



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 509 (Cy. 43)

2015 No. 509 (W. 43)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau Cyngorau Iechyd
Cymuned (Cyfansoddiad,
Aelodaeth a Gweithdrefnau)
(Cymru) (Diwygio) 2015

The Community Health Councils
(Constitution, Membership and
Procedures) (Wales) (Amendment)
Regulations 2015

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cyngorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2010 ("y prif Reoliadau").

Mae rheoliad 3 yn diwygio diffiniadau yn y prif Reoliadau.

Mae rheoliadau 4 a 5 yn gwneud darpariaeth ynglŷn ag aelodau cyfetholedig o Gyngorau Iechyd Cymuned ("Cyngorau"). Mae rheoliad 4 yn diwygio rheoliad 3 o'r prif Reoliadau er mwyn dileu cyfeiriad at Gyngor newydd a darparu y caiff Gweinidogion Cymru, mewn ymateb i gyngor gan Fwrdd Cyngor Iechyd Cymuned ("Bwrdd CIC"), gyfethol aelodau i Gyngor. Caiff aelodau a gyfetholir gan Weinidogion Cymru bleidleisio mewn unrhyw gyfarfodydd a gynhelir o'r Cyngor neu o'i bwyllgorau neu ei gydbwyllgorau. Mae rheoliad 5 yn diwygio rheoliad 5 o'r prif Reoliadau i ddarparu uchafswm tymor penodiad i aelodau cyfetholedig, sef dwy flynedd.

Mae rheoliad 6 yn diwygio rheoliad 6 o'r prif Reoliadau er mwyn rhoi'r opsiwn i awdurdod lleol o benodi personau i Gyngor nad ydynt yn aelodau o'r awdurdod, ar yr amod y penodir o leiaf un o blith aelodau'r awdurdod.

Mae rheoliad 7 yn diwygio rheoliad 9 o'r prif Reoliadau er mwyn cynnwys safon ymddygiad fel ffactor a ystyrir wrth ddethol a phenodi personau yn aelodau o Gyngorau.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010 ("the principal Regulations").

Regulation 3 amends definitions in the principal Regulations.

Regulations 4 and 5 make provision about co-opted members of Community Health Councils ("Councils"). Regulation 4 amends regulation 3 of the principal Regulations to remove reference to a new Council and to provide that the Welsh Ministers may, in response to advice from the Community Health Council Board ("CHC Board"), co-opt members to a Council. Members co-opted by the Welsh Ministers may vote in any meetings of a Council or its committees or joint committees. Regulation 5 amends regulation 5 of the principal Regulations to provide a maximum term of appointment for co-opted members of two years.

Regulation 6 amends regulation 6 of the principal Regulations to provide a local authority with the option of appointing persons to a Council who are not its members, provided that at least one appointment is from within its membership.

Regulation 7 amends regulation 9 of the principal Regulations to include standard of conduct as a factor which is considered in the selection and appointment of persons as members of Councils.

Mae rheoliad 8 yn mewnosod rheoliad 9A yn y prif Reoliadau i'w gwneud yn ofynnol i bob aelod a phob aelod cyfetholedig o Gyngor roi ymrwymiad ysgrifenedig i gydymffurfio ag unrhyw god sydd mewn grym sy'n ymwneud â'u hymddygiad fel aelod o Gyngor.

Mae rheoliad 9 yn diwygio rheoliad 10 o'r prif Reoliadau er mwyn egluro bod rhaid i wasanaeth fel aelod cyfetholedig gael ei ddiystyru wrth gyfrifo uchafswm tymor penodiad, sef wyth mlynedd.

Mae rheoliad 10 yn hepgor rheoliad 11 o'r prif Reoliadau.

Mae rheoliad 11 yn diwygio rheoliad 13 o'r prif Reoliadau er mwyn darparu na chaiff Gweinidogion Cymru derfynu tymor aelod yn ei swydd na'i atal dros dro ond ar argymhelliad y Bwrdd CIC. Dim ond os yw wedi ymgynghori yn unol â'r rheoliad diwygiedig y caniateir i'r Bwrdd CIC wneud argymhelliad o'r fath.

Mae rheoliad 12 yn diwygio rheoliad 15 o'r prif Reoliadau i ddileu'r ddarpariaeth mewn perthynas â Chynghorau sy'n parhau.

Mae rheoliad 13 yn hepgor rheoliad 16 o'r prif Reoliadau.

Mae rheoliad 14 yn diwygio rheoliad 17 o'r prif Reoliadau i adlewyrchu'r diwygiad a wneir i Atodlen 2 i'r prif Reoliadau.

Mae rheoliad 15 yn diwygio rheoliad 20 o'r prif Reoliadau er mwyn darparu fod rhaid i bwyllgor gweithredol Cyngor benderfynu cyfansoddiad a rheolau sefydlog unrhyw bwyllgorau a benodir o dan y rheoliad. Mae rheoliad 15 hefyd yn diwygio rheoliad 20 o'r prif Reoliadau er mwyn dileu cyfeiriadau at Gynghorau newydd a Chynghorau sy'n parhau.

Mae rheoliad 16 yn diwygio rheoliad 21 o'r prif Reoliadau er mwyn darparu pan fo Cynghorau'n penodi cyd-bwyllgor, rhaid i bwyllgorau gweithredol pob Cyngor sy'n penodi benderfynu gyda'i gilydd gyfansoddiad a rheolau sefydlog y cyd-bwyllgor, a dim ond gyda chymeradwyaeth y pwyllgorau gweithredol hynny y caniateir eu hamrywio neu eu dirymu. Mae rheoliad 16 hefyd yn diwygio rheoliad 21 o'r prif Reoliadau er mwyn dileu cyfeiriadau at Gynghorau newydd a Chynghorau sy'n parhau.

Mae rheoliad 17 yn diwygio rheoliad 23 o'r prif Reoliadau er mwyn darparu y caniateir cyflogi personau i weithredu fel swyddogion i fwy nag un Cyngor.

Regulation 8 inserts regulation 9A into the principal Regulations to require each member and co-opted member of a Council to give a written undertaking to observe a code which relates to their conduct as a member of a Council which is in force.

Regulation 9 amends regulation 10 of the principal Regulations to clarify that service as a co-opted member must be disregarded when calculating the maximum term of appointment of eight years.

Regulation 10 omits regulation 11 of the principal Regulations.

