

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 18 Tachwedd 2024
Tabled on 18 November 2024

Bil Iechyd a Gofal Cymdeithasol (Cymru)

Health and Social Care (Wales) Bill

Dawn Bowden

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Section 2, page 2, leave out –

- ‘(2) For the purposes of subsection (1), a care home service is provided wholly or mainly to children if –
- (a) it has provided more days of accommodation to children than to adults for any period of 12 months falling within the previous 24 months, or
 - (b) it intends to provide more days of accommodation to children than to adults for any period of 12 months falling within the following 24 months.’.

Adran 2, tudalen 2, hepgorer –

- ‘(2) At ddibenion is-adran (1), mae gwasanaeth cartref gofal yn cael ei ddarparu’n gyfan gwbl neu’n bennaf i blant –
- (a) os yw wedi darparu mwy o ddiwrnodau o lety i blant nag i oedolion am unrhyw gyfnod o 12 mis sy’n dod o fewn y 24 mis blaenorol, neu
 - (b) os yw’n bwriadu darparu mwy o ddiwrnodau o lety i blant nag i oedolion am unrhyw gyfnod o 12 mis sy’n dod o fewn y 24 mis dilynol.’.

Dawn Bowden

10

Section 3, page 5, line 33, leave out ‘having a share capital’ has the meaning given by section 545 of that Act.’’ and insert ‘does not have a share capital if it does not have power under its constitution to issue shares.’.

Adran 3, tudalen 5, llinell 36, hepgorer ‘mae i “cwmni a chanddo gyfalaf cyfrannau” yr ystyr a roddir i “a company having a share capital” gan adran 545 o’r Ddeddf honno.’’ a mewnosoder ‘nid oes gan gwmni gyfalaf cyfrannau os nad oes ganddo bŵer o dan ei gyfansoddiad i ddyroddi cyfrannau.’.



Dawn Bowden 11

Section 4, page 8, line 3, after ‘service’, insert ‘or a place’.

Adran 4, tudalen 8, llinell 3, ar ôl ‘gwasanaeth’, mewnosoder ‘neu ddileu man’.

Dawn Bowden 12

Section 4, page 9, line 2, leave out subsection (5).

Adran 4, tudalen 9, llinell 3, hepgorer is-adran (5).

Dawn Bowden 13

Section 8, page 13, line 31, after ‘also’, insert ‘paragraph 3(4)(a) of’.

Adran 8, tudalen 13, llinell 33, ar ôl ‘hefyd’, mewnosoder ‘baragraff 3(4)(a) o’.

Dawn Bowden 14

Section 8, page 14, line 7, after ‘also’, insert ‘paragraph 3(4)(b) of’.

Adran 8, tudalen 14, llinell 8, ar ôl ‘hefyd’, mewnosoder ‘baragraff 3(4)(b) o’.

Dawn Bowden 15

Section 11, page 15, after line 21, insert –

‘() An annual sufficiency plan must –

(a) be in such form as may be prescribed by regulations, and

(b) be approved by the Welsh Ministers before publication (see sections 75B and 75C).’.

Adran 11, tudalen 15, ar ôl llinell 22, mewnosoder –

‘() Rhaid i gynllun digonolrwydd blynyddol –

(a) bod ar ffurf a ragnodir drwy reoliadau, a

(b) cael ei gymeradwyo gan Weinidogion Cymru cyn ei gyhoeddi (gweler adrannau 75B a 75C).’.

Dawn Bowden 16

Section 11, page 16, leave out lines 12 to 13.

Adran 11, tudalen 16, hepgorer llinell 11.

Dawn Bowden 17

Section 11, page 17, after line 18, insert –

- ‘() Section 75B(4) applies where the Welsh Ministers approve a further draft submitted to them under this section as it applies where the Welsh Ministers approve a draft submitted to them under section 75B.’.

Adran 11, tudalen 17, ar ôl llinell 20, mewnosoder –

- ‘() Mae adran 75B(4) yn gymwys pan fo Gweinidogion Cymru yn cymeradwyo drafft pellach a gyflwynir iddynt o dan yr adran hon fel y mae’n gymwys pan fo Gweinidogion Cymru yn cymeradwyo drafft a gyflwynir iddynt o dan adran 75B.’.

