



OFFERYNNAU STATUDOL
CYMRU

2011 Rhif 577 (Cy.82) (C.20)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Gorchymyn Mesur Plant a
Theuluoedd (Cymru) 2010
(Cychwyn Rhif 2, Arbedion a
Darpariaethau Trosiannol)
(Diwygio) a (Diwygiadau
Canlyniadol) 2011

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 2, Arbedion a Darpariaethau Trosiannol) 2010 ("Gorchymyn Cychwyn Rhif 2") i wneud darpariaeth i ddiwygio is-deddfwriaeth o ganlyniad i ddiddymu Rhan XA o Ddeddf Plant 1989 ac Atodlen 9A iddi.

Mae erthygl 2 yn mewnosod erthygl 5 (diwygiadau canlyniadol i amrywiol is-ddeddfwriaeth) ac Atodlen 4 yng Ngorchymyn Cychwyn Rhif 2.

WELSH STATUTORY
INSTRUMENTS

2011 No. 577 (W.82) (C.20)

SOCIAL CARE, WALES

**CHILDREN AND YOUNG
PERSONS, WALES**

The Children and Families (Wales)
Measure 2010 (Commencement
No.2, Savings and Transitional
Provisions) (Amendment) and
(Consequential Amendments)
Order 2011

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Children and Families (Wales) Measure 2010 (Commencement No.2, Savings and Transitional Provisions) Order 2010 ("the Commencement No.2 Order") to make provision for amendments to secondary legislation consequential upon the repeal of Part XA of and Schedule 9A to the Children Act 1989.

Article 2 inserts article 5 (consequential amendments to miscellaneous subordinate legislation) and Schedule 4 into the Commencement No. 2 Order.

2011 Rhif 577 (Cy.82) (C.20)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Gorchymyn Mesur Plant a
Theuluoedd (Cymru) 2010
(Cychwyn Rhif 2, Arbedion a
Darpariaethau Trosiannol)
(Diwygio) a (Diwygiadau
Canlyniadol) 2011

Gwnaed

1 Mawrth 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 74(2)(c) a 75(3) o Fesur Plant a Theuluoedd (Cymru) 2010(1) yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1.–(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 2, Arbedion a Darpariaethau Trosiannol) (Diwygio) a (Diwygiadau Canlyniadol) 2011.

(2) Yn y Gorchymyn hwn ystyr "Gorchymyn Cychwyn Rhif 2 (*the Commencement No. 2 Order*)" yw Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 2, Arbedion a Darpariaethau Trosiannol) 2010(2).

Diwygio Gorchymyn Cychwyn Rhif 2

2.–(1) O 4 Mawrth 2011 ymlaen, diwygir Gorchymyn Cychwyn Rhif 2 fel a ganlyn.

(2) Ar ôl erthygl 4, mewnosoder y canlynol—

"Diwygiadau canlyniadol i amrywiol is-ddeddfwriaeth

5. Mae Atodlen 4, sy'n cynnwys diwygiadau i

(1) 2010 mccc 1.

(2) O.S.2010/2582 (Cy.216) (C.123).

2011 No. 577 (W.82) (C.20)

SOCIAL CARE, WALES

**CHILDREN AND YOUNG
PERSONS, WALES**

The Children and Families (Wales)
Measure 2010 (Commencement
No.2, Savings and Transitional
Provisions) (Amendment) and
(Consequential Amendments)
Order 2011

Made

1 March 2011

The Welsh Ministers, in exercise of the powers conferred by sections 74(2)(c) and 75(3) of the Children and Families (Wales) Measure 2010(1), make the following Order:

Title and interpretation

1.–(1) The title of this Order is the Children and Families (Wales) Measure 2010 (Commencement No.2, Savings and Transitional Provisions) (Amendment) and (Consequential Amendments) Order 2011.

(2) In this Order "the Commencement No. 2 Order" (*Gorchymyn Cychwyn Rhif 2*) means the Children and Families (Wales) Measure 2010 (Commencement No.2, Savings and Transitional Provisions) Order 2010(2).

Amendment of the Commencement No.2 Order

2.–(1) With effect from 4 March 2011, the Commencement No.2 Order is amended as follows.

(2) After article 4, insert the following—

"Consequential amendments to miscellaneous subordinate legislation

5. Schedule 4, which contains amendments to

(1) 2010 nawm 1.

(2) S.I.2010/2582 (W.216) (C.123).

amrywiol is-ddeddfwriaeth o ganlyniad i gychwyn y darpariaethau a bennir yn Atodlen 1, yn cael effaith ac yn dod i rym ar 1 Ebrill 2011."

