a) of the Children and Young Persons Act 1969 was repealed by the Powers of Criminal Courts (Sentencing) Act 2000 (c.6).

paragraff 15 o Atodlen 14 i'r Ddeddf (darpariaethau trosiannol ar gyfer plant mewn gofal gorfodol) petai wedi bod mewn grym yn union cyn y diwrnod y daeth Rhan IV o'r Ddeddf i rym(a);

- (c) gorchymyn goruchwyllo a osododd ofyniad preswyllo o dan baragraff 5 o Atodlen 6 i Ddeddf Pwerau Llysoedd Troseddau (Dedfrydu) 2000(b) neu adran 12AA o Ddeddf Plant a Phersonau Ifanc 1969 (c)(gofyniad i fyw mewn llety awdurdod lleol);
 - (ch) gorchymyn o dan erthygl 50(1)(a) o Orchymyn Plant (Gogledd Iwerddon) 1995; neu
 - (d) gorchymyn person ffit, gorchymyn hawliau rhiant neu orchymyn ysgol hyfforddi o dan Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968(ch).
3. Mae gofyniad goruchwyllo wedi'i osod o dan -
- (a) adran 44 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968(d); neu
 - (b) adran 70 o Ddeddf Plant (Yr Alban) 1995

ar unrhyw adeg mewn perthynas ag unrhyw blentyn er mwyn symud y plentyn hwnnw o ofal y person perthnasol.

4. Mae hawliau a phwerau'r person perthnasol mewn perthynas â'r plentyn wedi'u breinio ar unrhyw adeg mewn awdurdod lleol yn yr Alban -
- (a) o dan adran 16 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968(dd); neu
 - (b) yn unol â gorchymyn cyfrifoldebau rhiant o dan adran 86 o Ddeddf Plant (Yr Alban) 1995.
5. Mae cofrestriad y person perthnasol wedi'i wrthod ar unrhyw bryd mewn perthynas â chartref gwirfoddol neu gartref plant, neu mae'r person hwnnw wedi rhedeg cartref gwirfoddol neu gartref plant neu yr oedd fel arall yn ymwneud â'i reoli, neu yr oedd ganddo unrhyw fuddiant ariannol ynddo, ac mae cofrestriad y cartref hwnnw wedi'i ganslo o dan y canlynol, yn ôl fel y digwydd -

paragraph 15 of Schedule 14 to the Act (transitional provisions for children in compulsory care) had it been in force immediately before the day on which Part IV of the Act came into force(a);

- (c) a supervision order which imposed a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000(b) or section 12AA of the Children and Young Persons Act 1969(c) (requirement to live in local authority accommodation);
 - (d) an order under article 50(1)(a) of the Children (Northern Ireland) Order 1995; or
 - (e) a fit person order, parental rights order or a training school order under the Children and Young Persons Act (Northern Ireland) 1968(d).
3. A supervision requirement has been imposed under-
- (a) section 44 of the Social Work (Scotland) Act 1968(e); or
 - (b) section 70 of the Children (Scotland) Act 1995

at any time with respect to any child for the purpose of removing that child from the relevant person's care.

4. The relevant person's rights and powers with respect to the child have at any time been vested in a local authority in Scotland-
- (a) under section 16 of the Social Work (Scotland) Act 1968(f); or
 - (b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995.

5. The relevant person has at any time been refused registration in relation to a voluntary home or a children's home, or carried on, was otherwise concerned with the management of, or had any financial interest in, a voluntary home or a children's home the registration of which was cancelled, under, as the case may be-

(a) Daeth Rhan IV o'r Ddeddf i rym ar 14 Hydref 1991.

(b) 2000 p.6.

(c) Diddymwyd adran 12AA gan Ddeddf Pwerau Llysoedd Troseddau (Dedfrydu) 2000.

(ch) 1968 p.34 (G.I.). Diddymwyd y darpariaethau sy'n ymwneud â'r gorchymynion hyn gan Orchymyn Plant (Gogledd Iwerddon) 1995 a Gorchymyn Cyfiawnder Troseddol (Plant) (Gogledd Iwerddon) 1998.

(d) Diddymwyd adran 44 gan Ddeddf Plant (Yr Alban) 1995.

