



## RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

### Bil Gwasanaethau Cymdeithasol a Llesiant (Cymru) Social Services and Well-being (Wales) Bill

Mae'r gwelliannau â \* ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu.  
Amendments marked \* are new or have been altered.

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i  
esbonio ei ddiben ac i gynorthwyo'r darllenydd. Nid yw'r testun yn rhan o eiriad y  
gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain  
its purpose and to aid the reader's understanding. The text does not form part of the  
amendment.

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Caiff y Bil ei ystyried yn y drefn a ganlyn—  
The Bill will be considered in the following order—

Sections 2 to 69	Adrannau 2 i 69
Schedule 1	Atodlen 1
Sections 70 to 119	Adrannau 70 i 119
Schedule 2	Atodlen 2
Sections 120 to 160	Adrannau 120 i 160
Schedule 3	Atodlen 3
Sections 161 to 169	Adrannau 161 i 169
Section 1	Adran 1
Long title	Teitl hir

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**William Graham**

**56A**

As an amendment to amendment 56, after line 34, insert—

- ‘( ) decisions made under this Act should promote and respect the dignity of a person in need of care and support, or of a carer in need of support.’.

*To include the promotion and respect of the dignity of a person as one of the statutory principles of the Bill.*

Fel gwelliant i welliant 56, ar ôl llinell 36, mewnosoder—

- ‘( ) dylai’r penderfyniadau a wneir o dan y Ddeddf hon hyrwyddo a pharchu urddas person y mae angen gofal a chymorth arno, neu ofalwr y mae angen cymorth arno.’.

*I gynnwys hyrwyddo a pharchu urddas person fel un o egwyddorion statudol y Bil.*

**Kirsty Williams**

**56**

**Gyda chefnogaeth / Supported by: William Graham**

To insert a new section—

**‘( ) Statutory principles**

- (1) In making decisions under this Act the principles in subsection (2) apply.
- (2) The principles are—
  - (a) the welfare of any child in need of care and support shall be the paramount consideration, as stated in the welfare principle in section 1 of the Children Act 1989;
  - (b) in the case of an adult, anything done under this Act must seek to maximise their independence and autonomy;
  - (c) decisions made under this Act should promote the dignity, safety and well-being of a person in need of care and support, or of a carer in need of support;
  - (d) a person must be involved so far as is practicable in any decision made in relation to their care assessments, the planning, developing and the reviewing of their care and support, or relating to the support provided in their role as carers, as is appropriate having regard to their level of understanding and willingness to participate, and in addition in the case of a child as is compatible with the welfare principle;
  - (e) where a person’s ability to communicate is impaired through disability, age or otherwise, appropriate support should be provided to enable them to participate in decisions that affect them to an extent as is appropriate in the circumstances and in the case of a child compatible with the welfare principle;
  - (f) the wishes of any person must be respected and followed wherever practicable, safe and appropriate, and in the case of a child compatible with their level of understanding and the welfare principle;
  - (g) people have the right to make decisions that to others may appear irrational, unwise or eccentric unless in the case of a child they do not have the necessary level of understanding to make such decisions, or such decisions are incompatible

with the welfare principle;

- (h) it must be presumed that a person is the best judge of their own well-being, except in cases where they lack the necessary legal capacity to make that assessment or in addition in the case of a child, they do not have the necessary level of understanding to make that assessment;
  - (i) the least restrictive intervention should be adopted when it is necessary to interfere with a person's human rights, in particular but not exclusively their right to family life, private life and home.
- (3) With the exception of the welfare principle in subsection 2(a) which in all cases involving children will be the paramount consideration, the above principles are not listed in order of priority nor do they necessarily have equal weight.'

*This amendment would include statutory principles on the face of the Bill. In line with recommendation 1 of the Health Committee Stage 1 report.*

I fewnosod adran newydd –

**'( ) Egwyddorion statudol**

- (1) Wrth wneud penderfyniadau o dan y Ddeddf hon, mae'r egwyddorion yn is-adran (2) yn gymwys.
- (2) Yr egwyddorion yw:
  - (a) llesiant unrhyw blentyn y mae arno angen gofal neu gymorth yw'r brif ystyriaeth, fel y nodir yn yr egwyddor llesiant yn adran 1 o Ddeddf Plant 1989;
  - (b) yn achos oedolyn, rhaid i unrhyw beth a wneir o dan y Ddeddf hon geisio cynyddu'i annibyniaeth a'i ymreolaeth i'r eithaf;
  - (c) dylai penderfyniadau a wneir o dan y Ddeddf hon hyrwyddo urddas diogelwch a llesiant person y mae arno angen gofal a chymorth, neu urddas, diogelwch a llesiant gofalwr y mae arno angen cymorth;
  - (d) i'r graddau y mae hynny'n ymarferol, rhaid i berson fod yn rhan o unrhyw benderfyniad a wneir mewn perthynas â'i asesiadau gofal, y gwaith o gynllunio, datblygu ac adolygu'i ofal a'i gymorth, neu mewn perthynas â'r cymorth sy'n cael ei ddarparu iddo yn ei rôl fel gofalwr, fel sy'n briodol o ystyried ei lefel o ddealltwriaeth a'i barodrwydd i gymryd rhan, ac yn ychwanegol, yn achos plentyn, fel sy'n gydnaws â'r egwyddor llesiant;
  - (e) pan fo anabledd, oed neu rywbeth arall yn amharu ar allu person i gyfathrebu, dylid darparu cymorth priodol i'w alluogi i gymryd rhan mewn penderfyniadau sy'n effeithio arno i'r graddau sy'n briodol o dan yr amgylchiadau ac, yn achos plentyn, fel sy'n gydnaws â'r egwyddor llesiant;
  - (f) rhaid parchu dymuniadau unrhyw berson a'u dilyn ym mha le bynnag y mae hynny'n ymarferol, yn ddiogel ac yn briodol ac, yn achos plentyn, yn gydnaws â'i lefel o ddealltwriaeth a'r egwyddor llesiant;
  - (g) mae gan bobl yr hawl i wneud penderfyniadau a allai ymddangos i eraill yn afresymol, yn annoeth neu'n ecentrig oni bai, yn achos plentyn, nad oes ganddo'r lefel angenrheidiol o ddealltwriaeth i wneud penderfyniadau o'r fath, neu fod

penderfyniadau o'r fath yn anghydnaws â'r egwyddor llesiant;

- (h) rhaid rhagdybio mai'r unigolyn yw'r person mwyaf cymwys i wneud penderfyniadau ynglŷn â'i lesiant ei hun, ac eithrio mewn achosion pan nad oes ganddo'r cymhwyster cyfreithiol angenrheidiol i wneud yr asesiad hwnnw neu, yn ychwanegol yn achos plentyn, nad oes ganddo'r lefel angenrheidiol o ddealltwriaeth i wneud yr asesiad hwnnw;
- (i) dylid mabwysiadu'r ymyriad sy'n cyfyngu leiaf ar yr unigolyn pan fydd yn angenrheidiol ymyrryd â hawliau dynol person, yn arbennig, ond nid yn unig, ei hawl i fywyd teuluol, bywyd preifat a chartref.

- (3) Ar wahân i'r egwyddor llesiant yn is-adran 2(a), sef y brif ystyriaeth ym mhob achos sy'n ymwneud â phlant, nid yw'r egwyddorion uchod wedi'u rhestru mewn trefn blaenoriaeth ac ni roddir yr un pwyslais arnynt o reidrwydd ychwaith.'.

*Byddai'r gwelliant hwn yn rhoi egwyddorion statudol ar wyneb y Bil, yn unol ag argymhelliad 1 o adroddiad Cyfnod 1 y Pwyllgor Iechyd.*

## **William Graham**

**111**

Section 2, page 4, line 26, leave out subsections (2) to (4) and insert –

- '( ) In deciding on the well-being of any individual, regard must be had to the individual's –
  - (a) cultural and personal values;
  - (b) health and welfare;
  - (c) right to contribute to and participate in society to the extent that they wish to do so;
  - (d) safety and protection;
  - (e) social, family and personal relationships;
  - (f) standard of living;
  - (g) need to have their rights secured;
  - (h) living accommodation;
  - (i) right to live independently to the extent that the individual wishes to do so.
- ( ) The Welsh Ministers may, by order, amend sub-section (*first subsection to be inserted by amendment 111*) by adding to the list.
- ( ) In relation to a child, regard must also be had to –
  - (a) the physical, intellectual, emotional, social and behavioural development of the child;
  - (b) "welfare" as that word is interpreted for the purposes of the Children Act 1989.'.

*Replaces the current definition of "well-being" with a list of factors to which persons exercising functions under the Bill must have regard. Provides Welsh Ministers with the power to add to the list of factors which must be regarded.*

Adran 2, tudalen 4, llinell 27, hepgorer is-adrannau (2) hyd at (4) a mewnosoder –

- ( ) Wrth benderfynu ar lesiant unrhyw unigolyn, rhaid rhoi sylw i’w –
- (a) gwerthoedd diwylliannol a phersonol;
  - (b) iechyd a llesiant;
  - (c) hawl i gyfrannu at gymdeithas a chymryd rhan ynddo i’r graddau y mae’n dymuno gwneud hynny;
  - (d) diogelwch ac amddiffyniad;
  - (e) perthnasoedd cymdeithasol, teuluol a phersonol;
  - (f) safon byw;
  - (g) angen i gael ei hawliau wedi’u diogelu;
  - (h) llety preswyl;
  - (i) hawl i fyw’n annibynnol i’r graddau y mae’n dymuno gwneud hynny.
- ( ) Caiff Gweinidogion Cymru, drwy orchymyn, ddiwygio is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 111*) drwy ychwanegu at y rhestr.
- ( ) Mewn perthynas â phlentyn, rhaid rhoi sylw hefyd i –
- (a) datblygiad corfforol, deallusol, emosiynol, cymdeithasol ac ymddygiadol y plentyn;
  - (b) “llesiant” fel y dadansoddir y gair hwnnw at ddibenion Deddf Plant 1989.’.

*Mae’n disodli’r diffiniad presennol o “lesiant” ac yn ei le yn cynnwys rhestr o ffactorau y mae’n rhaid i bersonau sy’n arfer y swyddogaethau o dan y Bil roi sylw iddynt. Mae’n rhoi’r pŵer i Weinidogion Cymru ychwanegu at y rhestr o ffactorau y mae’n rhaid rhoi sylw iddynt.*

**William Graham**

71

Section 2, page 4, after line 34, insert –

- ‘(h) suitability of living accommodation.’.

Adran 2, tudalen 4, ar ôl llinell 35, mewnosoder –

- ‘(h) addasrwydd llety preswyl.’.

**William Graham**

72

Section 2, page 5, after line 4, insert –

- ‘(c) independent living.’.

Adran 2, tudalen 5, ar ôl llinell 5, mewnosoder –

- ‘(c) byw’n annibynnol.’.

**William Graham**

64

Section 4, page 5, line 27, leave out ‘seek to’.

Adran 4, tudalen 5, llinell 29, hepgorer ‘geisio’.

**Gwenda Thomas**

**417**

Section 4, page 5, after line 29, insert—

- ( ) A person exercising functions under this Act in relation to—
- (a) an individual who has, or may have, needs for care and support, or
  - (b) a carer who has, or may have, needs for support,
- must comply with the duties in subsection (*second subsection to be inserted by amendment 417*).
- ( ) The person must—
- (a) in so far as is reasonably practicable, ascertain and have regard to the individual's views, wishes and feelings,
  - (b) have regard to the importance of promoting and respecting the dignity of the individual,
  - (c) have regard to the characteristics, culture and beliefs of the individual (including, for example, language), and
  - (d) have regard to the importance of providing appropriate support to enable the individual to participate in decisions that affect him or her to the extent that is appropriate in the circumstances, particularly where the individual's ability to communicate is impaired through age, disability or otherwise.'

Adran 4, tudalen 5, ar ôl llinell 32, mewnosoder—

- ( ) Rhaid i berson sy'n arfer swyddogaethau o dan y Ddeddf hon—
- (a) mewn perthynas ag unigolyn y mae arno anghenion am ofal a chymorth, neu y gall fod arno anghenion am ofal a chymorth, neu
  - (b) mewn perthynas â gofalwr y mae arno anghenion am gymorth, neu y gall fod arno anghenion am gymorth,
- gydymffurfio â'r dyletswyddau yn is-adran (*yr ail is-adran sy'n cael ei fewnosod gal welliant 417*).
- ( ) Rhaid i'r person—
- (a) i'r graddau y mae'n rhesymol ymarferol, ganfod barn, dymuniadau a theimladau'r unigolyn a rhoi sylw i'r farn honno, y dymuniadau hynny a'r teimladau hynny,
  - (b) rhoi sylw i bwysigrwydd hyrwyddo a pharchu urddas yr unigolyn,
  - (c) rhoi sylw i nodweddion, diwylliant a chredoau'r unigolyn (gan gynnwys, er enghraifft, iaith), a
  - (d) rhoi sylw i bwysigrwydd darparu cymorth priodol er mwyn galluogi'r unigolyn i gymryd rhan yn y penderfyniadau sy'n effeithio arno i'r graddau sy'n briodol o dan yr amgylchiadau, yn enwedig pan fo nam ar allu'r unigolyn i gyfathrebu oherwydd oedran, anabled neu fel arall.'

**Gwenda Thomas** 418

Section 4, page 5, line 30, leave out subsection (2).

Adran 4, tudalen 5, llinell 33, hepgorer is-adran (2).

**William Graham** 65

Section 4, page 5, line 30, after 'must', insert 'ascertain and'.

*Requires a person exercising duties under the Act to ascertain the individual's views and wishes, in addition to having regard to them.*

Adran 4, tudalen 5, llinell 34, hepgorer 'roi sylw i farn yr unigolyn, ei ddymuniadau a'i deimladau' a mewnosoder 'ganfod beth yw barn, dymuniadau a theimladau'r unigolyn a rhoi sylw iddynt,'.

*Mae'n ei gwneud yn ofynnol i berson sy'n arfer y dyletswyddau o dan y Ddeddf ganfod barn a dymuniadau'r unigolyn, yn ogystal â rhoi sylw iddynt.*

**Gwenda Thomas** 419

Section 4, page 6, line 1, leave out 'must' and insert 'falling within subsection (first subsection to be inserted by amendment 417)(a) or (b) must, in addition,'.

Adran 4, tudalen 6, llinell 2, ar ôl 'oedolyn' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'sy'n dod o fewn is-adran (yr ail is-adran sy'n cael ei fewnosod gan welliant 417)(a) neu (b), yn ogystal,'.

**William Graham** 66

Section 4, page 6, line 2, leave out 'assumption' and insert 'presumption'.

Adran 4, tudalen 6, llinell 2, hepgorer 'dybiaeth' a mewnosoder 'ragdybiaeth'.

**Gwenda Thomas** 420

Section 4, page 6, line 3, after 'well-being', insert –

' and

( ) the importance of promoting the adult's independence where possible'.

Adran 4, tudalen 6, llinell 3, ar ôl 'oedolyn', mewnosoder –

' ac

( ) pwysigrwydd hyrwyddo annibyniaeth yr oedolyn pan fo'n bosibl'.

