



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1775 (Cy. 247)

2015 No. 1775 (W. 247)

**MEINWEOEDD DYNOL,
CYMRU**

HUMAN TISSUE, WALES

**Rheoliadau Trawsblannu Dynol
(Deunydd Perthnasol a Eithrir)
(Cymru) 2015**

**The Human Transplantation
(Excluded Relevant Material)
(Wales) Regulations 2015**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan Ddeddf Trawsblannu Dynol (Cymru) 2013 ("y Ddeddf").

Mae adran 7(4) o'r Ddeddf yn darparu bod rhaid cael cydsyniad datganedig ar gyfer tynnu deunydd perthnasol a eithrir at ddibenion gweithgaredd trawsblannu.

Mae rheoliad 2 yn gwneud darpariaeth ynghylch y diffiniad o ddeunydd perthnasol a eithrir at ddibenion adran 7 o'r Ddeddf.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Human Transplantation (Wales) Act 2013 ("the Act").

Section 7(4) of the Act provides that express consent must be obtained for the removal of excluded relevant material for the purposes of a transplantation activity.

Regulation 2 makes provision as to the definition of excluded relevant material for the purposes of section 7 of the Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained at the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

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Gwnaed 7 Hydref 2015

Made 7 October 2015

Yn dod i rym am 00:01 ar 1 Rhagfyr 2015

*Coming into
Force at* 00:01 on 1 December 2015

Mae Gweinidogion Cymru, drwy arfer eu pwerau yn adrannau 7(2) ac 20(1) a (2) o Ddeddf Trawsblannu Dynol (Cymru) 2013(1) ac ar ôl cynnal unrhyw ymgynghoriad cyhoeddus sy'n briodol yn eu barn hwy yn unol ag adran 20(3) o'r Ddeddf honno, yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers in exercise of their powers in sections 7(2) and 20(1) and (2) of the Human Transplantation (Wales) Act 2013(1) and having carried out such public consultation as they consider appropriate in accordance with section 20(3) of that Act make the following Regulations.

Yn unol ag adran 20(4) o'r Ddeddf honno, gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 20(4) of that Act, a draft of these Regulations has been laid before and approved by a resolution of the National Assembly for Wales.

Enwi, cychwyn, cymhwyso a dehongli

Title, commencement, application and interpretation

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Trawsblannu Dynol (Deunydd Perthnasol a Eithrir) (Cymru) 2015 a deuant i rym am 00:01 ar 1 Rhagfyr 2015.

1.—(1) The title of these Regulations is the Human Transplantation (Excluded Relevant Material) (Wales) Regulations 2015 and they come into force at 00:01 on 1 December 2015.

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

(2) These Regulations apply in relation to Wales.

(3) Yn y Rheoliadau hyn—

(3) In these Regulations—

ystyr "y Ddeddf" ("*the Act*") yw Ddeddf Trawsblannu Dynol (Cymru) 2013.

"the Act" ("*y Ddeddf*") means the Human Transplantation (Wales) Act 2013.

Deunydd perthnasol a eithrir

Excluded relevant material

2.—(1) Mae'r rheoliad hwn yn ddarostyngedig i'r eithriadau ym mharagraff (4).

2.—(1) This regulation is subject to the exceptions in paragraph (4).

(1) 2013 dccc 5.

(1) 2013 anaw 5.

(2) At ddibenion adran 7(2) o'r Ddeddf, pennir y cyfan neu ran o'r meinweoedd cyfansawdd a ganlyn ("meinweoedd cyfansawdd a eithrir") yn ddeunydd perthnasol a eithrir—

- (a) ymennydd;
- (b) madruddyn y cefn;
- (c) wyneb;
- (d) trwyn;
- (e) ceg;
- (f) braich;
- (g) rhan uchaf y fraich;
- (h) elin;
- (i) llaw;
- (j) bys;
- (k) coes;
- (l) morddwyd;
- (m) rhan isaf y goes;
- (n) troed; neu
- (o) bys troed.

(3) At ddibenion adran 7(2) o'r Ddeddf, pennir y cyfan neu ran o unrhyw un neu ragor o'r canlynol yn ddeunydd perthnasol a eithrir—

- (a) ofari;
- (b) croth;
- (c) pidyn;
- (d) caill;
- (e) ffetws;
- (f) brych;
- (g) llinyn bogail; neu
- (h) embryo (y tu mewn i'r corff).

(4) Nid yw'r cyfan neu ran o unrhyw un neu ragor o'r canlynol sy'n rhan o unrhyw feinweoedd cyfansawdd a eithrir yn ddeunydd perthnasol a eithrir—

- (a) llygad;
- (b) meinweoedd nerfol;
- (c) rhydsweli;
- (d) asgwrn;
- (e) cyhyr;
- (f) tendon; neu
- (g) croen,

(2) For the purposes of section 7(2) of the Act the whole or part of the following composite tissues ("excluded composite tissues") are specified as excluded relevant material—

- (a) brain;
- (b) spinal cord;
- (c) face;
- (d) nose;
- (e) mouth;
- (f) arm;
- (g) upper arm;
- (h) forearm;
- (i) hand;
- (j) finger;
- (k) leg;
- (l) thigh;
- (m) lower leg;
- (n) foot: or
- (o) toe.

(3) For the purposes of section 7(2) of the Act the whole or part of any of the following is specified as excluded relevant material—

- (a) ovary;
- (b) uterus;
- (c) penis;
- (d) testicle;
- (e) foetus;
- (f) placenta;
- (g) umbilical cord; or
- (h) embryo (inside the body).

(4) The whole or part of any of the following that forms part of any excluded composite tissues is not excluded relevant material—

- (a) eye;
- (b) nervous tissue;
- (c) artery;
- (d) bone;
- (e) muscle;
- (f) tendon; or
- (g) skin,

i'r graddau nad ydynt yn cael eu defnyddio ar gyfer trawsblannu unrhyw feinweoedd cyfansawdd a eithrir.

in so far as they are not being used for the transplantation of any excluded composite tissues.

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru

Minister for Health and Social Services, one of the
Welsh Ministers

7 Hydref 2015

7 October 2015

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