(3) Ar ôl Atodlen 3, mewnosoder Atodlen 4 sydd wedi'i nodi yn Atodlen y Gorchymyn hwn.

miscellaneous subordinate legislation in consequence of the commencement of the provisions specified in Schedule 1, has effect and comes into force on 1 April 2011."

(3) After Schedule 3, insert Schedule 4 which is set out in the Schedule to this Order.

Huw Lewis

Y Dirprwy Weinidog dros Blant, o dan awdurdod y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes, un o Weinidogion Cymru.

Deputy Minister for Children, under authority of the Minister for Children, Education and Lifelong Learning, one of the Welsh Ministers

1 Mawrth 2011

1 March 2011

ATODLEN

SCHEDULE

Erthygl 2(2)

Article 2(2)

ATODLEN I'W MEWNOSOD FEL
ATODLEN 4 I ORCHYMYN CYCHWYN
RHIF 2

SCHEDULE TO BE INSERTED AS
SCHEDULE 4 TO THE COMMENCEMENT
NO. 2 ORDER

"ATODLEN 4

"SCHEDULE 4

Erthygl 5

Article 5

DIWYGIADAU CANLYNIADOL I
AMRYWIOL IS-DDEDDFWRIAETH

CONSEQUENTIAL AMENDMENTS TO
MISCELLANEOUS SUBORDINATE
LEGISLATION

**Gorchymyn Deddf Adsefydlu Troseddwy'r 1974
(Eithriadau) 1975**

1.–(1) Diwygir Gorchymyn Deddf Adsefydlu Troseddwy'r 1974 (Eithriadau) 1975(1) fel a ganlyn.

(2) Yn erthygl 2–

- (a) ym mharagraff (a) o'r diffiniad o "child minding", yn lle "section 79A of the Children Act 1989" rhodder "section 19 of the Children and Families (Wales) Measure 2010", a
- (b) ym mharagraff (a) o'r diffiniad o "day care", yn lle "section 79D(5) of the Children Act 1989" rhodder "section 23(1) of the Children and Families (Wales) Measure 2010".

**Rheoliadau Ardrethu Annomestig (Hysbysiadau
Galw am Dalu) (Cymru) 1993**

2.–(1) Diwygir Rheoliadau Ardrethu Annomestig (Hysbysiadau Galw am Dalu) (Cymru) 1993(2) fel a ganlyn.

(2) Diwygir Atodlen 2 (gwybodaeth esboniadol i'w rhoi gyda hysbysiadau galw am dalu ardrethi) fel a ganlyn–

- (a) yn Rhan I, ym mharagraff 1, o dan y pennawd "Small Business Rate Relief", ym mharagraff (f), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a
- (b) yn Rhan II, ym mharagraff 1, o dan y pennawd "Rhyddhad Ardrethi i Fusnesau Bach", ym mharagraff (dd), yn lle "Ran XA o Deddf Plant 1989" rhodder "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

**Rehabilitation of Offenders Act 1974 (Exceptions)
Order 1975**

1.–(1) The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(1) is amended as follows.

(2) In article 2–

- (a) in paragraph (a) of the definition of "child minding", for "section 79A of the Children Act 1989" substitute "section 19 of the Children and Families (Wales) Measure 2010", and
- (b) in paragraph (a) of the definition of "day care", for "section 79D(5) of the Children Act 1989" substitute "section 23(1) of the Children and Families (Wales) Measure 2010".

**Non-Domestic Rating (Demand Notices) (Wales)
Regulations 1993**

2.–(1) The Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993(2) are amended as follows.

(2) Schedule 2 (explanatory information for supply with rate demand notices) is amended as follows–

- (a) in Part I, in paragraph 1, under the heading "Small Business Rate Relief", in paragraph (f), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and
- (b) in Part II, in paragraph 1, under the heading "Rhyddhad Ardrethi i Fusnesau Bach", in paragraph (dd), for "Ran XA o Deddf Plant 1989" substitute "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

(1) O.S. 1975/1023.

(2) O.S. 1993/252.

(1) S.I. 1975/1023.

(2) S.I. 1993/252.

Rheoliadau Nawdd Cymdeithasol (Cyfrifo Enillion) 1996

3.–(1) Diwygir Rheoliadau Nawdd Cymdeithasol (Cyfrifo Enillion) 1996(1) fel a ganlyn.

(2) Yn Atodlen 2 (ffioedd gofal plant i'w didynnu wrth gyfrifo enillion), ym mharagraff 2, yn y diffiniad o "relevant child care charges"–

(a) ym mharagraff (e), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a

(b) yn lle paragraff (f) rhodder–

"(f) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school referred to in article 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;".