Regulation 11 amends regulation 13 of the principal Regulations to provide that the Welsh Ministers may only terminate or suspend a member's term of office on the recommendation of the CHC Board. The CHC Board may only make such a recommendation if it has undertaken consultation in accordance with the amended regulation.

Regulation 12 amends regulation 15 of the principal Regulations to remove the provision in relation to continued Councils.

Regulation 13 omits regulation 16 of the principal Regulations.

Regulation 14 amends regulation 17 of the principal Regulations to reflect the amendment made to Schedule 2 to the principal Regulations.

Regulation 15 amends regulation 20 of the principal Regulations to provide that the executive committee of a Council must determine the constitution and standing orders of any committees appointed under the regulation. Regulation 15 also amends regulation 20 of the principal Regulations to remove references to new and continued Councils.

Regulation 16 amends regulation 21 of the principal Regulations to provide that where Councils are appointing a joint committee, the executive committees of all the appointing Councils must together determine the constitution and standing orders of the joint committee which may only be varied or revoked with the approval of those executive committees. Regulation 16 also amends regulation 21 of the principal Regulations to remove references to new and continued Councils.

Regulation 17 amends regulation 23 of the principal Regulations to provide that persons may be employed to act as officers of more than one Council.

Mae rheoliadau 18, 19, 20 ac 21 yn diwygio rheoliadau 26, 27, 29 ac 31 o'r prif Reoliadau yn y drefn honno i'w gwneud yn ofynnol i Gynghorau roi sylw i safonau a osodir gan y Bwrdd CIC.

Mae rheoliad 22 yn diwygio rheoliad 32 o'r prif Reoliadau er mwyn darparu bod gan y Bwrdd CIC y swyddogaethau ychwanegol o osod safonau y mae'n rhaid i Gynghorau roi sylw iddynt, rheoli perfformiad Cynghorau ac ymddygiad aelodau Cynghorau, a rhoi gwybod i Weinidogion Cymru am berfformiad annigonol gan Gynghorau a thoriadau o unrhyw god ymddygiad gan aelodau.

Mae rheoliad 23 yn diwygio rheoliad 34 o'r prif Reoliadau mewn perthynas ag aelodaeth y Bwrdd CIC a thymor yr aelodau yn swyddi er mwyn darparu bod saith cadeirydd y Cynghorau unigol yn aelodau o'r Bwrdd CIC a'u bod yn cael eu penodi am uchafswm o dair blynedd, bod y saith cadeirydd yn ethol un o'u plith yn is-gadeirydd y Bwrdd CIC, bod "Cyfarwyddwr" y Bwrdd CIC yn cael ei ailenwi'n "Prif Weithredwr", a bod Gweinidogion Cymru'n penodi, o'r tu allan i aelodaeth y Cynghorau a'r Bwrdd CIC, y cadeirydd a dau aelod o'r Bwrdd CIC a'r rheiny i'w penodi am bedair blynedd ar y mwyaf. Rhaid i'r trefniadau ar gyfer penodiadau gan Weinidogion Cymru roi ystyriaeth i'r egwyddorion sy'n gymwys i benodiadau cyhoeddus.

Mae rheoliad 24 yn diwygio rheoliad 35 o'r prif Reoliadau er mwyn adlewyrchu uchafswm tymhorau penodiadau aelodau o Fwrdd CIC ac i ddileu darpariaeth ynghylch "Cynghorau sy'n parhau".

Mae rheoliad 25 yn diwygio rheoliad 36 o'r prif Reoliadau i ddileu'r gofyniad bod rhaid ymgynghori â'r Bwrdd CIC a sicrhau ei gymeradwyaeth ynglŷn â phenodi Prif Weithredwr a staff cymorth y Bwrdd CIC.

Mae rheoliadau 26 a 27 yn diwygio'r prif Reoliadau i gynnwys darpariaeth i Weinidogion Cymru indemnio Cyngor neu'r Bwrdd CIC ar delerau y caiff Gweinidogion Cymru gytuno arnynt.

Mae rheoliadau 28 a 29 yn diwygio Atodlenni 1 a 2 i'r prif Reoliadau i adlewyrchu'r ffaith y diddymir y "Cynghorau sy'n parhau" ac y sefydlir Cyngor Iechyd Cymuned Powys.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, mae aseiad effaith rheoleiddiol wedi ei lunio o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi gan yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

Regulations 18, 19, 20 and 21 amend regulations 26, 27, 29 and 31 of the principal Regulations respectively to require Councils to have regard to standards set by the CHC Board.

Regulation 22 amends regulation 32 of the principal Regulations to provide that the CHC Board has the additional functions of setting standards to which Councils must have regard, managing the performance of Councils and the conduct of Council members, and advising the Welsh Ministers of inadequate performance of Councils and breaches of any code of conduct by members.

Regulation 23 amends regulation 34 of the principal Regulations in relation to the composition of the CHC Board and its members' terms of office to provide that the seven chairs of the individual Councils are members of the CHC Board with a maximum term of appointment of three years, the seven Council chairs elect one of their number as the vice-chair of the CHC Board, the "Director" of the CHC Board is renamed the "Chief Executive", and the Welsh Ministers appoint, from outside of the membership of the Councils and the CHC Board, the chair and two members of the CHC Board whose maximum terms of appointment are four years. The arrangements for the appointments by the Welsh Ministers must take into account the principles applicable to public appointments.

Regulation 24 amends regulation 35 of the principal Regulations to reflect the maximum terms of appointment of CHC Board members and to remove provision in relation to "continued Councils".

Regulation 25 amends regulation 36 of the principal Regulations to remove the requirement for the CHC Board to be consulted and approve the appointments of the CHC Board's Chief Executive and support staff.

Regulations 26 and 27 amend the principal Regulations to include provision for the Welsh Ministers to indemnify a Council or the CHC Board on terms which the Welsh Ministers may agree.

Regulations 28 and 29 amend Schedules 1 and 2 to the principal Regulations to reflect the abolition of the "continued Councils" and the establishment of Powys Community Health Council.

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.

