OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2017 Rhif 140 (Cy. 43)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gofal Cymdeithasol Cymru (Achosion gerbron Paneli) (Diwygio) 2017

2017 No. 140 (W. 43)

SOCIAL CARE, WALES

The Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gofal Cymdeithasol Cymru (Achosion gerbron Paneli) 2016 ("Rheoliadau 2016").

Mae rheoliadau 10, 23 a 34 o Reoliadau 2016 wedi eu diwygio i alluogi Gofal Cymdeithasol Cymru i wneud cais i'r Uchel Lys neu'r Llys Sirol drwy Reolau'r Drefniadaeth Sifil am wŷs tyst. Mae'r diwygiad wedi ei wneud mewn perthynas â phanel apelau cofrestru, panel addasrwydd i ymarfer a phanel gorchmynion interim.

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 amend the Social Care Wales (Proceedings before Panels) Regulations 2016 ("the 2016 Regulations").

Regulations 10, 23 and 34 of the 2016 Regulations are amended to enable Social Care Wales to apply through the Civil Procedure Rules to the High Court or County Court for a witness summons. The amendment is made in relation to a registration appeals panel, a fitness to practise panel and an interim orders panel.

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.

2017 Rhif 140 (Cy. 43)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gofal Cymdeithasol Cymru (Achosion gerbron Paneli) (Diwygio) 2017

Gwnaed	*7 Chwefror 2017*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*14 Chwefror 2017*
Yn dod i rym	*3 Ebrill 2017*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 175(1) a 187(1) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gofal Cymdeithasol Cymru (Achosion gerbron Paneli) (Diwygio) 2017.

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

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

(4) Yn y Rheoliadau hyn ystyr "Rheoliadau 2016" ("*the 2016 Regulations*") yw Rheoliadau Gofal Cymdeithasol Cymru (Achosion gerbron Paneli) 2016(**2**).

Diwygio Rheoliadau 2016

2.—(1) Mae Rheoliadau 2016 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 10 (achosion apelau cofrestru: gwysion tystion) yn lle paragraff (1)(b) rhodder—

(**1**) 2016 dccc 2.
(**2**) O.S. 2016/1100 (Cy. 264).

2017 No. 140 (W. 43)

SOCIAL CARE, WALES

The Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017

Made	*7 February 2017*
Laid before the National Assembly for Wales	*14 February 2017*
Coming into force	*3 April 2017*

The Welsh Ministers, in exercise of the powers conferred by sections 175(1) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(**1**), make the following Regulations.

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017.

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

(3) These Regulations apply in relation to Wales.

(4) In these Regulations "the 2016 Regulations" ("*Rheoliadau 2016*") means the Social Care Wales (Proceedings before Panels) Regulations 2016(**2**).

Amendment of the 2016 Regulations

2.—(1) The 2016 Regulations are amended as follows.

(2) In regulation 10 (registration appeals proceedings: witness summons) for paragraph (1)(b) substitute—

(**1**) 2016 anaw 2.
(**2**) S.I. 2016/1100 (W. 264).

"(b) caiff GCC wneud cais i'r Llys Sirol neu'r Uchel Lys i ddyroddi gwŷs tyst yn unol â Rheol 34.4 o Reolau Trefniadaeth Sifil 1998(**1**)."

(3) Yn rheoliad 23 (achosion addasrwydd i ymarfer ac achosion gorchmynion interim: gwysion tystion) yn lle paragraff (1)(b) rhodder—

"(b) caiff GCC wneud cais i'r Llys Sirol neu'r Uchel Lys i ddyroddi gwŷs tyst yn unol â Rheol 34.4 o Reolau Trefniadaeth Sifil 1998."

(4) Yn rheoliad 34 (achosion gorchmynion interim: gwysion tystion) yn lle paragraff (1)(b) rhodder—

"(b) caiff GCC wneud cais i'r Llys Sirol neu'r Uchel Lys i ddyroddi gwŷs tyst yn unol â Rheol 34.4 o Reolau Trefniadaeth Sifil 1998."

"(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998(**1**)."

(3) In regulation 23 (fitness to practise proceedings and interim orders proceedings: witness summons) for paragraph (1)(b) substitute—

"(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998."

(4) In regulation 34 (interim orders proceedings: witness summons) for paragraph (1)(b) substitute—

"(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998."

Rebecca Evans

Gweinidog Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru
7 Chwefror 2017

Minister for Social Services and Public Health, under authority of the Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers
7 February 2017

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(**1**) O.S. 1998/3132. Mae Rheol 34.4 o Reolau'r Drefniadaeth Sifil yn rhoi pŵer i'r Uchel Lys a'r Llys Sirol i ddyroddi gwŷs tyst er mwyn cynorthwyo llys neu dribiwnlys nad oes ganddo bŵer i ddyroddi gwŷs tyst mewn perthynas ag achos sydd ger ei fron.

(**1**) S.I. 1998/3132. Rule 34.4 of the Civil Procedure Rules gives the High Court and the County Court power to issue a witness summons in aid of a court or tribunal which does not have power to issue a witness summons in relation to proceedings before it.

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SOCIAL CARE, WALES

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