OFFERYNNAU STATUDOL CYMRU

2021 Rhif 316 (Cy. 81)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Deddf y Coronafeirws 2020 (Atal Dros Dro: Gofal a Chymorth gan Awdurdodau Lleol) (Cymru) 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn atal dros dro ddarpariaethau penodol yn Neddf y Coronafeirws 2020 ("Deddf 2020") sy'n addasu dyletswyddau penodol awdurdodau lleol mewn perthynas â gofal cymdeithasol i oedolion o dan Rannau 3 a 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Mae Rheoliad 2 yn darparu ar gyfer atal dros dro weithrediad Rhan 2 o Atodlen 12 i Ddeddf 2020 (pwerau a dyletswyddau awdurdodau lleol yng Nghymru) ac adran 15 o Ddeddf 2020 (gofal a chymorth gan awdurdodau lleol), i'r graddau y mae'n ymwneud â Rhan 2 o Atodlen 12.

Mae atal dros dro weithrediad y darpariaethau hyn yn golygu nad ydynt yn cael effaith yng Nghymru mwyach ond bod modd eu hadfer o dan adran 88(3) o Ddeddf 2020.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2021 No. 316 (W. 81)

SOCIAL CARE, WALES

The Coronavirus Act 2020 (Suspension: Local Authority Care and Support) (Wales) Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations suspend certain provisions in the Coronavirus Act 2020 ("the 2020 Act") which modify certain duties of local authorities in relation to adult social care under Parts 3 and 4 of the Social Services and Well-being (Wales) Act 2014.

Regulation 2 provides for the suspension of the operation of Part 2 of Schedule 12 to the 2020 Act (powers and duties of local authorities in Wales) and section 15 of the 2020 Act (local authority care and support), so far as it relates to Part 2 of Schedule 12.

The suspension of the operation of these provisions means that they no longer have effect in Wales but are capable of being revived under section 88(3) of the 2020 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 316 (Cy. 81)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Deddf y Coronafeirws 2020 (Atal Dros Dro: Gofal a Chymorth gan Awdurdodau Lleol) (Cymru) 2021

Gwnaed *15 Mawrth 2021*

Yn dod i rym *22 Mawrth 2021*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 88(1) o Ddeddf y Coronafeirws 2020(**1**), yn gwneud y Rheoliadau a ganlyn.

Mae Gweinidogion Cymru wedi eu bodloni bod yr amodau a bennir yn adran 88(9) o'r Ddeddf honno wedi eu bodloni mewn perthynas â'r darpariaethau a atelir dros dro gan y Rheoliadau hyn.

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf y Coronafeirws 2020 (Atal Dros Dro: Gofal a Chymorth gan Awdurdodau Lleol) (Cymru) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 22 Mawrth 2021.

(3) Yn y Rheoliadau hyn, ystyr "Deddf 2020" yw Deddf y Coronafeirws 2020.

(**1**) 2020 p. 7 ("Deddf 2020"). Mae'r pwerau a roddir gan adran 88(1) o Ddeddf 2020 yn arferadwy o ran Cymry gan Weinidogion Cymru; *gweler* adran 88(7) a (9) am y diffiniad o "relevant national authority". *Gweler* adran 88(6) o Ddeddf 2020 am ystyr "provisions".

WELSH STATUTORY INSTRUMENTS

2021 No. 316 (W. 81)

SOCIAL CARE, WALES

The Coronavirus Act 2020 (Suspension: Local Authority Care and Support) (Wales) Regulations 2021

Made *15 March 2021*

Coming into force *22 March 2021*

The Welsh Ministers, in exercise of the powers conferred on them by section 88(1) of the Coronavirus Act 2020(**1**), make the following Regulations.

The Welsh Ministers are satisfied that the conditions specified in section 88(9) of that Act are satisfied in relation to the provisions suspended by these Regulations.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Coronavirus Act 2020 (Suspension: Local Authority Care and Support) (Wales) Regulations 2021.

(2) These Regulations come into force on 22 March 2021.

(3) In these Regulations, "the 2020 Act" means the Coronavirus Act 2020.

(**1**) 2020 c. 7 ("the 2020 Act"). The powers conferred by section 88(1) of the 2020 Act are exercisable in relation to Wales by the Welsh Ministers; *see* section 88(7) and (9) for the definition of "relevant national authority". *See* section 88(6) of the 2020 Act for the meaning of "provisions".

Atal dros dro addasiadau o dan Ddeddf 2020 mewn perthynas â dyletswyddau penodol awdurdodau lleol

2. Mae gweithrediad y darpariaethau a ganlyn o Ddeddf 2020 wedi ei atal dros dro—

(a) Rhan 2 o Atodlen 12 (pwerau a dyletswyddau awdurdodau lleol yng Nghymru);

(b) adran 15 (gofal a chymorth gan awdurdodau lleol), i'r graddau y mae'n ymwneud â Rhan 2 o Atodlen 12.

Suspension of modifications under the 2020 Act in relation to certain duties of local authorities

2. The operation of the following provisions of the 2020 Act is suspended—

(a) Part 2 of Schedule 12 (powers and duties of local authorities in Wales);

(b) section 15 (local authority care and support), so far as it relates to Part 2 of Schedule 12.

Julie Morgan

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
15 Mawrth 2021

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

15 March 2021

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£4.90

http://www.legislation.gov.uk/id/wsi/2021/316

ISBN 978-0-348-20782-8