**Gwenda Thomas** 421

Section 4, page 6, line 4, leave out –

'must have regard –

(a) to the importance of promoting the upbringing of the child by the child's family, in so far as doing so is consistent with promoting the well-being of the child, and

(b) where the child is under the age of 16,'

And insert—

'falling within subsection (*first subsection to be inserted by amendment 417*)(a) or (b), in addition—

- ( ) must have regard to the importance of promoting the upbringing of the child by the child's family, in so far as doing so is consistent with promoting the well-being of the child, and
- ( ) where the child is under the age of 16, must ascertain and have regard'.

Adran 4, tudalen 6, llinell 5, hepgorer—

'roi sylw—

- (a) i bwysigrwydd hyrwyddo magwraeth y plentyn gan deulu'r plentyn, i'r graddau y mae gwneud hynny'n gyson â hyrwyddo llesiant y plentyn, a
- (b) pan fo'r plentyn o dan 16 oed, i farn, dymuniadau a theimladau y personau sydd â chyfrifoldeb rhiant dros y plentyn'

A mewnosoder—

'sy'n dod o fewn is-adran (*yr ail is-adran sy'n cael ei fewnosod gan welliant 417*)(a) neu (b), yn ogystal—

- ( ) rhoi sylw i bwysigrwydd hyrwyddo magwraeth y plentyn gan deulu'r plentyn, i'r graddau y mae gwneud hynny yn gyson â hyrwyddo llesiant y plentyn, ac
- ( ) pan fo'r plentyn o dan 16 oed, ganfod barn, dymuniadau a theimladau'r personau sydd â chyfrifoldeb rhiant dros y plentyn a rhoi sylw i'r farn honno, y dymuniadau hynny a'r teimladau hynny'.

**Kirsty Williams**

57

**Gyda chefnogaeth / Supported by: William Graham**

Section 4, page 6, after line 12, insert—

'(6) Any reference to care and support in this Act is to be construed as a reference to—

- (a) care;
- (b) support;
- (c) both care and support.'

*Care and support are different elements; this amendment will ensure that those differences are recognised in the legislation.*

Adran 4, tudalen 6, ar ôl llinell 13, mewnosoder—

'(6) Mae unrhyw gyfeiriad at ofal a chymorth yn y Ddeddf i'w ddehongli fel cyfeiriad at—

- (a) gofal;
- (b) cymorth;
- (c) gofal a chymorth.'

*Mae gofal a chymorth yn elfennau gwahanol; bydd y gwelliant hwn yn sicrhau bod y gwelliannau hynny yn cael eu cydnabod yn y ddeddfwriaeth.*



**William Graham**

180

Section 4, page 6, after line 12, insert –

- '(6) The Welsh Ministers may give guidance to a person exercising functions under this Act about any action to promote well-being under subsection (1).
- (7) In exercising functions under this Act, a person must have regard to any guidance issued under subsection (*first subsection to be inserted by amendment 180*).'

Adran 4, tudalen 6, ar ôl llinell 13, mewnosoder –

- '(6) Caiff Gweinidogion Cymru roi canllawiau i berson sy'n arfer swyddogaethau o dan y Ddeddf hon ynghylch unrhyw gamau i hyrwyddo llesiant o dan is-adran (1).
- (7) Wrth arfer swyddogaethau o dan y Ddeddf hon, rhaid i berson roi sylw i unrhyw ganllawiau a ddyroddir o dan is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 180*).'

**Gwenda Thomas**

422

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 5, tudalen 6, llinell 17, hepgorer 'yna bobl' a mewnosoder 'pobl'.

**William Graham**

67

Section 5, page 6, line 26, after '(1)', insert 'must provide for how services should be designed and delivered to promote and enable independent living and'.

*Adds a requirement that regulations made under section 5(1) must provide for how preventative services should promote and enable independent living.*

Adran 5, tudalen 6, llinell 29, hepgorer 'Caiff rheoliadau o dan is-adran (1)' a mewnosoder 'Rhaid i reoliadau o dan is-adran (1) ddarparu ar gyfer sut y dylid dylunio a darparu gwasanaethau i alluogi pobl i fyw'n annibynnol ac i hyrwyddo hynny, a chânt'.

*Mae'n ychwanegu gofyniad bod yn rhaid i reoliadau a wneir o dan adran 5(1) ddarparu ar gyfer sut y dylai gwasanaethau ataliol hyrwyddo a galluogi byw'n annibynnol.*

**Kirsty Williams**

100

Section 5, page 6, after line 27, insert –

- '() Regulations made under this section shall clarify that visits to deliver personal care in an adult's home should not normally be commissioned to last less than thirty minutes, excluding travel time.'

Adran 5, tudalen 6, ar ôl llinell 30, mewnosoder –

- '() Bydd rheoliadau a wneir o dan yr adran hon yn egluro na ddylai ymweliadau i ddarparu gofal personol mewn cartref oedolyn fel arfer gael eu comisiynu i bara llai na 30 munud, heb gynnwys amser teithio.'

**Elin Jones**

472

Section 6, page 7, after line 8, insert—

‘() A Local Health Board must provide or arrange for the provision of a range and level of services which it considers will achieve or contribute to the achievement of the purposes in subsection (2) in its area.’

*An amendment to place duties on Local Health Boards to contribute towards the provision of preventative services.*

Adran 6, tudalen 7, ar ôl llinell 7, mewnosoder—

‘() Rhaid i Fwrdd Iechyd Lleol ddarparu neu drefnu i ddarparu ystod a lefel o wasanaethau a fydd yn ei farn ef yn sicrhau’r dibenion neu’n cyfrannu at sicrhau’r dibenion yn is-adran (2) yn ei ardal.’

*Gwelliant i osod dyletswyddau ar Fyrddau Iechyd Lleol i gyfrannu at ddarparu gwasanaethau ataliol.*

**Gwenda Thomas**

84A

As an amendment to amendment 84, line 1, leave out ‘to enable or reable a person to live their life’ and insert ‘enabling people to live their lives’.

Fel gwelliant i welliant 84, llinell 1, hepgorer ‘i alluogi neu ailalluogi person i fyw ei fywyd’ a mewnosoder ‘galluogi pobl i fyw eu bywydau’.

**William Graham**

84

**Gyda chefnogaeth/ Supported by: Lindsay Whittle**

Section 6, page 7, after line 25, insert—

‘(i) to enable or reable a person to live their life as independently as possible.’

Adran 6, tudalen 7, ar ôl llinell 24, mewnosoder—

‘(i) i alluogi neu ailalluogi person i fyw ei fywyd mewn ffordd mor annibynnol â phosibl.’

**Gwenda Thomas**

423

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 6, tudalen 7, llinell 25, hepgorer ‘caniateir’ a mewnosoder ‘gellir’.

**Elin Jones**

473

**Gyda chefnogaeth/ Supported by: William Graham**

Section 6, page 7, line 31, leave out subsection (5).

*An amendment to place duties on Local Health Boards to contribute towards the provision of preventative services.*

Adran 6, tudalen 7, llinell 31, hepgorer is-adran (5).

*Gwelliant i osod dyletswyddau ar Fyrddau Iechyd Lleol i gyfrannu at ddarparu gwasanaethau ataliol.*

**William Graham**

68

Section 6, page 8, line 1, leave out –

‘and in particular avoid provision which might give rise to disproportionate expenditure.

- (7) Provision is not to be considered as giving rise to disproportionate expenditure only because that provision is more expensive than comparable provision’.

Adran 6, tudalen 8, llinell 1, hepgorer –

‘ac yn benodol osgoi darpariaeth a allai beri gwariant anghymesur.

- (7) Nid yw darpariaeth i’w hystyried yn un sy’n peri gwariant anghymesur ond oherwydd bod y ddarpariaeth honno’n ddrutach na darpariaeth gyffelyb’.

**William Graham**

85

Section 6, page 8, after line 2, insert –

‘(d) must provide or secure the provision of a service for providing people with information and advice about the services and resources referred to in paragraphs (a) to (c).’.

Adran 6, tudalen 8, ar ôl llinell 2, mewnosoder –

‘(d) rhaid i awdurdod lleol ddarparu gwasanaeth sy’n rhoi gwybodaeth a chynghor i bobl am y gwasanaethau ac adnoddau y cyfeirir atynt ym mharagraffau (a) i (c), neu sicrhau y darperir y gwasanaeth hwn.’.

**William Graham**

86

Section 6, page 8, after line 10, insert –

‘( ) In discharging their duties under subsections (4) and (5) a local authority and a Local Health Board must have regard to the need for mutual co-operation.’.

Adran 6, tudalen 8, ar ôl llinell 11, mewnosoder –

‘( ) Wrth gyflawni eu dyletswyddau o dan is-adrannau (4) a (5), rhaid i awdurdod lleol a Bwrdd Iechyd Lleol roi sylw i’r angen iddynt gydweithredu.’.

**William Graham**

252

Section 7, page 8, line 16, after ‘promote’, insert –

‘the efficient and effective operation of a market in services for meeting care and support needs with a view to ensuring that any person in its area wishing to access services in the market –

- (a) has a variety of providers to choose from who (taken together) provide a variety of services;
- (b) has a variety of high quality services to choose from;
- (c) has sufficient information to make an informed decision about how to meet the needs in question.

- ( ) The actions to be taken by a local authority under subsection (1) include, but are not limited to’.

Adran 7, tudalen 8, llinell 18, ar ôl ‘hyrwyddo’, mewnosoder –

‘gweithrediad effeithlon ac effeithiol marchnad mewn gwasanaethau ar gyfer bodloni anghenion gofal a chymorth gyda golwg ar sicrhau bod gan unrhyw berson yn ei ardal sy’n dymuno cael mynediad at wasanaethau yn y farchnad –

- (a) amrywiaeth o ddarparwyr i ddewis o’u plith sydd (gyda’i gilydd) yn darparu amrywiaeth o wasanaethau;
- (b) amrywiaeth o wasanaethau o ansawdd uchel i ddewis o’u plith;
- (c) gwybodaeth ddigonol i wneud penderfyniad gwybodus ynghylch sut i fodloni’r anghenion o dan sylw.

- ( ) Mae’r camau sydd i’w cymryd gan awdurdod lleol o dan is-adran (1) yn cynnwys, ond nid yw’n gyfyngedig i’.

**Gwenda Thomas**

289

Section 7, page 8, line 24, after ‘organisations’, insert ‘(whether or not the organisations are social enterprises or co-operative organisations)’.

Adran 7, tudalen 8, llinell 26, hepgorer ‘gyrff trydydd sector’ a mewnosoder ‘sefydliadau trydydd sector (p’un a yw’r sefydliadau yn fentrau cymdeithasol neu’n sefydliadau cydweithredol ai peidio)’.

**William Graham**

88

Section 7, page 9, after line 16, insert –

‘(d) for the type and quality of services which may be provided under this section.’.

Adran 7, tudalen 9, ar ôl llinell 16, mewnosoder –

‘(d) ar gyfer y math o wasanaethau y gellir eu darparu o dan yr adran hon a safon y gwasanaethau hynny.’.

**William Graham**

73

Section 8, page 9, line 19, after ‘advice’, insert ‘, including but not limited to, financial information,’.

*This amendment will ensure that people are also provided with financial information if required.*

Adran 8, tudalen 9, llinell 19, ar ôl ‘chyngor’, mewnosoder ‘, gan gynnwys, ond heb fod yn gyfyngedig i, wybodaeth ariannol,’.

*Bydd y gwelliant hwn yn sicrhau y rhoddir gwybodaeth ariannol i bobl yn ôl yr angen.*

**Gwenda Thomas** 424

Section 8, page 9, after line 20, insert—

‘() In subsection (1)(a), “information” includes, but is not limited to, financial information (including information about direct payments).’.

Adran 8, tudalen 9, ar ôl llinell 20, mewnosoder—

‘() Yn is-adran (1)(a), mae “gwybodaeth” yn cynnwys gwybodaeth ariannol (gan gynnwys gwybodaeth am daliadau uniongyrchol), ond nid yw’n gyfyngedig i’r wybodaeth honno.’.

**William Graham** 74

Section 8, page 10, line 1, after ‘carers’, insert—

’, and

“financial information” includes, but is not limited to, information about direct payments’.

Adran 8, tudalen 10, llinell 1, ar ôl ‘ofalwyr’, mewnosoder—

’, ac

mae “gwybodaeth ariannol” yn cynnwys gwybodaeth am daliadau uniongyrchol, ond nid yw’n gyfyngedig i hynny’.

**Gwenda Thomas** 4

Section 9, page 10, line 3, leave out ‘who are’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 5

Section 9, page 10, line 4, leave out—

‘are—

- (a) blind,
- (b) deaf, or
- (c) both blind and deaf’,

And insert—

‘—

- ( ) are sight-impaired or severely sight-impaired,
- ( ) are hearing-impaired or severely hearing-impaired, or
- ( ) have sight and hearing impairments which, in combination, have a significant effect on their day to day lives’.

Adran 9, tudalen 10, hepgorer llinellau 5 hyd at 7 a mewnosoder –

- '( ) sydd â nam ar eu golwg neu nam difrifol ar eu golwg,
- ( ) sydd â nam ar eu clyw neu nam difrifol ar eu clyw, neu
- ( ) sydd â nam ar eu golwg ac ar eu clyw sydd, gyda'i gilydd, yn cael effaith sylweddol ar eu bywydau bob dydd.'

**Gwenda Thomas**

**6**

Section 9, page 10, line 8, leave out 'be established and maintained in a way that enables a person on the register to be identified as being blind, deaf or both blind and deaf' and insert 'identify, in respect of each person included in the register, the paragraph in subsection (1) within which that person falls'.

Adran 9, tudalen 10, llinell 8, hepgorer 'gael ei llunio a'i chynnal mewn modd sy'n galluogi person ar y gofrestr i gael ei adnabod fel person dall, byddar neu'n ddall ac yn fyddar' a mewnosoder 'nodi, mewn cysylltiad â phob person sydd wedi ei gynnwys yn y gofrestr, y paragraff yn is-adran (1) y mae'r person hwnnw yn dod o'i fewn'.

**Elin Jones**

**474**

**Gyda chefnogaeth/ Supported by: William Graham**

Section 9, page 10, after line 9, insert –

- '( ) identifies a specific linguistic need of a person.'

*An amendment relating to the promotion of Welsh language service provision.*

Adran 9, tudalen 10, ar ôl llinell 9, mewnosoder –

- '( ) adnabod angen ieithyddol benodol person.'

*Gwelliant ynghylch hyrwyddo'r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**Gwenda Thomas**

**7**

Section 9, page 10, line 10, leave out 'categories of people who are, or are not, to be treated as being blind or deaf or both blind and deaf for the purposes of subsection (1)' and insert ', for the purposes of subsection (1), categories of people who are, or are not, to be treated as falling within paragraph (a), (b) or (c) of that subsection'.

Adran 9, tudalen 10, llinell 10, hepgorer 'categoriâu o bobl sydd i'w trin, neu nad ydynt i'w trin, fel pobl sy'n ddall neu'n fyddar neu'n ddall ac yn fyddar at ddibenion is-adran (1)' a mewnosoder ', at ddibenion is-adran (1), gategoriâu o bobl sydd i'w trin, neu nad ydynt i'w trin, fel pe baent yn dod o fewn paragraff (a), (b) neu (c) o'r is-adran honno'.

