



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2025 Rhif 1257 (Cy. 202) (C. 63)

2025 No. 1257 (W. 202) (C. 63)

**IECHYD A GOFAL
CYMDEITHASOL, CYMRU**

**HEALTH AND SOCIAL CARE,
WALES**

Gorchymyn Deddf Iechyd a Gofal
Cymdeithasol (Cymru) 2025
(Cychwyn Rhif 1 a Darpariaethau
Trosiannol a Darpariaethau Arbed)
2025

The Health and Social Care (Wales)
Act 2025 (Commencement No. 1
and Transitional and Saving
Provisions) Order 2025

NODYN ESBONIADOL

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

Hwn yw'r Gorchymyn Cychwyn cyntaf sydd wedi ei wneud gan Weinidogion Cymru o dan Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025 (dsc 1) ("y Ddeddf").

Mae erthygl 2(1) yn dwyn i rym, ar 1 Ionawr 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 2(2) yn dwyn i rym, ar 1 Ebrill 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 2(3) yn dwyn i rym, ar 1 Gorffennaf 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 3(1) yn dwyn i rym, ar 1 Ionawr 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 3(2) yn dwyn i rym, ar 1 Ebrill 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 4 yn dwyn i rym, ar 1 Ionawr 2026, y darpariaethau a bennir yn yr erthygl honno.

Mae erthygl 5 yn gwneud darpariaethau trosiannol a darpariaethau arbed pan fo person ac eithrio awdurdod lleol yn gwneud cais i gofrestru fel darparwr gwasanaeth neu i amrywio ei gofrestrriad er mwyn ychwanegu "gwasanaeth plant o dan gyfyngiad" (gwasanaeth cartref gofal a ddarperir yn gyfan gwbl neu'n bennaf i blant, gwasanaeth maethu neu wasanaeth llety diogel); neu er mwyn ychwanegu man, at ei gofrestrriad presennol, y mae'r gwasanaeth plant o dan gyfyngiad yn cael ei ddarparu ynddo.

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first Commencement Order made by the Welsh Ministers under the Health and Social Care (Wales) Act 2025 (asc 1) ("the Act").

Article 2(1) brings into force, on 1 January 2026, the provisions specified in that article.

Article 2(2) brings into force, on 1 April 2026, the provisions specified in that article.

Article 2(3) brings into force, on 1 July 2026, the provisions specified in that article.

Article 3(1) brings into force, on 1 January 2026, the provisions specified in that article.

Article 3(2) brings into force, on 1 April 2026, the provisions specified in that article.

Article 4 brings into force, on the 1 January 2026, the provisions specified in that article.

Article 5 makes transitional and saving provisions where a person other than a local authority applies for registration as a service provider or for a variation of their registration to add a "restricted children's service" (a care home service provided wholly or mainly to children, a fostering service or a secure accommodation service); or to add a place at which a restricted children's service is provided to their existing registration.

Pan fo cais o'r fath yn cael ei wneud ar 31 Mawrth 2026 neu cyn hynny ac nad yw'r cais wedi ei benderfynu cyn i adran 6A o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2) ("Deddf 2016") ddod i rym ar 1 Ebrill 2026, mae'r cais i'w drin fel pe na bai'r gofyniad yn adran 6A(1) mewn grym eto. Yn unol â hynny, pan fo cais yn cael ei ganiatáu, mae'r darpariaethau yn Atodlen 1A i Ddeddf 2016, gan gynnwys y darpariaethau trosiannol ym mharagraff 2 o Atodlen 1A, yn gymwys i'r darparwr gwasanaeth mewn cysylltiad â'r gwasanaeth, neu mewn cysylltiad â man, sy'n destun y cais.

Dygwyd y darpariaethau a ganlyn o'r Ddeddf i rym gan adran 29(1) o'r Ddeddf honno ar 25 Mawrth 2025, sef drannoeth y diwrnod y cafodd y Ddeddf y Cydsyniad Brenhinol—

- (a) yn Rhan 1—
 - (i) adrannau 1, 16, 21 a 22 (i'r graddau y mae'n ymwneud â pharagraff 3(b) o Atodlen 1);
 - (ii) paragraffau 2(1) a (6), 3(b), 5(1) a (4), 7(1), (3), (4), (14) a (15) o Atodlen 1;
- (b) yn Rhan 2, adrannau 23 a 26;
- (c) Rhan 3.

