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WELSH STATUTORY
INSTRUMENTS

2016 Rhif 1099 (Cy. 263)

2016 No. 1099 (W. 263)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

Rheoliadau Gofal Cymdeithasol
Cymru (Cyfansoddiad Paneli:
Personau Rhagnodedig) 2016

The Social Care Wales
(Constitution of Panels: Prescribed
Persons) Regulations 2016

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Sefydlwyd Cyngor Gofal Cymru (“y Cyngor”) gan Ran 4 o Ddeddf Safonau Gofal 2000 at ddibenion hybu safonau ymddygiad ac ymarfer uchel ymhlith gweithwyr gofal cymdeithasol a hybu safonau uchel yn eu hyfforddiant.

The Care Council for Wales (“the Council”) was established by Part 4 of the Care Standards Act 2000 for the purposes of promoting high standards of conduct and practise among social care workers and promoting high standards in their training.

Mae Deddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (“y Ddeddf”) yn ailenwi'r Cyngor yn Ofal Cymdeithasol Cymru (“GCC”), yn ailddatgan ac yn addasu swyddogaethau gwreiddiol GCC ac yn rhoi swyddogaethau ychwanegol iddo.

The Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”) renames the Council as Social Care Wales (“SCW”), restates and modifies SCW’s original functions and confers additional functions.

Mae adran 174 o'r Ddeddf yn ei gwneud yn ofynnol i GCC wneud rheolau i sefydlu paneli apelau cofrestru, paneli addasrwydd i ymarfer a phaneli gorchmynion interim. Mae adran 174(5)(a) o'r Ddeddf yn cynnwys rhestr o bersonau na chaniateir iddynt fod yn aelodau o banel.

Section 174 of the Act requires SCW to make rules to establish registration appeals panels, fitness to practise panels and interim order panels. Section 174(5)(a) of the Act contains a list of persons who may not be members of a panel.

Mae'r Rheoliadau hyn wedi eu gwneud o dan adran 174(5)(b) o'r Ddeddf, sy'n rhoi'r pŵer i Weinidogion Cymru i ragnodi personau ychwanegol na chaniateir iddynt fod yn aelodau o banel.

These Regulations are made under section 174(5)(b) of the Act, which gives Welsh Ministers the power to prescribe additional persons who may not be members of a panel.

Mae rheoliad 3 a pharagraff 1 o Atodlen 1 yn rhagnodi, at ddibenion adran 174(5)(b) o'r Ddeddf, y personau na chaniateir iddynt fod yn aelodau o unrhyw banel apelau cofrestru; mae paragraff 2 o Atodlen 1 yn rhagnodi personau ychwanegol na chaniateir iddynt fod yn aelodau o banel apelau cofrestru yr atgyfeirir mater penodol iddo. Mae rheoliadau 4 a 5 ac Atodlenni 2 a 3 yn ôl eu trefn yn gwneud darpariaeth debyg mewn perthynas â phaneli addasrwydd i ymarfer a phaneli gorchmynion interim.

Regulation 3 and paragraph 1 of Schedule 1 prescribe, for the purposes of section 174(5)(b) of the Act, the persons who may not be members of any registration appeals panel; paragraph 2 of Schedule 1 prescribes additional persons who may not be members of a registration appeals panel to which a particular matter is referred. Regulations 4 and 5 and Schedules 2 and 3 respectively make similar provision in relation to fitness to practise panels and interim orders panels.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau 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.

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 from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**GOFAL CYMDEITHASOL,
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SOCIAL CARE, WALES

Rheoliadau Gofal Cymdeithasol
Cymru (Cyfansoddiad Paneli:
Personau Rhagnodedig) 2016

The Social Care Wales
(Constitution of Panels: Prescribed
Persons) Regulations 2016

Gwnaed 15 Tachwedd 2016

Made 15 November 2016

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 22 Tachwedd 2016

*Laid before the National Assembly
for Wales* 22 November 2016

Yn dod i rym 3 Ebrill 2017

Coming into force 3 April 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 174(5)(b) a 187(1)(b) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 174(5)(b) and 187(1)(b) of the Regulation and Inspection of Social Care (Wales) Act 2016(1), make the following Regulations:

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal Cymdeithasol Cymru (Cyfansoddiad Paneli: Personau Rhagnodedig) 2016.