Dawn Bowden

18

Section 13, page 20, line 10, leave out ‘that is providing the placement’.

Adran 13, tudalen 20, llinell 11, hepgorer ‘sy’n darparu’r lleoliad’.

Dawn Bowden

19

Section 13, page 20, leave out line 11.

Adran 13, tudalen 20, hepgorer llinell 12.

Dawn Bowden

20

Section 13, page 20, leave out lines 13 to 30 and insert –

- ‘() a statement setting out the reasons why the authority considers that it would be acting inconsistently with its duty under section 78 were it not to place C with the for-profit provider or private provider.’.

Adran 13, tudalen 20, hepgorer llinellau 14 hyd at 29 a mewnosoder –

- ‘() datganiad sy’n nodi’r rhesymau pam y mae’r awdurdod o’r farn y byddai’n gweithredu yn anghyson â’i ddyletswydd o dan adran 78 pe na bai’n lleoli C gyda’r darparwr er elw neu’r darparwr preifat.’.

Dawn Bowden

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Section 16, page 23, line 35, after ‘the’ at the first place where it occurs on a line, insert ‘variation or’.

Adran 16, tudalen 23, llinell 37, ar ôl ‘wrth’, mewnosoder ‘amrywio neu’.

Dawn Bowden

22

Section 16, page 23, after line 36, insert –

- ‘() In section 13 of the 2016 Act –
- (a) omit subsection (2);
 - (b) in subsection (4), after paragraph (b) insert –

- “(ba) the responsible individual designated in respect of that place, or any other person, has been convicted of, or has been given a caution in respect of, a relevant offence in connection with a regulated service provided by the service provider at, from or in relation to that place,”;
- (c) after subsection (4) insert—
 - “(4A) For the purposes of subsection (4)(ba) a relevant offence is an offence listed in section 15(2).”
- (d) in subsection (5), for the words from “subsection (3)” to the end substitute “this section unless—
 - (a) in the case of variation under subsection (1), (3)(a) or (4)(a), the requirements of sections 18 and 19 are met;
 - (b) in the case of variation under subsection (3)(b), (4)(b), (ba) or (c), the requirements of sections 16 and 17 are met.”;
- (e) after subsection (5) insert—
 - “(6) But nothing in subsection (5) affects the power of the Welsh Ministers to urgently vary a registration under section 23.”.

Adran 16, tudalen 23, ar ôl llinell 38, mewnosoder—

‘() Yn adran 13 o Ddeddf 2016—

- (a) hepgorer is-adran (2);
- (b) yn is-adran (4), ar ôl paragraff (b) mewnosoder—
 - “(ba) bod yr unigolyn cyfrifol sydd wedi ei ddynodi mewn cysylltiad â’r man hwnnw, neu unrhyw berson arall, wedi ei gollfarnu o drosedd berthnasol, neu wedi cael rhybuddiad mewn cysylltiad â throedd berthnasol, mewn cysylltiad â gwasanaeth rheoleiddiedig a ddarperir gan y darparwr gwasanaeth yn y man hwnnw, ohono neu mewn perthynas ag ef,”;
- (c) ar ôl is-adran (4) mewnosoder—
 - “(4A) At ddibenion is-adran (4)(ba) mae trosedd berthnasol yn drosedd a restrir yn adran 15(2).”
- (d) yn is-adran (5), yn lle’r geiriau o “is-adran (3)” hyd at y diwedd rhodder “yr adran hon—
 - (a) yn achos amrywiad o dan is-adran (1), (3)(a) neu (4)(a), oni bai bod gofynion adrannau 18 a 19 wedi eu bodloni;
 - (b) yn achos amrywiad o dan is-adran (3)(b), (4)(b), (ba) neu (c), oni bai bod gofynion adrannau 16 a 17 wedi eu bodloni.”;
- (e) ar ôl is-adran (5) mewnosoder—
 - “(6) Ond nid oes dim byd yn is-adran (5) sy’n effeithio ar bŵer Gweinidogion Cymru i amrywio cofrestrriad ar frys o dan adran 23.”.



Dawn Bowden

23

Section 16, page 24, line 12, leave out ‘the grounds in subsection (1)(a), (b) and’ and insert ‘cancellation on the grounds set out in subsection (1)(a), (b) or’.

