



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2004 Rhif 873 (Cy.88) (C.37)**

**2004 No. 873 (W.88) (C. 37)**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

**IECHYD Y CYHOEDD,  
CYMRU**

**PUBLIC HEALTH,  
WALES**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE,  
WALES**

Gorchymyn Deddf Iechyd a Gofal  
Cymdeithasol (Iechyd Cymunedol  
a Safonau) 2003 Cychwyn (Rhif 2)  
(Cymru) 2004

The Health and Social Care  
(Community Health and Standards)  
Act 2003 Commencement (No. 2)  
(Wales) Order 2004

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Dyma'r ail orchymyn cychwyn y mae Cynulliad Cenedlaethol Cymru wedi'i wneud o dan Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 ("y Ddeddf"). Mae'n dwyn i rym ar 1 Ebrill 2004 ddarpariaethau penodol y Ddeddf mewn cysylltiad â Chymru.

This is the second commencement order made by the National Assembly for Wales under the Health and Social Care (Community Health and Standards) Act 2003 ("the Act"). It brings certain provisions of the Act connected to Wales into force on 1st April 2004.

Mae Erthygl 2(a) yn dwyn i rym adran 47 o'r Ddeddf sy'n caniatáu i'r Cynulliad baratoi a chyhoeddi datganiadau o safonau mewn perthynas â darparu gofal iechyd gan gyrff y GIG yng Nghymru ac ar eu cyfer.

Article 2(a) brings into force section 47 of the Act which allows the Assembly to prepare and publish statements of standards in relation to the provision of health care by and for Welsh NHS bodies.

Mae Erthygl 2(b) yn cychwyn Pennod 4 o Ran 2 o'r Ddeddf sy'n darparu i'r Cynulliad gynnal adolygiadau o ddarpariaeth gofal iechyd gan gyrff y GIG yng Nghymru ac ar eu cyfer, ac ymchwiliadau i'r ddarpariaeth honno, ac mae'n rhoi i'r Cynulliad hawliau mynediad a phwerau i ofyn am wybodaeth ac esboniadau mewn cysylltiad ag adolygiadau ac ymchwiliadau o'r fath.

Article 2(b) commences Chapter 4 of Part 2 of the Act which provides for the Assembly to conduct reviews of and investigations into the provision of health care by and for Welsh NHS bodies and which confers upon the Assembly rights of entry and powers to require information and explanations in connection with such reviews and investigations.

Mae Erthygl 2(c) yn cychwyn Pennod 6 o Ran 2 o'r Ddeddf, sy'n darparu i'r Cynulliad Cenedlaethol gynnal adolygiadau, ymchwiliadau ac arolygiadau i'r ffordd y mae awdurdodau lleol yng Nghymru yn cyflawni eu swyddogaethau gwasanaethau cymdeithasol.

Mae Erthygl 2(d) yn cychwyn darpariaethau eraill y Ddeddf sy'n ymwneud â Chymru, sef: (i) adran 109, sy'n ei gwneud yn ofynnol i'r Cynulliad ystyried yn benodol yr angen am ddiogelu a hybu hawliau a lles plant wrth arfer ei swyddogaethau rheoleiddio ac arolygu gofal cymdeithasol; (ii) adran 142, sy'n ei gwneud yn ofynnol i'r Cynulliad gyhoeddi adroddiadau blynyddol ynghylch ei swyddogaethau rheoleiddio ac arolygu gofal cymdeithasol a gofal iechyd; (iii) adran 143, sy'n rhoi pŵer i'r Cynulliad i ddefnyddio gwybodaeth a gafwyd wrth arfer un o'i swyddogaethau rheoleiddio neu arolygu gofal cymdeithasol a gofal iechyd at ddibenion un arall o'r swyddogaethau hynny; (iv) adran 144 sy'n gwneud darpariaeth ynghylch ymchwiliadau gofal iechyd neu ofal cymdeithasol a wneir o dan Ddeddf Llywodraeth Cymru 1998; a (v) adran 145, sy'n ei gwneud yn ofynnol i'r Cynulliad a'r Comisiwn Archwilio ac Arolygu Gofal Iechyd gydweithredu â'i gilydd.