**Elin Jones**

**475**

**Gyda chefnogaeth / Supported by: William Graham**

To insert a new section –

*‘Welsh in care and support*

**( ) Strategic plans**

- (1) A local authority and a Local Health Board providing services in the area of that local authority must jointly prepare and publish a Welsh in care and support and well-being strategic plan for the local authority’s area.
- (2) The plan must be kept under review, and if necessary, revised.’.

*An amendment relating to the promotion of Welsh language service provision.*

I fewnosod adran newydd –

*‘Y Gymraeg mewn gofal a chymorth*

**( ) Cynlluniau strategol**

- (1) Rhaid i awdurdod lleol a Bwrdd Iechyd Lleol sy’n darparu gwasanaethau yn ardal yr awdurdod lleol hwnnw lunio a chyhoeddi ar y cyd gynllun strategol ar gyfer y Gymraeg mewn gofal a chymorth a llesiant ar gyfer ardal yr awdurdod lleol.
- (2) Rhaid adolygu’r cynllun yn gyson, ac os oes angen, ei ddiwygio.’.

*Gwelliant ynghylch hyrwyddo’r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**Elin Jones**

**476**

**Gyda chefnogaeth / Supported by: William Graham**

To insert a new section –

**‘( ) Strategic plans: further provisions**

A Welsh in care and support and well-being strategic plan is a plan which contains –

- (a) a local authority’s proposals on how it will carry out its functions under this Act to improve the provision of its services under this Act through the medium of Welsh;
- (b) a Local Health Board’s proposals on how in exercising its functions under this Act or any other enactment it will collaborate with the local authority in its duty under paragraph (a).’.

*An amendment relating to the promotion of Welsh language service provision.*

I fewnosod adran newydd –

**‘( ) Cynlluniau strategol: darpariaethau pellach**

Mae cynllun strategol y Gymraeg mewn gofal a chymorth a llesiant yn gynllun sy’n cynnwys –

- (a) cynigion awdurdod lleol ynghylch sut y bydd yn cyflawni ei swyddogaethau o

dan y Ddeddf hon i wella ei ddarpariaeth o wasanaethau o dan y Ddeddf hon drwy gyfrwng y Gymraeg;

- (b) cynigion Bwrdd Iechyd Lleol ynghylch sut, wrth arfer ei swyddogaethau o dan y Ddeddf hon neu unrhyw ddeddfiad arall, y bydd yn cydweithio â'r awdurdod lleol o ran ei ddyletswydd o dan baragraff (a).'

*Gwelliant ynghylch hyrwyddo'r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**William Graham**

**234**

Section 10, page 11, after line 4, insert—

'() Where it appears to a local authority that an adult is—

- (a) unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or well-being, or  
(b) experiencing or at risk of abuse or neglect,

the authority must assess whether the adult does have needs for care and support, and, if the adult does, what those needs are.'

Adran 10, tudalen 11, ar ôl llinell 4, mewnosoder—

'() Pan fo'n ymddangos i awdurdod lleol—

- (a) ei bod yn annhebygol y bydd oedolyn yn sicrhau neu'n cynnal, neu'n cael y cyfle i sicrhau neu gynnal, safon resymol o iechyd neu lesiant, neu  
(b) bod oedolyn yn cael, neu'n wynebu risg o gael, ei gam-drin neu ei esgeuluso,

rheid i'r awdurdod asesu a oes gan yr oedolyn anghenion gofal a chymorth, ac os oes, beth yw'r anghenion hynny.'

**William Graham**

**235**

Section 10, page 11, line 5, leave out 'Where' and insert 'Subject to subsection (*subsection to be inserted by amendment 234*), where'.

Adran 10, tudalen 11, llinell 5, hepgorer 'Pan' a mewnosoder 'Yn ddarostyngedig i is-adran (*yr is-adran sy'n cael ei fewnosod gan welliant 234*), pan'.

**William Graham**

**89**

Section 10, page 11, line 6, leave out—

'assess—

- (a) whether the adult does have needs for care and support, and  
(b) if the adult does, what those needs are',

And insert—

'—

- ( ) assess whether the adult does have needs for care and support, and  
( ) assess, if the adult does, what those needs are, and



- ( ) if the local authority is not the appropriate body to meet those needs, refer the adult to the appropriate body’.

Adran 10, tudalen 11, llinell 6, hepgorer –

‘asesu –

- (a) a oes ar yr oedolyn anghenion am ofal a chymorth, a
- (b) os oes, beth yw’r anghenion hynny’,

A mewnosoder –

‘ –

- ( ) asesu a oes gan yr oedolyn anghenion gofal a chymorth, a
- ( ) os oes, beth yw’r anghenion hynny, ac
- ( ) os nad yr awdurdod lleol yw’r corff priodol i ddiwallu’r anghenion hynny, cyfeirio’r oedolyn at y corff priodol’.

**William Graham**

**236**

Section 10, page 11, line 9, leave out ‘subsection’ and insert ‘subsections (*subsection to be inserted by amendment 234*) and’.

Adran 10, tudalen 11, llinell 9, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau (*yr is-adran sy’n cael ei fewnosod gan welliant 234*) a’.

**Gwenda Thomas**

**8**

Section 10, page 11, line 10, leave out ‘adults who are’ and insert ‘an adult who is’.

Adran 10, tudalen 11, llinell 10, hepgorer ‘oedolion’ a mewnosoder ‘oedolyn’.

**Gwenda Thomas**

**9**

Section 10, page 11, line 11, leave out ‘other adults who are’ and insert ‘any other adult who is’.

Adran 10, tudalen 11, llinell 11, hepgorer ‘oedolion eraill’ a mewnosoder ‘ unrhyw oedolyn arall’.

**William Graham**

**237**

Section 10, page 11, line 12, leave out ‘subsection’ and insert ‘subsections (*subsection to be inserted by amendment 234*) and’.

Adran 10, tudalen 11, llinell 12, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau (*yr is-adran sy’n cael ei fewnosod gan welliant 234*) a’.

**William Graham**

**90**

Section 10, page 11, after line 14, insert –

- ‘(c) the ability of the adult to meet their own needs.’.

Adran 10, tudalen 11, ar ôl llinell 15, mewnosoder –

‘(c) gallu’r oedolyn i ddiwallu ei anghenion ei hun.’.

**William Graham**

87

Section 10, page 11, line 16, leave out ‘seek to identify’ and insert ‘ascertain through engagement with the adult’.

Adran 10, tudalen 11, llinell 17, hepgorer ‘ceisio canfod y canlyniadau y mae’r oedolyn yn’ a mewnosoder ‘canfod drwy ymgysylltu â’r oedolyn y canlyniadau y mae’n’.

**Gwenda Thomas**

10

Section 10, page 11, line 18, leave out ‘to what extent, the provision of care and support could contribute to the achievement of those outcomes’ and insert –

‘if so, to what extent, the provision of –

- (i) care and support,
- (ii) preventative services, or
- (iii) information, advice or assistance,

could contribute to the achievement of those outcomes or otherwise meet needs identified by the assessment, and

- (c) assess whether, and if so, to what extent, other matters could contribute to the achievement of those outcomes or otherwise meet those needs’.

Adran 10, tudalen 11, llinell 19, hepgorer ‘fyddai darparu gofal a chymorth yn gallu cyfrannu at sicrhau’r canlyniadau hynny, ac i ba raddau’ a mewnosoder –

‘allai darparu –

- (i) gofal a chymorth,
- (ii) gwasanaethau ataliol, neu
- (iii) gwybodaeth, cyngor neu gynhorthwy,

gyfrannu at sicrhau’r canlyniadau hynny neu fel arall ddiwallu’r anghenion a nodir gan yr asesiad, ac os felly, i ba raddau, ac

- (c) asesu a allai materion eraill gyfrannu at sicrhau’r canlyniadau hynny neu fel arall ddiwallu’r anghenion hynny, ac os felly, i ba raddau’.

**William Graham**

11A

As an amendment to amendment 11, leave out line 3, and insert –

- ‘( ) any carer that the adult has, and
- ( ) any person whom the adult asks the authority to involve, or where the adult lacks capacity to ask the authority to do that, any person who appears to the authority to be interested in the adult’s welfare.’.

Fel gwelliant i welliant 11, hepgorer llinell 4, a mewnosoder –

- ‘( ) unrhyw ofalwr sydd gan yr oedolyn, a
- ( ) unrhyw berson y mae’r oedolyn yn gofyn i’r awdurdod ei gynnwys, neu pan nad oes gan yr oedolyn alluedd i ofyn i awdurdod wneud hynny, unrhyw berson y mae’n ymddangos i’r awdurdod sydd â diddordeb yn llesiant yr oedolyn.’

**Gwenda Thomas**

**11**

Section 10, page 11, after line 19, insert –

- ‘( ) A local authority, in carrying out a needs assessment under this section, must involve –
- (a) the adult, and
- (b) where feasible, any carer that the adult has.’

Adran 10, tudalen 11, ar ôl llinell 20, mewnosoder –

- ‘( ) Rhaid i awdurdod lleol, wrth iddo wneud asesiad o anghenion o dan yr adran hon, gynnwys –
- (a) yr oedolyn, a
- (b) pan fo’n ddichonadwy, unrhyw ofalwr sydd gan yr oedolyn.’

**Kirsty Williams**

**115**

**Gyda chefnogaeth / Supported by: William Graham**

Section 10, page 11, after line 22, insert –

- ‘(6) The local authority must include any other body in an assessment where appropriate.’

Adran 10, tudalen 11, ar ôl llinell 23, mewnosoder –

- ‘(6) Rhaid i’r awdurdod lleol gynnwys unrhyw gorff arall mewn asesiad pan fo’n briodol.’

**Kirsty Williams**

**116**

**Gyda chefnogaeth / Supported by: William Graham**

Section 12, page 12, line 9, after ‘Where’, insert ‘a child is disabled or’.

Adran 12, tudalen 12, llinell 9, ar ôl ‘Pan’, mewnosoder ‘fo plentyn yn anabl neu pan’.

**William Graham**

**91**

Section 12, page 12, after line 20, insert –

- ‘(c) the ability of the child or any person with parental responsibility for the child to meet the child’s needs.’

Adran 12, tudalen 12, ar ôl llinell 21, mewnosoder –

- ‘(c) gallu’r plentyn neu unrhyw berson arall a chanddo gyfrifoldeb rhiant dros y plentyn i ddiwallu anghenion y plentyn.’

**Gwenda Thomas**

**12**

Section 12, page 12, line 21, leave out subsection (4).

Adran 12, tudalen 12, llinell 22, hepgorer is-adran (4).

**Gwenda Thomas**

**13**

Section 12, page 12, after line 26, insert—

‘( ) assess the developmental needs of the child,’.

Adran 12, tudalen 12, ar ôl llinell 27, mewnosoder—

‘( ) asesu anghenion datblygiadol y plentyn,’.

**Gwenda Thomas**

**14**

Section 12, page 12, line 35, leave out ‘to what extent, the provision of care and support could contribute to the achievement of those outcomes’ and insert—

‘if so, to what extent, the provision of—

- (i) care and support,
- (ii) preventative services, or
- (iii) information, advice or assistance,

could contribute to the achievement of those outcomes or otherwise meet needs identified by the assessment,

- (c) assess whether, and if so, to what extent, other matters could contribute to the achievement of those outcomes or otherwise meet those needs, and
- (d) take account of any other circumstances affecting the child’s well-being’.

Adran 12, tudalen 12, llinell 37, hepgorer ‘gofal a chymorth gyfrannu at sicrhau’r canlyniadau hynny ac i ba raddau’ a mewnosoder—

‘—

- (i) gofal a chymorth,
- (ii) gwasanaethau ataliol, neu
- (iii) gwybodaeth, cyngor neu gymhorthwy,

gyfrannu at sicrhau’r canlyniadau hynny neu fel arall ddiwallu’r anghenion hynny, ac os felly, i ba raddau,

- (c) asesu a allai materion eraill gyfrannu at sicrhau’r canlyniadau hynny neu fel arall ddiwallu’r anghenion hynny, ac os felly, i ba raddau, a
- (d) ystyried unrhyw amgylchiadau eraill sy’n effeithio ar lesiant y plentyn’.

**Gwenda Thomas**

15

Section 12, page 12, after line 36, insert –

- ‘() A local authority, in carrying out a needs assessment under this section, must involve –
- (a) the child, and
  - (b) any person with parental responsibility for the child.’

Adran 12, tudalen 12, ar ôl llinell 38, mewnosoder –

- ‘() Rhaid i awdurdod lleol, wrth iddo wneud asesiad o anghenion o dan yr adran hon, gynnwys –
- (a) y plentyn, a
  - (b) unrhyw berson sydd â chyfrifoldeb rhiant dros y plentyn.’

**Kirsty Williams**

117

**Gyda chefnogaeth / Supported by: William Graham**

Section 12, page 13, after line 3, insert –

- ‘() The local authority must include any other body in an assessment where appropriate.’

Adran 12, tudalen 13, ar ôl llinell 3, mewnosoder –

- ‘() Rhaid i'r awdurdod lleol gynnwys unrhyw gorff arall mewn asesiad pan fo'n briodol.’

**Gwenda Thomas**

290

Section 12, page 13, line 4, leave out ‘(see Part 6 for provision about looked after children)’ and insert –

- ‘,
- (b) a local authority in England,
  - (c) a local authority in Scotland, or
  - (d) a Health and Social Care trust’.

Adran 12, tudalen 13, llinell 4, hepgorer ‘y mae awdurdod lleol yn gofalu amdano (gweler Rhan 6 am y ddarpariaeth ynghylch plant y gofelir amdanynt)’ a mewnosoder –

‘sy'n derbyn gofal gan –

- (a) awdurdod lleol,
- (b) awdurdod lleol yn Lloegr,
- (c) awdurdod lleol yn yr Alban, neu
- (d) ymddiriedolaeth Iechyd a Gofal Cymdeithasol’.

**William Graham**

112

Section 14, page 13, line 33, after ‘12’, insert –

‘where –

- (a) it is in the best interests of the child, or’.

Adran 14, tudalen 13, llinell 35, ar ôl '12', mewnosoder –

'pan –

- (a) fo er lles pennaf y plentyn, neu'.

**Gwenda Thomas**

16

Section 14, page 14, line 7, leave out 'or the needs of a person with parental responsibility for the child or either of their circumstances' and insert ', the needs of a person with parental responsibility for the child or the circumstances of the child or a person with parental responsibility for the child'.

Adran 14, tudalen 14, llinell 8, hepgorer 'neu anghenion y person sydd â chyfrifoldeb rhiant dros y plentyn neu amgylchiadau'r naill neu'r llall' a mewnosoder ', anghenion person sydd â chyfrifoldeb rhiant dros y plentyn neu amgylchiadau'r plentyn neu berson sydd â chyfrifoldeb rhiant dros y plentyn'.

**William Graham**

238

Section 15, page 14, after line 11, insert –

'() Where it appears to a local authority that a carer is –

- (a) unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or well-being, or
- (b) experiencing or at risk of abuse or neglect,

the authority must assess whether the carer does have needs for support, and, if the carer does, what those needs are.'