Adran 16, tudalen 24, llinell 13, hepgorer ‘y seiliau yn is-adran (1)(a), (b) a’ a mewnosoder ‘canslo ar y seiliau a nodir yn is-adran (1)(a), (b) neu’.

Dawn Bowden

24

Section 16, page 24, line 14, leave out ‘the grounds in subsection (1)(c), (d), (e) and’ and insert ‘cancellation on the grounds set out in subsection (1)(c), (d), (e) or’.

Adran 16, tudalen 24, llinell 15, hepgorer ‘y seiliau yn is-adran (1)(c), (d), (e) ac’ a mewnosoder ‘canslo ar y seiliau a nodir yn is-adran (1)(c), (d), (e) neu’.

Dawn Bowden

25

Section 17, page 24, line 21, leave out subsections (1) to (2) and insert –

‘() This section amends Chapter 3 of the 2016 Act to make further provision in relation to the Welsh Ministers’ powers to carry out inspections and to require information to be provided, including in respect of investigating offences.

() In section 32 of the 2016 Act –

(a) in subsection (1), for “The Welsh Ministers may require a relevant person to provide them with any” substitute “Subsections (1A) and (1B) apply where the Welsh Ministers consider that a relevant person may have”;

(b) after subsection (1) insert –

“(1A) Where this subsection applies, the Welsh Ministers may give a notice to a relevant person requiring that person –

(a) to produce any documents which –

(i) are specified or described in the notice, or fall within a category of document which is specified or described in the notice, and

(ii) are in the person’s custody or under the person’s control, and

(b) to produce the documents in a manner specified in the notice.

(1B) Where this subsection applies, the Welsh Ministers may give a notice to a relevant person requiring that person –

(a) to answer any question –

(i) which is asked in the notice, and

(ii) the answer to which is known to the person, and

(b) to answer in a manner specified in the notice.”

(c) in subsection (2), for the words from “disclosure” to the end substitute “ –

- (a) disclosure of that information is prohibited by any enactment or other rule of law;
- (b) the person would be entitled to refuse to disclose the information in proceedings in the High Court on grounds of legal professional privilege.”
- (d) after subsection (4) insert—
 - “(5) Where the Welsh Ministers require a person to provide information as they suspect an offence is being or has been committed—
 - (a) they may only require the information to be provided if they have reasonable grounds for their suspicion;
 - (b) they must inform the person, in writing, of the purpose for which they are requiring the information to be provided.
 - (6) In this section references to a “service provider” include a person who the Welsh Ministers reasonably suspect—
 - (a) is providing a regulated service at a place in respect of which that person is not registered under section 7, or
 - (b) has provided a regulated service at a place in respect of which that person was not registered under section 7.”
- () After section 32 insert—

“32A Privilege against self-incrimination

- (1) Information given by a person (“P”) in response to a notice given under section 32(1B) may not be used in criminal proceedings against P.
- (2) But subsection (1) does not apply—
 - (a) if the proceedings are for an offence under section 5 of the Perjury Act 1911 (c. 6) (false statements made otherwise than on oath);
 - (b) if, in the proceedings—
 - (i) evidence relating to the information is adduced by or on behalf of P, or
 - (ii) a question relating to it is asked by or on behalf of P.”
- () In section 33—
 - (a) in subsection (1)(b), for “and” substitute “, management or”;
 - (b) after subsection (1) insert—
 - “(1A) In this Part a reference to an “investigation” is a reference to an investigation into whether a person—
 - (a) is providing a regulated service at a place in respect of which that person is not registered under section 7, or
 - (b) has provided a regulated service at a place in respect of which that person was not registered under section 7.”;
 - (c) in subsection (2), at the end, insert “or an investigation”.
- () In section 34—