1.—(1) The title of these Regulations is the Social Care Wales (Constitution of Panels: Prescribed Persons) Regulations 2016.

(2) Daw'r Rheoliadau hyn i rym ar 3 Ebrill 2017.

(2) These Regulations come into force on 3 April 2017.

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

(3) These Regulations apply in relation to Wales.

Dehongli

Interpretation

2. Yn y Rheoliadau hyn—

2. In these Regulations—

ystyr “corff perthnasol” (“*relevant body*”) yw—

“the Act” (“*y Ddeddf*”) means the Regulation and Inspection of Social Care (Wales) Act 2016;

(a) Cyngor y Gweithlu Addysg(2);

“fitness to practise panels” (“*paneli addasrwydd i ymarfer*”) has the meaning given in section 174(1)(b) of the Act;

(b) Cyngor Gofal Cymdeithasol Gogledd Iwerddon(3);

“interim orders panels” (“*paneli gorchmynion interim*”) has the meaning given in section 174(1)(c) of the Act;

(1) 2016 dccc 2.

(2) Mae Cyngor y Gweithlu Addysg wedi ei sefydlu yn unol ag adran 2 o Ddeddf Addysg (Cymru) 2014 (dccc 5).

(3) Mae Cyngor Gofal Cymdeithasol Gogledd Iwerddon wedi ei sefydlu yn unol ag adran 1 o Ddeddf Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 2001 (p. 3).

(1) 2016 anaw 2.

- (c) Cyngor Gwasanaethau Cymdeithasol yr Alban(1);
- (d) y Coleg Cenedlaethol ar gyfer Addysgu ac Arweinyddiaeth(2);
- (e) corff sy'n gyfrifol am reoleiddio proffesiwn y mae adran 60 o Ddeddf Iechyd 1999(3) (rheoleiddio proffesiynau iechyd, gweithwyr cymdeithasol, gweithwyr gofal eraill etc.) yn gymwys iddo(4);
- (f) corff y tu allan i'r Deyrnas Unedig sy'n gyfrifol am reoleiddio gweithgareddau a fyddai, yng Nghymru, yn cael eu rheoleiddio gan GCC(5);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016;

ystyr "mater" ("*matter*") yw'r pwnc neu'r pwynt y mae panel a sefydlir o dan adran 174(1) o'r Ddeddf yn arfer unrhyw swyddogaeth mewn cysylltiad ag ef;

mae i "paneli addasrwydd i ymarfer" ("*fitness to practise panels*") yr ystyr a roddir yn adran 174(1)(b) o'r Ddeddf;

mae i "paneli apelau cofrestru" ("*registration appeals panels*") yr ystyr a roddir yn adran 174(1)(a) o'r Ddeddf;

mae i "paneli gorchmynion interim" ("*interim orders panels*") yr ystyr a roddir yn adran 174(1)(c) o'r Ddeddf;

mae i "person cofrestredig" ("*registered person*") yr ystyr a roddir yn adran 164 o'r Ddeddf.

"matter" ("*mater*") means the subject or issue in respect of which a panel established under section 174(1) of the Act is exercising any function;

"registered person" ("*person cofrestredig*") has the meaning given in section 164 of the Act;

"registration appeals panels" ("*paneli apelau cofrestru*") has the meaning given in section 174(1)(a) of the Act;

"relevant body" ("*corff perthnasol*") means—

- (a) the Education Workforce Council(1);
- (b) the Northern Ireland Social Care Council(2);
- (c) the Scottish Social Services Council(3);
- (d) the National College for Teaching and Leadership(4);
- (e) a body responsible for the regulation of a profession to which section 60 of the Health Act 1999(5) (regulation of health professions, social workers, other care workers etc.) applies(6);
- (f) a body outside the United Kingdom which is responsible for the regulation of activities which would, in Wales, be regulated by SCW(7).

