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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2009 Rhif 3265 (Cy.286)**

**2009 No. 3265 (W.286)**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE,  
WALES**

**PLANT A PHOBL IFANC,  
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**CHILDREN AND YOUNG  
PERSONS, WALES**

Rheoliadau Deddf Plant 1989  
(Diwygio Rheoliadau Amrywiol)  
(Rhif 2) (Cymru)  
2009

The Children Act 1989  
(Amendment of Miscellaneous  
Regulations) (No. 2) (Wales)  
Regulations 2009

**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 dirymu Rheoliadau Deddf Plant 1989 (Diwygio Rheoliadau Amrywiol) (Cymru) 2009 a oedd yn cynnwys gwallau drafftio.

These Regulations revoke The Children Act 1989 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2009 which contained drafting errors.

Estynnwyd gan Ddeddf Plant 2004 ystyr "organisation" yn Neddf Plant 1989 i gynnwys cymdeithas anghorfforedig. Mae'r Rheoliadau hyn yn gwneud diwygiadau i Reoliadau Gwarchod Plant a Gofal Dydd (Cymru) 2002 ac i Reoliadau Cofrestru Gofal Cymdeithasol a Gofal Iechyd Annibynnol (Cymru) 2002 i roi effaith weinyddol i'r diwygiad hwnnw. Maent hefyd yn diwygio'r atodlen sy'n rhestru'r dogfennau a'r wybodaeth y mae'n ofynnol i geisydd sydd am gael ei gofrestru eu darparu pan fo person wedi ei benodi i fod â gofal am ofal dydd

The Children Act 2004 extended the meaning of "organisation" in the Children Act 1989 to include an unincorporated association. These Regulations make amendments to the Childminding and Day Care (Wales) Regulations 2002 and the Registration of Social Care and Independent Health Care (Wales) Regulations 2002 to give administrative effect to that amendment. They also amend the schedule of documents and information that an applicant for registration is required to provide where a person has been appointed to be in charge of day care.

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*Gwnaed* 9 Rhagfyr 2009

*Made* 9 December 2009

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 10 Rhagfyr 2009

*Laid before the National  
Assembly for Wales* 10 December 2009

*Yn dod i rym* 20 Ionawr 2010

*Coming into force* 20 January 2010

Mae Gweinidogion Cymru'n gwneud y Rheoliadau canlynol drwy arfer y pŵer a roddwyd iddynt gan adrannau 79C a 104(4) o Ddeddf Plant 1989.(1)

The Welsh Ministers make the following regulations in exercise of the power conferred on them by sections 79C and 104(4) of the Children Act 1989(1).

**Enwi, cychwyn a chymhwysu**

**Title, commencement and application**

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Plant 1989 (Diwygio Rheoliadau Amrywiol) (Rhif 2) (Cymru) 2009 a deuant i rym ar 20 Ionawr 2010.

1.–(1) The title of these Regulations is the Children Act 1989 (Amendment of Miscellaneous Regulations) (No.2) (Wales) Regulations 2009 and they come into force on 20 January 2010.

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

(2) These Regulations apply in relation to Wales.

**Diwygio Rheoliadau Gwarchod Plant a Gofal  
Dydd (Cymru) 2002(2)**

**Amendment of the Child Minding and Day Care  
(Wales) Regulations 2002(2)**

2.–(1) Diwygir Rheoliadau Gwarchod Plant a Gofal Dydd (Cymru) 2002 yn unol â darpariaethau canlynol y rheoliad hwn.

2.–(1) The Child Minding and Day Care Regulations (Wales) 2002 are amended in accordance with the following provisions of this regulation.

(2) Yn rheoliad 2(1) yn y diffiniad o "corff" ("*organisation*") ar ôl "corff corfforaethol" ychwaneger "neu gymdeithas anghorfforedig".

(2) In regulation 2(1) in the line beginning "organisation" ("*corff*") after "body corporate" add "or unincorporated association".

(3) Yn rheoliad 4(2)(b)(i) ar ôl "un o'i swyddogion eraill" ychwaneger "os corff corfforaethol neu swyddog neu aelod o gorff llywodraethu pan fo'r corff yn gymdeithas anghorfforedig yw'r corff hwnnw".

(3) In regulation 4(2)(b)(i) after "officer of the organisation" add "where that organisation is a body corporate or an officer or member of the governing body where the organisation is an unincorporated association".

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(1) 1989 p.41. Mewnosodwyd adran 79C gan adran 79 o Ddeddf Safonau Gofal 2000 (p.14).

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(1) 1989 c.41. Section 79C was inserted by section 79 of the Care Standards Act 2000 (c.14).

(2) O.S. 2002/812 (Cy.92).

(2) S.I. 2002/812 (W.92).

(4) Ar ddiwedd Atodlen 3 ychwaneger–

"(14) Enw, cyfeiriad cartref a rhif ffôn pob aelod cyfredol o bwyllgor neu gorff llywodraethu cymdeithas anghorfforedig."

### **Diwygio Rheoliadau Cofrestru Gofal Cymdeithasol a Gofal Iechyd Annibynnol (Cymru) 2002(1)**

3.–(1) Diwygir Rheoliadau Cofrestru Gofal Cymdeithasol a Gofal Iechyd Annibynnol (Cymru) 2002 yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2 yn y diffiniad o "organisation" ar ôl "corporate" ychwaneger "and, in the case of provision of day care only, a body corporate or unincorporated association".

(3) Dirymir rheoliad 17(1)(e) a (2).

(4) Yn rheoliad 17(1)(d) dileer y geiriau "except where paragraph (2) applies,".

(5) Yn Atodlen 7, paragraff 2(a), ar ôl "and" ychwaneger ", where the organisation is a body corporate,";

(6) Yn Atodlen 8, paragraff 5, rhodder "a corporate body" yn lle "an organisation".

### **Dirymu**

4. Mae Rheoliadau Deddf Plant 1989 (Diwygio Rheoliadau Amrywiol) (Cymru) 2009(2) wedi eu dirymu.

(4) At the end of schedule 3 add –

"(14) The name, home address and telephone number of every current member of the committee or governing body of an unincorporated association."

### **Amendment of the Registration of Social Care and Independent Health Care (Wales) Regulations 2002(1)**

3.–(1) The Registration of Social Care and Independent Health Care (Wales) Regulations 2002 are amended in accordance with the following provisions of this regulation.

(2) In regulation 2 in the definition of "organisation" after "corporate" add "and, in the case of provision of day care only, a body corporate or unincorporated association".

(3) Regulation 17(1)(e) and (2) are revoked.

(4) In Regulation 17(1)(d) delete the words "except where paragraph (2) applies,".

(5) In Schedule 7 paragraph 2(a) after "and" add ",where the organisation is a body corporate,";

(6) In Schedule 8 paragraph 5 substitute "a body corporate" for "an organisation".

### **Revocation**

4. The Children Act 1989 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2009(2) are revoked.

*Jane Hutt*

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru.

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

9 Rhagfyr 2009

9 December 2009

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(1) O.S. 2002/919 (Cy.107).

(2) O.S. 2009/3041 (Cy.265).

(1) S.I. 2002/919 (W.107).

(2) S.I. 2009/3041 (W.265).

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