- (a) in subsection (1), after “inspection” insert “or an investigation”;
 - (b) in subsection (3), after “inspection” insert “or an investigation”;
 - (c) in subsection (4), at the beginning insert “When carrying out an inspection or an investigation,”.
- () In section 35 –
- (a) in subsection (1) –
 - (i) after “inspection” insert “or an investigation”;
 - (ii) omit “in private”.
 - (b) after subsection (1) insert –
 - “(1A) An inspector may require an interview under subsection (1) to be carried out in private.”;
 - (c) in subsection (2), for the words “may” to the end substitute “ –
 - (a) may not interview a person falling within subsection (3) without the person’s consent, and
 - (b) may not interview a person (“P”) for the purpose of inquiring whether P has committed an offence unless –
 - (i) P is informed of the purpose of the interview;
 - (ii) P is given the opportunity to obtain legal representation.”
 - (d) in subsection (4), after “may” insert “for the purposes of carrying out an inspection”.
- () In section 36 –
- (a) in subsection (2), after “must” insert “, to the extent that the Welsh Ministers consider proportionate,”;
 - (b) after subsection (3) insert –
 - “(3A) But a requirement in subsection (3) does not apply where the Welsh Ministers consider that fulfilling the requirement would be inappropriate having regard to the best interests of a person whose care and support is assessed in the report.”.

Adran 17, tudalen 24, llinell 22, hepgorer is-adrannau (1) hyd at (2) a mewnosoder –

- ‘() Mae’r adran hon yn diwygio Pennod 3 o Ddeddf 2016 i wneud darpariaeth bellach mewn perthynas â phwerau Gweinidogion Cymru i gynnal arolygiadau ac i’w gwneud yn ofynnol i wybodaeth gael ei darparu, gan gynnwys mewn cysylltiad ag ymchwilio i droseddau.
- () Yn adran 32 o Ddeddf 2016 –
- (a) yn is-adran (1), yn lle “Caiff Gweinidogion Cymru ei gwneud yn ofynnol i berson perthnasol ddarparu unrhyw wybodaeth iddynt” rhodder “Mae is-adrannau (1A) ac (1B) yn gymwys pan fo Gweinidogion Cymru yn ystyried y gall fod gan berson perthnasol wybodaeth”;
 - (b) ar ôl is-adran (1) mewnosoder –

- “(1A) Pan fo’r is-adran hon yn gymwys, caiff Gweinidogion Cymru roi hysbysiad i berson perthnasol sy’n ei gwneud yn ofynnol i’r person hwnnw –
- (a) cyflwyno unrhyw ddogfennau –
 - (i) a bennir neu a ddisgrifir yn yr hysbysiad, neu sy’n dod o fewn categori o ddogfen a bennir neu a ddisgrifir yn yr hysbysiad, a
 - (ii) sydd ym meddiant y person neu o dan reolaeth y person, a
 - (b) cyflwyno’r dogfennau mewn modd a bennir yn yr hysbysiad.
- (1B) Pan fo’r is-adran hon yn gymwys, caiff Gweinidogion Cymru roi hysbysiad i berson perthnasol sy’n ei gwneud yn ofynnol i’r person hwnnw –
- (a) ateb unrhyw gwestiwn –
 - (i) sydd wedi ei ofyn yn yr hysbysiad, a
 - (ii) y mae’r ateb iddo yn hysbys i’r person, a
 - (b) ateb mewn modd a bennir yn yr hysbysiad.”
- (c) yn is-adran (2), yn lle’r geiriau o “os” hyd at y diwedd rhodder “ –
- (a) os yw datgelu’r wybodaeth honno wedi ei wahardd drwy unrhyw ddeddfiad neu reol gyfreithiol arall;
 - (b) pe bai gan y person hawlogaeth i wrthod datgelu’r wybodaeth mewn achos yn yr Uchel Lys ar sail braint broffesiynol gyfreithiol.”
- (d) ar ôl is-adran (4) mewnosoder –
- “(5) Pan fo Gweinidogion Cymru yn ei gwneud yn ofynnol i berson ddarparu gwybodaeth gan eu bod yn amau bod trosedd yn cael ei chyflawni neu fod trosedd wedi ei chyflawni –
- (a) ni chânt ei gwneud yn ofynnol i’r wybodaeth gael ei darparu ond os oes ganddynt sail resymol dros amau hynny;
 - (b) rhaid iddynt hysbysu’r person, yn ysgrifenedig, at ba ddiben y maent yn ei gwneud yn ofynnol i’r wybodaeth gael ei darparu.
- (6) Yn yr adran hon mae cyfeiriadau at “darparwr gwasanaeth” yn cynnwys person y mae Gweinidogion Cymru yn amau’n rhesymol –
- (a) ei fod yn darparu gwasanaeth rheoleiddiedig mewn man nad yw’r person hwnnw wedi ei gofrestru mewn cysylltiad ag ef o dan adran 7, neu
 - (b) ei fod wedi darparu gwasanaeth rheoleiddiedig mewn man nad oedd y person hwnnw wedi ei gofrestru mewn cysylltiad ag ef o dan adran 7.”
- () Ar ôl adran 32 mewnosoder –