Adran 15, tudalen 14, ar ôl llinell 12, mewnosoder –

'() Pan fo'n ymddangos i awdurdod lleol –

- (a) ei bod yn annhebygol y bydd gofalwr yn sicrhau neu'n cynnal, neu'n cael y cyfle i sicrhau neu gynnal, safon resymol o iechyd neu lesiant, neu
- (b) bod gofalwr yn cael, neu'n wynebu risg o gael, ei gam-drin neu ei esgeuluso,

rhaid i'r awdurdod asesu a oes gan y gofalwr anghenion gofal a chymorth, ac os oes, beth yw'r anghenion hynny.'

**Gwenda Thomas**

17

Section 15, page 14, line 12, leave out 'A local authority must assess a carer's needs for support if it appears to the authority that a carer may have needs for support (whether currently or' and insert –

'Where it appears to a local authority that a carer may have needs for support, the authority must assess –

- (a) whether the carer does have needs for support (or is likely to do so in the future), and
- (b) if the carer does, what those needs are (or are likely to be'.

Adran 15, tudalen 14, llinell 13, hepgorer 'Rhaid i awdurdod lleol asesu anghenion gofalwr am gymorth os yw'n ymddangos i'r awdurdod y gall fod ar ofalwr anghenion am gymorth (p'un ai ar y pryd neu' a mewnosoder –

'Pan fo'n ymddangos i awdurdod lleol y gall fod ar ofalwr anghenion am gymorth, rhaid i'r awdurdod asesu –

- (a) a oes ar y gofalwr anghenion am gymorth (neu a yw'n debygol y bydd arno anghenion am gymorth yn y dyfodol), a
- (b) os oes, beth yw'r anghenion hynny (neu'r anghenion tebygol'.

**William Graham**

**239**

Section 15, page 14, at the beginning of line 12, insert 'Subject to subsection (*subsection to be inserted by amendment 238*).

Adran 15, tudalen 14, ar ddechrau llinell 13, mewnosoder 'Yn ddarostyngedig i is-adran (*yr is-adran sy'n cael ei fewnosod gan welliant 238*).

**William Graham**

**240**

Section 15, page 14, line 14, leave out 'subsection' and insert 'subsections (*subsection to be inserted by amendment 238*) and'.

Adran 15, tudalen 14, llinell 16, hepgorer 'is-adran' a mewnosoder 'is-adrannau (*yr is-adran sy'n cael ei fewnosod gan welliant 238*) a'.

**William Graham**

**241**

Section 15, page 14, line 18, leave out 'subsection' and insert 'subsections (*subsection to be inserted by amendment 238*) and'.

Adran 15, tudalen 14, llinell 20, hepgorer 'is-adran' a mewnosoder 'is-adrannau (*yr is-adran sy'n cael ei fewnosod gan welliant 238*) a'.

**William Graham**

**92**

Section 15, page 14, after line 21, insert –

'(c) the ability of the carer to meet their own needs.'

Adran 15, tudalen 14, ar ôl llinell 23, mewnosoder –

'(c) gallu'r gofalwr i ddiwallu ei anghenion ei hun.'

**Gwenda Thomas**

**18**

Section 15, page 14, line 22, leave out subsection (4).

Adran 15, tudalen 14, llinell 24, hepgorer is-adran (4).

**Gwenda Thomas**

**19**

Section 15, page 14, after line 26, insert –

- '( ) assess the extent to which the carer is able, and will continue to be able, to provide care for the person for whom the carer provides or intends to provide care,
- ( ) assess the extent to which the carer is willing, and will continue to be willing, to do so,'.

Adran 15, tudalen 14, ar ôl llinell 29, mewnosoder –

- '( ) asesu i ba raddau y mae'r gofalwr yn gallu, ac y bydd yn parhau i allu, darparu gofal i'r person y mae'r gofalwr yn darparu neu'n bwriadu darparu gofal iddo,
- ( ) asesu i ba raddau y mae'r gofalwr yn fodlon, ac y bydd yn parhau i fod yn fodlon, gwneud hynny,'.

**Gwenda Thomas**

**20**

Section 15, page 15, line 1, leave out 'to what extent, the provision of support could contribute to the achievement of those outcomes' and insert –

'if so, to what extent, the provision of –

- (i) support,
- (ii) preventative services, or
- (iii) information, advice or assistance,

could contribute to the achievement of those outcomes or otherwise meet needs identified by the assessment, and

- (d) assess whether, and if so, to what extent, other matters could contribute to the achievement of those outcomes or otherwise meet those needs'.

Adran 15, tudalen 15, llinell 1, hepgorer ', ac i ba raddau y gallai, darparu cymorth gyfrannu at sicrhau'r canlyniadau hynny' a mewnosoder –

'darparu –

- (i) cymorth,
- (ii) gwasanaethau ataliol, neu
- (iii) gwybodaeth, cyngor neu gynhorthwy,

gyfrannu at sicrhau'r canlyniadau hynny neu fel arall ddiwallu'r anghenion a nodir gan yr asesiad, ac os felly, i ba raddau, a

- (d) asesu a allai materion eraill gyfrannu at sicrhau'r canlyniadau hynny neu fel arall ddiwallu'r anghenion hynny, ac os felly, i ba raddau'.

**William Graham**

**21A**

As an amendment to amendment 21, leave out lines 8 to 9, and insert –

- '( ) where the carer is a child, any person with parental responsibility for the carer,
- ( ) the person for whom the carer provides or intends to provide care, and



- ( ) any other person who the carer asks the authority to involve, or where the carer is a child and they lack capacity to do that, any person who the person with parental responsibility for the carer asks the authority to involve.’.

Fel gwelliant i welliant 21, hepgorer llinellau 8 i 9, a mewnosoder –

- ‘( ) pan fo’r gofalwr yn blentyn, unrhyw berson sydd â chyfrifoldeb rhiant dros y gofalwr,
- ( ) y person y mae’r gofalwr yn darparu, neu’n bwriadu darparu, gofal iddo, a
- ( ) unrhyw berson arall y mae’r gofalwr yn gofyn i’r awdurdod ei gynnwys, neu pan fo’r gofalwr yn blentyn ac nid oes ganddo alluedd i wneud hynny, unrhyw berson y mae’r person sydd â chyfrifoldeb rhiant dros y gofalwr yn gofyn i’r awdurdod ei gynnwys.’.

**Gwenda Thomas**

**21**

Section 15, page 15, line 12, leave out –

‘so far as it is reasonable to do so consult –

- (a) the carer to whom the assessment relates,
- (b) the person for whom the carer provides or intends to provide care, and
- (c) any person specified in regulations under section 18’,

And insert –

‘involve –

- ( ) the carer, and
- ( ) where feasible, the person for whom the carer provides or intends to provide care’.

Adran 15, tudalen 15, llinell 13, hepgorer –

‘ymgyngori i’r graddau y mae’n ddichonadwy gwneud hynny â’r canlynol –

- (a) y gofalwr y mae’r asesiad yn ymwneud ag ef,
- (b) y person y mae’r gofalwr yn darparu, neu’n bwriadu darparu, gofal iddo, ac
- (c) unrhyw berson a bennir mewn rheoliadau o dan adran 18’,

A mewnosoder –

‘gynnwys –

- ( ) y gofalwr, a
- ( ) pan fo’n ddichonadwy, y person y mae’r gofalwr yn darparu neu’n bwriadu darparu gofal iddo’.

**Kirsty Williams**

**118**

**Gyda chefnogaeth / Supported by: William Graham**

Section 15, page 15, after line 19, insert –

- ‘(9) The local authority must include any other body in an assessment where appropriate.’.

Adran 15, tudalen 15, ar ôl llinell 19, mewnosoder –

‘(9) Rhaid i’r awdurdod lleol gynnwys unrhyw gorff arall mewn asesiad pan fo’n briodol.’

**William Graham**

**248**

Section 17, page 16, after line 6, insert –

‘() the other body may carry out a needs assessment on behalf of or jointly with the local authority.’

Adran 17, tudalen 16, ar ôl llinell 6, mewnosoder –

‘() caiff y corff arall wneud asesiad o anghenion ar ran yr awdurdod lleol neu ar y cyd ag ef.’

**William Graham**

**249**

Section 17, page 16, line 7, leave out ‘other body has already arranged for the other assessment to be carried out jointly with another person, the local authority may carry out the other assessment jointly with the other body and’ and insert ‘local authority or other body has already arranged for an assessment to be carried out jointly with another person, the local authority or other body may carry out that assessment jointly with’.

Adran 17, tudalen 16, llinell 7, hepgorer ‘corff arall eisoes wedi trefnu i’r asesiad arall gael ei wneud ar y cyd â pherson arall, caiff yr awdurdod lleol wneud yr asesiad arall ar y cyd â’r corff arall a’r’ a mewnosoder ‘awdurdod lleol neu’r corff arall eisoes wedi trefnu i asesiad gael ei wneud ar y cyd â pherson arall, caiff yr awdurdod lleol neu’r corff arall wneud yr asesiad hwnnw ar y cyd â’r’.

**Elin Jones**

**477**

To insert a new section –

‘() **Assessments: language of choice**

An assessment under Part 3 must be conducted in the language of choice of the person being assessed.’

*An amendment relating to the promotion of Welsh language service provision.*

I fewnosod adran newydd –

‘() **Asesiadau: dewis iaith**

Rhaid cynnal asesiad o dan Ran 3 yn newis iaith y person a asesir.’

*Gwelliant ynghylch hyrwyddo’r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**William Graham**

**93**

Section 18, page 16, line 11, leave out ‘may make further’ and insert ‘must make’.

Adran 18, tudalen 16, llinell 11, hepgorer ‘Caiff rheoliadau wneud darpariaeth bellach’ a mewnosoder ‘Rhaid i reoliadau wneud darpariaeth’.

**Gwenda Thomas** 22

Section 18, page 16, line 13, leave out 'who are to be consulted in relation to' and insert 'whom a local authority must involve in carrying out'.

Adran 18, tudalen 16, llinell 13, hepgorer 'ymgynggori â hwy mewn perthynas ag' a mewnosoder 'i awdurdod lleol eu cynnwys wrth iddo wneud'.

**William Graham** 94

Section 18, page 16, line 15, leave out ', by whom'.

Adran 18, tudalen 16, llinell 15, hepgorer ', a chan bwy'.

WITHDRAWN/TYNNWYD YN ÔL

**William Graham** 95

Section 18, page 16, after line 20, insert—

'(g) appeals against assessment decisions.'

Adran 18, tudalen 16, ar ôl llinell 19, mewnosoder—

'(g) apelïadau yn erbyn penderfyniadau a wneir mewn asesiadau.'

**William Graham** 113

Section 18, page 16, after line 20, insert—

'(g) the steps that a local authority must take for the purpose of ensuring that an assessment is carried out in an appropriate and proportionate manner.'

Adran 18, tudalen 16, ar ôl llinell 19, mewnosoder—

'(g) y camau y mae'n rhaid i awdurdod lleol eu cymryd er mwyn sicrhau y cynhelir asesiad mewn modd priodol a chymesur.'

**William Graham** 96

Section 18, page 16, after line 20, insert—

(3) Regulations must specify the persons or descriptions of persons who have the necessary skills to carry out an assessment.'

Adran 18, tudalen 16, ar ôl llinell 19, mewnosoder—

(3) Rhaid i reoliadau bennu'r personau neu ddisgrifiadau o bersonau sy'n meddu ar y sgiliau angenrheidiol i gynnal asesiad.'

**William Graham** 181

Section 18, page 16, after line 20, insert—

(3) Regulations under this section must provide for the carrying out of needs assessments by the most appropriate person.'

Adran 18, tudalen 16, ar ôl llinell 19, mewnosoder –

‘(3) Rhaid i reoliadau o dan yr adran hon ddarparu i’r person mwyaf priodol wneud asesiadau o anghenion.’

**Lindsay Whittle**

408

**Gyda chefnogaeth/ Supported by: William Graham**

Section 18, page 16, after line 20, insert –

‘(3) Regulations must make provision about appeals against assessment decisions.’

*An amendment to include provision enabling service users to appeal against decisions made regarding assessments.*

Adran 18, tudalen 16, ar ôl llinell 19, mewnosoder –

‘(3) Rhaid i reoliadau wneud darpariaeth ynghylch apelau yn erbyn penderfyniadau asesu.’

*Gwelliant i gynnwys darpariaeth sy’n galluogi defnyddwyr gwasanaethau i apelio yn erbyn penderfyniadau a wneir ynghylch asesiadau.*

**Gwenda Thomas**

23

To insert a new section –

‘() **Part 3: interpretation**

In this Part –

“information, advice or assistance” (“*gwybodaeth, cyngor neu gynhorthwy*”) means information, advice or assistance that may be provided by virtue of section 8;

“preventative services” (“*gwasanaethau ataliol*”) means services that may be provided by virtue of section 6.’

I fewnosod adran newydd –

‘() **Rhan 3: dehongli**

Yn y Rhan hon –

ystyr “*gwasanaethau ataliol*” (“*preventative services*”) yw gwasanaethau y gellir eu darparu yn rhinwedd adran 6;

ystyr “*gwybodaeth, cyngor neu gynhorthwy*” (“*information, advice or assistance*”) yw gwybodaeth, cyngor neu gynhorthwy y gellir eu darparu yn rhinwedd adran 8.’

**Kirsty Williams**

119

Section 19, page 16, after line 24, insert –

‘() A local authority must meet the needs of a disabled child.’

Adran 19, tudalen 16, ar ôl llinell 23, mewnosoder –

‘() Rhaid i awdurdod lleol ddiwallu anghenion plentyn anabl.’

**William Graham**

**242**

Section 19, page 16, after line 24, insert –

- ‘() A local authority must meet an adult’s need for care and support or a carer’s need for support where it is necessary –
  - (a) to enable the person to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or well-being, or
  - (b) to protect the person from abuse or neglect, or risk of abuse or neglect.
- () A local authority must meet a child’s needs for care and support where the child is experiencing or at risk of abuse, neglect or other kinds of harm.’.

Adran 19, tudalen 16, ar ôl llinell 23, mewnosoder –

- ‘() Rhaid i awdurdod lleol ddiwallu anghenion oedolyn am ofal a chymorth neu angen gofalwr am gymorth pan fo hynny’n angenrheidiol –
  - (a) i alluogi’r person i sicrhau neu gynnal, neu i gael y cyfle i sicrhau neu gynnal, safon resymol o iechyd neu lesiant, neu
  - (b) i amddiffyn y person rhag cael ei gam-drin neu ei esgeuluso, neu rhag risg o gael ei gam-drin neu ei esgeuluso.
- () Rhaid i awdurdod lleol ddiwallu anghenion plentyn am ofal a chymorth pan fo’r plentyn yn cael, neu’n wynebu risg o gael, ei gam-drin, ei esgeuluso neu ei niweidio mewn modd arall.’.

**Kirsty Williams**

**120**

Section 19, page 16, at the beginning of line 25, insert ‘Subject to subsection (*subsection to be inserted by amendment 119*)’.

Adran 19, tudalen 16, ar ddechrau llinell 24, mewnosoder ‘Yn ddarostyngedig i is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 119*)’.

**William Graham**

**243**

Section 19, page 16, line 25, leave out ‘Where’ and insert ‘Subject to subsections (*first subsection to be inserted by amendment 242*) and (*second subsection to be inserted by amendment 242*), where’.

