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WELSH STATUTORY
INSTRUMENTS

2021 Rhif 850 (Cy. 198)

2021 No. 850 (W. 198)

**GOFAL CYMDEITHASOL,
CYMRU**

SOCIAL CARE, WALES

Rheoliadau Deddf y Coronafeirws
2020 (Dod i Ben yn Gynnar: Gofal
a Chymorth gan Awdurdodau Lleol)
(Cymru) 2021

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

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn darparu i ddarpariaethau penodedig yn Neddf y Coronafeirws 2020 ("y Ddeddf") 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 ddod i ben.

Mae rheoliad 2 yn darparu i Ran 2 o Atodlen 12 i'r Ddeddf, ac adran 15 ohoni (i'r graddau y mae'n ymwneud â'r Rhan honno) ddod i ben yn gynnar. Cafodd gweithrediad y darpariaethau hyn ei atal dros dro gan Reoliadau Deddf y Coronafeirws 2020 (Atal Dros Dro: Gofal a Chymorth gan Awdurdodau Lleol) (Cymru) 2021 (O.S. 2021/316 (Cy. 81)).

Mae dod â'r darpariaethau a bennir yn rheoliad 2 i ben yn cymryd effaith yn ddarostyngedig i adran 89(2)(r) o'r Ddeddf sy'n eithrio paragraffau penodol o Atodlen 12 (ac adran 15 i'r graddau y mae'n ymwneud â'r paragraffau hynny) rhag dod i ben.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the expiry of specified provisions in the Coronavirus Act 2020 ("the 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 early expiry of Part 2 of Schedule 12 to, and section 15 of, the Act (so far as it relates to that Part). The operation of these provisions was suspended by the Coronavirus Act 2020 (Suspension: Local Authority Care and Support) (Wales) Regulations 2021 (S.I. 2021/316 (W. 81)).

The expiry of the provisions specified in regulation 2 take effect subject to section 89(2)(r) of the Act which exempts certain paragraphs of Schedule 12 (and section 15 so far as relating to those paragraphs) from expiry.

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.

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2020 (Dod i Ben yn Gynnar: Gofal
a Chymorth gan Awdurdodau Lleol)
(Cymru) 2021

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

Gwnaed 15 Gorffennaf 2021
Yn dod i rym 31 Gorffennaf 2021

Made 15 July 2021
Coming into force 31 July 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 90(1) o Ddeddf y Coronafeirws 2020(1) (“y Ddeddf”), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred by section 90(1) of the Coronavirus Act 2020(1) (“the Act”), make the following Regulations.

Mae Gweinidogion Cymru wedi eu bodloni bod yr amodau a bennir yn adran 90(7) o’r Ddeddf wedi eu bodloni mewn perthynas â’r darpariaethau y mae’r Rheoliadau hyn yn dod â hwy i ben.

The Welsh Ministers are satisfied that the conditions specified in section 90(7) of the Act are satisfied in relation to the provisions expired by these Regulations.

Yn unol ag adran 94(1) o’r Ddeddf, gosodwyd drafft o’r offeryn hwn gerbron Senedd Cymru ac fe’i cymeradwywyd ganddi drwy benderfyniad(2).

In accordance with section 94(1) of the Act, a draft of this instrument has been laid before, and approved by resolution of, Senedd Cymru(2).

Enwi, cychwyn a dehongli

Title, commencement and interpretation

1.—(1) Enw’r Rheoliadau hyn yw Rheoliadau Deddf y Coronafeirws 2020 (Dod i Ben yn Gynnar: Gofal a Chymorth gan Awdurdodau Lleol) (Cymru) 2021.

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

(2) Daw’r Rheoliadau hyn i rym ar 31 Gorffennaf 2021.

(2) These Regulations come into force on 31 July 2021.

(3) Yn y Rheoliadau hyn, ystyr “y Ddeddf” yw Deddf y Coronafeirws 2020.

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

(1) 2020 p. 7 (“y Ddeddf”). Mae’r pwerau a roddir i awdurdod cenedlaethol perthnasol gan adran 90(1) o’r Ddeddf yn arferadwy o ran Cymru gan Weindogion Cymru; gweler adran 90(5) a (7) am y diffiniad o “relevant national authority”.

(2) Mae unrhyw gyfeiriad yn y Ddeddf at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).

(1) 2020 c. 7 (“the Act”). The powers conferred on a relevant national authority by section 90(1) of the Act are exercisable in relation to Wales by the Welsh Ministers; see section 90(5) and (7) for the definition of “relevant national authority”.

(2) Any reference in the Act to the National Assembly for Wales now has effect as a reference to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

Dod â darpariaethau'r Ddeddf sy'n gymwys yng Nghymru i ben yn gynnar

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i ben ar 1 Awst—

- (a) Rhan 2 o Atodlen 12 (pwerau a dyletswyddau awdurdodau lleol yng Nghymru)(1);
- (b) adran 15 (gofal a chymorth gan awdurdodau lleol), i'r graddau y mae'n ymwneud â Rhan 2 o Atodlen 12.

Early expiry of provisions of the Act that apply in Wales

2. The following provisions of the Act expire on 1 August 2021—

- (a) Part 2 of Schedule 12 (powers and duties of local authorities in Wales)(1);
- (b) section 15 (local authority care and support), so far as it relates to Part 2 of Schedule 12.

Julie Morgan

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

Deputy Minister for Social Services under authority of the Minister for Health and Social Services, one of the Welsh Ministers
15 July 2021

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(1) Mae dod â Rhan 2 o Atodlen 12 (ac adran 15 i'r graddau y mae'n ymwneud â'r Rhan honno) i ben yn cymryd effaith yn ddarostyngedig i adran 89(2)(r) o'r Ddeddf, sy'n darparu na fydd darpariaethau penodol o'r Ddeddf yn dod i ben ac y byddant yn parhau i gael effaith. Y darpariaethau perthnasol yw paragraffau 30, 33 a 35 o Atodlen 12 (ac adran 15 a pharagraff 19 o Atodlen 12 i'r graddau y maent yn ymwneud â'r paragraffau hynny).

(1) The expiry of Part 2 of Schedule 12 (and section 15 in so far as it relates to that Part) takes effect subject to section 89(2)(r) of the Act, which provides that certain provisions of the Act will not expire and will continue to have effect. The relevant provisions are paragraphs 30, 33 and 35 of Schedule 12 (and section 15 and paragraph 19 of Schedule 12 so far as they relate to those paragraphs).

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