Mae Erthygl 2(e) yn cychwyn darpariaethau penodol y Ddeddf mewn perthynas â Chymru, sef: (i) adran 106, sy'n egluro'r diffiniad o "independent medical agency" yn Neddf Safonau Gofal 2000; (ii) adran 108, sy'n diwygio pwerau darpariaethau arolygu Deddf Safonau Gofal 2000; a (iii) adran 111, sy'n diwygio Deddf Plant 1989 er mwyn ei gwneud yn ofynnol i adroddiadau gael eu cyhoeddi yn dilyn arolygiadau o ysgolion a cholegau byrddio.

Article 2(c) commences Chapter 6 of Part 2 of the Act, which provides for the National Assembly to conduct reviews, investigations and inspections into the way in which Welsh local authorities discharge their social services functions.

Article 2(d) commences other provisions of the Act concerning Wales. These are: (i) section 109, which requires the Assembly to have particular regard to the need to safeguard and promote children's rights and welfare in the exercise of its social care regulatory and inspection functions; (ii) section 142, which requires the Assembly to publish annual reports about its social and health care regulatory and inspection functions; (iii) section 143, which empowers the Assembly to use information obtained in the exercise of one of its social or health care regulatory or inspection functions for the purposes of another of those functions; (iv) section 144 which makes provision about health or social care inquiries held under the Government of Wales Act 1998; and (v) section 145, which requires the Assembly and the Commission for Healthcare Audit and Inspection to co-operate with each other.

Article 2(e) commences certain provisions of the Act in relation to Wales. These are: (i) section 106, which clarifies the definition of "independent medical agency" in the Care Standards Act 2000; (ii) section 108, which amends the powers of inspection provisions of the Care Standards Act 2000; and (iii) section 111, which amends the Children Act 1989 so as to require reports to be published following inspections of boarding schools and colleges.

**NODYN YNGHYLCH GORCHMYNION  
CYCHWYN CYNHARACH**

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

Mae darpariaethau Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 a restrir yn y tabl isod wedi'u dwyn i rym drwy orchymynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn. Ac eithrio lle dangosir hynny, cafodd y darpariaethau a gychwynwyd gan OS 2003/3346 ac OS 2004/759 eu cychwyn mewn perthynas â Chymru a Lloegr. Cafodd y darpariaethau a gychwynwyd gan OS 2004/288 eu cychwyn mewn perthynas â Lloegr. Cafodd y darpariaethau a gychwynwyd gan OS 2004/480 (W.49) eu cychwyn mewn perthynas â Chymru.

**NOTE AS TO EARLIER  
COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The provisions of the Health and Social Care (Community Health and Standards) Act 2003 listed in the table below have been brought into force by commencement orders made before the date of this Order. Except where indicated the provisions commenced by SI 2003/3346 and SI 2004/759 have been commenced in relation to England and Wales. The provisions commenced by SI 2004/288 have been commenced in relation to England. The provisions commenced by SI 2004/480 (W.49) have been commenced in relation to Wales.