2015 Rhif 509 (Cy. 43)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**Rheoliadau Cyngorau Iechyd
Cymuned (Cyfansoddiad,
Aelodaeth a Gweithdrefnau)
(Cymru) (Diwygio) 2015**

Gwnaed 3 Mawrth 2015
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 6 Mawrth 2015
Yn dod i rym 1 Ebrill 2015

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adrannau 12, 19, 187(1) a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(2) a pharagraff 7(3) o Atodlen 2, paragraff 25(3) o Atodlen 3, a pharagraffau 2, 2A(3), 3 a 4 o Atodlen 10 i'r Ddeddf honno.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyngorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) (Diwygio) 2015 ac maent yn dod i rym ar 1 Ebrill 2015.

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

Dehongli

2. Yn y Rheoliadau hyn—

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- (1) Adran 187 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42) fel y'i diwygiwyd gan adran 180 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (decc 4).
(2) 2006 p. 42.
(3) Paragraff 2A o Atodlen 10 i Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42) fel y'i mewnosodwyd gan adran 19 o Ddeddf Iechyd 2009 (p. 21) a pharagraffau 14, 16(1) a (3) o Ran 1 o Atodlen 3 iddi.

2015 No. 509 (W. 43)

**NATIONAL HEALTH
SERVICE, WALES**

**The Community Health Councils
(Constitution, Membership and
Procedures) (Wales) (Amendment)
Regulations 2015**

Made 3 March 2015
Laid before the National Assembly for Wales
6 March 2015
Coming into force 1 April 2015

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 12, 19, 187(1) and 203(9) and (10) of, paragraph 7(3) of Schedule 2 to, paragraph 25(3) of Schedule 3 to, and paragraphs 2, 2A(2), 3 and 4 of Schedule 10 to, the National Health Service (Wales) Act 2006(3).

Title, commencement and application

1.—(1) The title of these Regulations is the Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2015 and they come into force on 1 April 2015.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

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- (1) Section 187 of the National Health Service (Wales) Act 2006 (c. 42) as amended by section 180 of the Social Services and Well-being (Wales) Act 2014 (anaw 4).
(2) Paragraph 2A of Schedule 10 to the National Health Service (Wales) Act 2006 (c. 42) as inserted by the Health Act 2009 (c. 21), section 19, Schedule 3, Part 1, paragraphs 14, 16(1) and (3).
(3) 2006 c. 42.

ystyr “y prif Reoliadau” (“*the principal Regulations*”) yw Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2010(1).

“the principal Regulations” (“*y prif Reoliadau*”) means the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010(1).

Diwygio rheoliad 2 o'r prif Reoliadau

3.—(1) Mae rheoliad 2 (dehongli) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn y man priodol yn nhrefn y wyddor, mewnosoder—

“ystyr “Prif Weithredwr” (“*Chief Executive*”) yw person a gyflogir o dan reoliad 36 i weithredu fel prif weithredwr y Bwrdd CIC;”.

(3) Hefgorer y diffiniadau a ganlyn—

“Cyfarwyddwr” (“*Director*”);

“Cyngor newydd” (“*new Council*”);

“Cyngor sy'n parhau” (“*continued Council*”).

(4) Yn y diffiniadau o'r geiriau ac ymadroddion a ganlyn hepgorer “newydd” ym mhob man lle y mae'n digwydd—

“pwyllgor cynllunio gwasanaethau” (“*services planning committee*”);

“pwyllgor gweithredol” (“*executive committee*”);

“pwyllgor lleol” (“*local committee*”);

“pwyllgor lleol perthnasol” (“*relevant local committee*”).

Aelodaeth Cynghorau

4.—(1) Mae rheoliad 3 (aelodaeth cynghorau) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

“(2) Yn ychwanegol at yr aelodau a benodir yn unol â pharagraff (1) a (3A), caiff Cyngor o bryd i'w gilydd gyfethol pa bynnag aelodau sy'n ymddangos i'r Cyngor yn angenrheidiol ar gyfer cyflawni ei swyddogaethau a chaniateir penodi'r cyfryw aelodau i eistedd ar unrhyw bwyllgor neu gydbwyllgor y Cyngor hwnnw.”

(3) Yn lle paragraff (3) rhodder—

“(3) Ni chaiff aelodau a gyfetholir gan Gyngor yn unol â pharagraff (2) bleidleisio mewn unrhyw gyfarfodydd neu drafodion y Cyngor na'i bwyllgorau neu ei gyd-bwyllgorau.”

Amendments to regulation 2 of the principal Regulations

3.—(1) Regulation 2 (interpretation) of the principal Regulations is amended as follows.

(2) In the appropriate place in alphabetical order insert—

““Chief Executive” (“*Prif Weithredwr*”) means a person employed under regulation 36 to act as chief executive of the CHC Board;”.

(3) Omit the following definitions—

“continued Council” (“*Cyngor sy'n parhau*”);

“Director” (“*Cyfarwyddwr*”);

“new Council” (“*Cyngor newydd*”).

(4) In the definitions of the following words and phrases omit “new” in each place where it occurs—

“executive committee” (“*pwyllgor gweithredol*”);

“local committee” (“*pwyllgor lleol*”);

“relevant local committee” (“*pwyllgor lleol perthnasol*”);

“services planning committee” (“*pwyllgor cynllunio gwasanaethau*”).

Composition of Councils

4.—(1) Regulation 3 (composition of councils) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

“(2) In addition to the members appointed in accordance with paragraph (1) and (3A), a Council may from time to time co-opt such members as appear to the Council to be necessary for the performance by that Council of its functions, and such members may be appointed to sit on any committee or joint committee of that Council.”

(3) For paragraph (3) substitute—

“(3) Members co-opted by a Council in accordance with paragraph (2) may not vote in any meetings or proceedings of a Council or its committees or joint committees.”

(1) O.S. 2010/288 (Cy. 37).

(1) S.I. 2010/288 (W. 37).

(4) Ar ôl paragraff (3) mewnosoder—

“(3A) Yn ychwanegol at yr aelodau a benodir yn unol â pharagraffau (1) a (2), caiff Gweinidogion Cymru o bryd i’w gilydd, mewn ymateb i gyngor a roddir gan y Bwrdd CIC o dan reoliad 32(2)(f), gyfethol pa bynnag aelodau i Gyngor sy’n ymddangos i Weinidogion Cymru yn angenrheidiol ar gyfer gwella perfformiad y Cyngor hwnnw, a chaniateir penodi’r cyfryw aelodau i eistedd ar unrhyw bwyllgor neu gyd-bwyllgor y Cyngor hwnnw.