Rheoliadau Grantiau Adnewyddu Tai 1996

4.–(1) Diwygir Rheoliadau Grantiau Adnewyddu Tai 1996(2) o ran Cymru fel a ganlyn.

(2) Yn rheoliad 19(7) (triniaeth ffioedd gofal plant)–

(a) yn is-baragraff (f), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a

(b) yn lle is-baragraff (g) rhodder–

"(g) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;".

Rheoliadau Deddf yr Heddlu 1997 (Cofnodion Troseddol) 2002

5.–(1) Diwygir Rheoliadau Deddf yr Heddlu 1997 (Cofnodion Troseddol) 2002(3) fel a ganlyn.

(2) Diwygir rheoliad 2 (dehongli) fel a ganlyn–

(a) yn y diffiniad o "child minding", yn lle "section 79A(2) of the Children Act 1989" rhodder "section 19(2) of the Children and Families (Wales) Measure 2010", a

(1) O.S. 1996/2745.

(2) O.S. 1996/2890.

(3) O.S. 2002/233.

Social Security Benefit (Computation of Earnings) Regulations 1996

3.–(1) The Social Security (Computation of Earnings) Regulations 1996(1) are amended as follows.

(2) In Schedule 2 (childcare charges to be deducted in the calculation of earnings), in paragraph 2, in the definition of "relevant child care charges"–

(a) in paragraph (e), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and

(b) for paragraph (f) substitute–

"(f) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school referred to in article 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;".

Housing Renewal Grants Regulations 1996

4.–(1) The Housing Renewal Grants Regulations 1996(2) are amended in relation to Wales as follows.

(2) In regulation 19(7) (treatment of child care charges)–

(a) in sub-paragraph (f), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and

(b) for sub-paragraph (g) substitute–

"(g) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;".

Police Act 1997 (Criminal Records) Regulations 2002

5.–(1) The Police Act 1997 (Criminal Records) Regulations 2002(3) are amended as follows.

(2) Regulation 2 (interpretation) is amended as follows–

(a) in the definition of "child minding", for "section 79A(2) of the Children Act 1989" substitute "section 19(2) of the Children and Families (Wales) Measure 2010", and

(1) S.I. 1996/2745.

(2) S.I. 1996/2890.

(3) S.I. 2002/233.

(b) yn y diffiniad o "day care", yn lle "section 79A(6) of the Children Act 1989" rhodder "section 19(3) of the Children and Families (Wales) Measure 2010".

(3) Ym mharagraff (g) o reoliad 5A (tystysgrifau cofnodion troseddol manylach: dibenion rhagnodedig), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010".

Rheoliadau Anghymhwysu rhag Gofalu am Blant (Lloegr) 2002

6.–(1) Diwygir Rheoliadau Anghymhwysu rhag Gofalu am Blant (Lloegr) 2002(1) fel a ganlyn.

(2) Yn rheoliad 2(10) (seiliau dros anghymhwysu)–

(a) hepgorer "or" lle mae'n digwydd ar ôl is-baragraff (c), a

(b) ar ddiwedd is-baragraff (d) rhodder hanner colon yn lle'r atalnod llawn a mewnosoder y canlynol–

"or

(e) Part 2 of the Children and Families (Wales) Measure 2010."

Rheoliadau Ysgolion Annibynnol (Darparu Gwybodaeth) (Cymru) 2003

7.–(1) Diwygir Rheoliadau Ysgolion Annibynnol (Darparu Gwybodaeth) (Cymru) 2003(2) fel a ganlyn.

(2) Yn Rhan 2 o'r Atodlen (gwybodaeth y mae ei hangen mewn cais), ym mharagraff 3(7), yn lle "paragraff 1(2) o Atodlen 9A i Ddeddf Plant 1989" rhodder "erthygl 14 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010(3)".

Rheoliadau Datgymhwysu rhag Gofalu am Blant (Cymru) 2004

8.–(1) Diwygir Rheoliadau Datgymhwysu rhag Gofalu am Blant (Cymru) 2004(4) fel a ganlyn.

(2) Yn rheoliad 3 (dehongli)–

(a) ym mharagraff (1), hepgorer diffiniadau–

(i) "swyddfa briodol" ("*appropriate office*"), a

(ii) "wedi'i ddatgymhwysu / wedi'u datgymhwysu ("*disqualified*");

(b) hepgorer paragraff (2); ac

(b) in the definition of "day care", for "section 79A(6) of the Children Act 1989" substitute "section 19(3) of the Children and Families (Wales) Measure 2010".

(3) In paragraph (g) of regulation 5A (enhanced criminal record certificates: prescribed purposes), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

Disqualification from Caring for Children (England) Regulations 2002

6.–(1) The Disqualification from Caring for Children (England) Regulations 2002(1) are amended as follows.