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Adran 1	1.4.2004	2004/759	Section 1	1.4.2004	2004/759
Adrannau 2 i 4	1.1.2004	2003/3346	Sections 2 to 4	1.1.2004	2003/3346
Adrannau 5 i 20	1.4.2004	2004/759	Sections 5 to 20	1.4.2004	2004/759
Adrannau 22 i 35	1.4.2004	2004/759	Sections 22 to 35	1.4.2004	2004/759
Adran 36	1.1.2004	2003/3346	Section 36	1.1.2004	2003/3346
Adrannau 37 i 39	1.4.2004	2004/759	Sections 37 to 39	1.4.2004	2004/759
Adran 40	1.1.2004	2003/3346	Section 40	1.1.2004	2003/3346
Adran 41	8.1.2004	2003/3346	Section 41	8.1.2004	2003/3346
Adran 42 o ran Lloegr	1.1.2004	2003/3346	Section 42 as to England	1.1.2004	2003/3346
Adran 43	11.3.2004	2004/759	Section 43	11.3.2004	2004/759
Adran 44	1.4.2004	2004/759	Section 44	1.4.2004	2004/759
Adrannau 45 a 46	1.4.2004	2004/759	Sections 45 and 46	1.4.2004	2004/759
Adrannau 48 a 49	1.4.2004	2004/759	Sections 48 and 49	1.4.2004	2004/759
Adran 50(1) (yn rhannol)	1.4.2004	2004/759	Section 50(1) (partially)	1.4.2004	2004/759
Adran 50(1) (yn rhannol)	1.4.2006	2004/759	Section 50(1) (partially)	1.4.2006	2004/759
Adran 50(2) a (3)	1.4.2005	2004/759	Section 50(2) and (3)	1.4.2005	2004/759
Adran 50(4)	1.4.2006	2004/759	Section 50(4)	1.4.2006	2004/759
Adran 50(5)	1.4.2004	2004/759	Section 50(5)	1.4.2004	2004/759
Adran 51(1) i (3) a (6)	1.4.2004	2004/759	Section 51(1) to (3) and (6)	1.4.2004	2004/759
Adran 51(4)	1.4.2005	2004/759	Section 51(4)	1.4.2005	2004/759
Adran 52(1) i (4), (6) a (7)	1.4.2004	2004/759	Section 52(1) to (4), (6) and (7)	1.4.2004	2004/759
Adran 52(5)	1.4.2005	2004/759	Section 52(5)	1.4.2005	2004/759

Adrannau 53 i 57	1.4.2004	2004/759	Sections 53 to 57	1.4.2004	2004/759
Adrannau 60 a 61	1.4.2004	2004/759	Sections 60 and 61	1.4.2004	2004/759
Adrannau 64 i 68	1.4.2004	2004/759	Sections 64 to 68	1.4.2004	2004/759
Adrannau 76 i 84 o ran Lloegr	1.4.2004	2004/759	Sections 76 to 84 as to England	1.4.2004	2004/759
Adrannau 87 i 91 o ran Lloegr	1.4.2004	2004/759	Sections 87 to 91 as to England	1.4.2004	2004/759
Adran 102	1.4.2004	2004/759	Section 102	1.4.2004	2004/759
Adran 103	1.4.2004	2004/759	Section 103	1.4.2004	2004/759
Adran 104 o ran Lloegr	1.4.2004	2004/759	Section 104 as to England	1.4.2004	2004/759
Adran 106	1.4.2004	2004/759	Section 106	1.4.2004	2004/759
Adran 108	1.4.2004	2004/759	Section 108	1.4.2004	2004/759
Adran 110 o ran Lloegr	1.4.2004	2004/759	Section 110 as to England	1.4.2004	2004/759
Adran 111	1.4.2004	2004/759	Section 111	1.4.2004	2004/759
Adran 112 o ran Lloegr	11.3.2004	2004/759	Section 112 as to England	11.3.2004	2004/759
Adrannau 118 a 119	1.6.2004	2004/759	Sections 118 and 119	1.6.2004	2004/759
Adran 120 a 121	1.4.2004	2004/759	Section 120 and 121	1.4.2004	2004/759
Adran 123	1.4.2004	2004/759	Section 123	1.4.2004	2004/759
Adran 124	1.4.2004	2004/759	Section 124	1.4.2004	2004/759
Adran 125 o ran Lloegr	1.4.2004	2004/759	Section 125 as to England	1.4.2004	2004/759
Adran 126	1.4.2004	2004/759	Section 126	1.4.2004	2004/759
Adran 127 o ran Lloegr	1.4.2004	2004/759	Section 127 as to England	1.4.2004	2004/759
Adran 128	1.4.2004	2004/759	Section 128	1.4.2004	2004/759
Adran 129 o ran Lloegr	1.4.2004	2004/759	Section 129 as to England	1.4.2004	2004/759
Adran 130	1.4.2004	2004/759	Section 130	1.4.2004	2004/759
Adran 131 o ran Lloegr	1.4.2004	2004/759	Section 131 as to England	1.4.2004	2004/759
Adran 132	1.4.2004	2004/759	Section 132	1.4.2004	2004/759
Adran 133 o ran Lloegr	1.4.2004	2004/759	Section 133 as to England	1.4.2004	2004/759
Adran 134	1.4.2004	2004/759	Section 134	1.4.2004	2004/759
Adran 135 o ran Lloegr	1.4.2004	2004/759	Section 135 as to England	1.4.2004	2004/759
Adran 136 i 138	1.4.2004	2004/759	Section 136 to 138	1.4.2004	2004/759
Adran 139 o ran Lloegr	1.4.2004	2004/759	Section 139 as to England	1.4.2004	2004/759
Adran 140	1.4.2004	2004/759	Section 140	1.4.2004	2004/759
Adran 141 o ran Lloegr	1.4.2004	2004/759	Section 141 as to England	1.4.2004	2004/759
Adran 146	1.4.2004	2004/759	Section 146	1.4.2004	2004/759