“32A Braint yn erbyn hunanargyhuddo

- (1) Ni chaniateir i wybodaeth a roddir gan berson (“P”) mewn ymateb i hysbysiad a roddir o dan adran 32(1B) gael ei defnyddio mewn achos troseddol yn erbyn P.
- (2) Ond nid yw is-adran (1) yn gymwys –
 - (a) os yw’r achos am drosedd o dan adran 5 o Ddeddf Anudon 1911 (p. 6) (datganiadau anwir a wneir ac eithrio ar lw);
 - (b) yn ystod yr achos –
 - (i) os dygir tystiolaeth sy’n ymwneud â’r wybodaeth gan P, neu ar ei ran, neu
 - (ii) os gofynnir cwestiwn sy’n ymwneud â’r wybodaeth gan P, neu ar ei ran.”
- () Yn adran 33 –
 - (a) yn is-adran (1)(b), yn lle “o drefniadaeth a chydgyssylltiad gwasanaethau rheoleiddiedig a ddarperir gan ddarparwr gwasanaeth” rhodder “o’r ffordd y mae gwasanaethau rheoleiddiedig a ddarperir gan ddarparwr gwasanaeth yn cael eu trefnu, eu rheoli neu eu cydgyssylltu”;
 - (b) ar ôl is-adran (1) mewnosoder –
 - “(1A) Yn y Rhan hon mae cyfeiriad at “ymchwiliad” yn gyfeiriad at ymchwiliad ynghylch a yw person –
 - (a) yn darparu gwasanaeth rheoleiddiedig mewn man nad yw’r person hwnnw wedi ei gofrestru mewn cysylltiad ag ef o dan adran 7, neu
 - (b) wedi darparu gwasanaeth rheoleiddiedig mewn man nad oedd y person hwnnw wedi ei gofrestru mewn cysylltiad ag ef o dan adran 7.”;
 - (c) yn is-adran (2), ar y diwedd mewnosoder “neu ymchwiliad”.
- () Yn adran 34 –
 - (a) yn is-adran (1), ar ôl “arolygiad” mewnosoder “neu ymchwiliad”;
 - (b) yn is-adran (3), ar ôl “arolygiad” mewnosoder “neu ymchwiliad”;
 - (c) yn is-adran (4), ar y dechrau mewnosoder “Wrth gynnal arolygiad neu ymchwiliad,”.
- () Yn adran 35 –
 - (a) yn is-adran (1) –
 - (i) ar ôl “arolygiad” mewnosoder “neu ymchwiliad”;
 - (ii) hepgorer “yn breifat”.
 - (b) ar ôl is-adran (1) mewnosoder –
 - “(1A) Caniateir i arolygydd ei gwneud yn ofynnol i gyfweliad o dan is-adran (1) gael ei gynnal yn breifat.”;
 - (c) yn is-adran (2), yn lle’r geiriau “ni chaiff” hyd at y diwedd rhodder “o ran arolygydd –
 - (a) ni chaiff gyf-weld â pherson sy’n dod o fewn is-adran (3) heb gydsyniad y person, a

- (b) ni chaiff gyf-weld â pherson (“P”) at ddibenion holi a yw P wedi cyflawni trosedd oni bai –
 - (i) bod P wedi cael ei hysbysu am ddiben y cyfweliad;
 - (ii) y rhoddir y cyfle i P i gael cynrychiolaeth gyfreithiol.”
- (d) yn is-adran (4), ar ôl “Caiff arolygydd” mewnosoder “, at ddibenion cynnal arolygiad,”.
- () Yn adran 36 –
 - (a) yn is-adran (2), ar ôl “adroddiad” mewnosoder “, i’r graddau a ystyrir yn gymesur gan Weinidogion Cymru,”;
 - (b) ar ôl is-adran (3) mewnosoder –
 - “(3A) Ond nid yw gofyniad yn is-adran (3) yn gymwys pan fo Gweinidogion Cymru yn ystyried y byddai cyflawni’r gofyniad yn amhriodol gan roi sylw i fudd pennaf person y mae ei ofal a’i gymorth wedi eu hasesu yn yr adroddiad.”’.