(2) In regulation 2(10) (grounds for disqualification)–

(a) omit "or" where it appears after sub-paragraph (c), and

(b) at the end of sub-paragraph (d) substitute a semi colon for the full stop and insert the following –

"or

(e) Part 2 of the Children and Families (Wales) Measure 2010."

Independent Schools (Provision of Information) (Wales) Regulations 2003

7.–(1) The Independent Schools (Provision of Information) (Wales) Regulations 2003(2) are amended as follows.

(2) In Part 2 of the Schedule (information required in an application), in paragraph 3(7), for "paragraph 1(2) of Schedule 9A to the Children Act 1989" substitute "article 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010(3)".

Disqualification from Caring for Children (Wales) Regulations 2004

8.–(1) The Disqualification from Caring for Children (Wales) Regulations 2004(4) are amended as follows.

(2) In regulation 3 (interpretation)–

(a) in paragraph (1), omit the definitions of–

(i) "appropriate office" ("*swyddfa briodol*"), and

(ii) "disqualified" ("*wedi'i ddatgymhwysu / wedi'u datgymhwysu*);

(b) omit paragraph (2); and

(1) O.S. 2002/635.

(2) O.S. 2003/3230 (Cy.310).

(3) O.S. 2010/2839 (Cy.233).

(4) O.S. 2004/2695 (Cy.235).

(1) S.I. 2002/635.

(2) S.I. 2003/3230 (W.310).

(3) S.I. 2010/2839 (W.233).

(4) S.I. 2004/2695 (W.235).

(c) ailrifer y ddarpariaeth bresennol ym mharagraff (1) fel rheoliad 3.

(3) Yn Rhan II o'r Atodlen, ym mharagraff 28 (gwrthod cofrestru, datgymhwyso a chanslo cofrestrriad ar gyfer darparu meithrinfeydd, gofal dydd neu ar gyfer gwaith gwarchod plant), ar ôl is-baragraff (c), rhodder—

"(ca) Rhan 2 o Fesur Plant a Theuluoedd (Cymru) 2010;"

Rheoliadau Llywodraethu Ysgolion a Gynhelir (Cymru) 2005

9.—(1) Diwygir Rheoliadau Llywodraethu Ysgolion a Gynhelir (Cymru) 2005(1) fel a ganlyn.

(2) Yn Atodlen 5 (cymwysterau ac anghymwysiadau), ym mharagraff 9(bc) (personau y gwaherddir eu cyflogi neu y cyfyngir ar eu cyflogi), yn lle "Ran XA o Ddeddf Plant 1989" rhodder "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

Rheoliadau Budd-dal Tai 2006

10.—(1) Diwygir Rheoliadau Budd-dal Tai 2006(2) fel a ganlyn.

(2) Yn rheoliad 28(8) (triniaeth ffioedd gofal plant)—

(a) yn is-baragraff (c), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a

(b) yn lle is-baragraff (d) rhodder—

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Rheoliadau Budd-dal Tai (Personau sydd wedi cyrraedd yr oed cymwys ar gyfer credyd pensiwn y wladwriaeth) 2006

11.—(1) Diwygir Rheoliadau Budd-dal Tai (Personau sydd wedi cyrraedd yr oed cymwys ar gyfer credyd pensiwn y wladwriaeth) 2006(3) fel a ganlyn.

(2) Yn rheoliad 31(8) (triniaeth ffioedd gofal plant)—

(a) yn is-baragraff (c), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010",

(c) re-number the existing provision in paragraph (1) as regulation 3.

(3) In Part II of the Schedule, in paragraph 28 (refusal of registration, disqualification and cancellation of registration for provision of nurseries, day care or for child minding), after sub-paragraph (c), insert—

"(ca) Part 2 of the Children and Families (Wales) Measure 2010;"

Government of Maintained Schools (Wales) Regulations 2005

9.—(1) The Government of Maintained Schools (Wales) Regulations 2005(1) are amended as follows.

(2) In Schedule 5 (qualifications and disqualifications), in paragraph 9(bc) (persons whose employment is prohibited or restricted), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

Housing Benefit Regulations 2006

10.—(1) The Housing Benefit Regulations 2006(2) are amended as follows.

(2) In regulation 28(8) (treatment of child care charges)—

(a) in sub-paragraph (c), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and

(b) for sub-paragraph (d) substitute—

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

11.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(3) are amended as follows.

(2) In regulation 31(8) (treatment of child care charges)—

(a) in sub-paragraph (c), "for Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010",

(1) O.S. 2005/2914 (Cy.211).