Adran 147 o ran Lloegr (yn rhannol)	1.1.2004	2003/3346	Section 147 as to England (partially)	1.1.2004	2003/3346
Adran 147 (yn rhannol)	8.1.2004	2003/3346	Section 147 (partially)	8.1.2004	2003/3346
Adran 147 o ran Lloegr (yn rhannol)	1.3.2004	2004/288	Section 147 as to England (partially)	1.3.2004	2004/288
Adran 147 o ran Lloegr (yn rhannol)	11.3.2004	2004/759	Section 147 as to England (partially)	11.3.2004	2004/759
Adran 147 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Section 147 as to England (partially)	1.4.2004	2004/288
Adran 147 o ran Lloegr (yn rhannol)	1.4.2004	2004/759	Section 147 as to England (partially)	1.4.2004	2004/759
Adran 147 (yn rhannol)	1.4.2004	2004/759	Section 147 (partially)	1.4.2004	2004/759
Adran 147 (yn rhannol)	1.6.2004	2004/759	Section 147 (partially)	1.6.2004	2004/759
Adran 148	1.1.2004	2003/3346	Section 148	1.1.2004	2003/3346
Adran 174 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Section 174 as to Wales (partially)	28.2.2004	2004/480
Adran 174 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Section 174 as to Wales (partially)	1.4.2004	2004/480
Adran 175(1) o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Section 175(1) as to England (partially)	3.2.2004	2004/288
Adran 175(1)	1.3.2004	2004/288	Section 175(1)	1.3.2004	2004/288
Adran 175 o ran Cymru	28.2.2004	2004/480	Section 175 as to Wales	28.2.2004	2004/480
Adran 175 o ran Lloegr i'r graddau nad yw eisoes mewn grym	1.4.2004	2004/288	Section 175 as to England insofar as is not already in force	1.4.2004	2004/288
Adran 176 o ran Lloegr	3.2.2004	2004/288	Section 176 as to England	3.2.2004	2004/288
Adran 176 o ran Cymru	28.2.2004	2004/480	Section 176 as to Wales	28.2.2004	2004/480
Adran 177(1) a (2) o ran Lloegr	3.2.2004	2004/488	Section 177(1) and (2) as to England	3.2.2004	2004/488
Adran 177(2) o ran Lloegr i'r graddau nad yw eisoes mewn grym	1.3.2004	2004/288	Section 177(2) as to England insofar as is not already in force	1.3.2004	2004/288
Adran 177(3) i (11) o ran Lloegr 2004/288		1.3.2004	Section 177(3) to (11) as to England	1.3.2004	2004/288
Adran 177(12) o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Section 177(12) as to England (partially)	1.4.2004	2004/288
Adran 178 o ran Lloegr	1.4.2004	2004/288	Section 178 as to England	1.4.2004	2004/288
Adran 179(1) o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Section 179(1) as to England (partially)	3.2.2004	2004/288
Adran 179(1) o ran Cymru (yn rhannol)	28.2.2004	2004/480	Section 179(1) as to Wales (partially)	28.2.2004	2004/480
Adran 179(2) o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Section 179(2) as to England (partially)	3.2.2004	2004/288
Adran 179(2) o ran Cymru	28.2.2004	2004/480	Section 179(2) as to Wales	28.2.2004	2004/480