(dd) Diddymwyd adran 16 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968 gan Ddeddf Plant (Yr Alban) 1995.

(a) Part IV of the Act came into force on 14 October 1991.

(b) 2000 c.6.

(c) Section 12AA was repealed by the Powers of Criminal Courts (Sentencing) Act 2000.

(d) 1968 c.34 (N.I.). The provisions relating to these orders were repealed by the Children (Northern Ireland) Order 1995 and the Criminal Justice (Children) (Northern Ireland) Order 1998.

(e) Section 44 was repealed by the Children (Scotland) Act 1995.

(f) Section 16 was repealed by the Children (Scotland) Act 1995.

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| <ul style="list-style-type: none"> (a) paragraff 1 o Atodlen 5 i'r Ddeddf(a); (b) paragraff 1 neu 4 o Atodlen 6 i'r Ddeddf; (c) adran 127 o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968(b); neu (ch) Erthygl 80, 82, 96 neu 98 o Orchymyn Plant (Gogledd Iwerddon) 1995. <p>6. Mae gwaharddiad wedi'i osod mewn perthynas â'r person perthnasol o dan -</p> <ul style="list-style-type: none"> (a) adran 69 o'r Ddeddf, adran 10 o Ddeddf Plant Maeth 1980(c) neu adran 4 o Ddeddf Plant 1958 (y pŵer i wahardd maethu'n breifat)(ch); (b) erthygl 110 o Orchymyn Plant (Gogledd Iwerddon) 1995 (y pŵer i wahardd maethu'n breifat); neu (c) adran 10 o Ddeddf Plant Maeth (Yr Alban) 1984 (pŵer i wahardd cadw plant maeth). <p>7. Mae'r person perthnasol yn berson y mae hysbysiad ysgrifenedig wedi'i rhoi mewn perthynas ag ef gan Fwrdd Iechyd a Gwasanaethau Cymdeithasol o dan adran 1(3) o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968 (gwrthod cydsynio bod gofal a chynhaliath ar gyfer y plentyn yn cael eu rhoi gan berson)(d);</p> <p>8. Mae cofrestriad y person perthnasol wedi'i wrthod ar unrhyw bryd mewn perthynas â darparu gofal dydd neu feithrinfeydd neu waith gwarchod plant neu mae unrhyw gofrestrriad o'r fath a oedd gan y person hwnnw wedi'i ganslo o dan, yn ôl fel y digwydd -</p> <ul style="list-style-type: none"> (a) adran 1 neu 5 o Ddeddf Rheoleiddio Meithrinfeydd a Gwarchodwyr Plant 1948(dd); (b) Rhan X neu XA o'r Ddeddf(e); (c) Rhan XI o Orchymyn Plant (Gogledd Iwerddon) 1995; neu | <ul style="list-style-type: none"> (a) paragraph 1 of Schedule 5 to the Act(a); (b) paragraph 1 or 4 of Schedule 6 to the Act; (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968(b); or (d) Article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995. <p>6. A prohibition has been imposed in respect of the relevant person under -</p> <ul style="list-style-type: none"> (a) section 69 of the Act, section 10 of the Foster Children Act 1980(c) or section 4 of the Children Act 1958 (power to prohibit private fostering)(d); (b) Article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering); or (c) section 10 of the Foster Children (Scotland) Act 1984 (power to prohibit the keeping of foster children). <p>7. The relevant person is a person in respect of whom a notice in writing has been given by a Health and Social Services Board under section 1(3) of the Children and Young Persons Act (Northern Ireland) 1968 (withholding consent to the care and maintenance of the child being undertaken by a person)(e);</p> <p>8. The relevant person has at any time been refused registration in respect of the provision of nurseries or day care or for child minding or had any such registration cancelled under, as the case may be -</p> <ul style="list-style-type: none"> (a) section 1 or 5 of the Nurseries and Child-Minders Regulation Act 1948(f); (b) Part X or XA of the Act(g); (c) Part XI of the Children (Northern Ireland) Order 1995; or |