(2) O.S. 2006/213.

(3) O.S. 2006/214.

(1) S.I. 2005/2914 (W.211).

(2) S.I. 2006/213.

(3) S.I. 2006/214.

a

(b) yn lle is-baragraff (d) rhodder–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Rheoliadau Budd-dal y Dreth Gyngor 2006

12.–(1) Diwygir Rheoliadau Budd-dal y Dreth Gyngor 2006(1) fel a ganlyn.

(2) Yn rheoliad 18(8) (triniaeth ffioedd gofal plant)–

(a) yn is-baragraff (c), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010",
a

(b) yn lle is-baragraff (d) rhodder–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Rheoliadau Budd-dal y Dreth Gyngor (Personau sydd wedi cyrraedd yr oed cymwys ar gyfer credyd pensiwn y wladwriaeth) 2006

13.–(1) Diwygir Rheoliadau Budd-dal y Dreth Gyngor (Personau sydd wedi cyrraedd yr oed cymwys ar gyfer credyd pensiwn y wladwriaeth) 2006(2) fel a ganlyn.

(2) Yn rheoliad 21(8) (triniaeth ffioedd gofal plant)–

(a) yn is-baragraff (c), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010",
a

(b) yn lle is-baragraff (d) rhodder y canlynol–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

and

(b) for sub-paragraph (d) substitute–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Council Tax Benefit Regulations 2006

12.–(1) The Council Tax Benefit Regulations 2006(1) are amended as follows.

(2) In regulation 18(8) (treatment of child care charges)–

(a) in sub-paragraph (c), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010",
and

(b) for sub-paragraph (d) substitute–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

13.–(1) The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(2) are amended as follows.

(2) In regulation 21(8) (treatment of child care charges)–

(a) in sub-paragraph (c), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010",
and

(b) for sub-paragraph (d) substitute the following–

"(d)by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010;"

(1) O.S. 2006/215.

(2) O.S. 2006/216.

(1) S.I. 2006/215.

(2) S.I. 2006/216.

Rheoliadau'r Gwasanaeth Amddiffyn Troseddol (Cymhwyster Ariannol) 2006

14.–(1) Diwygir Rheoliadau'r Gwasanaeth Amddiffyn Troseddol (Cymhwyster Ariannol) 2006(1) fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli), yn y diffiniad o "child care costs" –

(a) ym mharagraff (d), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a

(b) yn lle paragraff (e) rhodder–

"(e)persons referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010, in schools or establishments referred to in those articles;"

Cynllun Credydau Treth (Cymeradwyo Darparwyr Gofal Plant) (Cymru) 2007

15.–(1) Diwygir Cynllun Credydau Treth (Cymeradwyo Darparwyr Gofal Plant) (Cymru) 2007(2) fel a ganlyn.

(2) Yn erthygl 5(3)(a) (gofal plant cymwys), yn lle "Rhan 10A o Ddeddf 1989" rhodder "Rhan 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

(3) Yn erthygl 11(2) (apelau), yn lle "adran 79M o Ddeddf 1989" rhodder "adran 37 o Fesur Plant a Theuluoedd (Cymru) 2010".

Rheoliadau Llywodraethu Ysgolion (Cyfansoddiad) (Lloegr) 2007

16.–(1) Diwygir Rheoliadau Llywodraethu Ysgolion (Cyfansoddiad) (Lloegr) 2007(3) fel a ganlyn.

(2) Yn Atodlen 6 (cymwysterau ac anghymwysiaid), ym mharagraff 9(d) (personau y gwaherddir eu cyflogi neu y cyfyngir ar eu cyflogi), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010".

Rheoliadau Llywodraethu Ysgolion (Ysgolion Newydd) (Lloegr) 2007

17.–(1) Diwygir Rheoliadau Llywodraethu Ysgolion (Ysgolion Newydd) (Lloegr) 2007(4) fel a ganlyn.

(2) Yn Atodlen 2 (cymwysterau ac anghymwysiaid), ym mharagraff 8(d) (personau y gwaherddir eu cyflogi neu y cyfyngir ar eu cyflogi), yn

(1) O.S. 2006/2492.

(2) O.S. 2007/226 (Cy.20).

(3) O.S. 2007/957.

(4) O.S. 2007/958.

Criminal Defence Service (Financial Eligibility) Regulations 2006

14.–(1) The Criminal Defence Service (Financial Eligibility) Regulations 2006(1) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "child care costs" –

(a) in paragraph (d), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and

(b) for paragraph (e) substitute–

"(e)persons referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010, in schools or establishments referred to in those articles;"

Tax Credits (Approval of Child Care Providers) (Wales) Scheme 2007

15.–(1) The Tax Credits (Approval of Child Care Providers) (Wales) Scheme 2007(2) is amended as follows.

