OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2017 Rhif 913 (Cy. 224)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Addysg a Gwella Iechyd Cymru (Sefydlu a Chyfansoddiad) 2017

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn wedi ei wneud o dan adran 22 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 ("y Ddeddf"). Mae'n sefydlu Awdurdod Iechyd Arbennig newydd, sef Addysg a Gwella Iechyd Cymru ("AaGIC"), ac yn gwneud darpariaeth ynghylch ei swyddogaethau a'i gyfansoddiad.

Mae erthygl 3 yn nodi prif swyddogaethau AaGIC sydd i gael eu pennu'n fwy penodol mewn cyfarwyddydau a roddir gan Weinidogion Cymru o dan adran 24 o'r Ddeddf. Mae prif swyddogaethau AaGIC yn ymwneud â chynllunio, comisiynu a chyflenwi addysg a hyfforddiant ar gyfer personau sy'n gyflogedig, neu sy'n ystyried dod yn gyflogedig, mewn gweithgaredd sy'n ymwneud â'r gwasanaeth iechyd yng Nghymru.

Mae erthygl 4 yn nodi cyfansoddiad AaGIC ac mae erthygl 5 yn darparu bod Deddf Cyrff Cyhoeddus (Mynediad i Gyfarfodydd) 1960 yn gymwys i gyfarfodydd AaGIC.

Nid yw'r Gorchymyn hwn yn gwneud unrhyw ddarpariaeth yn ymwneud â throsglwyddo swyddogion, eiddo na rhwymedigaethau.

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

2017 No. 913 (W. 224)

NATIONAL HEALTH SERVICE, WALES

The Health Education and Improvement Wales (Establishment and Constitution) Order 2017

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 22 of the National Health Service (Wales) Act 2006 ("the Act"). It establishes a new Special Health Authority, Health Education and Improvement Wales ("HEIW"), and makes provision about its functions and constitution.

Article 3 sets out HEIW's principal functions which are to be specified more particularly in directions given by the Welsh Ministers under section 24 of the Act. HEIW's principal functions relate to the planning, commissioning and delivery of education and training for persons who are employed, or are considering becoming employed, in an activity relating to the health service in Wales.

Article 4 sets out HEIW's constitution and article 5 provides that the Public Bodies (Admission to Meetings) Act 1960 applies to HEIW's meetings.

This Order makes no provision relating to the transfer of officers, property or liabilities.

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

2017 Rhif 913 (Cy. 224)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Addysg a Gwella Iechyd Cymru (Sefydlu a Chyfansoddiad) 2017

Gwnaed	*11 Medi 2017*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*13 Medi 2017*
Yn dod i rym	*5 Hydref 2017*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir gan adran 22(1), (2), (4)(a) ac (c) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**).

Enwi, cychwyn a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Addysg a Gwella Iechyd Cymru (Sefydlu a Chyfansoddiad) 2017.

(2) Daw'r Gorchymyn hwn i rym ar 5 Hydref 2017.

(3) Yn y Gorchymyn hwn ystyr "AaGIC" yw Addysg a Gwella Iechyd Cymru.

Sefydlu AaGIC

2. Mae Awdurdod Iechyd Arbennig o'r enw Addysg a Gwella Iechyd Cymru neu Health Education and Improvement Wales wedi ei sefydlu.

Swyddogaethau AaGIC

3.—(1) Mae AaGIC i arfer—

(a) unrhyw swyddogaethau mewn perthynas â chynllunio, comisiynu a chyflenwi addysg a hyfforddiant ar gyfer personau sy'n gyflogedig, neu sy'n ystyried dod yn

(**1**) 2006 p. 42.

2017 No. 913 (W. 224)

NATIONAL HEALTH SERVICE, WALES

The Health Education and Improvement Wales (Establishment and Constitution) Order 2017

Made	*11 September 2017*
Laid before the National Assembly for Wales	*13 September 2017*
Coming into force	*5 October 2017*

The Welsh Ministers make the following Order in exercise of the powers conferred by section 22(1), (2), (4)(a) and (c) of the National Health Service (Wales) Act 2006(**1**).

Title, commencement and interpretation

1.—(1) The title of this Order is the Health Education and Improvement Wales (Establishment and Constitution) Order 2017.

(2) This Order comes into force on 5 October 2017.

(3) In this Order "HEIW" means Health Education and Improvement Wales.

Establishment of HEIW

2. There is established a Special Health Authority known as Health Education and Improvement Wales or Addysg a Gwella Iechyd Cymru.

Functions of HEIW

3.—(1) HEIW is to exercise—

(a) such functions in relation to the planning, commissioning and delivery of education and training for persons who are employed, or who are considering becoming employed, in

(**1**) 2006 c. 42.

gyflogedig, mewn unrhyw weithgaredd sy'n ymwneud â darparu gwasanaethau iechyd neu sy'n gysylltiedig â hynny; a

(b) unrhyw swyddogaethau eraill;

a gyfarwyddir gan Weinidogion Cymru(**1**).

(2) Yn yr erthygl hon, ystyr "gwasanaethau iechyd" yw gwasanaethau a ddarperir fel rhan o'r gwasanaeth iechyd a barheir o dan adran 1(1) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006.

Cyfansoddiad AaGIC

4.—(1) Mae gan AaGIC—

(a) cadeirydd;

(b) dim mwy na 6 aelod arall nad ydynt yn swyddogion AaGIC yn ychwanegol at y cadeirydd; ac

(c) dim mwy na 5 aelod arall sy'n swyddogion AaGIC gan gynnwys y person sydd, am y tro, yn dal swydd y prif weithredwr.

(2) Ni chaiff nifer yr aelodau sy'n swyddogion AaGIC fod yn fwy na nifer yr aelodau nad ydynt yn swyddogion o'r fath.

Cyfarfodydd cyhoeddus

5. Mae Deddf Cyrff Cyhoeddus (Mynediad i Gyfarfodydd) 1960(**2**) i fod yn gymwys i AaGIC.

any activity which involves or is connected with the provision of health services; and

(b) such other functions;

as the Welsh Ministers may direct(**1**).

(2) In this article, "health services" means services provided as part of the health service continued under section 1(1) of the National Health Service (Wales) Act 2006.

Constitution of HEIW

4.—(1) HEIW consists of—

(a) a chairman;

(b) not more than 6 other members who are not officers of HEIW in addition to the chairman; and

(c) not more than 5 other members who are officers of HEIW including the person who for the time being holds the office of chief executive.

(2) The number of members who are officers of HEIW must not exceed the number of members who are not such officers.

Public meetings

5. The Public Bodies (Admission to Meetings) Act 1960(**2**) is to apply to HEIW.

Vaughan Gething

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru
11 Medi 2017

Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers
11 September 2017

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(**1**) *Gweler* adran 24 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006.

(**2**) 1960 p. 67; *gweler* paragraff 1(g) o'r Atodlen i Ddeddf Cyrff Cyhoeddus (Mynediad i Gyfarfodydd) 1960, a fewnosodwyd gan baragraff 91 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p. 17).

(**1**) *See* section 24 of the National Health Service (Wales) Act 2006.

(**2**) 1960 c. 67; *see* paragraph 1(g) of the Schedule to the Public Bodies (Admission to Meetings) Act 1960, which was inserted by paragraph 91 of Schedule 1 to the Health Authorities Act 1995 (c. 17).