(3B) Caiff aelodau a gyfetholir gan Weinidogion Cymru yn unol â pharagraff (3A) bleidleisio mewn unrhyw gyfarfodydd neu drafodion y Cyngor a’i bwyllgorau neu ei gyd-bwyllgorau.”

Tymor penodiad aelodau cyfetholedig

5.—(1) Mae rheoliad 5 (tymor penodiad aelodau cyfetholedig) o’r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 5 rhodder—

“5. Ni chaniateir penodi aelodau cyfetholedig am gyfnod hwy na dwy flynedd a rhaid peidio â’u hailbenodi fel aelodau cyfetholedig wedi diwedd eu tymor.”

Penodi aelodau gan awdurdodau lleol

6.—(1) Mae rheoliad 6 (penodi aelodau gan awdurdodau lleol) o’r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

“(2) Rhaid i o leiaf un person a benodir yn unol â’r rheoliad hwn fod yn aelod o’r awdurdod lleol sy’n ei benodi.”

(3) Ym mharagraff (3) ar ôl y geiriau “awdurdod lleol” yn y man cyntaf y maent yn digwydd mewnosoder “o blith ei aelodaeth”.

Gweithdrefnau ar gyfer penodi aelodau

7.—(1) Mae rheoliad 9 (gweithdrefnau ar gyfer penodi aelodau) o’r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (ch) ar ôl “cymhwysedd” mewnosoder “ac ymddygiad”.

Cod Ymddygiad

8. Ar ôl rheoliad 9 o’r prif Reoliadau mewnosoder—

(4) After paragraph (3) insert—

“(3A) In addition to the members appointed in accordance with paragraphs (1) and (2), the Welsh Ministers may from time to time, in response to advice provided by the CHC Board under regulation 32(2)(h), co-opt such members to a Council as appear to the Welsh Ministers to be necessary for improving the performance of that Council, and such members may be appointed to sit on any committee or joint committee of that Council.

(3B) Members co-opted by the Welsh Ministers in accordance with paragraph (3A) may vote in any meetings or proceedings of a Council or its committees or joint committees.”

Term of appointment of co-opted members

5.—(1) Regulation 5 (term of appointment of co-opted members) of the principal Regulations is amended as follows.

(2) For regulation 5 substitute—

“5. Co-opted members may not be appointed for a period exceeding two years and must not be reappointed as co-opted members after the expiry of their term.”

Appointment of members by local authorities

6.—(1) Regulation 6 (appointment of members by local authorities) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

“(2) At least one person appointed in accordance with this regulation must be a member of the local authority which appoints them.”

(3) In paragraph (3) after the words “local authority” in the first place where they occur insert “from its membership”.

Procedures for appointment of members

7.—(1) Regulation 9 (procedures for appointment of members) of the principal Regulations is amended as follows.

(2) In paragraph (d) after “competence” insert “and conduct”.

Code of Conduct

8. After regulation 9 of the principal Regulations insert—

“Cod Ymddygiad

9A. Wrth gael ei benodi, rhaid i bob aelod a phob aelod cyfetholedig roi ymrwymiad ysgrifenedig i gydymffurfio ag unrhyw god ymddygiad sy'n gymwys o bryd i'w gilydd i aelodau ac aelodau cyfetholedig Cyngor yn eu swyddogaeth fel y cyfryw.”

Aelodau sy'n gymwys i'w hailbenodi

9.—(1) Mae rheoliad 10 (aelodau sy'n gymwys i'w hailbenodi) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1) yn lle “(2) a (3)” rhodder “(2), (3) a (4)”.

(3) Ar ôl paragraff (3) mewnosoder—

“(4) Wrth gyfrifo'r cyfnod o wyth mlynedd y cyfeirir ato ym mharagraff (2), rhaid diystyru pob cyfnod o wasanaeth fel aelod cyfetholedig.”

Tymor swydd — trefniadau trosiannol ar gyfer aelodau a benodwyd eisoes ar Gynghorau sy'n parhau

10. Hefgorer rheoliad 11 o'r prif Reoliadau.

Terfynu aelodaeth ac atal dros dro aelodau

11.—(1) Mae rheoliad 13 (terfynu aelodaeth ac atal dros dro aelodau) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (1) rhodder—

“(1) Mae'r rheoliad hwn yn gymwys i unrhyw berson a benodir yn aelod o Gyngor o dan reoliad 3.”

(3) Yn lle paragraff (7) rhodder—

“(7) Ni chaiff Gweinidogion Cymru derfynu nac atal dros dro dymor aelod yn ei swydd o dan y rheoliad hwn heb gael argymhelliad i wneud hynny gan y Bwrdd CIC. Ni chaiff y Bwrdd CIC wneud argymhelliad o'r fath heb fod wedi ymgynghori â'r Cyngor perthnasol ac, os nad Gweinidogion Cymru a benododd yr aelod, y corff a benododd yr aelod.”

Ethol cadeirydd ac is-gadeirydd

12.—(1) Mae rheoliad 15 (ethol cadeirydd ac is-gadeirydd) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (1) rhodder—

“(1) Yn ddarostyngedig i baragraffau (3), (4) a (5), rhaid i aelodau Cyngor ethol—

(a) un o'u plith i fod yn gadeirydd; a

“Code of Conduct

9A. On appointment, each member and co-opted member must give a written undertaking to observe any code of conduct applying from time to time to members and co-opted members of a Council in their capacity as such.”

Eligibility of members for reappointment

9.—(1) Regulation 10 (eligibility of members for reappointment) of the principal Regulations is amended as follows.

(2) In paragraph (1) for “(2) and (3)” substitute “(2), (3) and (4)”.

(3) After paragraph (3) insert—

“(4) When calculating the eight year period referred to in paragraph (2), all periods of service as a co-opted member must be disregarded.”

Term of office – transitional arrangements for members already appointed to continued Councils

10. Omit regulation 11 of the principal Regulations.

Termination of membership and suspension of members

11.—(1) Regulation 13 (termination of membership and suspension of members) of the principal Regulations is amended as follows.

(2) For paragraph (1) substitute—

“(1) This regulation applies to any person who is appointed as a member of a Council under regulation 3.”

(3) For paragraph (7) substitute—

“(7) The Welsh Ministers may not terminate or suspend a member's term of office under this regulation without being recommended to do so by the CHC Board. The CHC Board may not make such a recommendation without having consulted the relevant Council, and, where the Welsh Ministers did not appoint the member, the body which appointed the member.”