Adran 19, tudalen 16, llinell 24, hepgorer ‘Pan’ a mewnosoder ‘Yn ddarostyngedig i is-adrannau (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 242*) a (*yr ail is-adran sy’n cael ei fewnosod gan welliant 242*), pan’.

**William Graham**

**244**

Section 19, page 16, leave out lines 28 to 31.

Adran 19, tudalen 16, hepgorer llinellau 29 hyd at 34.

**Gwenda Thomas**

**24**

Section 19, page 16, after line 34, insert –

- ‘(d) consider whether the person would benefit from the provision of anything that may be provided by virtue of section 6 (preventative services) or 8 (information, advice and assistance) or anything else that may be available in the community.’.

Adran 19, tudalen 16, ar ôl llinell 37, mewnosoder –

- ‘(d) ystyried a fyddai darparu unrhyw beth y gellir ei ddarparu yn rhinwedd adran 6 (gwasanaethau ataliol) neu 8 (gwybodaeth, cyngor a chynhorthwy) neu unrhyw beth arall a all fod ar gael yn y gymuned o fudd i’r person.’.

**Kirsty Williams**

**121**

Section 19, page 17, line 6, leave out ‘subsection’ and insert ‘subsections (*subsection to be inserted by amendment 119*) and’.

Adran 19, tudalen 17, llinell 6, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau (*yr is-adran sy’n cael ei fewnosod gan welliant 119*) ac’.

**William Graham**

**245**

Section 19, page 17, line 6, leave out ‘subsection’ and insert ‘subsections (*first subsection to be inserted by amendment 242*), (*second subsection to be inserted by amendment 242*) or’.

Adran 19, tudalen 17, llinell 6, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 242*), (*yr ail is-adran sy’n cael ei fewnosod gan welliant 242*) neu’.

**Kirsty Williams**

**499**

**Gyda chefnogaeth/ Supported by: Lindsay Whittle**

Section 19, page 17, line 7, leave out subsection (4) and insert –

- ‘( ) The eligibility criteria are met where one or more of the following circumstances apply –
- (a) there is, or will be, an inability to carry out several personal care or domestic routines,
  - (b) the individual is, or will be, unable to maintain control over several aspects of their day-to-day life,
  - (c) involvement in several aspects of work, education, training or recreation cannot or will not be sustained,
  - (d) several domestic, family and personal relationships cannot or will not be sustained,
  - (e) there is abuse or neglect or risk of abuse or neglect.
- ( ) In the case of a child the eligibility criteria are met where subsection (*first subsection to be inserted by amendment 499*) applies or there is harm or risk of harm.’.

Adran 19, tudalen 17, llinell 7, hepgorer is-adran (4) a mewnosoder –

- ( ) Bodlonir y meini prawf cymhwysra pan fydd un neu ragor o’r amgylchiadau a ganlyn yn gymwys –
- (a) bod, neu bydd, analluedd i ymgymryd â sawl tasg arferol o ran gofal personol neu ddomestig,
  - (b) nad yw’r unigolyn, neu na fydd yr unigolyn, yn gallu cynnal rheolaeth dros sawl agwedd ar ei fywyd pob dydd,
  - (c) na ellir cynnal sawl agwedd ar waith, addysg, hyfforddiant neu weithgareddau hamdden neu na fydd yr agweddau hynny yn cael eu cynnal,
  - (d) na ellir cynnal sawl perthynas ddomestig, deuluol neu bersonol neu na fydd y perthnasoedd hynny yn cael eu cynnal,
  - (e) bod camdriniaeth neu esgeulustod neu risg o gamdriniaeth neu esgeulustod.
- ( ) Yn achos plentyn, bodlonir y meini prawf cymhwysra pan fydd is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 499*) yn gymwys neu pan fydd niwed neu risg o niwed.’.

**Gwenda Thomas**

**25**

Section 19, page 17, line 7, leave out –

‘rank at or above the level of need that is –

- (a) set in the regulations by reference to specified levels of need, or
- (b) if the regulations so require, set by a local authority for its area by reference to specified levels of need’,

And insert –

‘ –

- ( ) are of a description specified in regulations, or
- ( ) form part of a combination of needs of a description so specified’.

Adran 19, tudalen 17, llinell 7, hepgorer –

‘ar neu uwchlaw lefel yr angen –

- (a) sydd wedi ei nodi yn y rheoliadau drwy gyfeirio at lefelau penodedig o angen, neu
- (b) sydd, os yw hynny’n ofynnol gan y rheoliadau, wedi ei phennu gan awdurdod lleol ar gyfer ei ardal drwy gyfeirio at lefelau penodedig o angen’,

A mewnosoder –

‘ –

- ( ) o ddisgrifiad a bennir mewn rheoliadau, neu
- ( ) yn rhan o gyfuniad o anghenion o ddisgrifiad a bennir felly’.

**Gwenda Thomas**

26

Section 19, page 17, line 11, leave out ‘provide that, in cases or circumstances of a specified type, the person’s needs are to be regarded as meeting the eligibility criteria’ and insert –

‘, for example, describe needs by reference to –

- (a) the effect that the needs have on the person concerned;
- (b) the person’s circumstances’.

Adran 19, tudalen 17, llinell 13, hepgorer ‘ddarparu, mewn achosion neu amgylchiadau o fath penodedig, fod anghenion y person i’w hystyried yn rhai sy’n bodloni’r meini prawf cymhwysra’ a mewnosoder –

‘, er enghraifft, ddisgrifio anghenion drwy gyfeirio at –

- (a) yr effaith y mae’r anghenion yn ei chael ar y person o dan sylw;
- (b) amgylchiadau’r person’.

**William Graham**

97

Section 19, page 17, after line 12, insert –

‘(6) Where none of the needs of the adult concerned meet the eligibility criteria, the local authority must give him or her written advice and information about –

- (a) what can be done to meet or reduce the needs;
- (b) what can be done to prevent or delay the development of needs for care and support, or the development of needs for support, in the future.’.

Adran 19, tudalen 17, ar ôl llinell 14, mewnosoder –

‘(6) Pan nad yw dim o anghenion yr oedolyn o dan sylw yn bodloni’r meini prawf cymhwysra, rhaid i’r awdurdod lleol ddarparu cyngor a gwybodaeth ysgrifenedig iddo ynghylch –

- (a) yr hyn y gellir ei wneud i ddiwallu’r anghenion hynny, neu eu lleihau;
- (b) yr hyn y gellir ei wneud i atal neu oedi datblygiad yr angen am ofal a chymorth, neu ddatblygiad yr angen am gymorth, yn y dyfodol.’.

**Kirsty Williams**

60

To insert a new section –

**‘( ) Procedure for regulations under section 19**

- (1) The Welsh Ministers must comply with this section before making regulations under section 19 to provide for proposals about the detail of eligibility criteria and what constitutes eligible need.
- (2) The Welsh Ministers must consult –
  - (a) each of the persons and bodies identified in Schedule (*Schedule to be inserted by amendment 63*), and
  - (b) such other persons or bodies as appear to the Welsh Ministers likely to be affected



by the proposals or to represent the interests of persons likely to be affected by the proposals.

- (3) If, following consultation under subsection (2), the Welsh Ministers wish to proceed with the regulations they must lay before the National Assembly for Wales a document which—
  - (a) explains the proposals,
  - (b) sets them out in the form of draft regulations, and
  - (c) gives details of the consultation under subsection (2).
- (4) The Welsh Ministers may, by order, add to Schedule (*Schedule to be inserted by amendment 63*).
- (5) No draft of regulations under section 19 to give effect to the proposals (“the final draft regulations”) may be laid before the Assembly in accordance with this section until after the expiry of the period of 60 days beginning with the day on which the document relating to the proposals was laid before the National Assembly for Wales under subsection (3).
- (6) In calculating the period mentioned in subsection (5) no account shall be taken of any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (7) In preparing the final draft regulations the Welsh Ministers must consider any representations made during the period mentioned in subsection (5).
- (8) If the final draft regulations are laid before the National Assembly for Wales in accordance with this section the regulations must be accompanied by a statement of the Welsh Ministers giving details of—
  - (a) any representations considered in accordance with subsection (7), and
  - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (3) which are given effect to in the final draft regulations.’.

I fewnosod adran newydd—

**‘(i) Y weithdrefn ar gyfer rheoliadau o dan adran 19**

- (1) Rhaid i Weinidogion Cymru gydymffurfio â’r adran hon cyn gwneud rheoliadau o dan adran 19 i ddarparu ar gyfer cynigion ynghylch manylion meini prawf cymhwysra a’r hyn sy’n gyfystyr ag angen cymwys.
- (2) Rhaid i Weinidogion Cymru ymgynghori ag—
  - (a) pob un o’r personau a’r cyrff a nodir yn Atodlen (*Atodlen sy’n cael ei fewnosod gan welliant 63*), a
  - (b) y personau neu’r cyrff eraill hynny yr ymddengys yn debygol i Weinidogion Cymru yr effeithir arnynt gan y cynigion.
- (3) Os bydd Gweinidogion Cymru, yn dilyn ymgynghoriad o dan is-adran (2), yn dymuno bwrw ymlaen â’r rheoliadau, rhaid iddynt osod gerbron Cynulliad Cenedlaethol Cymru ddogfen—

- (a) sy'n esbonio'r cynigion,
  - (b) sy'n eu gosod ar ffurf rheoliadau drafft, ac
  - (c) sy'n rhoi manylion yr ymgynghoriad o dan is-adran (2).
- (4) Caiff Weinidogion Cymru, drwy orchymyn, ychwanegu at Atodlen (*Atodlen sy'n cael ei fewnosod gan welliant 63*).
- (5) Ni chaiff unrhyw reoliadau drafft o dan adran 19 i roi effaith i'r cynigion ("y rheoliadau drafft terfynol") gael eu gosod gerbron y Cynulliad yn unol â'r adran hon tan ar ôl i'r cyfnod o 60 diwrnod, sy'n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn â'r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3), ddirwyn i ben.
- (6) Wrth gyfrifo'r cyfnod a grybwyllir yn is-adran (5), rhaid peidio ag ystyried unrhyw amser pryd y bydd Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu ar doriad am fwy na phedwar diwrnod.
- (7) Wrth baratoi'r rheoliadau drafft terfynol rhaid i Weindogion Cymru ystyried unrhyw sylwadau a gyflwynwyd yn ystod y cyfnod a grybwyllir yn is-adran (5).
- (8) Os caiff y rheoliadau drafft terfynol eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol â'r adran hon rhaid i ddatganiad gan Weinidogion Cymru gyd-fynd â'r rheoliadau sy'n rhoi manylion –
- (a) unrhyw sylwadau a ystyriwyd yn unol ag is-adran (7), a
  - (b) unrhyw newidiadau a wnaed i'r cynigion a oedd wedi eu cynnwys yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3) ac y rhoddir effaith iddynt yn y rheoliadau drafft terfynol.'

**Kirsty Williams**

**63**

To insert a new schedule –

**'SCHEDULE 1**

*(introduced by section (section to be inserted by amendment 60))*

**CONSULTEES FOR THE PURPOSE OF SECTION (SECTION TO BE INSERTED BY AMENDMENT 60)**

The following are persons and bodies to be consulted for the purpose of section (*section to be inserted by amendment 60*) –

Age Cymru;

Barnardo's Cymru;

British Association of Social Workers Cymru;

Carers Wales;

Chartered Society of Physiotherapy;

College of Occupational Therapists;

Contact a Family Cymru;

Leonard Cheshire Disability Cymru;

Local authorities in Wales;

Mencap Cymru;

Multiple Sclerosis Society Cymru;  
National Autistic Society Cymru;  
National Society for the Prevention of Cruelty to Children;  
Royal College of Nursing Cymru;  
Royal Voluntary Service;  
Scope Cymru;  
Sense Cymru;  
Wales Alliance for Mental Health.’.

I fewnosod Atodlen newydd –

‘ATODLEN 1

*(a gyflwynwyd gan adran (adran sy’n cael ei fewnosod gan welliant 60))*

YMGYNGOREION AT DDIBENION ADRAN (*ADRAN SY’N CAEL EI FEWNOSOD GAN WELLIANT 60*)

Y personau a’r cyrff i ymgynghori â hwy at ddibenion adran (*adran sy’n cael ei fewnosod gan welliant 60*) yw’r canlynol.

Age Cymru;  
Awdurdodau lleol yng Nghymru;  
Barnardo’s Cymru;  
Coleg Nyrsio Brenhinol Cymru;  
Coleg y Therapyddion Galwedigaethol;  
Cymdeithas Genedlaethol Awtistiaeth Cymru;  
Cymdeithas Genedlaethol er Atal Creulondeb i Blant;  
Cymdeithas Gweithwyr Cymdeithasol Prydain yng Nghymru;  
Cymdeithas Siartredig Ffisiotherapi;  
Cynghrair Iechyd Meddwl Cymru;  
Cynhalwyr Cymru;  
Cyswllt Teulu Cymru;  
Leonard Cheshire Disability Cymru;  
Mencap Cymru;  
Multiple Sclerosis Society Cymru;  
Royal Voluntary Service Cymru;  
Scope Cymru;  
Sense Cymru.’.

**Gwenda Thomas** 27

Section 20, page 17, line 18, after 'something', insert ', or by arranging for something to be provided,'.

Adran 20, tudalen 17, llinell 20, ar ôl 'rhywbeth', mewnosoder ', neu drwy drefnu i rywbeth gael ei ddarparu,'.

**Gwenda Thomas** 425

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 20, tudalen 17, llinell 22, hepgorer 'caniateir' a mewnosoder 'gellir'.

**Gwenda Thomas** 28

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 20, tudalen 17, llinell 22, ar ôl 'ddarparu', mewnosoder 'neu ei drefnu'.

**Gwenda Thomas** 122A

As an amendment to amendment 122, line 1, leave out 'provision of equipment', and insert 'aids'.

Fel gwelliant i welliant 122, llinell 1, hepgorer 'darparu cyfarpar', a mewnosoder 'cymhorthion'.

**Kirsty Williams** 122

Section 20, page 17, after line 28, insert –

'(h) provision of equipment and adaptations.'

Adran 20, tudalen 17, ar ôl llinell 30, mewnosoder –

'(h) darparu cyfarpar ac addasiadau.'

**William Graham** 123

Section 20, page 17, after line 28, insert –

'(h) occupational therapy.'

Adran 20, tudalen 17, ar ôl llinell 30, mewnosoder –

'(h) therapi galwedigaethol.'

**William Graham** 124

Section 20, page 17, after line 28, insert –

'(h) targeted interventions to minimise the effect of disability.'

Adran 20, tudalen 17, ar ôl llinell 30, mewnosoder –

'(h) ymyriadau wedi'u targedu i leihau effaith anabledd.'

**Kirsty Williams**

**101**

**Gyda chefnogaeth / Supported by: Lindsay Whittle**

To insert a new section –

**‘( ) Co-operation**

In meeting needs under sections 21 to 29 a local authority must make arrangements for ensuring co-operation between –

- (a) the officers of the authority who exercise the authority’s functions relating to adults with needs for care and support or its functions relating to carers who need support; and
- (b) the officers of the authority who exercise the authority’s functions relating to housing (in so far as the exercise of those functions is relevant to functions referred to in paragraph (a)).’.

