



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2011 Rhif 2660 (Cy.284)

2011 No. 2660 (W.284)

**CYFRAITH TROSEDD,
CYMRU**

**CRIMINAL LAW,
WALES**

Rheoliadau Camddefnyddio
Sylweddau (Llunio a Gweithredu
Strategaeth) (Cymru) (Diwygio)
2011

The Substance Misuse
(Formulation and Implementation
of Strategy) (Wales) (Amendment)
Regulations 2011

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 darparu yn rheoliad 3 ar gyfer amnewid rheoliad 3 o Reoliadau Camddefnyddio Sylweddau (Llunio a Gweithredu Strategaeth) (Cymru) 2007 ("Rheoliadau 2007"), gan roi effaith i hynny o 5 Rhagfyr 2011 ymlaen. Mae rheoliad 3 o Reoliadau 2007 yn ymwneud ag aelodaeth a threfniadau cyfarfod grŵp strategaeth ar gyfer pob ardal llywodraeth leol, sydd â'r swyddogaeth o baratoi asesiadau strategol yn unol â rheoliadau 5 i 7 a pharatoi cynllun partneriaeth yn unol â rheoliadau 8 a 9.

These Regulations provide in regulation 3 for the substitution of regulation 3 in the Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007 (the "2007 Regulations") with effect from 5 December 2011. Regulation 3 of the 2007 Regulations relates to the composition and meeting arrangements of a strategy group for each local government area, whose function is to prepare strategic assessments in accordance with regulations 5 to 7 and to prepare a partnership plan in accordance with regulations 8 and 9.

Mae rheoliad 4 o'r Rheoliadau hyn yn hepgor y gofyniad ynglŷn â chyfnod o dair blynedd yn rheoliad 9(a) o Reoliadau 2007, mewn cysylltiad â chynllun partneriaeth.

Regulation 4 of these Regulations omits the requirement in respect of a three year period in regulation 9(a) of the 2007 Regulations in connection with a partnership plan.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni thybiwyd bod angen cynnal asesiad effaith rheoleiddiol o gostau a buddion tebygol cydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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Gwnaed 1 Tachwedd 2011
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 14 Tachwedd 2011
Yn dod i rym 5 Rhagfyr 2011

Made 1 November 2011
*Laid before the National
Assembly for Wales* 14 November 2011
Coming into force 5 December 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 6(2), (3), (4) a (9)(b) o Ddeddf Trosedd ac Anhrefn 1998(1) ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Rheoliadau canlynol.

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 6(2), (3), (4) and (9)(b) of the Crime and Disorder Act 1998(1) and now vested in them(2), make the following Regulations.

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Camddefnyddio Sylweddau (Llunio a Gweithredu Strategaeth) (Cymru) (Diwygio) 2011, a deuant i rym ar 5 Rhagfyr 2011.

(2) Yn y Rheoliadau hyn, ystyr "Rheoliadau 2007" ("2007 Regulations") yw Rheoliadau Camddefnyddio Sylweddau (Llunio a Gweithredu Strategaeth) (Cymru) 2007(3).

Diwygio Rheoliadau 2007

2. Diwygir Rheoliadau 2007 fel a ganlyn.

3. Yn lle rheoliad 3 rhodder—

Title, commencement and interpretation

1.—(1) The title of these Regulations is The Substance Misuse (Formulation and Implementation of Strategy) (Wales) (Amendment) Regulations 2011 and they come into force on 5 December 2011.

(2) In these Regulations the "2007 Regulations" ("Rheoliadau 2007") means the Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007(3).

Amendment of the 2007 Regulations

2. The 2007 Regulations are amended as follows.

3. For regulation 3 there is substituted—

(1) 1998 p. 37; amnewidiwyd adran 6 gan adran 22 o Ddeddf yr Heddlu a Chyfiawnder 2006 (p. 48) a pharagraff 3 o Atodlen 9 i'r Ddeddf honno, a diwygiwyd hi gan adran 108(4) a (5) o Ddeddf Plismona a Throsedd 2009 (p. 26).

(2) Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(3) O.S. 2007/3078 (Cy.265).

(1) 1998 c. 37; section 6 was substituted by section 22 of, and paragraph 3 of Schedule 9 to, the Police and Justice Act 2006 (c. 48) and was amended by section 108(4) and (5) of the Policing and Crime Act 2009 (c. 26).

(2) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) S.I. 2007/3078 (W.265).

"Swyddogaethau o ran llunio a gweithredu strategaeth

3.—(1) Mae grŵp strategaeth i fod ar gyfer pob ardal, a'i swyddogaethau fydd—

- (a) paratoi asesiadau strategol; a
- (b) paratoi a gweithredu cynllun partneriaeth,

ar gyfer yr ardal honno ar ran yr awdurdodau cyfrifol.

(2) Yn ddarostyngedig i baragraff (3) rhaid i'r grŵp strategaeth gynnwys dau neu ragor o bersonau a benodwyd gan un neu ragor o'r awdurdodau cyfrifol yn yr ardal.

(3) Os oes mwy nag un awdurdod cyfrifol o'r math a bennir yn adran 5(1)(aa) o Ddeddf 1998 yn yr ardal, rhaid i'r darparwyr hynny benodi ar y cyd un neu ragor o bersonau i'r grŵp strategaeth.

(4) Mewn cyfarfod o grŵp strategaeth, caiff personau fod yn bresennol sy'n cynrychioli personau a chyrrff sy'n cydweithredu ac yn cymryd rhan, ac unrhyw bersonau eraill a wahoddir gan y grŵp strategaeth.

(5) Rhaid bod gan y grŵp strategaeth drefniadau ar waith i lywodraethu adolygiad o wariant arian partneriaeth ac i asesu darbodaeth, effeithlonrwydd ac effeithiolrwydd y cyfryw wariant."

4. Yn rheoliad 9(a) hepgorer y geiriau "yn y cyfnod o dair blynedd sy'n dechrau gyda'r flwyddyn y cyfeirir ati yn rheoliad 8(2)".

"Functions in respect of the formulation and implementation of a strategy

3.—(1) For each area there is to be a strategy group whose functions are to be to—

- (a) prepare strategic assessments; and
- (b) prepare and implement a partnership plan,

for that area on behalf of the responsible authorities.

(2) Subject to paragraph (3) the strategy group is to consist of two or more persons appointed by one or more of the responsible authorities in the area.

(3) Where there is more than one responsible authority of the type specified in section 5(1)(aa) of the 1998 Act in the area, those providers must jointly appoint one or more persons to the strategy group.

(4) A meeting of a strategy group may be attended by persons who represent co-operating and participating persons and bodies and such other persons as the strategy group invites.

(5) The strategy group must have in place arrangements governing the review of the expenditure of partnership monies and for assessing the economy, efficiency and effectiveness of such expenditure."

4. In regulation 9(a) the words "in the three year period beginning with the year referred to in regulation 8(2)" are omitted.

Carl Sargeant

Y Gweinidog Llywodraeth Leol a Chymunedau, un o Weinidogion Cymru

1 Tachwedd 2011

Minister for Local Government and Communities, one of the Welsh Ministers

1 November 2011

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