Election of chair and vice-chair

12.—(1) Regulation 15 (election of chair and vice-chair) of the principal Regulations is amended as follows.

(2) For paragraph (1) substitute—

“(1) Subject to paragraphs (3), (4) and (5), the members of a Council must elect—

(a) one of their number to be chair; and

(b) un o'u plith, heblaw'r cadeirydd, i fod yn is-gadeirydd,

am gyfnod o dair blynedd ar y mwyaf, ond heb fod yn gyfnod hwy mewn unrhyw achos na gweddill tymor swydd yr aelod a etholir fel aelod; a rhaid i'r Prif Swyddog hysbysu Gweinidogion Cymru a'r Bwrdd CIC o enwau'r personau a etholir felly, ar unwaith mewn ysgrifen."

(3) Ym mharagraff (2) yn lle "ddwy flynedd" rhodder "dair blynedd".

(4) Hepgorer paragraff (8).

Cymhwyso rheoliadau 17 i 19

13. Hepgorer rheoliad 16 o'r prif Reoliadau.

Penodi pwyllgorau sydd i'w hadwaen fel Pwyllgorau Lleol

14.—(1) Mae rheoliad 17(1) (penodi pwyllgorau sydd i'w hadwaen fel pwyllgorau lleol) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1) hepgorer "wrth rifau 1 i 6".

Penodi pwyllgorau eraill gan Gyngor

15.—(1) Mae rheoliad 20 (penodi pwyllgorau eraill gan gyngor) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (3) rhodder—

"(3) Rhaid i'r pwyllgor gweithredol benderfynu cyfansoddiad a rheolau sefydlog pwyllgorau a benodir o dan y rheoliad hwn, a dim ond gyda chymeradwyaeth y pwyllgor gweithredol y caniateir eu hamrywio neu eu dirymu."

(3) Hepgorer paragraff (4).

Penodi cyd-bwyllgorau gan Gyngor

16.—(1) Mae rheoliad 21 (penodi cyd-bwyllgorau gan gyngor) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

"(2) Pan fo Cyngorau'n penodi cyd-bwyllgor, rhaid i bwyllgorau gweithredol pob Cyngor o'r fath sy'n penodi benderfynu gyda'i gilydd gyfansoddiad a rheolau sefydlog y cyd-bwyllgor a benodir o dan y rheoliad hwn, a dim ond gyda chymeradwyaeth y pwyllgorau gweithredol hynny y caniateir eu hamrywio neu eu dirymu."

(3) Hepgorer paragraff (3).

(b) one of their number, other than the chair, to be vice-chair,

for a maximum period of three years, not being in any case a longer period than the remainder of the period of the elected member's term of office as a member; and the Chief Officer must notify the Welsh Ministers and the CHC Board immediately in writing of the names of the persons so elected."

(3) In paragraph (2) for "two" substitute "three".

(4) Omit paragraph (8).

Application of regulations 17 to 19

13. Omit regulation 16 of the principal Regulations.

Appointment of committees to be known as Local Committees

14.—(1) Regulation 17 (appointment of committees to be known as local committees) of the principal Regulations is amended as follows.

(2) In paragraph (1) omit "at numbers 1 to 6".

Appointment of other committees by a Council

15.—(1) Regulation 20 (appointment of other committees by a council) of the principal Regulations is amended as follows.

(2) For paragraph (3) substitute—

"(3) The executive committee must determine the constitution and standing orders of committees appointed under this regulation, which may be varied or revoked only with the approval of the executive committee."

(3) Omit paragraph (4).

Appointment of joint committees by a Council

16.—(1) Regulation 21 (appointment of joint committees by a council) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

"(2) Where Councils are appointing a joint committee, the executive committees of all such appointing Councils must together determine the constitution and standing orders of the joint committee which is appointed under this regulation, which may be varied or revoked only with the approval of those executive committees."

(3) Omit paragraph (3).

Swyddogion

17.—(1) Mae rheoliad 23 (swyddogion) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

“(2) Caiff Gweinidogion Cymru gyfarwyddo Ymddiriedolaeth GIG yng Nghymru neu Fwrdd Iechyd Lleol—

- (a) i gyflogi person i weithredu fel Prif Swyddog i Gyngor neu i nifer o Gynghorau;
- (b) i gyflogi personau i weithredu fel unrhyw swyddogion eraill i Gyngor neu i nifer o Gynghorau ag sy'n angenrheidiol ym marn yr Ymddiriedolaeth GIG yng Nghymru neu'r Bwrdd Iechyd Lleol sy'n cael ei chyfarwyddo neu ei gyfarwyddo.”

(3) Yn lle paragraff (3) rhodder—

“(3) Caiff personau a gyflogir o dan y rheoliad hwn gynnwys person sydd i'w adnabod fel Dirprwy Brif Swyddog i bwyllgor lleol neu i nifer o bwyllgorau lleol a sefydlir o dan reoliad 17.”

(4) Ym mharagraff (4) ar ôl “Cyngor” mewnosoder “neu'r Cynghorau”.

Cyflawni Swyddogaethau

18.—(1) Mae rheoliad 26 (cyflawni swyddogaethau) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (2) mewnosoder—

“(3) Wrth gyflawni ei swyddogaethau rhaid i bob Cyngor roi sylw i unrhyw safonau mewn perthynas â chyflawni ei swyddogaethau a osodir gan y Bwrdd CIC.”

Ymgynghori â Chynghorau gan gyrff gwasanaeth iechyd perthnasol

19.—(1) Mae rheoliad 27 (ymgynghori â chynghorau gan gyrff gwasanaeth iechyd perthnasol) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (6) ar ôl “yn unol â pharagraffau (1), (2) a (3)” mewnosoder “, gan roi sylw i unrhyw safonau a osodir gan y Bwrdd CIC,”; ym mharagraff (7) ar ôl “caiff” mewnosoder “, gan roi sylw i unrhyw safonau a osodir gan y Bwrdd CIC,”; ac, ym mharagraff (9) ar ôl “caiff y Cyngor” mewnosoder “, gan roi sylw i unrhyw safonau a osodir gan y Bwrdd CIC,”.

Officers

17.—(1) Regulation 23 (officers) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

“(2) The Welsh Ministers may direct a Welsh NHS Trust or a Local Health Board to—

- (a) employ a person to act as Chief Officer of a Council or of a number of Councils;
- (b) employ persons to act as such other officers of a Council or of a number of Councils as the Welsh NHS Trust or Local Health Board so directed considers necessary.”