Personau rhagnodedig - paneli apelau cofrestru

3. Mae person a bennir yn Atodlen 1 wedi ei ragnodi(6) at ddibenion adran 174(5)(b) o'r Ddeddf i'r graddau—

- (a) ym mharagraff 1 o Atodlen 1, na chaiff y person fod yn aelod o banel apelau cofrestru;

Prescribed persons – registration appeals panels

3. A person specified in Schedule 1 is prescribed(8) for the purposes of section 174(5)(b) of the Act to the extent that in—

- (a) paragraph 1 of Schedule 1 the person may not be a member of a registration appeals panel;

(1) Mae Cyngor Gwasanaethau Cymdeithasol yr Alban wedi ei sefydlu yn unol ag adran 43 o Ddeddf Rheoleiddio Gofal (Yr Alban) 2001 (dsa 8).

(2) Mae'r Coleg Cenedlaethol ar gyfer Addysgu ac Arweinyddiaeth yn un o asiantaethau gweithredol yr Adran Addysg.

(3) 1999 p. 8.

(4) Y cyrff hyn yw—

- (i) y Cyngor Ceiropractig Cyffredinol,
- (ii) y Cyngor Deintyddol Cyffredinol,
- (iii) y Cyngor Meddygol Cyffredinol,
- (iv) y Cyngor Optegol Cyffredinol,
- (v) y Cyngor Osteopathig Cyffredinol,
- (vi) y Cyngor Fferyllol Cyffredinol,
- (vii) y Cyngor Proffesiynau Iechyd a Gofal,
- (viii) y Cyngor Nyrsio a Bydwreigiaeth.

(5) *Gweler* adran 67(3) o'r Ddeddf i gael y diffiniad o "GCC".

(6) *Gweler* adran 189 o'r Ddeddf i gael y diffiniad o "a ragnodir" a "rhagnodedig".

(1) The Education Workforce Council is established in accordance with section 2 of the Education (Wales) Act 2014 (anaw 5).

(2) The Northern Ireland Social Care Council is established in accordance with section 1 of the Health and Personal Social Services Act (Northern Ireland) 2001 (c. 3).

(3) The Scottish Social Services Council is established in accordance with section 43 of the Regulation of Care (Scotland) Act 2001 (asp 8).

(4) The National College for Teaching and Leadership is an executive agency of the Department for Education.

(5) 1999 c. 8.

(6) These bodies are—

- (i) the General Chiropractic Council,
- (ii) the General Dental Council,
- (iii) the General Medical Council,
- (iv) the General Optical Council,
- (v) the General Osteopathic Council,
- (vi) the General Pharmaceutical Council,
- (vii) the Health and Care Professions Council,
- (viii) the Nursing and Midwifery Council.

(7) *See* section 67(3) of the Act for the definition of "SCW".

(8) *See* section 189 of the Act for the definition of "prescribed".

- (b) ym mharagraff 2 o Atodlen 1, na chaiff y person fod yn aelod o banel apelau cofrestru yr atgyfeirir cais neu apêl sy'n ymwneud â mater penodol iddo.

- (b) paragraph 2 of Schedule 1 the person may not be a member of a registration appeals panel to which an application or appeal relating to a particular matter is referred.

Personau rhagnodedig – paneli addasrwydd i ymarfer

4. Mae person a bennir yn Atodlen 2 wedi ei ragnodi at ddibenion adran 174(5)(b) o'r Ddeddf i'r graddau—

- (a) ym mharagraff 1 o Atodlen 2, na chaiff y person fod yn aelod o banel addasrwydd i ymarfer;
- (b) ym mharagraff 2 o Atodlen 2, na chaiff y person fod yn aelod o banel addasrwydd i ymarfer yr atgyfeirir mater penodol iddo.

Prescribed persons – fitness to practise panels

4. A person specified in Schedule 2 is prescribed for the purposes of section 174(5)(b) of the Act to the extent that in—

- (a) paragraph 1 of Schedule 2 the person may not be a member of a fitness to practise panel;
- (b) paragraph 2 of Schedule 2 the person may not be a member of a fitness to practise panel to which a particular matter is referred.