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| <ul style="list-style-type: none"> (a) Mae'r ddarpariaeth hon a'r rhai a grybwyllir yn yr is-baragraff canlynol wedi'u diddymu gan Ddeddf Safonau Gofal 2000. (b) Diddymwyd adran 127 gan Orchymyn Plant (Gogledd Iwerddon) 1995. (c) Diddymwyd Deddf Maethu Plant 1980 gan Ddeddf Plant 1989. (ch) Diddymwyd Rhan I o Ddeddf Plant 1958 gan Deddf Plant Maeth 1980. (d) Diwygiwyd adran 1(3) gan Atodlen 16 i Orchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972 (O.S. 1972/1265 (G.I.14) ac fe'i diddymwyd gan Orchymyn Plant (Gogledd Iwerddon) 1995. (dd) 1948 p.53. Diwygiwyd adran 1 gan adran 60 o Ddeddf Gwasanaethau Iechyd a Iechyd y Cyhoedd 1968 (p.46) ac fe'i diddymwyd gan Ddeddf Plant 1989. (e) Peidiodd rhan X o Ddeddf Plant 1989 â bod yn gymwys i Gymru yn ddarostyngedig i ddarpariaeth trosiannol, darpariaeth dros dro a darpariaeth ynghylch eithriadau yn yr Atodlen i Orchymyn Deddf Safonau Gofal 2000 (Cychwyn Rhif 8 (Cymru) a Darpariaethau Trosiannol, Darpariaethau ynghylch Eithriadau a Darpariaethau Canlyniadal) 2002 (O.S. 2002/920). | <ul style="list-style-type: none"> (a) This provision and those mentioned in the following sub-paragraph are repealed by the Care Standards Act 2000. (b) Section 127 was repealed by the Children (Northern Ireland) Order 1995. (c) The Foster Children Act 1980 was repealed by the Children Act 1989. (d) Part I of the Children Act 1958 was repealed by the Foster Children Act 1980. (e) Section 1(3) was amended by Schedule 16 to the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265) (N.I. 14) and was repealed by the Children (Northern Ireland) Order 1995. (f) 1948 c.53. Section 1 was amended by section 60 of the Health Services and Public Health Act 1968 (c.46) and was repealed by the Children Act 1989. (g) Part X of the Children Act 1989 ceased to extend to Wales subject to transitional, transitory and savings provision in the Schedule to the Care Standards Act 2000 (Commencement No. 8 (Wales) and Transitional, Savings and Consequential Provisions) Order 2002 (S.I. 2002/920). |
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- (ch) adran 11(5) neu 15 o Ddeddf Plant a Phersonau Ifanc (Gogledd Iwerddon) 1968(a).
9. Mae cofrestriad y person perthnasol wedi'i wrthod ar unrhyw adeg neu mae cofrestriad o'r fath wedi'i ganslo -
- (a) o dan adran 62 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968 (cofrestru sefydliadau preswyl a sefydliadau eraill)(b); neu
- (b) mewn perthynas â gwasanaeth cartref gofal, gwarchod plant neu ofal dydd ar gyfer plant, o dan Rhan I o Ddeddf Rheoleiddio Gofal (Yr Alban) 2001.
10. Mae'r person perthnasol wedi bod, ar unrhyw adeg, yn destun gorchymyn derbyn, gorchymyn gwarcheidwaeth, gorchymyn goruchwyliaeth a thriniaeth neu orchymyn i'w ryddhau yn ddiamod yn unol ag adran 5 o Ddeddf Gweithdrefn Troseddau (Gorffwylledd) 1964(c) neu adran 6, 14 neu 14A o Ddeddf Apêl Troseddau 1968(ch), yn ôl fel y digwydd.
- (d) section 11(5) or 15 of the Children and Young Persons Act (Northern Ireland) 1968(a).
9. The relevant person has at any time been refused registration or had such registration cancelled-
- (a) under section 62 of the Social Work (Scotland) Act 1968 (registration of residential and other establishments)(b); or
- (b) in respect of a care home service, child minding or day care of children, under Part I of the Regulation of Care (Scotland) Act 2001.
10. The relevant person has at any time been made the subject of an admission order, a guardianship order, a supervision and treatment order or an order for his or her absolute discharge in accordance with section 5 of the Criminal Procedure (Insanity) Act 1964(c) or section 6, 14 or 14A of the Criminal Appeal Act 1968(d), as the case may be.