Adran 180 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Section 180 as to Wales (partially)	28.2.2004	2004/480
Adran 180 o ran Lloegr (yn rhannol)	1.3.2004	2004/288	Section 180 as to England (partially)	1.3.2004	2004/288
Adran 184 o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Section 184 as to England (partially)	3.2.2004	2004/288
Adran 184 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Section 184 as to Wales (partially)	28.2.2004	2004/480
Adran 184 o ran Lloegr (yn rhannol)	1.3.2004	2004/288	Section 184 as to England (partially)	1.3.2004	2004/288
Adran 184 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Section 184 as to England (partially)	1.4.2004	2004/288
Adran 184 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Section 184 as to Wales (partially)	1.4.2004	2004/480
Adran 189(1)	1.4.2004	2004/759	Section 189(1)	1.4.2004	2004/759
Adran 196 o ran Lloegr (yn rhannol)	1.3.2004	2004/288	Section 196 as to England (partially)	1.3.2004	2004/288
Adran 196 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Section 196 as to England (partially)	1.4.2004	2004/288
Adran 196 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Section 196 as to Wales (partially)	1.4.2004	2004/480
Adran 196 (yn rhannol)	1.4.2004	2004/759	Section 196 (partially)	1.4.2004	2004/759
Atodlen 1	1.4.2004	2004/759	Schedule 1	1.4.2004	2004/759
Atodlen 2	1.1.2004	2003/3346	Schedule 2	1.1.2004	2003/3346
Atodlenni 3 i 5	1.4.2004	2004/759	Schedules 3 to 5	1.4.2004	2004/759
Atodlen 6	8.1.2004	2003/3346	Schedule 6	8.1.2004	2003/3346
Atodlen 7 o ran Lloegr	1.1.2004	2003/3346	Schedule 7 as to England	1.1.2004	2003/3346
Atodlen 8	11.3.2004	2004/759	Schedule 8	11.3.2004	2004/759
Atodlen 9			Schedule 9		
Paragraffau 1, 3, 5 i 8 a 31 o ran Lloegr (yn rhannol)	1.1.2004	2003/3346	Paragraphs 1, 3, 5 to 8 and 31 as to England (partially)	1.1.2004	2003/3346
Paragraffau 1, 3, 5 i 8, 13 a 31 (yn rhannol)	8.1.2004	2003/3346	Paragraphs 1, 3, 5 to 8, 13 and 31 (partially)	8.1.2004	2003/3346
Paragraffau 16, 23(b) a 27 o ran Lloegr	11.3.2004	2004/759	Paragraphs 16, 23(b) and 27 as to England	11.3.2004	2004/759
Paragraffau 2,14,16 i 20, 22, 23(a), 25, 29 a 30	1.4.2004	2004/759	Paragraphs 2,14,16 to 20, 22, 23(a), 25, 29 and 30	1.4.2004	2004/759
Paragraffau 9 a 11	1.6.2004	2004/759	Paragraphs 9 and 11	1.6.2004	2004/759
Paragraffau 10, 21, 24, 26 i 28 a 32 o ran Lloegr	1.4.2004	2004/759	Paragraphs 10, 21, 24, 26 to 28 and 32 as to England	1.4.2004	2004/759
Paragraff 12 (yn rhannol)	11.3.2004	2004/759	Paragraph 12 (partially)	11.3.2004	2004/759
Atodlen 11			Schedule 11		