I fewnosod adran newydd –

**‘( ) Cydweithrediad**

Wrth ddiwallu anghenion o dan adrannau 21 i 29 rhaid i awdurdod lleol wneud trefniadau ar gyfer sicrhau cydweithrediad rhwng –

- (a) swyddogion yr awdurdod sy’n arfer swyddogaethau’r awdurdod mewn perthynas ag oedolion sydd ag anghenion gofal a chymorth neu ei swyddogaethau mewn perthynas â gofalwyr sydd angen cymorth; a
- (b) swyddogion yr awdurdod sy’n arfer swyddogaethau’r awdurdod mewn perthynas â thai (i’r graddau y mae arfer y swyddogaethau hynny yn berthnasol i swyddogaethau y cyfeirir atynt ym mharagraff (a)).’.

**Gwenda Thomas**

**29**

Section 21, page 18, line 4, after ‘met’, insert ‘(but see subsection (*subsection to be inserted by amendment 30*))’.

Adran 21, tudalen 18, llinell 4, ar ôl ‘cyflawni’, mewnosoder ‘(ond gweler is-adran (*is-adran sy’n cael ei fewnosod gan welliant 30*))’.

**Gwenda Thomas**

**30**

Section 21, page 18, after line 24, insert –

- ‘(6) The duty under subsection (1) does not apply to an adult’s needs to the extent that the local authority is satisfied that those needs are being met by a carer.’.

Adran 21, tudalen 18, ar ôl llinell 26, mewnosoder –

- ‘(6) Nid yw’r ddyletsywydd o dan is-adran (1) yn gymwys i anghenion oedolyn i’r graddau y mae’r awdurdod lleol wedi ei fodloni bod yr anghenion hynny yn cael eu diwallu gan ofalwr.’.

**Gwenda Thomas** **31**

Section 23, page 19, line 4, after 'met', insert '(but see subsections (*second subsection to be inserted by amendment 32*) and (4))'.

Adran 23, tudalen 19, llinell 5, ar ôl 'cyflawni', mewnosoder '(ond gweler is-adrannau (*yr ail is-adran sy'n cael ei fewnosod gan welliant 32*) a (4))'.

**William Graham** **125**

Section 23, page 19, line 11, after 'harm' at the second place where it appears, insert –

', or

(iii) such other acts or omissions as may be specified in regulations'.

Adran 23, tudalen 19, llinell 12, ar ôl 'arall', mewnosoder –

', neu

(iii) rhag unrhyw weithredoedd neu anweithiau eraill a bennir mewn rheoliadau'.

**Gwenda Thomas** **32**

Section 23, page 19, after line 11, insert –

'() If the local authority has been notified about a child under section 98(2)(a), it must treat the child as being within its area for the purposes of this section.

() The duty under subsection (1) does not apply to a child's needs to the extent that the local authority is satisfied that those needs are being met by the child's family or a carer.'

Adran 23, tudalen 19, ar ôl llinell 12, mewnosoder –

'() Os yw'r awdurdod lleol wedi ei hysbysu am blentyn o dan adran 98(2)(a), rhaid iddo drin y plentyn fel un sydd o fewn ei ardal at ddibenion yr adran hon.

() Nid yw'r ddyletswydd o dan is-adran (1) yn gymwys i anghenion plentyn i'r graddau y mae'r awdurdod lleol wedi ei fodloni bod yr anghenion hynny yn cael eu diwallu gan deulu'r plentyn neu ofalwr.'

**Gwenda Thomas** **291**

Section 23, page 19, line 12, leave out '(see Part 6 for provision about looked after children)' and insert –

',

(b) a local authority in England,

(c) a local authority in Scotland, or

(d) a Health and Social Care trust'.

Adran 23, tudalen 19, llinell 13, hepgorer 'y gofelir amdano gan awdurdod lleol (gweler Rhan 6 am y ddarpariaeth ynghylch plant y gofelir amdanynt)' a mewnosoder –

'sy'n derbyn gofal gan –

- (a) awdurdod lleol,
- (b) awdurdod lleol yn Lloegr,
- (c) awdurdod lleol yn yr Alban, neu
- (d) ymddiriedolaeth Iechyd a Gofal Cymdeithasol’.

**Gwenda Thomas** **33**

Section 23, page 19, line 14, leave out subsection (5).

Adran 23, tudalen 19, llinell 15, hepgorer is-adran (5).

**Gwenda Thomas** **34**

Section 24, page 19, line 19, after ‘area’ at the second place where it appears, insert –

‘

(but see subsection (4))’.

Adran 24, tudalen 19, llinell 20, ar ôl ‘ardal’ yn yr ail le y mae’n ymddangos, mewnosoder –

‘

(ond gweler is-adran (4))’.

**Gwenda Thomas** **292**

Section 24, page 19, line 26, leave out ‘(see Part 6 for provision about looked after children)’ and insert –

‘

- (b) a local authority in England,
- (c) a local authority in Scotland, or
- (d) a Health and Social Care trust’.

Adran 24, tudalen 19, llinell 27, hepgorer ‘y gofelir amdano gan awdurdod lleol (i weld y ddarpariaeth ynghylch plant y gofelir amdanynt gweler Rhan 6)’ a mewnosoder –

‘sy’n derbyn gofal gan –

- (a) awdurdod lleol,
- (b) awdurdod lleol yn Lloegr,
- (c) awdurdod lleol yn yr Alban, neu
- (d) ymddiriedolaeth Iechyd a Gofal Cymdeithasol’.

**William Graham** **253**

To insert a new section –

‘( ) **Carers: strategy**

- (1) A local authority and a Local Health Board must jointly prepare and publish a strategy

setting out how they will jointly or separately –

- (a) provide appropriate information and advice to carers,
  - (b) ensure that, where it falls to a local authority or Local Health Board to decide what services (if any) are to be provided to the carer or the person cared for, the carer is consulted before that decision is made, and
  - (c) ensure that the local authority or Local Health Board consults carers before it makes decisions of a general nature regarding the provision of services to or for carers and the persons they care for.
- (2) Each local authority and Local Health Board responsible under subsection (1) for the preparation and publication of a strategy must implement the strategy.’.

I fewnosod adran newydd –

**‘(1) Gofalwyr: strategaeth**

- (1) Rhaid i awdurdod lleol a Bwrdd Iechyd Lleol baratoi a chyhoeddi strategaeth ar y cyd yn nodi sut y byddant, ar y cyd neu ar wahân –
  - (a) yn darparu gwybodaeth a chynghor priodol i ofalwyr,
  - (b) yn sicrhau, pan fo awdurdod lleol neu Fwrdd Iechyd Lleol yn gyfrifol am benderfynu pa wasanaethau (os o gwbl) sydd i’w darparu i’r gofalwr neu’r person y gofelir amdano, yr ymgynghorir â’r gofalwr cyn i’r penderfyniad hwnnw gael ei wneud, ac
  - (c) yn sicrhau bod yr awdurdod lleol neu’r Bwrdd Iechyd Lleol yn ymgynghori â gofalwyr cyn gwneud penderfyniadau cyffredinol ynghylch darparu gwasanaethau i neu ar gyfer gofalwyr a’r personau y maent yn gofalu amdanynt.
- (2) Rhaid i bob awdurdod lleol a Bwrdd Iechyd Lleol sy’n gyfrifol am baratoi a chyhoeddi strategaeth o dan is-adran (1) roi’r strategaeth ar waith.’.

**Gwenda Thomas**

35

Section 26, page 20, line 13, after ‘a’, insert ‘disabled’.

Adran 26, tudalen 20, llinell 15, ar ôl ‘blentyn’, mewnosoder ‘anabl’.

**Gwenda Thomas**

36

Section 27, page 21, line 21, after ‘a’, insert ‘disabled’.

Adran 27, tudalen 21, llinell 22, ar ôl ‘blentyn’, mewnosoder ‘anabl’.

**Gwenda Thomas**

37

Section 29, page 22, line 16, leave out –

- (a) ‘an adult who is –
  - (i) ordinarily resident in the local authority’s area, or
  - (ii) of no settled residence and within the authority’s area, or



- (b) a child within the authority's',

And insert—

- ( ) 'within the local authority's area, or  
( ) ordinarily resident in the authority's area, but outside its'.

Adran 29, tudalen 22, hepgorer llinellau 18 hyd at 21 a mewnosoder—

- '( ) o fewn ardal yr awdurdod lleol, neu  
( ) yn preswyllo fel arfer yn ardal yr awdurdod, ond y tu allan i'w ardal.'

**Elin Jones**

478

To insert a new section—

**'( ) Meeting needs: linguistic choice**

A local authority must, whenever practicable, carry out its functions under this Part in accordance with the linguistic preference of the adult, child or carer concerned.'

*An amendment relating to the promotion of Welsh language service provision.*

I fewnosod adran newydd—

**'( ) Diwallu anghenion: dewis ieithyddol**

Rhaid i awdurdod lleol, pa bryd bynnag y bydd yn ymarferol, gyflawni ei swyddogaethau o dan y Rhan hon yn unol â dewis ieithyddol yr oedolyn, y plentyn neu'r gofalwr o dan sylw.'

*Gwelliant ynghylch hyrwyddo'r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**Elin Jones**

479

Section 31, page 23, line 10, leave out 'not meet a person's needs for care and support (including a carer's needs for support) under sections 21 to 29 by providing or arranging for the provision of a service or facility which is required to be provided under the National Health Service (Wales) Act 2006 or the National Health Service Act 2006, unless' and insert 'meet a person's needs for care and support (including a carer's needs for support) under sections 21 to 29 by providing or arranging for the provision of a service or facility which is required to be provided under the National Health Services (Wales) Act 2006 or the National Health Service Act 2006, where'.

*An amendment with the aim of removing any potential barriers local authorities may face in employing registered nurses to meet a person's needs for care and support under sections 21 to 29.*

Adran 31, tudalen 23, llinell 10, hepgorer 'Ni chaiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 21 i 29 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, oni bai' a mewnosoder 'Caiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 21 i 29 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan

Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, lle’.

*Gwelliant sydd â’r nod o ddileu unrhyw rwystrau posibl y gallai awdurdodau lleol eu hwynebu wrth gyflogi nyrsys cofrestredig i ddiwallu anghenion person am ofal a chymorth o dan adrannau 21 i 29.*

**Gwenda Thomas**

**129**

Section 31, page 23, line 12, leave out ‘the National Health Service (Wales) Act 2006 or the National Health Service Act 2006’ and insert ‘a health enactment’.

Adran 31, tudalen 23, llinell 12, hepgorer ‘Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006’ a mewnosoder ‘ddeddfiad iechyd’.

**Elin Jones**

**480**

Section 31, page 23, line 15, leave out ‘not secure services or facilities for a person under section 6 (preventative services) that are required to be provided under the National Health Service (Wales) Act 2006 or the National Health Service Act 2006, unless’ and insert ‘secure services or facilities for a person under section 6 (preventative services) that are required to be provided under the National Health Services (Wales) Act 2006 or the National Health Service Act 2006, where’.

*An amendment with the aim of removing any potential barriers local authorities may face in employing registered nurses to meet a person’s needs for care and support under sections 21 to 29.*

Adran 31, tudalen 23, llinell 16, hepgorer ‘Ni chaiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 6 (gwasanaethau ataliol) y mae’n ofynnol eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, oni bai’ a mewnosoder ‘Caiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 6 (gwasanaethau ataliol) y mae’n ofynnol eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006, lle’.

*Gwelliant sydd â’r nod o ddileu unrhyw rwystrau posibl y gallai awdurdodau lleol eu hwynebu wrth gyflogi nyrsys cofrestredig i ddiwallu anghenion person am ofal a chymorth o dan adrannau 21 i 29.*

**Gwenda Thomas**

**130**

Section 31, page 23, line 16, leave out ‘the National Health Service (Wales) Act 2006 or the National Health Service Act 2006’ and insert ‘a health enactment’.

Adran 31, tudalen 23, llinell 17, hepgorer ‘Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006’ a mewnosoder ‘ddeddfiad iechyd’.

**Gwenda Thomas**

**131**

Section 31, page 23, line 36, after ‘care’, insert ‘by a registered nurse’.

Adran 31, tudalen 23, llinell 37, ar ôl ‘nyrsio’, mewnosoder ‘gan nyrs gofrestredig’.

**Gwenda Thomas** 132

Section 31, page 23, line 38, leave out ‘the Local Health Board for the area in which the accommodation is provided’ and insert ‘whichever health body regulations require’.

Adran 31, tudalen 23, llinell 38, hepgorer ‘y Bwrdd Iechyd Lleol ar gyfer yr ardal y mae’r llety’n cael ei ddarparu ynddi’ a mewnosoder ‘ba gorff iechyd bynnag sy’n ofynnol o dan reoliadau’.

**Gwenda Thomas** 133

Section 31, page 24, line 5, leave out ‘either a Local Health Board or an NHS Trust’ and insert ‘a health body’.

Adran 31, tudalen 24, llinell 6, hepgorer ‘ac naill ai Bwrdd Iechyd Lleol neu Ymddiriedolaeth GIG’ a mewnosoder ‘a chorff iechyd’.

**Gwenda Thomas** 134

Section 31, page 24, line 6, after ‘service’, insert ‘or facility’.

Adran 31, tudalen 24, llinell 7, ar ôl ‘gwasanaeth’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘neu gyfleuster’.

**Gwenda Thomas** 135

Section 31, page 24, line 7, leave out ‘the National Health Service Act (Wales) 2006 or the National Health Service Act 2006’ and insert ‘a health enactment’.

Adran 31, tudalen 24, llinell 7, hepgorer ‘Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 neu Ddeddf y Gwasanaeth Iechyd Gwladol 2006’ a mewnosoder ‘deddfiad iechyd’.

**Gwenda Thomas** 136

Section 31, page 24, at the beginning of line 14, insert –

‘In this section –

a “health body” (“*corff iechyd*”) means –

- (a) a Local Health Board;
- (b) a clinical commissioning group;
- (c) the National Health Service Commissioning Board;
- (d) a Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978;
- (e) a Special Health Board constituted under that section;
- (f) a Health and Social Care trust;

a “health enactment” (“*deddfiad iechyd*”) means –

- (a) the National Health Service (Wales) Act 2006;
- (b) the National Health Service Act 2006;
- (c) the National Health Service (Scotland) Act 1978;

- (d) the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14));
- (e) the Health and Social Care (Reform) Act (Northern Ireland) 2009;’.

Adran 31, tudalen 24, ar ddechrau llinell 15, mewnosoder –

‘Yn yr adran hon –

ystyr “corff iechyd” (“*health body*”) yw –

- (a) Bwrdd Iechyd Lleol;
- (b) grŵp comisiynu clinigol;
- (c) Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol;
- (d) Bwrdd Iechyd a gyfansoddwyd o dan adran 2 o Ddeddf y Gwasanaeth Iechyd Gwladol (Yr Alban) 1978;
- (e) Bwrdd Iechyd Arbennig a gyfansoddwyd o dan yr adran honno;
- (f) ymddiriedolaeth Iechyd a Gofal Cymdeithasol;

ystyr “deddfiad iechyd” (“*health enactment*”) yw –

- (a) Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;
- (b) Deddf y Gwasanaeth Iechyd Gwladol 2006;
- (c) Deddf y Gwasanaeth Iechyd Gwladol (Yr Alban) 1978;
- (d) Gorchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972 (O.S. 1972/1265 (N.I. 14));
- (e) Deddf (Diwygio) Iechyd a Gofal Cymdeithasol (Gogledd Iwerddon) 2009;’.