Where such an application is made on or before 31 March 2026 and has not been determined before section 6A of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) ("the 2016 Act") comes into force on 1 April 2026, the application is to be treated as if the requirement in section 6A(1) was not yet in force. Accordingly, where an application is granted, the provisions in Schedule 1A to the 2016 Act, including the transitional provisions in paragraph 2 of Schedule 1A, apply to the service provider in respect of the service or a place that is the subject of the application.

Section 29(1) of the Act brought the following provisions of the Act into force on 25 March 2025, which was the day after the day on which the Act received Royal Assent—

- (a) in Part 1—
 - (i) sections 1, 16, 21 and 22 (in so far as it relates to paragraph 3(b) of Schedule 1);
 - (ii) paragraphs 2(1) and (6), 3(b), 5(1) and (4), 7(1), (3), (4), (14) and (15) of Schedule 1;
- (b) in Part 2, sections 23 and 26;
- (c) Part 3.

2025 Rhif 1257 (Cy. 202) (C. 63)

**IECHYD A GOFAL
CYMDEITHASOL, CYMRU**

**Gorchymyn Deddf Iechyd a Gofal
Cymdeithasol (Cymru) 2025
(Cychwyn Rhif 1 a Darpariaethau
Trosiannol a Darpariaethau Arbed)
2025**

Gwnaed

28 Tachwedd 2025

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 29(2) a (3) o Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025(1), yn gwneud y Gorchymyn a ganlyn.

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd a Gofal Cymdeithasol (Cymru) 2025 (Cychwyn Rhif 1 a Darpariaethau Trosiannol a Darpariaethau Arbed) 2025.

(2) Yn y Gorchymyn hwn—

ystyr “Deddf 2006” (“*the 2006 Act*”) yw Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(2);

ystyr “Deddf 2014” (“*the 2014 Act*”) yw Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(3);

ystyr “Deddf 2016” (“*the 2016 Act*”) yw Deddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(4);

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Iechyd a Gofal Cymdeithasol (Cymru) 2025.

2025 No. 1257 (W. 202) (C. 63)

**HEALTH AND SOCIAL CARE,
WALES**

**The Health and Social Care (Wales)
Act 2025 (Commencement No. 1
and Transitional and Saving
Provisions) Order 2025**

Made

28 November 2025

The Welsh Ministers, in exercise of the powers conferred on them by section 29(2) and (3) of the Health and Social Care (Wales) Act 2025(1), make the following Order.

Title and interpretation

1.—(1) The title of this Order is the Health and Social Care (Wales) Act 2025 (Commencement No. 1 and Transitional and Saving Provisions) Order 2025.

(2) In this Order—

“the 2006 Act” (“*Deddf 2006*”) means the National Health Service (Wales) Act 2006(2);

“the 2014 Act” (“*Deddf 2014*”) means the Social Services and Well-being (Wales) Act 2014(3);

“the 2016 Act” (“*Deddf 2016*”) means the Regulation and Inspection of Social Care (Wales) Act 2016(4);

“the Act” (“*y Ddeddf*”) means the Health and Social Care (Wales) Act 2025.

(1) 2025 dsc 1.
(2) 2006 p. 42.
(3) 2014 decc 4.
(4) 2016 decc 2.

(1) 2025 asc 1.
(2) 2006 c. 42.
(3) 2014 anaw 4.
(4) 2016 anaw 2.