Paragraff 1 o ran Lloegr	1.4.2004	2004/288	Paragraph 1 as to England	1.4.2004	2004/288
Paragraff 1 o ran Cymru	1.4.2004	2004/480	Paragraph 1 as to Wales	1.4.2004	2004/480
Paragraff 2 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 2 as to England (partially)	1.4.2004	2004/288
Paragraff 2 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 2 as to Wales (partially)	1.4.2004	2004/480
Paragraffau 3(2)(a) a (3) i (5) a 3(1) o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraphs 3(2)(a) and (3) to (5) and 3(1) as to England (partially)	1.4.2004	2004/288
Paragraffau 3(2)(a) a (3) i (5) a 3(1) o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraphs 3(2)(a) and (3) to (5) and 3(1) as to Wales (partially)	1.4.2004	2004/480
Paragraffau 4 i 6 o ran Lloegr	1.4.2004	2004/288	Paragraphs 4 to 6 as to England	1.4.2004	2004/288
Paragraffau 4 i 6 o ran Cymru	1.4.2004	2004/480	Paragraphs 4 to 6 as to Wales	1.4.2004	2004/480
Paragraff 7 o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Paragraph 7 as to England (partially)	3.2.2004	2004/288
Paragraff 7 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Paragraph 7 as to Wales (partially)	28.2.2004	2004/480
Paragraff 7 o ran Lloegr (yn rhannol)	1.3.2004	2004/288	Paragraph 7 as to England (partially)	1.3.2004	2004/288
Paragraff 7 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 7 as to England (partially)	1.4.2004	2004/288
Paragraff 7 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 7 as to Wales (partially)	1.4.2004	2004/480
Paragraff 8 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 8 as to Wales (partially)	1.4.2004	2004/480
Paragraff 9 o ran Lloegr	1.4.2004	2004/288	Paragraph 9 as to England	1.4.2004	2004/288
Paragraff 9 o ran Cymru	1.4.2004	2004/480	Paragraph 9 as to Wales	1.4.2004	2004/480
Paragraff 10 o ran Cymru	1.4.2004	2004/480	Paragraph 10 as to Wales	1.4.2004	2004/480
Paragraffau 12 a 13 o ran Lloegr	1.4.2004	2004/288	Paragraphs 12 and 13 as to England	1.4.2004	2004/288
Paragraff 13 o ran Cymru	1.4.2004	2004/480	Paragraph 13 as to Wales	1.4.2004	2004/480
Paragraffau 14 i 17 o ran Lloegr	1.3.2004	2004/288	Paragraphs 14 to 17 as to England	1.3.2004	2004/288
Paragraff 20 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 20 as to England (partially)	1.4.2004	2004/288
Paragraff 20 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 20 as to Wales (partially)	1.4.2004	2004/480
Paragraff 21(2) a (3) o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 21(2) and (3) as to Wales (partially)	1.4.2004	2004/480
Paragraff 21(3) o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 21(3) as to England (partially)	1.4.2004	2004/288

Paragraff 22 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 22 as to England (partially)	1.4.2004	2004/288
Paragraff 22(1) o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 22(1) as to Wales (partially)	1.4.2004	2004/480
Paragraff 22(2) a 22(3)(a), (5)(b) a (7) i (9) o ran Cymru	1.4.2004	2004/480	Paragraph 22(2) and 22(3)(a), (5)(b) and (7) to (9) as to Wales	1.4.2004	2004/480
Paragraff 22(8)(b) a (9) o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 22(8)(b) and (9) as to Wales (partially)	1.4.2004	2004/480
Paragraff 23 o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Paragraph 23 as to Wales (partially)	28.2.2004	2004/480
Paragraff 23 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Paragraph 23 as to England (partially)	3.2.2004	2004/288
Paragraff 23 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 23 as to England (partially)	1.4.2004	2004/288
Paragraff 23 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 23 as to Wales (partially)	1.4.2004	2004/480
Paragraff 24(a) o ran Lloegr	1.4.2004	2004/288	Paragraph 24(a) as to England	1.4.2004	2004/288
Paragraff 24(a) o ran Cymru	1.4.2004	2004/480	Paragraph 24(a) as to Wales	1.4.2004	2004/480
Paragraffau 25 i 27 o ran Lloegr	1.4.2004	2004/288	Paragraphs 25 to 27 as to England	1.4.2004	2004/288
Paragraffau 25 i 27 o ran Cymru	1.4.2004	2004/480	Paragraphs 25 to 27 as to Wales	1.4.2004	2004/480
Paragraff 26 o ran Lloegr (yn rhannol)	11.3.2004	2004/759	Paragraph 26 as to England (partially)	11.3.2004	2004/759
Paragraff 36(a) o ran Lloegr	1.4.2004	2004/288	Paragraph 36(a) as to England	1.4.2004	2004/288
Paragraff 36(a) o ran Cymru	1.4.2004	2004/480	Paragraph 36(a) as to Wales	1.4.2004	2004/480
Paragraff 37 o ran Lloegr	1.4.2004	2004/288	Paragraph 37 as to England	1.4.2004	2004/288
Paragraff 37 o ran Cymru	1.4.2004	2004/480	Paragraph 37 as to Wales	1.4.2004	2004/480
Paragraff 38 o ran Lloegr	3.2.2004	2004/288	Paragraph 38 as to England	3.2.2004	2004/288
Paragraff 38 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Paragraph 38 as to Wales (partially)	28.2.2004	2004/480
Paragraff 39 o ran Lloegr (yn rhannol)	3.2.2004	2004/288	Paragraph 39 as to England (partially)	3.2.2004	2004/288
Paragraff 39 o ran Cymru (yn rhannol)	28.2.2004	2004/480	Paragraph 39 as to Wales (partially)	28.2.2004	2004/480
Paragraff 40 o ran Cymru	1.4.2004	2004/480	Paragraph 40 as to Wales	1.4.2004	2004/480
Paragraff 41 o ran Cymru	1.4.2004	2004/480	Paragraph 41 as to Wales	1.4.2004	2004/480
Paragraffau 42 i 44 o ran Lloegr	1.4.2004	2004/288	Paragraphs 42 to 44 as to England	1.4.2004	2004/288