Personau rhagnodedig – paneli gorchmynion interim

5. Mae person a bennir yn Atodlen 3 wedi ei ragnodi at ddibenion adran 174(5)(b) o'r Ddeddf i'r graddau—

- (a) ym mharagraff 1 o Atodlen 3, na chaiff y person fod yn aelod o banel gorchmynion interim;
- (b) ym mharagraff 2 o Atodlen 3, na chaiff y person fod yn aelod o banel gorchmynion interim yr atgyfeirir mater penodol iddo.

Prescribed persons – interim orders panels

5. A person specified in Schedule 3 is prescribed for the purposes of section 174(5)(b) of the Act to the extent that in—

- (a) paragraph 1 of Schedule 3 the person may not be a member of an interim orders panel;
- (b) paragraph 2 of Schedule 3 the person may not be a member of an interim orders panel to which a particular matter is referred.

Rebecca Evans

Gweinidog Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru
15 Tachwedd 2016

Minister for Social Services and Public Health, under authority of the Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers

15 November 2016

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Personau rhagnodedig – paneli apelau
cofrestru

1.—(1) Person sydd am y tro yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf.

(2) Person sydd am y tro wedi ei benodi'n—

- (a) asesydd neu archwiliwr, neu
- (b) cynghorydd cyfreithiol neu gynghorydd arall,

i'r panel apelau cofrestru.

2.—(1) Pan fo panel apelau cofrestru yn ystyried cais yn unol ag adran 98 neu 99, neu apêl yn unol ag adran 101 o'r Ddeddf, ni chaiff person—

- (a) sydd ar unrhyw adeg wedi cael ei benodi i roi ystyriaeth ragarweiniol o dan adran 119 o'r Ddeddf i fater fod yn aelod o'r panel apelau cofrestru yr atgyfeirir cais sy'n ymwneud â'r mater iddo;
- (b) sydd ar unrhyw adeg wedi bod yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf mewn perthynas â mater fod yn aelod o banel apelau cofrestru yr atgyfeirir cais sy'n ymwneud â'r mater iddo;
- (c) sy'n aelod neu sydd wedi bod yn aelod o banel gorchmynion interim yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel apelau cofrestru yr atgyfeirir cais neu apêl sy'n ymwneud â'r mater iddo;
- (d) a benodir neu sydd wedi cael ei benodi'n—
 - (i) asesydd neu archwiliwr, neu
 - (ii) cynghorydd cyfreithiol neu gynghorydd arall,

i banel gorchmynion interim yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel apelau cofrestru yr atgyfeirir cais neu apêl sy'n ymwneud â'r mater iddo;

- (e) sy'n aelod neu sydd wedi bod yn aelod o banel addasrwydd i ymarfer yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel apelau cofrestru yr atgyfeirir cais sy'n ymwneud â'r mater iddo;
- (f) a benodir neu sydd wedi cael ei benodi'n—
 - (i) asesydd neu archwiliwr, neu
 - (ii) cynghorydd cyfreithiol neu gynghorydd arall,

i banel addasrwydd i ymarfer yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel

Prescribed persons – registration appeals
panels

1.—(1) A person involved for the time being in an investigation under section 125 of the Act.

(2) A person appointed for the time being as—

- (a) an assessor or examiner, or
- (b) a legal or other adviser,

to the registration appeals panel.

2.—(1) Where a registration appeals panel is considering an application in accordance with section 98 or 99, or an appeal in accordance with section 101 of the Act, a person who—

- (a) has at any time been appointed to give preliminary consideration under section 119 of the Act to a matter may not be a member of the registration appeals panel to which an application relating to the matter is referred;
- (b) has at any time been involved in an investigation under section 125 of the Act in relation to a matter may not be a member of a registration appeals panel to which an application relating to the matter is referred;
- (c) is or has been a member of an interim orders panel whose proceedings related to a matter may not be a member of the registration appeals panel to which an application or appeal relating to the matter is referred;
- (d) is or has been appointed as—
 - (i) an assessor or examiner, or
 - (ii) a legal or other adviser,

to an interim orders panel whose proceedings related to a matter may not be a member of the registration appeals panel to which an application or appeal relating to the matter is referred;

- (e) is or has been a member of fitness to practise panel whose proceedings related to a matter may not be a member of the registration appeals panel to which an application relating to the matter is referred;
- (f) is or has been appointed as—
 - (i) an assessor or examiner, or
 - (ii) a legal or other adviser,

to a fitness to practise panel whose proceedings related to a matter may not be a

apelau cofrestru yr atgyfeirir cais sy'n ymwneud â'r mater iddo.

