OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 775 (Cy. 116)

2024 No. 775 (W. 116)

LLESIANT, CYMRU

WELL-BEING, WALES

Rheoliadau Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (Cyrff Cyhoeddus) (Diwygio) 2024

The Well-being of Future Generations (Wales) Act 2015 (Public Bodies) (Amendment) Regulations 2024

NODYN ESBONIADOL

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

Mae adran 6 (ystyr "corff cyhoeddus") o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 ("y Ddeddf") yn rhestru personau penodol sy'n "gorff cyhoeddus" at ddibenion Rhan 2 (gwella llesiant) a Rhan 3 (Comisiynydd Cenedlaethau'r Dyfodol Cymru) o'r Ddeddf.

Mae'r Rheoliadau hyn yn ychwanegu wyth person ychwanegol ("y cyrff cyhoeddus ychwanegol") at y rhestr o gyrff cyhoeddus yn adran 6 o'r Ddeddf: Ymddiriedolaeth Brifysgol GIG Gwasanaethau Ambiwlans Cymru; Iechyd a Gofal Digidol Cymru; Addysg a Gwella Iechyd Cymru; Gofal Cymdeithasol Cymru; Awdurdod Cyllid Cymru; Trafnidiaeth Cymru (sef Transport for Wales (rhif y cwmni 09476013)); Canolfan Gwasanaethau Cyhoeddus Digidol (sef Centre for Digital Public Services Limited (rhif y cwmni 09341679)) a Cymwysterau Cymru. Mae hyn yn golygu y bydd y cyrff cyhoeddus ychwanegol yn agored i gydymffurfio â Rhannau 2 a 3 o'r Ddeddf.

Mae rheoliad 3 yn gwneud darpariaeth mewn perthynas ag adran 9 (amcanion llesiant cyrff cyhoeddus eraill) o'r Ddeddf, i bennu bod rhaid i'r cyrff cyhoeddus ychwanegol osod a chyhoeddi amcanion llesiant erbyn 31 Mawrth 2025.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 6 (meaning of "public body") of the Well-being of Future Generations (Wales) Act 2015 ("the Act") lists certain persons as being a "public body" for the purposes of Part 2 (improving well-being) and Part 3 (the Future Generations Commissioner for Wales) of the Act.

These Regulations add eight additional persons ("the additional public bodies") to the list of public bodies in section 6 of the Act: Welsh Ambulance Services University NHS Trust; Digital Health and Care Wales; Health Education and Improvement Wales; Social Care Wales; Welsh Revenue Authority; Transport for Wales (company number 09476013); Centre for Digital Public Services Limited (company number 09341679) and Qualifications Wales. This means that the additional public bodies will be liable to comply with Parts 2 and 3 of the Act.

Regulation 3 makes provision in relation to section 9 (other public bodies' well-being objectives) of the Act, to specify that the additional public bodies must set and publish well-being objectives by 31 March 2025.

Mae rheoliad 4 yn gwneud darpariaeth mewn perthynas ag adran 15 (yr egwyddor datblygu cynaliadwy: ymchwiliadau'r Archwilydd Cyffredinol) o'r Ddeddf, sy'n diffinio'r cyfnod adrodd ar gyfer ymchwiliadau gan Archwilydd Cyffredinol Cymru ("ACC"). O dan adran 15 o'r Ddeddf, mae cyfnod adrodd yr ACC yn dechrau ar y dyddiad sy'n digwydd un flwyddyn cyn y dyddiad y mae etholiad cyffredinol arferol i'w gynnal o dan adran 3 o Ddeddf Llywodraeth Cymru 2006 ac mae'n dod i ben ar y dyddiad sy'n digwydd un diwrnod ac un flwyddyn cyn y dyddiad y mae'r etholiad nesaf o'r fath i'w gynnal. Oherwydd y cyrff ychwanegol a ychwanegir at y Ddeddf ar 30 Mehefin 2024 ac y mae'n ofynnol iddynt osod amcanion llesiant erbyn 31 Mawrth 2025, mae'r rheoliad hwn yn diwygio cyfnod adrodd cyntaf yr ACC mewn perthynas â'r cyrff cyhoeddus ychwanegol, gan olygu y bydd yn ofynnol i'r ACC adrodd ar y cyrff cyhoeddus ychwanegol o 30 Mehefin 2024 hyd at ddiwedd y cyfnod adrodd nesaf, sydd wedi ei osod o dan adran 15(6)(b). Bydd y cyrff cyhoeddus ychwanegol wedyn yn ddarostyngedig i'r cyfnod adrodd o dan adran 15(6) o'r Ddeddf.

