



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 295 (Cy. 72)

2021 No. 295 (W. 72)

CYDRADDOLDEB, CYMRU

EQUALITY, WALES

Rheoliadau Deddf Cydraddoldeb
2010 (Awdurdodau sy'n
ddarostyngedig i ddyletswydd
ynghylch Anghydraddoldebau
Economaidd-gymdeithasol)
(Cymru) 2021

The Equality Act 2010 (Authorities
subject to a duty regarding Socio-
economic Inequalities) (Wales)
Regulations 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio adran 1 o Ddeddf Cydraddoldeb 2010 ("y Ddeddf") er mwyn ychwanegu awdurdodau at y rhestr o awdurdodau sy'n ddarostyngedig i ddyletswydd sector cyhoeddus ynghylch anghydraddoldebau economaidd-gymdeithasol o dan adran 1(1) o'r Ddeddf honno.

Mae'r rhestr o awdurdodau Cymreig a bennir yn adran 1(3A) o'r Ddeddf yn awdurdodau sy'n bodloni'r prawf yn adran 2(6) o'r Ddeddf, hynny yw, maent yn awdurdodau Cymreig datganoledig (o fewn yr ystyr a roddir i "devolved Welsh authority" yn adran 157A o Ddeddf Llywodraeth Cymru 2006), y mae eu swyddogaethau'n cyfateb i swyddogaethau awdurdod a bennir am y tro yn is-adran (3) o adran 1 neu y cyfeirir ato yn is-adran (4) o'r adran honno, neu y mae eu swyddogaethau'n debyg i swyddogaethau awdurdod o'r fath.

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: Y Grŵp Addysg a Gwasanaethau Cyhoeddus, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 1 of the Equality Act 2010 ("the Act") to add authorities to the list of authorities that are subject to a public sector duty regarding socio-economic inequalities under section 1(1) of that Act.

The list of Welsh authorities specified in section 1(3A) of the Act are authorities which satisfy the test in section 2(6) of the Act, that is, they are 'devolved Welsh Authorities' (within the meaning given by section 157A of the Government of Wales Act 2006), whose functions correspond or are similar to those of an authority for the time being specified in subsection (3) of section 1 or referred to in subsection (4) of that section.

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 Education and Public Services Group, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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CYDRADDOLDEB, CYMRU

EQUALITY, WALES

Rheoliadau Deddf Cydraddoldeb
2010 (Awdurdodau sy'n
ddarostyngedig i ddyletswydd
ynghylch Anghydraddoldebau
Economaid-gymdeithasol)
(Cymru) 2021

The Equality Act 2010 (Authorities
subject to a duty regarding Socio-
economic Inequalities) (Wales)
Regulations 2021

Gwnaed 10 Mawrth 2021

Made 10 March 2021

Yn dod i rym 30 Mawrth 2021

Coming into force 30 March 2021

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pŵer a roddir iddynt gan adran 2(4)(a) o Ddeddf Cydraddoldeb 2010(1).

The Welsh Ministers make the following Regulations in exercise of the power conferred on them by section 2(4)(a) of the Equality Act 2010(1).

Yn unol ag adran 209(2), (3)(a) a (6) o'r Ddeddf honno, gosodwyd drafft o'r Rheoliadau hyn gerbron Senedd Cymru, ac fe'i cymeradwywyd ganddi drwy benderfyniad.

In accordance with section 209(2), (3)(a) and (6) of that Act, a draft of these Regulations has been laid before and approved by a resolution of, Senedd Cymru.

Enwi a chychwyn

Title and commencement

1. Enw'r Rheoliadau hyn yw Rheoliadau Deddf Cydraddoldeb 2010 (Awdurdodau sy'n ddarostyngedig i ddyletswydd ynghylch Anghydraddoldebau Economaid-gymdeithasol) (Cymru) 2021 a deuant i rym ar 30 Mawrth 2021.

1. The title of these Regulations is the Equality Act 2010 (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 and they come into force on 30 March 2021.