(2) Pan fo'r amgylchiadau yn is-baragraff (3) yn gymwys, ni chaiff person sydd ar unrhyw adeg wedi ystyried cwestiwn neu bwynt ar ran corff perthnasol neu sydd wedi dyfarnu ar gwestiwn neu bwynt ar ei ran fod yn aelod o'r panel apelau cofrestru yr atgyfeirir cais neu apêl sy'n ymwneud â'r mater iddo.

(3) Yr amgylchiadau yw—

- (a) mae'r cais yn cael ei wneud neu mae'r apêl yn cael ei gwneud gan berson cofrestredig sydd hefyd wedi ei gofrestru â'r corff perthnasol; a
- (b) mae'r corff perthnasol wedi ystyried cwestiwn neu bwynt sy'n ymwneud â chofrestriad y person cofrestredig â'r corff hwnnw ac sydd hefyd yn ymwneud â'r mater neu wedi dyfarnu ar gwestiwn neu bwynt o'r fath.

member of the registration appeals panel to which an application relating to the matter is referred.

(2) Where the circumstances in sub-paragraph (3) apply, a person who has at any time considered or adjudicated upon a question or issue on behalf of a relevant body may not be a member of the registration appeals panel to which an application or appeal relating to the matter is referred.

(3) The circumstances are—

- (a) the application or appeal is made by a registered person who is also registered with the relevant body; and
- (b) the relevant body has considered or adjudicated upon a question or issue which relates to the registered person's registration with that body and which also relates to the matter.

ATODLEN 2 Rheoliad 4

Personau rhagnodedig – paneli
addasrwydd i ymarfer

1.—(1) Person sydd am y tro yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf.

(2) Person sydd am y tro wedi ei benodi'n—

- (a) asesydd neu archwiliwr, neu
- (b) cynghorydd cyfreithiol neu gynghorydd arall,

i'r panel addasrwydd i ymarfer.

2.—(1) Ni chaiff person sydd ar unrhyw adeg wedi cael ei benodi i roi ystyriaeth ragarweiniol o dan adran 119 o'r Ddeddf i fater fod yn aelod o'r panel addasrwydd i ymarfer yr atgyfeirir y mater iddo.

(2) Ni chaiff person sydd ar unrhyw adeg wedi bod yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf mewn perthynas â mater fod yn aelod o'r panel addasrwydd i ymarfer yr atgyfeirir y mater iddo.

(3) Ni chaiff person sy'n aelod neu sydd wedi bod yn aelod o banel gorchmynion interim yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel addasrwydd i ymarfer yr atgyfeirir y mater iddo.

(4) Ni chaiff person a benodir neu sydd wedi cael ei benodi'n—

- (a) asesydd neu archwiliwr, neu
- (b) cynghorydd cyfreithiol neu gynghorydd arall,

i banel gorchmynion interim yr oedd ei achos yn ymwneud â mater fod yn aelod o'r panel addasrwydd i ymarfer yr atgyfeirir y mater iddo.

(5) Pan fo'r amgylchiadau yn is-baragraff (6) yn gymwys, ni chaiff person sydd ar unrhyw adeg wedi ystyried cwestiwn neu bwynt ar ran corff perthnasol neu sydd wedi dyfarnu ar gwestiwn neu bwynt ar ei ran fod yn aelod o'r panel addasrwydd i ymarfer yr atgyfeirir y mater iddo.

(6) Yr amgylchiadau yw—

- (a) mae'r mater yn ymwneud â pherson cofrestredig sydd hefyd wedi ei gofrestru â chorff perthnasol; a
- (b) mae'r corff perthnasol wedi ystyried cwestiwn neu bwynt sy'n ymwneud â chofrestriad y person cofrestredig â'r corff hwnnw ac sydd hefyd yn ymwneud â'r mater neu wedi dyfarnu ar gwestiwn neu bwynt o'r fath.