Regulation 4 makes provision in relation to section 15 (the sustainable development principle: Auditor General's examinations) of the Act, which defines the reporting period for examinations by the Auditor General for Wales ("AGW"). Under section 15 of the Act, the AGW reporting period begins on the date falling one year before the date on which an ordinary general election is to be held under section 3 of the Government of Wales Act 2006 and ends on the date falling one day and one year before the date on which the next such election is to be held. Due to the additional bodies being added to the Act on 30 June 2024 and being required to set well-being objectives by 31 March 2025, this regulation amends the first AGW reporting period in relation to the additional public bodies, meaning that the AGW will be required to report on the additional public bodies from 30 June 2024 to the end of the next reporting period, set under section 15(6)(b). The additional public bodies will subsequently be subject to the reporting period under section 15(6) of the Act.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol a gellir cael copi oddi wrth: Yr Is-adran Dyfodol Cynaliadwy, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ neu Dyfodol.Cynaliadwy@llyw.cymru.

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 and a copy can be obtained from the Sustainable Futures Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or Sustainable.Futures@gov.wales.

2024 Rhif 775 (Cy. 116)

LLESIANT, CYMRU

Rheoliadau Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (Cyrff Cyhoeddus) (Diwygio) 2024

Gwnaed *27 Mehefin 2024*

Yn dod i rym *30 Mehefin 2024*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 52(1)(a), 54(1)(b) a 54(3)(b) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 ("y Ddeddf")(**1**).

Mae Gweinidogion Cymru wedi ymgynghori â Chomisiynydd Cenedlaethau'r Dyfodol Cymru, Archwilydd Cyffredinol Cymru a'r cyrff cyhoeddus a restrir o dan reoliad 2, fel sy'n ofynnol o dan adran 52(4) o'r Ddeddf.

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol ag adran 54(4)(a) o'r Ddeddf.

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (Cyrff Cyhoeddus) (Diwygio) 2024.

(2) Daw'r Rheoliadau hyn i rym ar 30 Mehefin 2024.

(3) Yn y Rheoliadau hyn, ystyr "y Ddeddf" ("*the Act*") yw Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015.

(**1**) 2015 dccc 2.

2024 No. 775 (W. 116)

WELL-BEING, WALES

The Well-being of Future Generations (Wales) Act 2015 (Public Bodies) (Amendment) Regulations 2024

Made *27 June 2024*

Coming into force *30 June 2024*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 52(1)(a), 54(1)(b) and 54(3)(b) of the Well-being of Future Generations (Wales) Act 2015 ("the Act")(**1**).

The Welsh Ministers have consulted with the Future Generations Commissioner for Wales, the Auditor General for Wales and the public bodies listed under regulation 2, as required under section 52(4) of the Act.

A draft of this instrument has been laid before and approved by a resolution of Senedd Cymru in accordance with section 54(4)(a) of the Act.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Well-being of Future Generations (Wales) Act 2015 (Public Bodies) (Amendment) Regulations 2024.

(2) These Regulations come into force on 30 June 2024.

(3) In these Regulations, "the Act" ("*y Ddeddf*") means the Well-being of Future Generations (Wales) Act 2015.

(**1**) 2015 anaw 2.

Diwygio adran 6 o'r Ddeddf

2.—(1) Mae adran 6(1)(**1**) (ystyr "corff cyhoeddus") o'r Ddeddf wedi ei diwygio fel a ganlyn.

(2) Ar ôl paragraff (d)(ii) mewnosoder—

"(iii) Ymddiriedolaeth Brifysgol GIG Gwasanaethau Ambiwlans Cymru;".

(3) Ar ôl paragraff (d) mewnosoder—

"(da) yr awdurdodau iechyd arbennig a ganlyn a sefydlwyd o dan adran 22 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006—

(i) Iechyd a Gofal Digidol Cymru;

(ii) Addysg a Gwella Iechyd Cymru;".

(4) Ar ôl paragraff (l) mewnosoder—

"(m) Gofal Cymdeithasol Cymru;

(n) Awdurdod Cyllid Cymru;

(o) Trafnidiaeth Cymru (sef Transport for Wales (rhif y cwmni 09476013));

(p) Canolfan Gwasanaethau Cyhoeddus Digidol (sef Centre for Digital Public Services Limited (rhif y cwmni 09341679));

(q) Cymwysterau Cymru."