Dawn Bowden

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Section 19, page 25, line 17, leave out ‘for up to a maximum of 18 months’.

Adran 19, tudalen 25, llinell 17, hepgorer ‘am hyd at 18 mis ar y mwyaf’.

Dawn Bowden

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Section 24, page 38, line 19, after ‘as’, insert ‘to’.

Adran 24, tudalen 38, llinell 19, ar ôl ‘as’, mewnosoder ‘to’.

Dawn Bowden

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Section 24, page 39, line 16, after ‘203(6A),’, insert ‘after “section 10A(1),” insert “section 10C(1) (direct payments),”’.

Adran 24, tudalen 39, llinell 16, ar ôl ‘203(6A),’, mewnosoder ‘ar ôl “section 10A(1),” mewnosoder “section 10C(1) (direct payments),”’.

Dawn Bowden

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Section 29, page 40, line 33, after ‘1,’ at the first place where it occurs on a line, insert ‘16,’.

Adran 29, tudalen 40, llinell 35, ar ôl ‘1,’ mewnosoder ‘16,’.

Dawn Bowden

30

Section 29, page 40, line 34, leave out ‘paragraph 3(b)’ and insert ‘paragraphs [*paragraph to be inserted by amendment 8*], 3(b), 4(3), 5(1) to (3) and 5(9) and (10)’.

Adran 29, tudalen 40, llinell 37, hepgorer ‘paragraff 3(b)’ a mewnosoder ‘paragraffau [*paragraff i’w fewnosod gan welliant 8*], 3(b), 4(3), 5(1) i (3) a 5(9) a (10)’.



Dawn Bowden

31

Schedule 1, page 42, after line 20, insert –

‘() In section 13, in subsection (5), for paragraph (a) substitute –

“(a) in the case of variation –

(i) under subsection (1), (3)(a) or (c) or (4)(a), or

(ii) in accordance with paragraph 3(4)(a) of Schedule 1A,
the requirements of sections 18 and 19 are met;”.

() In section 15, in subsection (3), for paragraph (a) substitute –

“(a) in the case of –

(i) cancellation on the grounds set out in subsection (1)(a),
(b), (ba) or (g), or

(ii) cancellation in accordance with paragraph 3(4)(b) of
Schedule 1A,

the requirements of sections 18 and 19 are met;”.

Atodlen 1, tudalen 42, ar ôl llinell 20, mewnosoder –

‘() Yn adran 13, yn is-adran (5), yn lle paragraff (a) rhodder –

“(a) yn achos amrywiad –

(i) o dan is-adran (1), (3)(a) neu (c) neu (4)(a), neu

(ii) yn unol â pharagraff 3(4)(a) o Atodlen 1A,
oni bai bod gofynion adrannau 18 a 19 wedi eu bodloni;”.

() Yn adran 15, yn is-adran (3), yn lle paragraff (a) rhodder –

“(a) yn achos –

(i) canslo ar y seiliau a nodir yn is-adran (1)(a), (b), (ba) neu
(g), neu

(ii) canslo yn unol â pharagraff 3(4)(b) o Atodlen 1A,
oni bai bod gofynion adrannau 18 a 19 wedi eu bodloni;”.

Dawn Bowden

32

Schedule 1, page 42, line 24, after ‘(2),’, insert ‘ –

(a) after paragraph (c) insert –

“(ca) section 6A(3)(b) (regulations prescribing public goods to which
a person’s objects or purposes must primarily relate);”.

Atodlen 1, tudalen 42, llinell 24, ar ôl ‘(2),’, mewnosoder ‘ –

(a) ar ôl paragraff (c) mewnosoder –

“(ca) adran 6A(3)(b) (rheoliadau sy’n rhagnodi buddion cyhoeddus y
mae rhaid i amcanion neu ddibenion person ymwneud yn anad
dim â hwy);”.

Dawn Bowden

33

Schedule 1, page 43, after line 6, insert –

‘() In section 49(1)(a), for “sections 50 to 53” substitute “sections 49A to 53A”.’.