(3) For paragraph (3) substitute—

“(3) Persons employed under this regulation may include a person to be known as a Deputy Chief Officer of a local committee or of a number of local committees established under regulation 17.”

(4) In paragraph (4) after “Council” insert “or Councils”.

Performance of Functions

18.—(1) Regulation 26 (performance of functions) of the principal Regulations is amended as follows.

(2) After paragraph (2) insert—

“(3) In carrying out its functions each Council must have regard to any standards in relation to the performance of its functions set by the CHC Board.”

Consultation of Councils by relevant health service bodies

19.—(1) Regulation 27 (consultation of councils by relevant health service bodies) of the principal Regulations is amended as follows.

(2) In paragraphs (6), (7) and (9) after “may” where it first occurs, insert “, having regard to any standards set by the CHC Board,”.

Mynd i mewn i fangreodd a'u harchwilio

20.—(1) Mae rheoliad 29 (mynd i mewn i fangreodd a'u harchwilio) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (5) ar ôl “Weinidogion Cymru” mewnosoder “, ac i unrhyw safonau a osodir gan y Bwrdd CIC,”.

Eiriolaeth annibynnol ar gyfer cwynion

21.—(1) Mae rheoliad 31 (eiriolaeth annibynnol ar gyfer cwynion) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl “Gweinidogion Cymru,” mewnosoder “gan roi sylw i unrhyw safonau a osodir gan y Bwrdd CIC,”.

Swyddogaethau

22.—(1) Mae rheoliad 32 (swyddogaethau) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

“(2) Yn effeithiol o 1 Ebrill 2015 ymlaen, bydd gan y Bwrdd CIC y swyddogaethau canlynol—

- (a) rhoi cyngor i Gyngorau mewn cysylltiad â chyflawni eu swyddogaethau;
- (b) gosod safonau i Gyngorau mewn cysylltiad â chyflawni eu swyddogaethau, mewn perthynas, yn arbennig—
 - (i) â darparu gwasanaethau eiriolaeth ar gyfer cwynion,
 - (ii) â chraffu ar weithrediad y gwasanaeth iechyd, gan gynnwys archwilio mangreodd,
 - (iii) ag ymgysylltu â'r boblogaeth leol o fewn eu dosbarth, Byrddau Iechyd Lleol ac Ymddiriedolaethau GIG,
 - (iv) â chynhyrchu a chynnwys adroddiadau i Weinidogion Cymru y caniateir eu gwneud o dan reoliad 27(7) a (9);
- (c) cynorthwyo Cyngorau i gyflawni eu swyddogaethau;
- (ch) cynrychioli safbwyntiau a buddiannau Cyngorau ar y cyd gerbron Gweinidogion Cymru;
- (d) monitro a rheoli perfformiad Cyngorau a sicrhau bod pob Cyngor

Entry and inspection of premises

20.—(1) Regulation 29 (entry and inspection of premises) of the principal Regulations is amended as follows.

(2) In paragraph (5) after “Welsh Ministers” insert “, and to any standards set by the CHC Board”.

Independent complaints advocacy

21.—(1) Regulation 31 (independent complaints advocacy) of the principal Regulations is amended as follows.

(2) After “must” insert “, having regard to any standards set by the CHC Board,”.

Functions

22.—(1) Regulation 32 (functions) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

“(2) With effect from the 1 April 2015 the CHC Board has the functions of—

- (a) advising Councils with respect to the performance of their functions;
- (b) setting standards for Councils with respect to the performance of their functions, in particular, in relation to—
 - (i) the provision of complaints advocacy services,
 - (ii) the scrutiny of the operation of the health service, including the inspection of premises,
 - (iii) engagement with the local population within their district, Local Health Boards and NHS Trusts,
 - (iv) the production and content of reports to the Welsh Ministers that may be made under regulation 27 (7) and (9);
- (c) assisting Councils in the performance of their functions;
- (d) representing the collective views and interests of Councils to the Welsh Ministers;

- yn cymhwyso'r safonau a osodir yn unol â pharagraff (2)(b) mewn modd cyson;
- (dd) monitro a rheoli ymddygiad aelodau ac aelodau cyfetholedig a benodir o dan reoliad 3 gyda'r nod o sicrhau eu bod yn cydymffurfio ag unrhyw god ymddygiad sy'n gymwys i aelodau ac aelodau cyfetholedig Cyngor yn eu swyddogaeth fel y cyfryw;
 - (e) monitro ymddygiad a pherfformiad swyddogion a gyflogir o dan reoliad 23;
 - (f) rhoi gwybod i Weinidogion Cymru am unrhyw Gynghorau sy'n methu ym mherfformiad eu swyddogaethau ac yng nghymhwysiad y safonau a osodir yn unol â pharagraff (2)(b);
 - (ff) rhoi gwybod i Weinidogion Cymru am unrhyw aelodau ac aelodau cyfetholedig nad ydynt yn cydymffurfio ag unrhyw god ymddygiad sy'n gymwys i aelodau ac aelodau cyfetholedig Cyngor yn eu swyddogaeth fel y cyfryw; a
 - (g) gweithredu gweithdrefn gwynion yn unol â rheoliad 33."

- (e) monitoring and managing the performance of Councils and ensuring the consistent application by all Councils of the standards set in accordance with paragraph (2)(b);
- (f) monitoring and managing the conduct of members and co-opted members appointed under regulation 3 with a view to ensuring their observance with any code of conduct applying to members and co-opted members of a Council in their capacity as such;
- (g) monitoring the conduct and performance of officers employed under regulation 23;
- (h) advising the Welsh Ministers of any Councils who are failing in the performance of their functions and the application of the standards set in accordance with paragraph (2)(b);
- (i) advising the Welsh Ministers of any members and co-opted members who are failing to observe any code of conduct applying to members and co-opted members of a Council in their capacity as such; and
- (j) operating a complaints procedure in accordance with regulation 33."

Aelodaeth y Bwrdd CIC

23.—(1) Mae rheoliad 34 (aelodaeth y Bwrdd CIC) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1) yn lle "2010" rhodder "2015".