RHAN III

PART III

1. Mae'r person perthnasol wedi'i gynnwys yn y rhestr o bersonau sy'n cael ei chadw o dan adran 1 o Ddeddf Amddiffyn Plant 1999 (rhestr o'r rhai y mae'r Ysgrifennydd Gwladol yn barnu eu bod yn anaddas i weithio gyda phlant)(d).
2. Mae'r person perthnasol wedi'i gynnwys, ar y seiliau a grybwylliwyd yn is-adran (6ZA)(c) o adran 218 o Ddeddf Diwygio Addysg 1988(dd) yn y rhestr a gedwir at ddibenion rheoliadau a wnaed o dan is-adran (6) o'r adran honno (rhestr o'r rhai sydd wedi'u gwahardd neu wedi'u cyfyngu rhag addysgu).
3. Mae'r person perthnasol wedi'i gynnwys, ar seiliau anaddasrwydd i weithio gyda phlant,
1. The relevant person is included in the list of persons kept under section 1 of the Protection of Children Act 1999 (list of those considered by the Secretary of State unsuitable to work with children)(e).
2. The relevant person is included, on the grounds mentioned in subsection (6ZA)(c) of section 218 of the Education Reform Act 1988(f) in the list kept for the purposes of regulations made under subsection (6) of that section (list of those who are prohibited or restricted from teaching).
3. The relevant person is included on the grounds of unsuitability to work with children in any

(a) Diddymwyd yr adrannau hyn gan Orchymyn Plant (Gogledd Iwerddon) 1995.

(b) Diwygiwyd adran 62 gan adran 3 o Ddeddf Sefydliadau Cofrestredig (Yr Alban) (p.40).

(c) 1964 p.84. Amnewidiwyd adran 5 gan adran 3 o Ddeddf Gweithdrefn Droseddol (Gorffwylledd ac Anghymhwyster i Bledio)1991(p.25).

(ch) 1968 p.19. Amnewidiwyd adrannau 6 ac 14 a mewnosodwyd adran 14A gan adran 4 o Ddeddf Gweithdrefn Droseddol (Gorffwylledd ac Anghymhwyster i Bledio)1991.

(d) 1999 p.14.

(dd) 1988 p.40; mewnosodwyd is-adran (6ZA) gan adran 5 o Ddeddf Amddiffyn Plant 1999 a diwygiwyd is-adran (6) gan yr adran honno a chan adran 290(3) o Ddeddf Addysg 1993 (p.35); Rheoliadau Addysg (Cyfyngu Cyflogaeth) 2000 (O.S. 2000/2419) yw'r rheoliadau cyfredol a wnaed o dan is-adran (6).

(a) These sections were repealed by the Children (Northern Ireland) Order 1995.

(b) Section 62 was amended by section 3 of the Registered Establishments (Scotland) Act 1987 (c.40).

(c) 1964 c.84. Section 5 was substituted by section 3 of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c.25).

(d) 1968 c.69. Sections 6 and 14 were substituted and section 14A was inserted by section 4 of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991.

(e) 1999 c.14.

(f) 1988 c.40; subsection (6ZA) was inserted by section 5 of the Protection of Children Act 1999 and subsection (6) was amended by that section and by section 290(3) of the Education Act 1993 (c.35); the current regulations made under subsection (6) are the Education (Restriction of Employment) Regulations 2000 (S.I. 2000/2419).

mewn unrhyw rhestr a gedwir gan yr Ysgrifennydd Gwladol o bersonau sy'n ddarostyngedig i ddatgymhwysiad a osodir o dan adran 470 neu 471 o Ddeddf Addysg 1996(a) (datgymhwyso personau rhag bod yn berchnogion ar ysgolion annibynnol neu rhag bod yn athrawon neu gyflogeion mewn unrhyw ysgol.)

list kept by the Secretary of State of persons who are subject to a disqualification imposed under section 470 or 471 of the Education Act 1996(a) (disqualification of persons from being proprietors of independent schools or from being teachers or employees in any school).

(a) 1996 p.56.

(a) 1996 c.56.

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