Darpariaethau sy'n ymwneud â darparu gwasanaethau gofal cymdeithasol i blant: cyfyngiadau ar elw

2.—(1) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ionawr 2026—

- (a) adran 3(1) a (2) (ceisiadau i gofrestru mewn cysylltiad â gwasanaethau plant o dan gyfyngiad),
- (b) adran 4 (cofrestru mewn cysylltiad â gwasanaeth plant o dan gyfyngiad: trefniadau trosiannol)—
 - (i) is-adran (1);
 - (ii) is-adrannau (2) a (3), ond dim ond i'r graddau y maent yn mewnosod paragraff 4(4) o Atodlen 1A yn Neddf 2016,
- (c) adran 7 (darparwyr gwasanaethau plant o dan gyfyngiad: yr wybodaeth a gynhwysir mewn datganiad blynyddol),
- (d) adran 8(1) a (2) (amrywio neu ganslo cofrestriad fel darparwr gwasanaeth plant o dan gyfyngiad), ac
- (e) adran 11 (dyletswydd i lunio a chyhoeddi cynllun digonolrwydd blynyddol) i'r graddau y mae'n mewnosod is-adran (3)(f) o adran 75A yn Neddf 2014.

(2) Daw'r darpariaethau a ganlyn o Ddeddf 2025 i rym ar 1 Ebrill 2026—

- (a) adrannau 2 i 10 i'r graddau nad ydynt eisoes mewn grym, a
- (b) adran 12 (dyletswydd i sicrhau llety: adrodd), i'r graddau y mae'n mewnosod adran 75D(a) yn Neddf 2014.

(3) Daw'r ddarpariaeth a ganlyn o Ddeddf 2025 i rym ar 1 Gorffennaf 2026: adran 11 i'r graddau y mae'n mewnosod is-adrannau (1), (2), (3)(a) ac (e) o adran 75A, ac adrannau 75B a 75C yn Neddf 2014.

Darpariaethau amrywiol sy'n ymwneud â gwasanaethau gofal cymdeithasol, gweithwyr gofal cymdeithasol a swyddogaethau gofal cymdeithasol awdurdodau lleol

3.—(1) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ionawr 2026—

- (a) adran 14(2)(c) (dyletswydd i gyflwyno a chyhoeddi datganiad blynyddol),
- (b) adran 15 (cais i ganslo cofrestriad darparwr gwasanaeth: yr wybodaeth sydd i'w darparu),

Provisions relating to the provision of social care services to children: restrictions on profit

2.—(1) The following provisions of the Act come into force on 1 January 2026—

- (a) section 3(1) and (2) (applications for registration in respect of restricted children's services),
- (b) section 4 (registration in respect of a restricted children's service: transitional arrangements)—
 - (i) subsection (1);
 - (ii) subsections (2) and (3), but only in so far as they insert paragraph 4(4) of Schedule 1A into the 2016 Act,
- (c) section 7 (providers of restricted children's services: information contained in annual return),
- (d) section 8(1) and (2) (variation or cancellation of registration as a provider of a restricted children's service), and
- (e) section 11 (duty to prepare and publish an annual sufficiency plan) in so far as it inserts subsection (3)(f) of section 75A into the 2014 Act.

(2) The following provisions of the 2025 Act come into force on 1 April 2026—

- (a) sections 2 to 10 in so far as they are not already in force, and
- (b) section 12 (duty to secure accommodation: reporting), in so far as it inserts section 75D(a) into the 2014 Act.

(3) The following provision of the 2025 Act comes into force on 1 July 2026: section 11 in so far as it inserts subsections (1), (2), (3)(a) and (e) of section 75A, and sections 75B and 75C into the 2014 Act.

Miscellaneous provisions relating to social care services, social care workers and local authority social care functions

3.—(1) The following provisions of the Act come into force on 1 January 2026—

- (a) section 14(2)(c) (duty to submit and publish annual return),
- (b) section 15 (application for cancellation of service provider's registration: information to be provided),

- (c) is-baragraffau (2) a (5) i (8) o baragraff 7 o Atodlen 1, ac adran 22 (gofal cymdeithasol: mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r is-baragraffau hynny,
- (d) adran 20 (taliadau uniongyrchol ym maes gofal cymdeithasol)—
 - (i) is-adran (1);
 - (ii) is-adran (2)(a);
 - (iii) is-adran (2)(c) a (d), ond dim ond i'r graddau y mae'n cychwyn paragraffau 1, 2 a 6 i 8 o Atodlen A1 i Ddeddf 2014, ac
- (e) paragraff 5(3)(d) o Atodlen 1.

