CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2005 Rhif 774 (Cy.66)

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Deddf Plant 2004 (Diwygio Rheoliadau Amrywiol) (Cymru) 2005

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau i Reoliadau Asiantaethau Mabwysiadu 1983, Rheoliadau Trefniadau ar gyfer Lleoli Plant (Cyffredinol) 1991, Rheoliadau Adolygu Achosion Plant 1991, Rheoliadau Comisiynydd Plant Cymru 2001 a Rheoliadau Cartrefi Plant (Cymru) 2002 sydd o ganlyniad i drosglwyddo swyddogaethau'r Gwasanaeth Cynghori a Chynorthwyo Llys i Blant a Theuluoedd ("CAFCASS") yng Nghymru i swyddogion achosion teuluol Cymru a Chynulliad Cenedlaethol Cymru. Diwygir cyfeiriadau yn y pum set o reoliadau at warcheidwaid plant neu swyddogion cofnodi, swyddogion y gwasanaeth a'r Gwasanaeth Cynghori a Chynorthwyo Llys i Blant a Theuluoedd fel eu bod yn cynnwys cyfeiriad at swyddogion achosion teuluol Cymru a Chynulliad Cenedlaethol Cymru i'r graddau y mae'n arfer ei swyddogaethau o dan adran 35 o Ddeddf Plant 2004.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2005 No. 774 (W.66)

CHILDREN AND YOUNG PERSONS, WALES

The Children Act 2004 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations make amendments to the Adoption Agencies Regulations 1983, the Arrangements for Placement of Children (General) Regulations 1991, the Review of Children’s Cases Regualtions 1991, the Children’s Commissioner for Wales Regulations 2001 and the Children’s Homes (Wales) Regulations 2001 consequential on the transfer of the functions in Wales of the Children and Family Court Advisory and Support Service ("CAFCASS") to Welsh family proceedings officers and the National Assembly for Wales. References in these five sets of regulations to children's guardians or reporting officers, officers of the service and the Children and Family Court Advisory and Support Service are amended to include reference to Welsh family proceedings officers and the National Assembly for Wales so far as it is exercising it's functions under section 35 of the Children Act 2004.

OFFERYNNAU STATUDOL

2005 Rhif 774 (Cy.64)

PLANT A PHOBL IFANC, CYMRU

Rheoliadau Deddf Plant 2004 (Diwygio Rheoliadau Amrywiol) (Cymru) 2005

Wedi'u gwneud	*16 Mawrth 2005*
Yn dod i rym	*1 Ebrill 2005*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 9(2) a (3) o Ddeddf Mabwysiadu 1976(**1**), adrannau 23(2)(a), (f)(ii), (5), 26(1), (2), 59(2), (3), 104(4), Atodlen 2, paragraffau 12, 13, 14, Atodlen 4, paragraff 4(1), (2)(d), Atodlen 5, paragraff 7(1), (2)(g), ac Atodlen 6, paragraff 10(1) o Ddeddf Plant 1989(**2**) a chan adrannau 1(4), 16(2), 22(1), (2)(a) i (d), (f) i (j), (5)(a) a (c), (7)(a) i (h), (j), (8)(c), 25(1), 33, 34(1), 35, 77(2) ac 118(4) i (7) o Ddeddf Safonau Gofal 2000(**3**), drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Plant 2004 (Diwygio Rheoliadau Amrywiol) (Cymru) 2005 a deuant i rym ar 1 Ebrill 2005.

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

(1) 1976 p.36. Mae'r pwerau yn arferadwy gan y Gweinidog priodol, a ddiffinnir yn adran 9(5) o Ddeddf 1976 fel Cynulliad Cenedlaethol Cymru o ran Cymru, yr Ysgrifennydd Gwladol o ran Lloegr, a'r Ysgrifennydd Gwladol a'r Cynulliad Cymru yn gweithredu ar y cyd o ran Cymru a Lloegr.

(2) 1989 p.41. Mae swyddogaethau'r Ysgrifennydd Gwladol o dan Ddeddf 1989 yn arferadwy gan Gynulliad Cenedlaethol Cymru yn rhinwedd cynnwys Deddf 1989 yn Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) (*gweler* erthygl 2(a) o Orchymyn 1999 ac adran 22(1) o Ddeddf Llywodraeth Cymru 1998 (p.38)).

(3) 2000 p.14.

STATUTORY INSTRUMENTS

2005 No. 774 (W.64)

CHILDREN AND YOUNG PERSONS, WALES

The Children Act 2004 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2005

Made	*16 March 2005*
Coming into force	*1 April 2005*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 9(2) and (3) of the Adoption Act 1976 (**1**), sections 23(2)(a), (f)(ii), (5), 26(1), (2), 59(2), (3), 104(4), Schedule 2, paragraphs 12, 13, 14, Schedule 4, paragraph 4(1), (2)(d), Schedule 5, paragraph 7(1), (2)(g) and Schedule 6, paragraph 10(1) of the Children Act 1989 (**2**) and sections 1(4), 16(2), 22(1), (2)(a) to (d), (f) to (j), (5)(a) and (c), (7)(a) to (h), (j), (8)(c), 25(1), 33, 34(1), 35, 77(2) and 118(4) to (7) of the Care Standards Act 2000 (**3**) hereby makes the following Regulations:

Name, commencement and application

1.-(1) These Regulations are called the Children Act 2004 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2005 and come into force on 1 April 2005.