(2) In article 5(3)(a) (qualifying child care), for "Part 10A of the 1989 Act" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

(3) In article 11(2) (appeals), for "section 79M of the 1989 Act" substitute "section 37 of the Children and Families (Wales) Measure 2010".

School Governance (Constitution) (England) Regulations 2007

16.–(1) The School Governance (Constitution) (England) Regulations 2007(3) are amended as follows.

(2) In Schedule 6 (qualifications and disqualifications), in paragraph 9(d) (persons whose employment is prohibited or restricted), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

School Governance (New Schools) (England) Regulations 2007

17.–(1) The School Governance (New Schools) (England) Regulations 2007(4) are amended as follows.

(2) In Schedule 2 (qualifications and disqualifications), in paragraph 8(d) (persons whose employment is prohibited or restricted), for "Part 10A

(1) S.I. 2006/2492.

(2) S.I. 2007/226 (W.20).

(3) S.I. 2007/957.

(4) S.I. 2007/958.

lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010".

Rheoliadau Trefniadaeth Ysgolion (Gofynion ynglŷn â Sefydliadau) (Lloegr) 2007

18.–(1) Diwygir Rheoliadau Trefniadaeth Ysgolion (Gofynion ynglŷn â Sefydliadau) (Lloegr) 2007(1) fel a ganlyn.

(2) Yn yr Atodlen (unigolion a anghymhwyswyd rhag gweithredu fel ymddiriedolwyr elusennol i sefydliad), ym mharagraff 1(d), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010".

Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Pwyllgorau Rheoli etc.) (Lloegr) 2007

19.–(1) Diwygir Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Pwyllgorau Rheoli etc.) (Lloegr) 2007(2) fel a ganlyn.

(2) Yn Atodlen 2 (cymwysterau ac anghymwysiaid), ym mharagraff 8(d) (personau y gwaherddir eu cyflogi neu y cyfyngir ar eu cyflogi), yn lle "Part 10A of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010".

Rheoliadau Deddf Gofal Plant 2006 (Asesiadau Awdurdodau Lleol) (Cymru) 2008

20.–(1) Diwygir Rheoliadau Deddf Gofal Plant 2006 (Asesiadau Awdurdodau Lleol) (Cymru) 2008(3) fel a ganlyn.

(2) Yn rheoliad 2(1), yn y diffiniad o "gofal plant" ("*childcare*")–

- (a) yn lle "ran 10A o Ddeddf Plant 1989" rhodder "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010, a
- (b) yn lle "ran 10A" rhodder "Ran 2".

Rheoliadau Gofal Plant (Cofrestr y Blynyddoedd Cynnar a'r Gofrestr Gofal Plant Cyffredinol) (Darpariaethau Cyffredin) 2008

21. Yn rheoliad 5(2)(h) o Reoliadau Gofal Plant (Cofrestr y Blynyddoedd Cynnal a'r Gofrestr Gofal Plant Cyffredinol) (Darpariaethau Cyffredin) 2008(4) (disgrifiadau rhagnodedig o wybodaeth), yn lle paragraff (i) rhodder–

"(i) the Welsh Ministers in pursuance of their functions as registration authority under Part 2 of the Children and Families (Wales) Measure 2010;".

of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

School Organisation (Requirements as to Foundations) (England) Regulations 2007

18.–(1) The School Organisation (Requirements as to Foundations) (England) Regulations 2007(1) are amended as follows.

(2) In the Schedule (individuals disqualified from acting as charity trustees of a foundation), in paragraph 1(d), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007

19.–(1) The Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007(2) are amended as follows.

(2) In Schedule 2 (qualifications and disqualifications), in paragraph 8(d) (persons whose employment is prohibited or restricted), for "Part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008

20.–(1) The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008(3) are amended as follows.

(2) In regulation 2(1), in the definition of "childcare" ("*gofal plant*")–

- (a) for "part 10A of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010, and
- (b) for "part 10A" substitute "Part 2".

Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008

21. In regulation 5(2)(h) of the Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008(4) (prescribed descriptions of information), for paragraph (i) substitute–

"(i) the Welsh Ministers in pursuance of their functions as registration authority under Part 2 of the Children and Families (Wales) Measure 2010;".

(1) O.S. 2007/1287.

(2) O.S. 2007/2978.

(3) O.S. 2008/169 (Cy. 22).

(4) O.S. 2008/976.

(1) S.I. 2007/1287.

(2) S.I. 2007/2978.

(3) S.I. 2008/169 (W. 22).

(4) S.I. 2008/976.