(2) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2026—

- (a) adran 14 i'r graddau nad yw eisoes mewn grym,
- (b) adran 17 (gwybodaeth, arolygiadau ac ymchwiliadau), ac eithrio is-adran (3),
- (c) adran 19 (achosion addasrwydd i ymarfer: pwerau i estyn gorchmynion interim),
- (d) is-baragraffau (9) i (13) o baragraff 7 o Atodlen 1, ac adran 22 i'r graddau y mae'n ymwneud â'r is-baragraffau hynny,
- (e) adran 20 i'r graddau nad yw eisoes mewn grym, ac
- (f) paragraffau 3, 4(1) a (3), 5 a 6 o Atodlen 1, ac adran 22 i'r graddau y mae'n ymwneud â'r paragraffau hynny, i'r graddau nad ydynt eisoes mewn grym.

Darpariaethau sy'n ymwneud â gofal iechyd

4. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ionawr 2026—

- (a) adran 24 (taliadau uniongyrchol am ofal iechyd), a
- (b) paragraffau 1 i 3 a 5 i 6 o Atodlen 2, ac adran 25 (taliadau uniongyrchol am ofal iechyd: mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r paragraffau hynny.

- (c) sub-paragraphs (2) and (5) to (8) of paragraph 7 of Schedule 1, and section 22 (social care: minor and consequential amendments) in so far as it relates to those sub-paragraphs,
- (d) section 20 (direct payments in social care)—
 - (i) subsection (1);
 - (ii) subsection (2)(a);
 - (iii) subsection (2)(c) and (d), but only in so far as it commences paragraphs 1, 2 and 6 to 8 of Schedule A1 to the 2014 Act, and
- (e) paragraph 5(3)(d) of Schedule 1.

(2) The following provisions of the Act come into force on 1 April 2026—

- (a) section 14 in so far as not already in force,
- (b) section 17 (information, inspection and investigations), except subsection (3),
- (c) section 19 (fitness to practice cases: powers to extend interim orders),
- (d) sub-paragraphs (9) to (13) of paragraph 7 of Schedule 1, and section 22 in so far as it relates to those sub-paragraphs,
- (e) section 20 in so far as not already in force, and
- (f) paragraphs 3, 4(1) and (3), 5 and 6 of Schedule 1, and section 22 in so far as it relates to those paragraphs, in so far as not already in force.

Provisions relating to health care

4. The following provisions of the Act come into force on 1 January 2026—

- (a) section 24 (direct payments for health care), and
- (b) paragraphs 1 to 3 and 5 to 6 of Schedule 2, and section 25 (direct payments for health care: minor and consequential amendments) in so far as it relates to those paragraphs.

Darpariaethau trosiannol a darpariaethau arbed

5. Yn yr erthygl hon mae i'r termau a ganlyn, a restrir yn y drefn y maent yn ymddangos yn yr erthygl hon, yr un ystyr ag yn Neddf 2016—

- “awdurdod lleol”(1);
- “gwasanaeth cartref gofal”(2);
- “gwasanaeth maethu”(3);
- “gwasanaeth llety diogel”(4);
- “gwasanaeth rheoleiddiedig”(5);
- “y tribiwnlys”(6).

(2) Mae'r erthygl hon yn gymwys pan fo person ac eithrio awdurdod lleol, ar 31 Mawrth 2026 neu cyn hynny, yn gwneud cais—

- (a) i gofrestru fel darparwr gwasanaeth mewn cysylltiad ag—
 - (i) gwasanaeth cartref gofal a ddarperir yn gyfan gwbl neu'n bennaf i blant,
 - (ii) gwasanaeth maethu, neu
 - (iii) gwasanaeth llety diogel;
- (b) i amrywio cofrestriad y darparwr gwasanaeth er mwyn darparu un neu ragor o'r gwasanaethau rheoleiddiedig a bennir yn is-baragraff (a)—
 - (i) nad yw'r darparwr gwasanaeth eisoes wedi ei gofrestru i'w ddarparu neu i'w ddarparu, neu
 - (ii) mewn man, o fan neu mewn perthynas â man nad yw eisoes wedi ei bennu yng nghofrestriad y darparwr mewn perthynas â'r gwasanaeth hwnnw.