(3) Yn lle paragraff (1)(a) rhodder—

"(a) saith ohonynt yn bersonau a benodwyd yn gadeiryddion pob un o'r saith Cyngor, un ohonynt i fod yn is-gadeirydd a etholir gan y saith aelod yn gweithredu ar y cyd;"

(4) Yn lle paragraff (1)(c) rhodder—

"(c) un ohonynt a benodwyd i weithredu fel cadeirydd gan Weinidogion Cymru yn unol â pharagraff (4);"

(5) Hepgorer paragraff (1)(ch).

(6) Ym mharagraff (1)(d) yn lle "Gyfarwyddwr" rhodder "Brif Weithredwr".

(7) Ar ôl paragraff (1)(d) mewnosoder—

Composition of the CHC Board

23.—(1) Regulation 34 (composition of the CHC Board) of the principal Regulations is amended as follows.

(2) In paragraph (1) for "2010" substitute "2015".

(3) For paragraph (1)(a) substitute—

"(a) seven are comprised of the persons appointed as chair of each of the seven Councils, one of whom is to be elected, by the seven members acting jointly, as the vice-chair;"

(4) For paragraph (1)(c) substitute—

"(c) one is appointed to act as chair by the Welsh Ministers in accordance with paragraph (4);"

(5) Omit paragraph (1)(d).

(6) In paragraph (1)(e) for "Director" substitute "Chief Executive".

(7) After paragraph (1)(e) insert—

“(dd) dau ohonynt a benodwyd gan Weinidogion Cymru yn unol â pharagraff (4).”

(8) Yn lle paragraff (4) rhodder—

“(4) Rhaid i drefniadau priodol fod wedi eu gwneud ar gyfer dewis a phenodi personau, nad ydynt yn aelodau o Gyngor, yn gadeirydd ac yn aelodau gan Weinidogion Cymru o dan baragraff (1)(c) ac (dd) a rhaid i'r trefniadau hynny gymryd i ystyriaeth—

- (a) yr egwyddorion a bennir o bryd i'w gilydd gan y Comisiynydd Penodiadau Cyhoeddus;
- (b) y gofyniad bod y dull o ddewis a phenodi aelodau yn agored a thryloyw;
- (c) y gofyniad am gystadleuaeth deg ac agored wrth ddewis a phenodi'r ymgeiswyr llwyddiannus.”

(9) Ym mharagraffau (5) a (6) yn lle “ddwy flynedd” rhodder “dair blynedd”.

(10) Ym mharagraff (7)—

- (a) yn lle “(ch)” rhodder “(dd)”; a
- (b) yn lle “ddwy flynedd” rhodder “bedair blynedd”.

(11) Ym mharagraff (8), ym mhob man lle y mae'n digwydd, yn lle “Cyfarwyddwr” rhodder “Prif Weithredwr”.

Cymhwyster Aelodau o'r Bwrdd i'w hailbenodi ar y Bwrdd CIC

24.—(1) Mae rheoliad 35 (cymhwyster aelodau o'r bwrdd i'w hailbenodi ar y Bwrdd CIC) o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1)—

- (a) yn lle “i (ch)” rhodder “a (b)”; a
- (b) yn lle “ddwy flynedd” rhodder “dair blynedd”.

(3) Ar ôl paragraff (1) mewnosoder—

“(1A) Caiff aelod o'r Bwrdd a benodir o dan baragraff (1)(c) ac (dd) o reoliad 34 wasanaethu am gyfnod o bedair blynedd fan hwyaf.”

(4) Ym mharagraff (2)—

- (a) yn lle “ddwy flynedd” rhodder “dair blynedd”; a
- (b) yn lle “(ch)” rhodder “(dd)”.

(5) Ar ôl paragraff (2) mewnosoder—

“(f) two are appointed by the Welsh Ministers in accordance with paragraph (4).”

(8) For paragraph (4) substitute—

“(4) Appropriate arrangements must be in place for the selection and appointment by the Welsh Ministers of persons, who are not members of a Council, as chair and members under paragraph (1)(c) and (f) and those arrangements must take into account—

- (a) the principles from time to time laid down by the Commissioner for Public Appointments;
- (b) the requirement that the selection and appointment of members be open and transparent;
- (c) the requirement of fair and open competition in the selection and appointment of the successful candidates.”

(9) In paragraphs (5) and (6) for “two” substitute “three”.

(10) In paragraph (7)—

- (a) for “(d)” substitute “(f)”; and
- (b) for “two” substitute “four”.

(11) In paragraph (8) in each place where it occurs for “Director” substitute “Chief Executive”.

Eligibility of Board Members for re-appointment to the CHC Board

24.—(1) Regulation 35 (eligibility of board members for re-appointment to the CHC Board) of the principal Regulations is amended as follows.

(2) In paragraph (1)—

- (a) for “to (d)” substitute “and (b)”; and
- (b) for “two” substitute “three”.

(3) After paragraph (1) insert—

“(1A) A Board member appointed under paragraph (1)(c) and (f) of regulation 34 may serve a maximum period of four years.”

(4) In paragraph (2)—

- (a) for “two” substitute “three”; and
- (b) for “(d)” substitute “(f)”.

(5) After paragraph (2) insert—

“(2A) Wrth gyfrifo’r cyfnod o bedair blynedd y cyfeirir ato ym mharagraff (1A) rhaid cyfuno pob cyfnod o wasanaeth fel aelod o’r Bwrdd, gan gynnwys pob cyfnod o wasanaeth cyn 1 Ebrill 2010 a phob cyfnod o wasanaeth o ganlyniad i unrhyw benodiad o dan baragraff (1)(a) i (dd) o reoliad 34.”

(6) Ym mharagraff (3), ym mhob man lle y mae’n digwydd, yn lle “Cyfarwyddwr” rhodder “Prif Weithredwr”.

(7) Hefgorer paragraff (4).

Staff Cymorth

25.—(1) Mae rheoliad 36 (staff cymorth) o’r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle paragraff (2) rhodder—

“(2) Caiff Gweinidogion Cymru gyfarwyddo Ymddiriedolaeth GIG yng Nghymru neu Fwrdd Iechyd Lleol—

- (a) i gyflogi person i weithredu fel Prif Weithredwr y Bwrdd CIC; a
- (b) i gyflogi unrhyw bersonau i weithredu fel swyddogion i’r Bwrdd CIC ag sy’n angenrheidiol ym marn yr Ymddiriedolaeth GIG yng Nghymru neu’r Bwrdd Iechyd Lleol sy’n cael ei chyfarwyddo neu ei gyfarwyddo.”