Amendment of section 6 of the Act

2.—(1) Section 6(1)(**1**) (meaning of "public body") of the Act is amended as follows.

(2) After paragraph (d)(ii) insert—

"(iii) Welsh Ambulance Services University NHS Trust;".

(3) After paragraph (d) insert—

"(da) the following special health authorities established under section 22 of the National Health Service (Wales) Act 2006—

(i) Digital Health and Care Wales;

(ii) Health Education and Improvement Wales;".

(4) After paragraph (l) insert—

"(m) Social Care Wales;

(n) Welsh Revenue Authority;

(o) Transport for Wales (company number 09476013);

(p) Centre for Digital Public Services Limited (company number 09341679);

(q) Qualifications Wales."

Gosod a chyhoeddi amcanion llesiant ar gyfer cyrff cyhoeddus a ychwanegir at adran 6 o'r Ddeddf gan reoliad 2

3. Wrth ei gymhwyso i'r cyrff cyhoeddus a ychwanegir at adran 6 o'r Ddeddf gan reoliad 2, mae paragraff (a) o adran 9(2) (amcanion llesiant cyrff cyhoeddus eraill) o'r Ddeddf yn cael effaith fel pe bai'r canlynol wedi ei roi yn lle'r paragraff hwnnw—

"(a) heb fod yn hwyrach na 31 Mawrth 2025, a".

Setting and publication of well-being objectives for public bodies added to section 6 of the Act by regulation 2

3. In its application to the public bodies added to section 6 of the Act by regulation 2, paragraph (a) of section 9(2) (other public bodies' well-being objectives) of the Act has effect as if for that paragraph there were substituted—

"(a) no later than 31 March 2025, and".

Ymchwiliad ac adroddiad gan yr Archwilydd Cyffredinol mewn perthynas â chyrff cyhoeddus a ychwanegir at adran 6 o'r Ddeddf gan reoliad 2

4.—(1) Mae paragraff (2) yn gymwys am y cyfnod—

(a) sy'n dechrau ar 30 Mehefin 2024, a

(b) sy'n dod i ben ar y dyddiad sy'n digwydd un diwrnod ac un flwyddyn cyn y dyddiad y mae'r etholiad cyffredinol arferol nesaf ar ôl Mai 2026 i'w gynnal o dan adran 3 o Ddeddf Llywodraeth Cymru 2006(**2**).

Examination and report by Auditor General in relation to public bodies added to section 6 of the Act by regulation 2

4.—(1) Paragraph (2) applies for the period—

(a) beginning on 30 June 2024, and

(b) ending on the date falling one day and one year before the date on which the next ordinary general election after May 2026 is to be held under section 3 of the Government of Wales Act 2006(**2**).

(**1**) 2015 dccc 2. Diwygiwyd adran 6(1) gan O.S. 2021/1360 (Cy. 356).

(**2**) 2006 p. 32.

(**1**) 2015 anaw 2. Section 6(1) was amended by S.I. 2021/1360 (W. 356).

(**2**) 2006 c. 32.

(2) Mae adran 15 o'r Ddeddf yn cael effaith mewn perthynas â'r cyrff cyhoeddus a ychwanegir at adran 6 o'r Ddeddf gan reoliad 2 fel pe bai'r is-adran ganlynol wedi ei rhoi yn lle is-adran (6)—

"(6) Mae'r cyfnod y cyfeirir ato yn is-adrannau (2) a (3)—

(a) yn dechrau ar 30 Mehefin 2024, a

(b) yn dod i ben ar y dyddiad sy'n digwydd un diwrnod ac un flwyddyn cyn y dyddiad y mae'r etholiad cyffredinol arferol nesaf ar ôl Mai 2026 i'w gynnal o dan adran 3 o Ddeddf Llywodraeth Cymru 2006."

(2) Section 15 of the Act has effect in relation to the public bodies added to section 6 of the Act by regulation 2 as if for subsection (6) there were substituted the following subsection—

"(6) The period referred to in subsections (2) and (3)—

(a) begins on 30 June 2024, and

(b) ends on the date falling one day and one year before the date on which the next ordinary general election after May 2026 is to be held under section 3 of the Government of Wales Act 2006."

Lesley Griffiths

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol, un o Weinidogion Cymru

27 Mehefin 2024

Cabinet Secretary for Culture and Social Justice, one of the Welsh Ministers

27 June 2024

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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