(3) Pan na fo cais y cyfeirir ato ym mharagraff (2) wedi ei benderfynu gan Weinidogion Cymru cyn 1 Ebrill 2026—

- (a) mae'r cais i'w drin fel pe na bai adran 6A(1) o Ddeddf 2016 mewn grym eto, a
- (b) os caniateir y cais, mae'r darparwr gwasanaeth i gael ei drin at ddibenion adran 6C o Ddeddf 2016 ac Atodlen 1A iddi fel pe bai'r cais wedi ei ganiatáu cyn i adran 6A(1) o Ddeddf 2016 ddod i rym.

Transitional and saving provisions

5.—(1) In this article the following terms, listed in the order that they appear in this article, have the same meaning as in the 2016 Act—

- “local authority”(1);
- “care home service”(2);
- “fostering service”(3);
- “secure accommodation service”(4);
- “regulated service”(5);
- “the tribunal”(6).

(2) This article applies where, on or before 31 March 2026, a person other than a local authority applies for—

- (a) registration as a service provider in respect of a—
 - (i) care home service provided wholly or mainly to children,
 - (ii) fostering service, or
 - (iii) secure accommodation service;
- (b) a variation of the service provider's registration to provide one or more of the regulated services specified in subparagraph (a)—
 - (i) which the service provider is not already registered to provide, or
 - (ii) at, from or in relation to a place which is not already specified in the provider's registration in relation to that service.

(3) Where an application referred to in paragraph (2) has not been determined by the Welsh Ministers before 1 April 2026—

- (a) the application is to be treated as if section 6A(1) of the 2016 Act was not yet in force, and
- (b) if the application is granted, the service provider is to be treated for the purposes of section 6C and Schedule 1A to the 2016 Act as if the application had been granted prior to the coming into force of section 6A(1) of the 2016 Act.

(1) 2016 dccc 2, adran 189.

(2) 2016 dccc 2, adran 2, a pharagraff 1 o Atodlen 1.

(3) 2016 dccc 2, adran 2, a pharagraff 5 o Atodlen 1.

(4) 2016 dccc 2, adran 2, a pharagraff 2 o Atodlen 1.

(5) 2016 dccc 2, adran 2, a Atodlen 1.

(6) 2016 dccc 2, adran 189.

(1) 2016 anaw 2, section 189.

(2) 2016 anaw 2, section 2, and paragraph 1 of Schedule 1.

(3) 2016 anaw 2, section 2, and paragraph 5 of Schedule 1.

(4) 2016 anaw 2, section 2, and paragraph 2 of Schedule 1.

(5) 2016 anaw 2, section 2, and Schedule 1.

(6) 2016 anaw 2, section 189.

(4) At ddibenion paragraff (3) o'r erthygl hon, mae cyfeiriad at gais yn cael ei ganiatáu yn cynnwys penderfyniad gan y tribiwnlys i ganiatáu'r cais ar apêl.

(4) For the purposes of paragraph (3) of this article, reference to an application being granted includes a decision by the tribunal to grant the application on appeal.

Dawn Bowden

Y Gweinidog Plant a Gofal Cymdeithasol, o dan awdurdod Jeremy Miles, Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru.
28 Tachwedd 2025

Minister for Children and Social Care, under the authority of Jeremy Miles, Cabinet Secretary for Health and Social Care, one of the Welsh Ministers.

28 November 2025

©Hawlfraint y Goron 2025

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

© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

£8.90

<http://www.legislation.gov.uk/id/wsi/2025/1257>

ISBN 978-0-348-39746-8



9 780348 397468