(3) Hefgorer paragraff (3).

Cyllid, Cyfrifon ac Indemniad

26. Yn lle pennawd Rhan VI rhodder—

“Cyllid, Cyfrifon ac Indemniad”.

Indemniad

27. Ar ôl rheoliad 41 (cyfrifon) o’r prif Reoliadau mewnosoder—

“Indemniad

41A.—(1) Caiff Gweinidogion Cymru indemnio Cyngor neu’r Bwrdd CIC yn erbyn unrhyw gostau a threuliau cyfreithiol rhesymol y mae’n rhesymol yn eu hysgwyddo mewn cysylltiad ag arfer eu swyddogaethau.

(2) Caiff unrhyw indemniad a roddir fod ar delerau y caiff Gweinidogion Cymru eu pennu.”

Cyfanswm yr aelodau sydd i’w penodi yn aelodau o Gyngor gan y cyrff sy’n penodi

28.—(1) Mae Atodlen 1 (cyfanswm yr aelodau sydd i’w penodi yn aelodau o Gyngor gan y cyrff sy’n penodi o dan reoliad 3) i’r prif Reoliadau wedi ei diwygio fel a ganlyn.

“(2A) When calculating the four year period referred to in paragraph (1A) all periods of service as a Board member must be aggregated, which includes all periods of service before the 1 April 2010 and all periods of service resulting from any appointment under paragraph (1)(a) to (f) of regulation 34.”

(6) In paragraph (3) in each place where it occurs for “Director” substitute “Chief Executive”.

(7) Omit paragraph (4).

Support Staff

25.—(1) Regulation 36 (support staff) of the principal Regulations is amended as follows.

(2) For paragraph (2) substitute—

“(2) The Welsh Ministers may direct a Welsh NHS Trust or Local Health Board to—

- (a) employ a person to act as Chief Executive of the CHC Board; and
- (b) employ such persons to act as officers for the CHC Board as the Welsh NHS Trust or Local Health Board so directed considers necessary.”

(3) Omit paragraph (3).

Finance, Accounts and Indemnity

26. For the heading of Part VI substitute—

“Finance, Accounts and Indemnity”.

Indemnity

27. After regulation 41 (accounts) of the principal Regulations insert—

“Indemnity

41A.—(1) The Welsh Ministers may indemnify a Council or the CHC Board against any reasonable legal costs and expenses reasonably incurred in connection with the exercise of their functions.

(2) The terms of any indemnity given may be such as the Welsh Ministers may determine.”

Total number of members to be appointed to membership of a Council by the appointing bodies

28.—(1) Schedule 1 (total number of members to be appointed to membership of a council by the appointing bodies under regulation 3) to the principal Regulations is amended as follows.

(2) Yng ngholofn 1 yn lle eitem 7 rhodder “Cyngor Iechyd Cymuned Powys”.

(3) Yng ngholofnau 2 a 3 yn lle eitem 7 rhodder “6”.

(4) Yng ngholofn 4 yn lle eitem 7 rhodder “12”.

(5) Hefgorer eitem 8.

Cyngorau Iechyd Cymuned ac Ardaloedd Awdurdod Lleol neu rannau ohonynt y gwneir penodiadau arnynt ac y sefydlir Pwyllgorau Lleol iddynt

29.—(1) Mae Atodlen 2 (cyngorau iechyd cymuned ac ardaloedd awdurdod lleol neu rannau ohonynt y gwneir penodiadau arnynt ac, mewn perthynas â chynghorau newydd, y sefydlir pwyllgorau lleol iddynt) i'r prif Reoliadau wedi ei diwygio fel a ganlyn.

(2) Yn lle'r pennawd rhodder—

“CYNGHORAU IECHYD CYMUNED AC ARDALOEDD AWDURDOD LLEOL NEU RANNAU OHONYNT Y GWNEIR PENODIADAU ARNYNT AC Y SEFYDLIR PWYLLGORAU LLEOL IDDYNT”.

(3) Yn lle pennawd colofn 2 rhodder—

“*Ardaloedd Awdurdod Lleol neu rannau ohonynt y gwneir penodiadau arnynt ac y sefydlir pwyllgorau lleol iddynt*”.

(4) Yng ngholofn 1 yn lle eitem 7 rhodder “Cyngor Iechyd Cymuned Powys”.

(5) Yng ngholofn 2 yn lle eitem 7 rhodder—

- i. Dosbarth Sir Faesyfed a Sir Frycheiniog sy'n ffurfio rhan o Brif Ardal Llywodraeth Leol Powys
- ii. Dosbarth Sir Drefaldwyn sy'n ffurfio rhan o Brif Ardal Llywodraeth Leol Powys gan gynnwys cymunedau Llanrhaeadr-ym-Mochnant, Llansilin a Llangedwyn”.

(6) Hefgorer eitem 8.

(2) In column 1 for item 7 substitute “Powys Community Health Council”.

(3) In columns 2 and 3 for item 7 substitute “6”.

(4) In column 4 for item 7 substitute “12”.

(5) Omit item 8.

Community Health Councils and Local Authority Areas or parts thereof for which appointments are made and Local Committees established

29.—(1) Schedule 2 (community health councils and local authority areas or parts thereof for which appointments are made and, in respect of new councils, local committees established) to the principal Regulations is amended as follows.

(2) For the heading substitute—

“COMMUNITY HEALTH COUNCILS AND LOCAL AUTHORITY AREAS OR PARTS THEREOF FOR WHICH APPOINTMENTS ARE MADE AND LOCAL COMMITTEES ESTABLISHED”.

(3) For the heading of column 2 substitute—

“*Local Authority Areas or parts thereof for which appointments are made and local committees established*”.

(4) In column 1 for item 7 substitute “Powys Community Health Council”.

(5) In column 2 for item 7 substitute—

- i The district of Radnorshire and Brecknock which form part of the Principal Local Government Area of Powys
- ii The district of Montgomeryshire which forms part of the Principal Local Government Area of Powys including the communities of Llanrhaeadr-ym-Mochnant, Llansilin and Llangedwyn”.

(6) Omit item 8.

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidigion Cymru

3 Mawrth 2015

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

3 March 2015

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**NATIONAL HEALTH
SERVICE, WALES**

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Cymuned (Cyfansoddiad,
Aelodaeth a Gweithdrefnau)
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