Gorchymyn Ardrethu Annomestig (Rhyddhad Ardrethu i Fusnesau Bach) (Cymru) 2008

22.–(1) Diwygir Gorchymyn Ardrethu Annomestig (Rhyddhad Ardrethu i Fusnesau Bach) (Cymru) 2008(1) fel a ganlyn.

(2) Yn erthygl 8(a) (amodau rhyddhad – yr amodau gofal plant), yn lle "Ran XA o Ddeddf Plant 1989" rhodder "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

Rheoliadau Gofal Plant (Anghymhwys) 2009

23. Ym mharagraff 19 o Atodlen 1 i Reoliadau Gofal Plant (Anghymhwys) 2009(2) (gorchmynion etc. ynglŷn â gofal plant)–

- (a) hepgorer "or" lle y mae'n digwydd ar ôl is-baragraff (h), a
- (b) ar ddiwedd is-baragraff (i) rhodder hanner colon yn lle'r atalnod llawn a mewnosoder y canlynol–

"or,

- (j) Part 2 of the Children and Families (Wales) Measure 2010."

Gorchymyn Ffioedd y Goruchaf Lys 2009

24.–(1) Diwygir Gorchymyn Ffioedd y Goruchaf Lys 2009(3) fel a ganlyn.

(2) Yn Atodlen 2 (peidio â chodi ffi a pheidio â chodi rhan o ffi), ym mharagraff 5(4) (incwm gwario misol), yn y diffiniad o "child care costs"–

- (a) ym mharagraff (d), yn lle "Part XA of the Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a
- (b) ym mharagraff (e), yn lle "paragraph 1 or 2 of Schedule 9A to the Children Act 1989" rhodder "article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010".

Rheoliadau'r Gwasanaeth Amddiffyn Troseddol (Gorchmynion Cyfraniadau) 2009

25.–(1) Diwygir Rheoliadau'r Gwasanaeth Amddiffyn Troseddol (Gorchmynion Cyfraniadau) 2009(4) fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli), yn y diffiniad o "child care costs" –

- (a) ym mharagraff (d), yn lle "Part XA of the

Non-Domestic Rating (Small Business Relief) (Wales) Order 2008

22.–(1) The Non-Domestic Rating (Small Business Relief) (Wales) Order 2008(1) is amended as follows.

(2) In article 8(a) (conditions for relief – the child care conditions), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

Childcare (Disqualification) Regulations 2009

23. In paragraph 19 of Schedule 1 to the Childcare (Disqualification) Regulations 2009(2) (orders etc. relating to the care of children)–

- (a) omit "or" where it appears after sub-paragraph (h), and
- (b) at the end of sub-paragraph (i) substitute a semi colon for the full stop and insert the following–

"or,

- (j) Part 2 of the Children and Families (Wales) Measure 2010."

Supreme Court Fees Order 2009

24.–(1) The Supreme Court Fees Order 2009(3) is amended as follows.

(2) In Schedule 2 (remissions and part remissions), in paragraph 5(4) (disposable monthly income), in the definition of "child care costs"–

- (a) in paragraph (d), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and
- (b) in paragraph (e), for "paragraph 1 or 2 of Schedule 9A to the Children Act 1989" substitute "article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010".

Criminal Defence Service (Contribution Orders) Regulations 2009

25.–(1) The Criminal Defence Service (Contribution Orders) Regulations 2009(4) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "child care costs" –

- (a) in paragraph (d), for "Part XA of the Children

(1) O.S. 2008/2770 (Cy.246).

(2) O.S. 2009/1547.

(3) O.S. 2009/2131.

(4) O.S. 2009/3328.

(1) S.I. 2008/2770 (W.246).

(2) S.I. 2009/1547.

(3) S.I. 2009/2131.

(4) S.I. 2009/3328.

Children Act 1989" rhodder "Part 2 of the Children and Families (Wales) Measure 2010", a

(b) yn lle paragraff (e) rhodder–

"(e) persons referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010, in schools or establishments referred to in those articles;"

Rheoliadau Ffedereiddio Ysgolion a Gynhelir a Diwygiadau Amrywiol (Cymru) 2010

26.–(1) Diwygir Rheoliadau Ffedereiddio Ysgolion a Gynhelir a Diwygiadau Amrywiol (Cymru) 2010(1) fel a ganlyn.

(2) Yn Atodlen 7 (cymwysiadau ac anghymwysiadau), ym mharagraff 9(ch) (personau y gwaherddir eu cyflogi neu y cyfyngir ar eu cyflogi), yn lle "Ran XA o Ddeddf Plant 1989" rhodder "Ran 2 o Fesur Plant a Theuluoedd (Cymru) 2010".