## **William Graham**

75

To insert a new section –

### **‘() Duty to promote direct payments**

A local authority must promote the use of direct payments.’.

I fewnosod adran newydd –

### **‘() Dyletswydd i hyrwyddo taliadau uniongyrchol**

Rhaid i awdurdod lleol hyrwyddo’r defnydd o daliadau uniongyrchol.’.

## **Lindsay Whittle**

468

Section 34, page 25, line 10, leave out ‘towards the cost of meeting’ and insert ‘as a means of meeting the cost of’.

Adran 34, tudalen 25, llinell 11, hepgorer ‘tuag at y gost o ddiwallu’ a mewnosoder ‘fel ffordd o dalu cost’.

**William Graham**

76

**Gyda chefnogaeth / Supported by: Kirsty Williams**

Section 34, page 25, leave out line 20.

*This amendment will remove local authorities' discretion to decide whether to provide direct payments.*

Adran 34, tudalen 25, hepgorer llinell 21.

*Bydd y gwelliant hwn yn dileu disgresiwn awdurdodau lleol i benderfynu a ddylid darparu taliadau uniongyrchol.*

**William Graham**

77

**Gyda chefnogaeth / Supported by: Kirsty Williams, Lindsay Whittle**

Section 34, page 25, leave out line 30.

*This amendment will remove local authorities' discretion to decide whether to provide direct payments.*

Adran 34, tudalen 25, hepgorer llinell 31.

*Bydd y gwelliant hwn yn dileu disgresiwn awdurdodau lleol i benderfynu a ddylid darparu taliadau uniongyrchol.*

**Lindsay Whittle**

469

Section 34, page 26, after line 14, insert –

- ‘(8) Regulations under this section must not provide for the making of direct payments as the sole means of meeting the cost of an adult’s needs for care and support under sections 21 and 22.’

Adran 34, tudalen 26, ar ôl llinell 17, mewnosoder –

- ‘(8) Ni chaniateir i reoliadau o dan yr adran hon ddarparu mai taliadau uniongyrchol yw’r unig ffordd o dalu cost anghenion oedolyn am ofal a chymorth o dan adrannau 21 a 22.’

**Gwenda Thomas**

137

Section 37, page 27, line 18, leave out ‘sections 34, 35 and’ and insert ‘section 34, 35 or’.

Adran 37, tudalen 27, llinell 19, hepgorer ‘adrannau 34, 35 a’ a mewnosoder ‘adran 34, 35 neu’.

**Gwenda Thomas**

138

Section 37, page 28, line 37, leave out ‘sections 34, 35 and’ and insert ‘section 34, 35 or’.

Adran 37, tudalen 28, llinell 39, hepgorer ‘adrannau 34, 35 a’ a mewnosoder ‘adran 34, 35 neu’.

**Gwenda Thomas** 139

Section 37, page 29, after line 6, insert –

- ‘() Regulations under section 34, 35 or 36 must require a local authority to take specified steps to enable relevant persons to make informed choices about the use of direct payments.
- () In subsection (*first subsection to be inserted by amendment 139*) “relevant persons” means persons whose consent must be obtained to the making of direct payments under regulations made under section 34, 35 or 36.’.

Adran 37, tudalen 29, ar ôl llinell 6, mewnosoder –

- ‘() Rhaid i reoliadau o dan adran 34, 35 neu 36 ei gwneud yn ofynnol i awdurdod lleol gymryd camau penodedig i alluogi personau perthnasol i wneud dewisiadau deallus ynghylch y defnydd o daliadau uniongyrchol.
- () Yn is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 139*) ystyr “personau perthnasol” yw personau y mae rhaid cael eu cydsyniad i wneud taliadau uniongyrchol o dan reoliadau a wneir o dan adran 34, 35 neu 36.’.

**Gwenda Thomas** 38

Section 37, page 29, line 7, leave out subsection (5).

Adran 37, tudalen 29, llinell 7, hepgorer is-adran (5).

**Gwenda Thomas** 140

Section 37, page 29, at the beginning of line 31, insert ‘made’.

Adran 37, tudalen 29, llinell 32, ar ôl ‘reoliadau’, mewnosoder ‘a wneir’.

**Gwenda Thomas** 141

Section 37, page 29, line 31, after ‘support’, insert ‘(or, in the case of a carer, support)’.

Adran 37, tudalen 29, llinell 33, ar ôl ‘chymorth’, mewnosoder ‘(neu, yn achos gofalwr, gymorth)’.

**Gwenda Thomas** 142

Section 37, page 29, line 33, after ‘support’, insert ‘(or, in the case of a carer, support)’.

Adran 37, tudalen 29, llinell 35, ar ôl ‘chymorth’, mewnosoder ‘(neu, yn achos gofalwr, gymorth)’.

**Elin Jones** 232

To insert a new section –

‘() **Health direct payments for health care**

- (1) Where a person’s need for care and support requires a service or facility which is required to be provided by a Local Health Board in the exercise of its functions under the National Health Service (Wales) Act 2006, a Local Health Board may, for the purpose of

securing the provision to the person of the service or facility, make payments, with the person's consent, to the person or to a person nominated by the person.

- (2) If regulations so provide, a Local Health Board may, for the purpose of securing the provision for a person of services that the Board must provide under section 117 of the Mental Health Act 1983 (after-care), make payments, with the person's consent, to the person or to a person nominated by the person.
- (3) A payment under subsection (1) or (2) or under regulations under section (*section to be inserted by amendment 233*) is referred to in this section as a "health direct payment".

I fewnosod adran newydd –

**'(1) Taliadau iechyd uniongyrchol ar gyfer gofal iechyd**

- (1) Pan fo angen person am ofal a chymorth yn ei gwneud yn ofynnol iddo gael y gwasanaeth neu'r cyfleuster y mae'n ofynnol i Fwrdd Iechyd Lleol ei ddarparu wrth arfer ei swyddogaethau o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006, caiff Bwrdd Iechyd Lleol, at ddiben sicrhau bod y gwasanaeth neu'r cyfleuster yn cael ei ddarparu i'r person, wneud taliadau, gyda chydsyniad y person, i'r person neu i berson a enwebir gan y person.
- (2) Os yw rheoliadau yn darparu hynny, caiff Bwrdd Iechyd Lleol, at ddiben sicrhau bod gwasanaethau yn cael eu darparu i berson y mae'n rhaid i'r Bwrdd eu darparu o dan adran 117 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal), wneud taliadau, gyda chydsyniad y person, i'r person neu i berson a enwebir gan y person.
- (3) Cyfeirir at daliad o dan is-adran (1) neu (2) neu o dan reoliadau o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 233*) yn yr adran hon fel "taliad iechyd uniongyrchol".

**Elin Jones**

**233**

To insert a new section –

**'(1) Regulations about health direct payments**

- (1) The Welsh Ministers may make regulations about health direct payments.
- (2) The regulations may in particular make provision –
  - (a) as to circumstances in which, and descriptions of persons and services in respect of which, health direct payments may or must be made;
  - (b) as to circumstances in which health direct payments may or must be made to a person nominated by the person;
  - (c) as to the making of health direct payments (and, in particular, as to persons to whom payments may or must be made) where the person lacks capacity to consent to the making of the payments;
  - (d) as to conditions that the Local Health Board must comply with before, after or at the time of making a health direct payment;
  - (e) as to conditions that the person or (if different) the payee may or must be required to comply with before, after, or at the time when a health direct payment is made;
  - (f) as to the amount of any health direct payment or how it is to be calculated;

- (g) as to circumstances in which the Local Health Board may or must stop making health direct payments;
  - (h) as to circumstances in which the Local Health Board may or must require all or part of a health direct payment to be repaid, by the payee or otherwise;
  - (i) as to monitoring of the making of health direct payments, of their use by the payee, or of services which they are used to secure;
  - (j) as to arrangements to be made by the Local Health Board for providing persons, payees or their representatives with information, advice or other support in connection with health direct payments;
  - (k) for such support to be treated to any prescribed extent as a service in respect of which health direct payments may be made.
- (3) If the regulations make provision in the case of a person who lacks capacity to consent to health direct payments being made, they may apply that provision, or make corresponding provision, with or without modifications, in the case of a person who has lacked that capacity but no longer does so (whether because of fluctuating capacity, or regaining or gaining capacity).
- (4) The regulations may provide for a sum which must be repaid to the Local Health Board by virtue of a condition or other requirement imposed by or under the regulations to be recoverable as a debt due to the Local Health Board.
- (5) The regulations may make provision –
- (a) for a service in respect of which a health direct payment has been made under section (*section to be inserted by amendment 232*) to be regarded, only to such extent and subject to such conditions as may be prescribed, as provided or arranged for by the Local Health Board;
  - (b) displacing functions or obligations of a Local Health Board with respect to the provision of after-care services under section 117 of the Mental Health Act 1983, only to such extent and subject to such conditions as may be prescribed.
- (6) In this section –
- (a) “service” includes anything in respect of which health direct payments may be made;
  - (b) references to a person lacking capacity are references to a person lacking capacity within the meaning of the Mental Capacity Act 2005.’.

I fewnosod adran newydd –

**‘(1) Rheoliadau ynghylch taliadau iechyd uniongyrchol**

- (1) Caiff Gweinidogion Cymru wneud rheoliadau ynghylch taliadau iechyd uniongyrchol.
- (2) Caiff y rheoliadau, yn benodol, wneud darpariaeth –
  - (a) ynghylch yr amgylchiadau y caniateir gwneud, neu y mae’n rhaid gwneud, taliadau iechyd uniongyrchol, a’r disgrifiadau o bersonau a gwasanaethau mewn cysylltiad â hwy;
  - (b) ynghylch yr amgylchiadau y caniateir gwneud, neu y mae’n rhaid gwneud, taliadau iechyd uniongyrchol i berson a enwebir gan y person;



- (c) ynghylch gwneud taliadau iechyd uniongyrchol (ac, yn benodol, ynghylch y personau y caniatier gwneud, neu y mae'n rhaid gwneud, taliadau iddynt) pan nad oes gan y person alluedd i gydsynio i'r taliadau gael eu gwneud;
  - (d) ynghylch yr amodau y mae'n rhaid i'r Bwrdd Iechyd Lleol gydymffurfio â hwy pan wneir taliad iechyd uniongyrchol, neu cyn neu ar ôl gwneud y taliad;
  - (e) ynghylch yr amodau y caiff neu y mae'n rhaid i'r person neu (os yn wahanol) y talai, gydymffurfio â hwy pan wneir taliad iechyd uniongyrchol, neu cyn neu ar ôl gwneud y taliad;
  - (f) ynghylch swm unrhyw daliad iechyd uniongyrchol neu sut y bwriedir ei gyfrifo;
  - (g) ynghylch yr amgylchiadau y caiff, neu y mae'n rhaid i, Fwrdd Iechyd Lleol roi'r gorau i wneud taliadau iechyd uniongyrchol;
  - (h) ynghylch yr amgylchiadau y caiff, neu y mae'n rhaid i, Fwrdd Iechyd Lleol ei gwneud yn ofynnol i gyfanswm taliad iechyd uniongyrchol, neu ran ohono, gael ei ad-dalu, gan y talai neu fel arall;
  - (i) ynghylch monitro'r broses o wneud taliadau iechyd uniongyrchol, eu defnydd gan y talai, neu'r gwasanaethau y mae'r taliadau yn cael eu defnyddio i'w sicrhau;
  - (j) ynghylch y trefniadau sydd i'w gwneud gan y Bwrdd Iechyd Lleol ar gyfer darparu gwybodaeth, cyngor neu gymorth arall mewn cysylltiad â thaliadau iechyd uniongyrchol i bersonau, taleion neu eu cynrychiolwyr;
  - (k) i drin cymorth o'r fath i unrhyw raddau rhagnodedig fel gwasanaeth y gellir gwneud taliadau uniongyrchol ar ei gyfer.
- (3) Os yw'r rheoliadau'n gwneud darpariaeth yn achos person nad oes ganddo'r galluedd i gydsynio i daliadau iechyd uniongyrchol gael eu gwneud, cânt gymhwyso'r ddarpariaeth honno, neu wneud darpariaeth gyfatebol, gydag addasiadau neu hebddynt, yn achos person nad oedd ganddo'r galluedd hwnnw yn flaenorol, ond y mae ganddo'r galluedd hwnnw bellach (naill ai oherwydd galluedd sy'n amrywio, neu oherwydd bod galluedd wedi'i ennill neu ei adennill).
- (4) Caiff y rheoliadau ddarparu ar gyfer swm y mae'n rhaid ei ad-dalu i'r Bwrdd Iechyd Lleol yn rhinwedd amod neu ofyniad arall a osodir gan y rheoliadau, neu oddi tanynt, y gellir ei adennill fel dyled sy'n ddyledus i'r Bwrdd Iechyd Lleol.
- (5) Caiff y rheoliadau wneud darpariaeth—
- (a) i wasanaeth y gwnaed taliad iechyd uniongyrchol ar ei gyfer o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 232*) gael ei ystyried, dim ond i'r graddau y gellir ei ragnodi ac yn unol â'r amodau y gellir eu rhagnodi, fel gwasanaeth a ddarperir gan y Bwrdd Iechyd Lleol neu a drefnir ganddo;
  - (b) i ddisodli swyddogaethau neu rwymedigaethau Bwrdd Iechyd Lleol mewn cysylltiad â darparu gwasanaethau ôl-ofal o dan adran 117 o Ddeddf Iechyd Meddwl 1983, dim ond i'r graddau y gellir eu rhagnodi ac yn unol â'r amodau y gellir eu rhagnodi.
- (6) Yn yr adran hon—
- (a) mae "gwasanaeth" yn cynnwys unrhyw beth y caniateir gwneud taliadau iechyd uniongyrchol ar ei gyfer;

- (b) mae cyfeiriadau at berson nad oes ganddo alluedd yn gyfeiriadau at berson nad oes ganddo alluedd o fewn ystyr Deddf Galluedd Meddwl 2005.’.

**Lindsay Whittle** 409

Section 38, page 30, after line 2, insert –

- ‘() A local authority preparing a care and support plan under subsection (1) or a support plan under subsection (2), must ascertain through engagement with the person or carer the outcomes which the person or carer wishes to achieve.’.

Adran 38, tudalen 30, ar ôl llinell 2, mewnosoder –

- ‘() Wrth baratoi cynllun gofal a chymorth o dan is-adran (1) neu gynllun cymorth o dan is-adran (2), rhaid i awdurdod lleol ganfod drwy ymgysylltu â’r person neu’r gofalwr y canlyniadau y mae’r person neu’r gofalwr yn dymuno eu sicrhau.’.

**Lindsay Whittle** 410

Section 38, page 30, line 6, after ‘contain’, insert ‘, including but not limited to the outcomes which the person or carer wishes to achieve’.

Adran 38, tudalen 30, llinell 7, ar ôl ‘gynnwys’, mewnosoder ‘, gan gynnwys ond heb fod yn gyfyngedig i’r canlyniadau y mae’r person neu’r gofalwr yn dymuno eu sicrhau’.