Atodlen 1, tudalen 43, ar ôl llinell 6, mewnosoder –

‘() Yn adran 49(1)(a), yn lle “adrannau 50 i 53” rhodder “adrannau 49A i 53A”.’.

Dawn Bowden

34

Schedule 1, page 43, after line 16, insert –

‘() In section 187(2), for “section 50 or 51” substitute “section 49A or Schedule A1”.

() In section 189 –

(a) in subsection (5)(a)(ii), for “section 50 or 52” substitute “section 49A(1)(a) or (c)”;

(b) in subsection (7)(b), for “section 50 or 52” substitute “section 49A(1)(a) or (c)”.’.

Atodlen 1, tudalen 43, ar ôl llinell 16, mewnosoder –

‘() Yn adran 187(2), yn lle “adran 50 neu 51” rhodder “adran 49A nac Atodlen A1”.

() Yn adran 189 –

(a) yn is-adran (5)(a)(ii), yn lle “adran 50 neu 52” rhodder “adran 49A(1)(a) neu (c)”;

(b) yn is-adran (7)(b), yn lle “adran 50 neu 52” rhodder “adran 49A(1)(a) neu (c)”.’.

Dawn Bowden

35

Schedule 1, page 43, after line 16, insert –

‘Criminal Justice and Courts Act 2015 (c. 2)

[] (1) The Criminal Justice and Courts Act 2015 is amended as follows.

(2) In section 21, in subsection (8), for paragraph (d) substitute –

“(d) Schedule A1 to the Social Services and Well-being (Wales) Act 2014 (anaw 4) (direct payments for after-care made by local authorities);

(e) regulations under section 49A of the Social Services and Well-being (Wales) Act 2014 (direct payments for care and support) where the payment is made towards the cost of meeting the needs of an adult or a carer who is an adult.”’.

Atodlen 1, tudalen 43, ar ôl llinell 16, mewnosoder –

‘Deddf Cyfiawnder Troseddol a’r Llysoedd 2015 (p. 2)

[] (1) Mae Deddf Cyfiawnder Troseddol a’r Llysoedd 2015 wedi ei diwygio fel a ganlyn.

(2) Yn adran 21, yn is-adran (8), yn lle paragraff (d) rhodder –

“(d) Schedule A1 to the Social Services and Well-being (Wales) Act 2014 (anaw 4) (direct payments for after-care made by local authorities);

- (e) regulations under section 49A of the Social Services and Well-being (Wales) Act 2014 (direct payments for care and support) where the payment is made towards the cost of meeting the needs of an adult or a carer who is an adult.”.

Dawn Bowden

36

Schedule 1, page 43, after line 18, insert –

‘() In section 1, in paragraph (c), at the end insert “and investigations”.’.

Atodlen 1, tudalen 43, ar ôl llinell 18, mewnosoder –

‘() Yn adran 1, ym mharagraff (c), ar y diwedd mewnosoder “ac ymchwiliadau”.’.

Dawn Bowden

37

Schedule 1, page 43, line 19, leave out ‘(1)(a), for “section 15” substitute “section 15(1)(c), (d), (e) or (f)” and insert ‘(1) –

- (a) in paragraph (a), for “section 15” substitute “section 15(1)(c), (d), (e) or (f)”;
- (b) in paragraph (b), for “section 13(3) or (4)” substitute “section 13(3)(b) or (4)(b), (ba) or (c)”.

Atodlen 1, tudalen 43, llinell 19, hepgorer ‘(1)(a), yn lle “adran 15” rhodder “adran 15(1)(c), (d), (e) neu (f)” a mewnosoder ‘(1) –

- (a) ym mharagraff (a), yn lle “adran 15” rhodder “adran 15(1)(c), (d), (e) neu (f)”;
- (b) ym mharagraff (b), yn lle “adran 13(3) neu (4)” rhodder “adran 13(3)(b) neu (4)(b), (ba) neu (c)”.

Dawn Bowden

38

Schedule 1, page 43, line 22, leave out ‘at the end of paragraph (c) insert “,” and insert ‘in paragraph (c)(ii), for “section 13(3) or (4), 23(1)(b) or 25(2)(a).” substitute “section 13(3)(b) or (4)(b), (ba) or (c), 23(1)(b) or 25(2)(a),’.