Paragraffau 42 i 44 o ran Cymru	1.4.2004	2004/480	Paragraphs 42 to 44 as to Wales	1.4.2004	2004/480
Paragraff 45 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 45 as to England (partially)	1.4.2004	2004/288
Paragraff 45 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 45 as to Wales (partially)	1.4.2004	2004/480
Paragraff 46 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 46 as to England (partially)	1.4.2004	2004/288
Paragraff 46(1) o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 46(1) as to Wales (partially)	1.4.2004	2004/480
Paragraff 46(2)(a) a (3)(a) o ran Cymru	1.4.2004	2004/480	Paragraph 46(2)(a) and (3)(a) as to Wales	1.4.2004	2004/480
Paragraffau 47 i 49 o ran Lloegr	1.4.2004	2004/288	Paragraphs 47 to 49 as to England	1.4.2004	2004/288
Paragraffau 47 i 49 o ran Cymru	1.4.2004	2004/480	Paragraphs 47 to 49 as to Wales	1.4.2004	2004/480
Paragraffau 51 a 52 o ran Lloegr	1.4.2004	2004/288	Paragraphs 51 and 52 as to England	1.4.2004	2004/288
Paragraff 51 i 52 o ran Cymru	1.4.2004	2004/480	Paragraph 51 to 52 as to Wales	1.4.2004	2004/480
Paragraff 53 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 53 as to England (partially)	1.4.2004	2004/288
Paragraff 53 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 53 as to Wales (partially)	1.4.2004	2004/480
Paragraff 55 o ran Lloegr	1.4.2004	2004/288	Paragraph 55 as to England	1.4.2004	2004/288
Paragraff 55 o ran Cymru	1.4.2004	2004/480	Paragraph 55 as to Wales	1.4.2004	2004/480
Paragraffau 56 i 59 o ran Lloegr	1.4.2004	2004/288	Paragraphs 56 to 59 as to England	1.4.2004	2004/288
Paragraffau 56 i 59 o ran Cymru	1.4.2004	2004/480	Paragraphs 56 to 59 as to Wales	1.4.2004	2004/480
Paragraff 60 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraph 60 as to England (partially)	1.4.2004	2004/288
Paragraff 60 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 60 as to Wales (partially)	1.4.2004	2004/480
Paragraffau 61 i 64 o ran Cymru	1.4.2004	2004/480	Paragraphs 61 to 64 as to Wales	1.4.2004	2004/480
Paragraffau 62 a 63 o ran Lloegr	1.4.2004	2004/288	Paragraphs 62 and 63 as to England	1.4.2004	2004/288
Paragraffau 65 a 67(a) o ran Lloegr	1.4.2004	2004/288	Paragraphs 65 and 67(a) as to England	1.4.2004	2004/288
Paragraffau 65 a 67(a) o ran Cymru	1.4.2004	2004/480	Paragraphs 65 and 67(a) as to Wales	1.4.2004	2004/480
Paragraff 69 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Paragraph 69 as to Wales (partially)	1.4.2004	2004/480
Paragraffau 70 i 74 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Paragraphs 70 to 74 as to England (partially)	1.4.2004	2004/288