SCHEDULE 2 Regulation 4

Prescribed persons – fitness to practise
panels

1.—(1) A person involved for the time being in an investigation under section 125 of the Act.

(2) A person appointed for the time being—

- (a) an assessor or examiner, or
- (b) a legal or other adviser,

to the fitness to practise panel.

2.—(1) A person who has at any time been appointed to give preliminary consideration under section 119 of the Act to a matter may not be a member of the fitness to practise panel to which the matter is referred.

(2) A person who has at any time been involved in an investigation under section 125 of the Act in relation to a matter may not be a member of the fitness to practise panel to which the matter is referred.

(3) A person who is or has been a member of an interim orders panel whose proceedings related to a matter may not be a member of the fitness to practise panel to which the matter is referred.

(4) A person who is or has been appointed as—

- (a) an assessor or examiner, or
- (b) a legal or other adviser,

to an interim orders panel whose proceedings related to a matter may not be a member of the fitness to practise panel to which the matter is referred.

(5) Where the circumstances in sub-paragraph (6) apply, a person who has at any time considered or adjudicated upon a question or issue on behalf of a relevant body may not be a member of the fitness to practise panel to which the matter is referred.

(6) The circumstances are—

- (a) the matter relates to a registered person who is also registered with a relevant body; and
- (b) the relevant body has considered or adjudicated upon a question or issue which relates to the registered person's registration with the that body and which also relates to the matter.

Personau rhagnodedig – paneli
gorchmynion interim

1.—(1) Person sydd am y tro yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf.

(2) Person sydd am y tro wedi ei benodi'n—

- (a) asesydd neu archwiliwr, neu
- (b) cynghorydd cyfreithiol neu gynghorydd arall,

i'r panel gorchmynion interim.

2.—(1) Ni chaiff person sydd ar unrhyw adeg wedi cael ei benodi i roi ystyriaeth ragarweiniol o dan adran 119 o'r Ddeddf i fater fod yn aelod o'r panel gorchmynion interim yr atgyfeirir y mater iddo.

(2) Ni chaiff person sydd ar unrhyw adeg wedi bod yn ymwneud ag ymchwiliad o dan adran 125 o'r Ddeddf mewn perthynas â mater fod yn aelod o'r panel gorchmynion interim yr atgyfeirir y mater iddo.

(3) Pan fo'r amgylchiadau yn is-baragraff (4) yn gymwys, ni chaiff person sydd ar unrhyw adeg wedi ystyried cwestiwn neu bwynt ar ran corff perthnasol neu sydd wedi dyfarnu ar gwestiwn neu bwynt ar ei ran fod yn aelod o'r panel gorchmynion interim yr atgyfeirir y mater iddo.

(4) Yr amgylchiadau yw—

- (a) mae'r mater yn ymwneud â pherson cofrestredig sydd hefyd wedi ei gofrestru â chorff perthnasol; a
- (b) mae'r corff perthnasol wedi ystyried cwestiwn neu bwynt sy'n ymwneud â chofrestriad y person cofrestredig â'r corff hwnnw ac sydd hefyd yn ymwneud â'r mater neu wedi dyfarnu ar gwestiwn neu bwynt o'r fath.

Prescribed persons – interim orders
panels

1.—(1) A person involved for the time being in an investigation under section 125 of the Act.

(2) A person appointed for the time being—

- (a) an assessor or examiner, or
- (b) a legal or other adviser,

to the interim orders panel.

2.—(1) A person who has at any time been appointed to give preliminary consideration under section 119 of the Act to a matter may not be a member of the interim orders panel to which the matter is referred.

(2) A person who has at any time been involved in an investigation under section 125 of the Act in relation to a matter may not be a member of the interim orders panel to which the matter is referred.

(3) Where the circumstances in sub-paragraph (4) apply, a person who has at any time considered or adjudicated upon a question or issue on behalf of a relevant body may not be a member of the interim orders panel to which the matter is referred.

(4) The circumstances are—

- (a) the matter relates to a registered person who is also registered with a relevant body; and
- (b) the relevant body has considered or adjudicated upon a question or issue which relates to the registered person's registration with that body and which also relates to the matter.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 1099 (Cy. 263)

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**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

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