(2) These Regulations apply in relation to Wales.

(1) 1976 c.36. The powers are exercisable by the appropriate Minister, who is defined in section 9(5) of the 1976 Act, in relation to Wales, as the National Assembly for Wales, and in relation to England as the Secretary of State and in relation to England and Wales, as the Secretary of State and the National Assembly for Wales acting jointly.

(2) 1989 c.41. Functions of the Secretary of State under the 1989 Act are made exercisable by the National Assembly for Wales by virtue of the inclusion of the 1989 Act in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)(*see* article 2(a) of the 1999 Order and section 22(1) of the Government of Wales Act 1998 (c.38)).

(3) 2000 c.14.

Diwygio Rheoliadau Asiantaethau Mabwysiadu 1983

2.-(1) Diwygir Rheoliadau Asiantaethau Mabwysiadu 1983(**1**) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 15(1)(e), ar ôl y geiriau "children's guardian or reporting officer", mewnosoder y geiriau "or Welsh family proceedings officer"(**2**).

Diwygio Rheoliadau Trefniadau ar gyfer Lleoli Plant (Cyffredinol) 1991

3.-(1) Diwygir Rheoliadau Trefniadau ar gyfer Lleoli Plant (Cyffredinol) 1991(**3**) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Bob tro y mae'r geiriau "officers of the service" yn ymddangos yn rheoliad 11, mewnosoder y geiriau "and Welsh family proceedings officers" ar eu hôl.

Diwygio Rheoliadau Adolygu Achosion Plant 1991

4.-(1) Diwygir Rheoliadau Adolygu Achosion Plant 1991(**4**) yn unol â dapriaethau canlynol y rheoliad hwn.

(1) Yn rheoliad 2A(1)(c) ar ôl "Support Service", mewnosoder "or a Welsh family proceedings officer where the child is ordinarily resident in Wales".

Diwygio Rheoliadau Comisiynydd Plant Cymru 2001

5.-(1) Diwygir Rheoliadau Comisiynydd Plant Cymru 2001(**5**) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ar ddiwedd rheoliad 17, ychwaneger "a Chynulliad Cenedlaethol Cymru o ran ei swyddogaethau o dan adran 35 o Ddeddf Plant 2004".

Diwygio Rheoliadau Cartrefi Plant (Cymru) 2002

6.-(1) Diwygir Rheoliadau Cartrefi Plant (Cymru) 2002(**6**) yn unol â darpariaethau canlynol y rheoliad hwn.

(1) 1983 O.S. Rhif 1964.

(2) Diffinnir "Welsh family proceedings officer" yn adran 35 o Ddeddf Plant 2004 (2004 p.31).

(3) 1991 O.S. Rhif 890.

(4) 1991 O.S. Rhif 895.

(5) 2001 O.S. Rhif 2787 (Cy. 237).

(6) 2002 O.S. Rhif 327.

Amendment of the Adoption Agencies Regulations 1983

2.-(1) The Adoption Agencies Regulations 1983(**1**) are amended in accordance with the following provisions of this regulation.

(2) In regulation 15(1)(e) after the words "children's guardian or reporting officer", insert the words "or Welsh family proceedings officer(**2**)".

Amendment of the Arrangements for Placement of Children (General) Regulations 1991

3.-(1) The Arrangements for Placement of Children (General) Regulations 1991(**3**) are amended in accordance with the following provisions of this regulation.

(2) In regulation 11 wherever they appear, after the words "officers of the service", insert "and Welsh family proceedings officers".

Amendment of the Review of Children's Cases Regulations 1991

4.-(1) The Review of Children's Cases Regulations 1991(**4**) are amended in accordance with the following provisions of this regulation.

(2) In regulation 2A(1)(c) after "Support Service", add "or a Welsh Family Proceedings Officer where the child is ordinarily resident in Wales".

Amendment of the Children's Commissioner for Wales Regulations 2001

5.-(1) The Children's Commissioner for Wales Regulations 2001(**5**) are amended in accordance with the following provisions of this regulation.

(2) In regulation 17 at the end, add "and the National Assembly for Wales in relation to it's functions under section 35 of the Children Act 2004".

Amendment of the Children's Homes (Wales) Regulations 2002

6.-(1) The Children's Homes (Wales) Regulations 2002(**6**) are amended in accordance with the following provisions of this regulation.

(1) S.I. 1983/ 1964.

(2) "Welsh family proceedings officer" is defined in section 35 of the Children Act 2004 (2004 c.31).

(3) S.I. 1991/ 890.

(4) S.I. 1991/ 895.

(5) S.I. 2001/2787 (W.237).

(6) S.I. 2002/ 327 (W.40).

(1) Yn rheoliad 15(2)(b) ar ôl "a Theuluoedd" mewnosoder "neu Swyddog Achosion Teuluol".

(2) In regulation 15(2)(b) after "Support Service" insert "or Welsh Family Proceedings Officer".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**1**).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**1**).

16 Mawrth 2005

16 March 2005

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

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Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-091101-6

9 780110 911014

£3.00

W37/3/05

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