Paragraffau 70 i 74 o ran Cymru	1.4.2004	2004/480	Paragraphs 70 to 74 as to Wales	1.4.2004	2004/480
Atodlen 14 o ran Lloegr (yn rhannol)	1.4.2004	2004/288	Schedule 14 as to England (partially)	1.4.2004	2004/288
Atodlen 14 o ran Cymru (yn rhannol)	1.4.2004	2004/480	Schedule 14 as to Wales (partially)	1.4.2004	2004/480
Atodlen 14 Rhan 1	1.4.2004	2004/759	Schedule 14 Part 1	1.4.2004	2004/759

**2004 Rhif 873 (Cy.88) (C.37)****2004 No. 873 (W.88) (C.37)****Y GWASANAETH IECHYD  
GWLADOL, CYMRU****NATIONAL HEALTH  
SERVICE, WALES****IECHYD Y CYHOEDD,  
CYMRU****PUBLIC HEALTH,  
WALES****GOFAL CYMDEITHASOL,  
CYMRU****SOCIAL CARE,  
WALES**Gorchymyn Deddf Iechyd a Gofal  
Cymdeithasol (Iechyd Cymunedol  
a Safonau) 2003 Cychwyn (Rhif 2)  
(Cymru) 2004The Health and Social Care  
(Community Health and Standards)  
Act 2003 Commencement (No. 2)  
(Wales) Order 2004*Wedi'i wneud**23 Mawrth 2004**Made**23rd March 2004**Yn dod i rym**1 Ebrill 2004**Coming into force**1st April 2004*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 199(1) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003(a), drwy hyn yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by section 199(1) of the Health and Social Care (Community Health and Standards) Act 2003(a) hereby makes the following Order:

**Enwi a dehongli**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 Cychwyn (Rhif 2) (Cymru) 2004.

(2) Yn y Gorchymyn hwn, "ystyr Deddf 2003" yw Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003.

**Citation and interpretation**

1.-(1) This Order may be cited as the Health and Social Care (Community Health and Standards) Act 2003 Commencement (No.2) (Wales) Order 2004.

(2) In this Order, "the 2003 Act" means the Health and Social Care (Community Health and Standards) Act 2003.

**Y diwrnod penodedig**

2. 1 Ebrill 2004 yw'r diwrnod a bennwyd ar gyfer dwyn i rym ddarpariaethau canlynol Deddf 2003-

- (a) adran 47;
- (b) adrannau 70 i 75;

**Appointed day**

2. 1st April 2004 is the day appointed for the following provisions of the 2003 Act to come into force-

- (a) section 47;
- (b) sections 70 to 75;

(a) 2003 p. 43. Rhoddir y pwerau i'r awdurdod priodol. *Gweler* yn adran 199(2) y diffiniad o "appropriate authority" at ddibenion adran 199(1).

(a) 2003 c. 43. The powers are conferred upon the appropriate authority. *See* section 199(2) for the definition of "appropriate authority" for the purposes of section 199(1).

- (c) ac eithrio adran 94(6) i (8), y darpariaethau ym Mhennod 6 o Ran 2 o Ddeddf 2003 i'r graddau nad ydynt eisoes mewn grym(a);
- (d) adrannau 109, a 142 i 145;
- (e) mewn perthynas â Chymru, adrannau 106, 108, 111, ac adran 196 a Rhan 2 o Atodlen 14 i'r graddau y maent yn berthnasol i adran 31(6) o Ddeddf Safonau Gofal 2000(b).

- (c) except for section 94(6) to (8), the provisions in Chapter 6 of Part 2 of the 2003 Act in so far as they are not already in force(a);
- (d) sections 109, and 142 to 145;
- (e) in relation to Wales, sections 106, 108, 111, and section 196 and Part 2 of Schedule 14 in so far as they relate to section 31(6) of the Care Standards Act 2000(b).

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

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

23 Mawrth 2004

23rd March 2004

*John Marek*

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

- 
- (a) *Gweler* adran 199(4) o Ddeddf 2003
  - (b) 2000 p.14.
  - (c) 1998 p.38.

- 
- (a) *See* section 199(4) of the 2003 Act.
  - (b) 2000 c. 14.
  - (c) 1998 c. 38.

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