Rheoliadau Gwarchod Plant a Gofal Dydd (Anghymhwys) (Cymru) 2010

27. Diwygir Rheoliadau Gwarchod Plant a Gofal Dydd (Anghymhwys) (Cymru) 2010(2) fel a ganlyn–

(a) yn rheoliad 2(1) (dehongli)–

(i) yn y lle priodol yn nhrefn yr wyddor, mewnosoder–

"ystyr "y Mesur" ("*the Measure*") yw Mesur Plant a Theuluoedd (Cymru) 2010;" a

(ii) yn y diffiniad o "wedi ei anghymhwysu / wedi eu hanghymhwysu" ("*disqualified*") yn lle "Ran 10A o'r Ddeddf" rhodder "Ran 2 o'r Mesur";

(b) yn rheoliad 2(2), yn lle "Ran 10A o'r Ddeddf" rhodder "Ran 2 o'r Mesur";

(c) yn lle rheoliad 10 (penderfyniad rhagnodedig) rhodder y canlynol–

"Penderfyniad rhagnodedig

10. At ddibenion adran 37(2)(a) o'r Mesur (apelau), mae penderfyniad gan Weinidogion Cymru ynghylch a ddylid cydsynio i anwybyddu anghymhwysiad o dan reoliad 9(1) yn benderfyniad rhagnodedig.";

(ch) yn rheoliad 11(1) (dyletswydd i ddatgelu), yn lle "Ran 10A o'r Ddeddf" rhodder "Ran 2 o'r Mesur";

(d) ym mharagraff 20 o Atodlen 1 (gorchmynion etc mewn perthynas â gofal plant)–

(i) ar ôl is-baragraff (f) hepgorer "neu", a

Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010", and

(b) for paragraph (e) substitute–

"(e) persons referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010, in schools or establishments referred to in those articles;"

Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010

26.–(1) The Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010(1) are amended as follows.

(2) In Schedule 7 (qualifications and disqualifications), in paragraph 9(d) (persons whose employment is prohibited or restricted), for "Part XA of the Children Act 1989" substitute "Part 2 of the Children and Families (Wales) Measure 2010".

Child Minding and Day Care (Disqualification) (Wales) Regulations 2010

27. The Child Minding and Day Care (Disqualification) (Wales) Regulations 2010(2) are amended as follows–

(a) in regulation 2(1) (interpretation)–

(i) in the appropriate place in the alphabetical order, insert–

""the Measure" ("*y Mesur*") means the Children and Families (Wales) Measure 2010;" and

(ii) in the definition of "disqualified" ("*wedi ei anghymhwysu / wedi eu hanghymhwysu*") for "Part 10A of the Act" substitute "Part 2 of the Measure";

(b) in regulation 2(2), for "Part 10A of the Act" substitute "Part 2 of the Measure";

(c) for regulation 10 (prescribed determination) substitute the following–

"Prescribed determination

10. For the purposes of section 37(2)(a) of the Measure (appeals), a determination by the Welsh Ministers as to whether to give consent to waive disqualification under regulation 9(1) is a prescribed determination.";

(d) in regulation 11(1) (duty of disclosure), for "Part 10A of the Act" substitute "Part 2 of the Measure";

(e) in paragraph 20 of Schedule 1 (orders etc relating to the care of children)–

(i) after sub-paragraph (h) omit "or", and

(1) O.S. 2010/638 (Cy.64).

(2) O.S. 2010/1703 (Cy.163).

(1) S.I. 2010/638 (W.64).

(2) S.I. 2010/1703 (W.163).

(ii) ar ddiwedd is-baragraff (ff) rhodder hanner colon yn lle'r atalnod llawn a mewnosoder y canlynol—

"neu,

(g) Rhan 2 o'r Mesur."."

(ii) at the end of sub-paragraph (i) substitute a semi colon for the full stop and insert the following—

"or,

(j) Part 2 of the Measure."."

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OFFERYNNAU STATUDOL
CYMRU

2011 Rhif 577 (Cy.82) (C.20)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Gorchymyn Mesur Plant a
Theuluoedd (Cymru) 2010
(Cychwyn Rhif 2, Arbedion a
Darpariaethau Trosiannol)
(Diwygio) a (Diwygiadau
Canlyniadol) 2011

WELSH STATUTORY
INSTRUMENTS

2011 No. 577 (W.82) (C.20)

SOCIAL CARE, WALES

**CHILDREN AND YOUNG
PERSONS, WALES**

The Children and Families (Wales)
Measure 2010 (Commencement
No.2, Savings and Transitional
Provisions) (Amendment) and
(Consequential Amendments)
Order 2011