Atodlen 1, tudalen 43, llinell 22, hepgorer ‘ar ddiwedd paragraff (c) mewnosoder “,” a mewnosoder ‘ym mharagraff (c)(ii), yn lle “adran 13(3) neu (4), 23(1)(b) neu 25(2)(a).” rhodder “adran 13(3)(b) neu (4)(b), (ba) neu (c), 23(1)(b) neu 25(2)(a),’.

Dawn Bowden

39

Schedule 1, page 43, line 24, leave out ‘under section 15(1)(a), (b) or (ba)’ and insert ‘other than under section 15(1)(c), (d), (e) and (f)’.

Atodlen 1, tudalen 43, llinell 24, hepgorer ‘o dan adran 15(1)(a), (b) neu (ba)’ a mewnosoder ‘ac eithrio o dan adran 15(1)(c), (d), (e) ac (f)’.

Dawn Bowden

40

Schedule 1, page 43, after line 25, insert –

- ‘() In the heading of Chapter 3, for the words “and inspections” substitute “, inspections and investigations”.
- () In the heading of section 33, after the word “inspections” insert “, investigations”.
- () In the heading of section 50, at the end insert “and investigations”.

Atodlen 1, tudalen 43, ar ôl llinell 25, mewnosoder –

- ‘() Ym mhennawd Pennod 3, yn lle’r geiriau “ac arolygiadau” rhodder “, arolygiadau ac ymchwiliadau”.
- () Ym mhennawd adran 33, ar ôl y gair “arolygiadau” mewnosoder “, ymchwiliadau”.
- () Ym mhennawd adran 50, ar y diwedd mewnosoder “ac ymchwiliadau”.

Dawn Bowden

41

Schedule 2, page 46, after line 13, insert –

- ‘() In section 187 –
 - (a) in subsection (2) –
 - (i) in paragraph (a), before “health service body” insert “direct payment service provider,”;
 - (ii) in paragraph (ca), before “health service body” insert “direct payment service provider,”;
 - (b) in subsection (3), in the appropriate place insert –

““direct payment service provider” means a person who provides services to any person in respect of which direct payments have been made under section 10B(1), or under regulations made under section 10B(5),”.

Atodlen 2, tudalen 46, ar ôl llinell 13, mewnosoder –

- ‘() Yn adran 187 –
 - (a) yn is-adran (2) –
 - (i) ym mharagraff (a), o flaen “health service body” mewnosoder “direct payment service provider,”;
 - (ii) ym mharagraff (ca), o flaen “health service body” mewnosoder “direct payment service provider,”;
 - (b) yn is-adran (3), yn y lle priodol mewnosoder –

““direct payment service provider” means a person who provides services to any person in respect of which direct payments have been made under section 10B(1), or under regulations made under section 10B(5),”.

Dawn Bowden

42

Schedule 2, page 46, line 15, column 2, leave out ‘184(3A)’ and insert ‘187(3)’.

Atodlen 2, tudalen 46, llinell 15, colofn 2, hepgorer ‘184(3A)’ a mewnosoder ‘187(3)’.

Dawn Bowden

43

Schedule 2, page 46, after line 26, insert –

‘Criminal Justice and Courts Act 2015 (c. 2)

[] (1) The Criminal Justice and Courts Act 2015 is amended as follows.

(2) In section 21, in subsection (8), after paragraph (b) insert –

“(ba) section 10B of the National Health Service (Wales) Act 2006 (c. 42) (direct payments for health care);

(bb) regulations under section 10B(5) of the National Health Service (Wales) Act 2006 (direct payments for after-care made by Local Health Boards);”.

Atodlen 2, tudalen 46, ar ôl llinell 26, mewnosoder –

‘Deddf Cyfiawnder Troseddol a’r Llysoedd 2015 (p. 2)

[] (1) Mae Deddf Cyfiawnder Troseddol a’r Llysoedd 2015 wedi ei diwygio fel a ganlyn.

(2) Yn adran 21, yn is-adran (8), ar ôl paragraff (b) mewnosoder –

“(ba) section 10B of the National Health Service (Wales) Act 2006 (c. 42) (direct payments for health care);

(bb) regulations under section 10B(5) of the National Health Service (Wales) Act 2006 (direct payments for after-care made by Local Health Boards);”.