(1) 2010 p. 15. Mae adran 2(4) yn galluogi Gweinidogion Cymru i ddiwygio adran 1 o Ddeddf 2010 er mwyn, ymhlith pethau eraill, ychwanegu awdurdod perthnasol at yr awdurdodau sy'n ddarostyngedig i'r ddyletswydd o dan adran 1. Mae "relevant authority" wedi ei ddiffinio yn adran 2(6). Diwygiwyd adran 2(6) gan baragraff 83(1) a (2) o Atodlen 6 i Ddeddf Cymru 2017 (p. 4) ("Deddf 2017"). Hefgorwyd is-adrannau (7), (9) a (10) o adran 2 gan adran 45(3) o Ddeddf 2017 a hefgorwyd paragraff (b) o is-adran (11) gan baragraff 83(3) o Atodlen 6 i Ddeddf 2017. Mae diwygiadau eraill i adran 2 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(1) 2010 c. 15. Section 2(4) enables the Welsh Ministers to amend section 1 of the 2010 Act to, amongst other things, add a relevant authority to the authorities that are subject to the duty under section 1. "Relevant authority" is defined in section 2(6). Section 2(6) was amended by paragraph 83(1) and (2) of Schedule 6 to the Wales Act 2017 (c. 4) ("the 2017 Act"). Subsections (7), (9) and (10) of section 2 were omitted by section 45(3) of the 2017 Act and paragraph (b) of subsection (11) was omitted by paragraph 83(3) of Schedule 6 to the 2017 Act. There are other amendments to section 2 but none is relevant to these Regulations.

Diwygio adran 1 o Ddeddf Cydraddoldeb 2010

2. Yn adran 1 o Ddeddf Cydraddoldeb 2010 (y ddyletswydd sector cyhoeddus ynghylch anghydraddoldebau economaidd-gymdeithasol), ar ôl is-adran (3)(1), mewnosoder—

“(3A) This section also applies to the following authorities—

- (a) the Welsh Ministers;
- (b) a county council or county borough council in Wales;
- (c) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006(2);
- (d) an NHS Trust established under section 18 of the National Health Service (Wales) Act 2006;
- (e) a Special Health Authority established under section 22(3) of the National Health Service (Wales) Act 2006 other than a cross-border Special Health Authority (within the meaning of section 8A(5)(4) of the National Health Service (Wales) Act 2006);
- (f) a fire and rescue authority constituted by a scheme under section 2(5) of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales;
- (g) a National Park authority established by an order under section 63 of the Environment Act 1995(6) for an area in Wales;
- (h) the Welsh Revenue Authority or Awdurdod Cyllid Cymru.”

Amendment of section 1 of the Equality Act 2010

2. In section 1 of the Equality Act 2010 (public sector duty regarding socio-economic inequalities), after subsection (3)(1), insert—

“(3A) This section also applies to the following authorities—

- (a) the Welsh Ministers;
- (b) a county council or county borough council in Wales;
- (c) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006(2);
- (d) an NHS Trust established under section 18 of the National Health Service (Wales) Act 2006;
- (e) a Special Health Authority established under section 22(3) of the National Health Service (Wales) Act 2006 other than a cross-border Special Health Authority (within the meaning of section 8A(5)(4) of the National Health Service (Wales) Act 2006);
- (f) a fire and rescue authority constituted by a scheme under section 2(5) of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales;
- (g) a National Park authority established by an order under section 63 of the Environment Act 1995(6) for an area in Wales;
- (h) the Welsh Revenue Authority or Awdurdod Cyllid Cymru.”

(1) Hefgorwyd paragraffau (h) ac (i) o adran 1(3) gan baragraff 181(a) a (b) o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7) (“Deddf 2012”). Diddymwyd adran 1(3)(j) gan baragraff 1 o Atodlen 6 i Ddeddf Cyrff Cyhoeddus 2011 (p. 24). Mae diwygiadau eraill i adran 1 ond nid yw’r un ohonynt yn berthnasol i’r Rheoliadau hyn.

(2) 2006 p. 42.

(3) Hefgorwyd adran 22(6) gan baragraff 18 o Atodlen 21 i Ddeddf 2012.

(4) Mewnosodwyd adran 8A gan baragraff 14 o Atodlen 21 i Ddeddf 2012.

(5) 2004 p. 21, y mae diwygiadau iddi nad ydynt yn berthnasol i’r Rheoliadau hyn.

(6) 1995 p. 25.

(1) Paragraphs (h) and (i) of section 1(3) were omitted by paragraph 181(a) and (b) of Schedule 5 to the Health and Social Care Act 2012 (c. 7) (“the 2012 Act”). Section 1(3)(j) was repealed by paragraph 1 of Schedule 6 to the Public Bodies Act 2011 (c. 24). There are other amendments to section 1 but none is relevant to these Regulations.

(2) 2006 c. 42.

(3) Section 22(6) was omitted by paragraph 18 of Schedule 21 to the 2012 Act.

(4) Section 8A was inserted by paragraph 14 of Schedule 21 to the 2012 Act.

(5) 2004 c. 21, to which there are amendments not relevant to these Regulations.

(6) 1995 c. 25.

Jane Hutt

Y Dirprwy Weinidog a'r Prif Chwip, o dan awdurdod
Gweinidogion Cymru
10 Mawrth 2021

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Deputy Minister and Chief Whip, under authority of
the Welsh Ministers
10 March 2021

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Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/wsi/2021/295>

ISBN 978-0-348-20774-3



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