**Gwenda Thomas** 426

Section 38, page 30, line 7, leave out ‘review’ and insert ‘the review and revision’.

Adran 38, tudalen 30, llinell 8, ar ôl ‘adolygu’, mewnosoder ‘a diwygio’.

**Lindsay Whittle** 411

Section 38, page 30, after line 7, insert –

- ‘(d) appeals against plans, including but not limited to the failure of the local authority to engage with the person or carer under subsection (*subsection to be inserted by amendment 409*).’.

Adran 38, tudalen 30, ar ôl llinell 8, mewnosoder –

- ‘(d) apelau yn erbyn cynlluniau, gan gynnwys ond heb fod yn gyfyngedig i fethiant yr awdurdod lleol i ymgysylltu â’r person neu’r gofalwr o dan is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 409*).’.

**Lindsay Whittle** 412

Section 38, page 30, after line 7, insert –

- ‘(d) the provision of advocacy services.’.

Adran 38, tudalen 30, ar ôl llinell 8, mewnosoder –

- ‘(d) darparu gwasanaethau eirioli.’.

**Gwenda Thomas**

**427**

Section 38, page 30, line 9, leave out 'or review a plan under this section at the same time as it or another body is preparing or reviewing' and insert ', review or revise a plan under this section at the same time as it or another body is preparing, reviewing or revising'.

Adran 38, tudalen 30, llinell 10, hepgorer 'neu adolygu cynllun o dan yr adran hon yr un pryd ag y mae ef neu gorff arall yn llunio neu'n adolygu' a mewnosoder ', adolygu neu ddiwygio cynllun o dan yr adran hon yr un pryd ag y mae ef neu gorff arall yn llunio, adolygu neu ddiwygio'.

**William Graham**

**182**

Section 38, page 30, after line 16, insert—

- (7) In preparing or revising a care and support plan under this section for an adult the local authority must involve—
- (a) the adult for whom it is being prepared,
  - (b) any carer that the adult has, and
  - (c) any person whom the adult asks the authority to involve or, where the adult lacks capacity to ask to the authority to do that, any person who appears to the authority to be interested in the adult's welfare.
- (8) In preparing or revising a care and support plan under this section for a child the local authority must involve—
- (a) the child for whom it is being prepared, to the extent that it is appropriate having regard to the child's age and understanding, and
  - (b) the persons with parental responsibility for the child.
- (9) In preparing or revising a support plan under this section, the local authority must in the case of a carer who is a child involve—
- (a) the carer for whom it is being prepared to the extent that it is appropriate having regard to the child's age and understanding,
  - (b) the persons with parental responsibility for the carer, and
  - (c) the adult needing care, if the carer asks the authority to do so, or where the carer lacks capacity to ask the authority to do so, if a person with parental responsibility for the carer asks the authority to do so.
- (10) In preparing or revising a support plan under this section, the local authority must in the case of a carer who is an adult involve—
- (a) the carer for whom it is being prepared,
  - (b) the adult needing care, if the carer asks the authority to do so, and
  - (c) any other person whom the carer asks the authority to involve.'

Adran 38, tudalen 30, ar ôl llinell 17, mewnosoder—

- (7) Wrth lunio neu ddiwygio cynllun gofal a chymorth o dan yr adran hon ar gyfer oedolyn, rhaid i'r awdurdod lleol gynnwys—
- (a) yr oedolyn y'i paratoir ar ei gyfer,
  - (b) unrhyw ofalwr sydd gan yr oedolyn, ac

- (c) unrhyw berson y mae'r oedolyn yn gofyn i'r awdurdod ei gynnwys neu, pan nad oes gan yr oedolyn alluedd i ofyn i'r awdurdod wneud hynny, unrhyw berson y mae'n ymddangos i'r awdurdod sydd â diddordeb yn llesiant yr oedolyn.
- (8) Wrth lunio neu ddiwygio cynllun gofal a chymorth o dan yr adran hon ar gyfer plentyn, rhaid i'r awdurdod lleol gynnwys—
  - (a) y plentyn y'i paratoir ar ei gyfer, i'r graddau y bo hynny'n briodol gan roi sylw i oedran a dealltwriaeth y plentyn, a
  - (b) y personau sydd â chyfrifoldeb rhiant dros y plentyn.
- (9) Wrth lunio neu ddiwygio cynllun cymorth o dan yr adran hon, rhaid i awdurdod lleol, yn achos gofalwr sy'n blentyn, gynnwys—
  - (a) y gofalwr y'i paratoir ar ei gyfer i'r graddau y bo hynny'n briodol gan roi sylw i oedran a dealltwriaeth y plentyn,
  - (b) y personau sydd â chyfrifoldeb rhiant dros y plentyn, ac
  - (c) yr oedolyn y mae arno angen gofal, os yw'r gofalwr yn gofyn i'r awdurdod wneud hynny neu, pan nad oes gan y gofalwr alluedd i ofyn i'r awdurdod wneud hynny, os yw'r person sydd â chyfrifoldeb rhiant dros y gofalwr yn gofyn i'r awdurdod wneud hynny.
- (10) Wrth lunio neu ddiwygio cynllun cymorth o dan yr adran hon, rhaid i'r awdurdod lleol, yn achos gofalwr sy'n oedolyn, gynnwys—
  - (a) y gofalwr y'i paratoir ar ei gyfer,
  - (b) yr oedolyn y mae arno angen gofal, os yw'r gofalwr yn gofyn i'r awdurdod wneud hynny, ac
  - (c) unrhyw bersonau eraill y mae'r gofalwr yn gofyn i'r awdurdod eu cynnwys.'

**Lindsay Whittle**

**413**

Section 38, page 30, after line 16, insert—

- '(7) In this section "advocacy services" are services providing assistance by way of representation or otherwise to individuals to—
  - (a) participate in a review under paragraph (4)(c);
  - (b) make an appeal under paragraph (4)(*paragraph to be inserted by amendment 411*).'

Adran 38, tudalen 30, ar ôl llinell 17, mewnosoder—

- '(7) In this section "advocacy services" are services providing assistance by way of representation or otherwise to individuals to—
  - (a) participate in a review under paragraph (4)(c);
  - (b) make an appeal under paragraph (4)(*y paragraff sy'n cael ei fewnosod gan welliant 411*).'

**Gwenda Thomas** 428

Section 39, page 30, line 21, leave out 'and review' and insert ', review or revision'.

Adran 39, tudalen 30, llinell 22, hepgorer 'ac adolygu' a mewnosoder ', adolygu neu ddiwygio'.

**Gwenda Thomas** 429

Section 39, page 30, line 23, leave out 'or reviewed' and insert ', reviewed or revised'.

Adran 39, tudalen 30, llinell 24, hepgorer 'neu eu hadolygu' a mewnosoder ', eu hadolygu neu eu diwygio'.

**Gwenda Thomas** 430

Section 39, page 30, line 25, leave out 'or review' and insert ', review or revision'.

Adran 39, tudalen 30, llinell 27, hepgorer 'neu adolygu' a mewnosoder ', adolygu neu ddiwygio'.

**William Graham** 108

Section 40, page 31, at the beginning of line 9, insert 'within 30 days (or such longer period as may be agreed between it and the receiving authority)'.

Adran 40, tudalen 31, llinell 9, hepgorer 'darparu' a mewnosoder 'o fewn 30 diwrnod (neu unrhyw gyfnod hwy y cytunir arno rhyngddo a'r awdurdod derbyn) ddarparu'.

**William Graham** 109

Section 40, page 31, at the beginning of line 11, insert 'within 30 days (or such longer period as may be agreed between it and the receiving authority)'.

Adran 40, tudalen 31, llinell 11, hepgorer 'darparu' a mewnosoder 'o fewn 30 diwrnod (neu unrhyw gyfnod hwy y cytunir arno rhyngddo a'r awdurdod derbyn) ddarparu'.

**William Graham** 126

Section 40, page 31, after line 28, insert—

'() In carrying out an assessment under subsection (2)(d), the receiving authority must have regard to the care and support plan provided under subsection (1)(b).'

Adran 40, tudalen 31, ar ôl llinell 29, mewnosoder—

'() Wrth gyflawni asesiad o dan is-adran (2)(d), rhaid i'r awdurdod derbyn roi sylw i'r cynllun gofal a chymorth a ddarperir o dan is-adran (1)(b).'

**William Graham**

**110**

To insert a new section –

**‘(1) Portability of support: carers**

- (1) Where a local authority (“the sending authority”) is notified by or on behalf of a person (whether or not by the receiving authority (see subsection (2)) for whom it has a duty under section 26 or 27 to meet needs for support that the person is going to move to the area of another local authority (“the receiving authority”), and it is satisfied that the move is likely to happen, it must –
  - (a) notify the receiving authority that it is so satisfied,
  - (b) within 30 days (or such longer period as may be agreed between it and the receiving authority) provide the receiving authority with a copy of the support plan prepared for the person, and
  - (c) within 30 days (or such longer period as may be agreed between it and the receiving authority) provide the receiving authority with such other information relating to the person and, such other information relating to the person as the receiving authority may request.
- (2) Where the receiving authority is notified by or on behalf of a person (whether or not by the sending authority) for whom the sending authority has a duty under section 26 or 27 to meet needs for support that the person is going to move to the receiving authority’s area, and the receiving authority is satisfied that the move is likely to happen, it must –
  - (a) notify the sending authority that it is so satisfied,
  - (b) provide the person with such information as it considers appropriate,
  - (c) if the person is a child, provide the persons with parental responsibility for the child with such information as it considers appropriate, and
  - (d) assess whether the person has needs for support and, if the person does, what those needs are, having regard in particular to any change in the person’s needs for support arising from the move.
- (3) Part 3 applies to an assessment under subsection (2)(d) as it applies to a needs assessment under Part 3.
- (4) If, on the day the person moves to its area, the receiving authority has yet to carry out the assessment under subsection (2)(d), or has done so but has yet to carry out the other steps required by this Part or Part 3, it must meet the person’s needs for support in accordance with the support plan prepared by the sending authority, in so far as that is reasonably practicable.
- (5) The receiving authority is subject to the duty under subsection (4) until it has –
  - (a) carried out the assessment required by subsection (2)(d), and
  - (b) taken the other steps required under this Part or Part 5.
- (6) Regulations may –
  - (a) specify steps which a local authority must take for the purpose of being satisfied as mentioned in subsections (1) and (2);

- (b) specify matters to which a receiving authority must have regard in deciding how to comply with the duty under subsection (4);
  - (c) specify cases in which the duties under subsection (1), (2) or (4) do not apply.
- (7) A reference in this section to moving to an area is a reference to moving to that area with a view to becoming ordinarily resident there.’.

I fewnosod adran newydd –

**‘(1) Hygludedd cymorth: gofalwyr**

- (1) Pan fo awdurdod lleol (“yr awdurdod anfon”) yn cael ei hysbysu gan neu ar ran person (p’un ai gan yr awdurdod derbyn ai peidio (gweler is-adran (2)) y mae arno ddyletswydd o dan adran 26 neu 27 i ddiwallu ei anghenion am gymorth, fod y person hwnnw’n mynd i symud i ardal awdurdod lleol arall (“yr awdurdod derbyn”), ac y mae’r awdurdod wedi ei fodloni bod y symud yn debyg o ddigwydd, rhaid iddo –
- (a) hysbysu’r awdurdod derbyn ei fod wedi ei fodloni felly,
  - (b) o fewn 30 diwrnod (neu unrhyw gyfnod hwy y cytunir arno rhyngddo a’r awdurdod derbyn) ddarparu i’r awdurdod derbyn gopi o’r cynllun cymorth sydd wedi ei lunio ar gyfer y person, ac
  - (c) o fewn 30 diwrnod (neu unrhyw gyfnod hwy y cytunir arno rhyngddo a’r awdurdod derbyn) ddarparu i’r awdurdod derbyn unrhyw wybodaeth arall sy’n ymwneud a’r person ac unrhyw wybodaeth arall sy’n ymwneud â’r person y bydd yr awdurdod derbyn yn gofyn amdano.
- (2) Pan fo’r awdurdod derbyn yn cael ei hysbysu gan neu ar ran person (p’un ai gan yr awdurdod anfon ai peidio) y mae gan yr awdurdod anfon ddyletswydd o dan adran 26 neu 27 i ddiwallu ei anghenion am gymorth, fod y person yn mynd i symud i ardal yr awdurdod derbyn, a bod yr awdurdod derbyn wedi ei fodloni bod y symud yn debyg o ddigwydd, rhaid iddo –
- (a) hysbysu’r awdurdod anfon ei fod wedi ei fodloni felly,
  - (b) darparu i’r person unrhyw wybodaeth y mae’n barnu ei bod yn briodol,
  - (c) os plentyn yw’r person, darparu i’r personau sydd â chyfrifoldeb rhiant dros y plentyn unrhyw wybodaeth sy’n briodol ym marn yr awdurdod, a
  - (d) asesu a oes gan y person anghenion am gymorth, ac os oes, beth yw’r anghenion hynny, gan roi sylw penodol i unrhyw newid yn anghenion y person am gymorth sy’n deillio o’r symud.
- (3) Mae Rhan 3 yn gymwys i asesiad o dan is-adran (2)(d) fel y bo’n gymwys i asesiad o anghenion o dan Ran 3.
- (4) Os yw’r awdurdod derbyn, ar y diwrnod y mae’r person yn symud i’w ardal, yn dal heb gyflawni’r asesiad o dan is-adran (2)(d), neu y mae wedi gwneud felly ond y mae’n dal heb gymryd y camau eraill sy’n ofynnol gan y Rhan hon neu Ran 3, rhaid iddo ddiwallu anghenion y person am gymorth yn unol â’r cynllun cymorth a luniwyd gan yr awdurdod anfon, i’r graddau y bydd hynny’n rhesymol ymarferol.
- (5) Mae’r awdurdod derbyn yn ddarostyngedig i’r ddyletswydd o dan is-adran (4) hyd nes y bydd wedi –

- (a) cyflawni'r asesiad sy'n ofynnol gan is-adran (2)(d), a
  - (b) cymryd y camau eraill sy'n ofynnol o dan y Rhan hon neu Ran 5.
- (6) Caiff rheoliadau –
- (a) pennu camau y mae'n rhaid i awdurdod lleol eu cymryd er mwyn cael ei fodloni fel a grybwyllwyd yn is-adrannau (1) a (2);
  - (b) pennu materion y mae'n rhaid i awdurdod derbyn roi sylw iddynt wrth benderfynu sut i gydymffurfio â'r ddyletswydd o dan is-adran (4);
  - (c) pennu achosion pan na fo'r dyletswyddau o dan is-adran (1), (2) neu (4) yn gymwys iddynt.
- (7) Mae cyfeiriad yn yr adran hon at symud i ardal yn cyfeirio at symud i'r ardal honno gyda golwg ar breswyllo fel arfer yno.'

**Gwenda Thomas**

293

Section 43, page 34, line 2, leave out 'sections 45 and' and insert 'section 45 or'.

Adran 43, tudalen 34, llinell 2, hepgorer 'adrannau 45 a' a mewnosoder 'adran 45 neu'.

**Lindsay Whittle**

414

Section 43, page 34, after line 3, insert –

- '(5) A local authority may not require a person to pay a charge to the authority under subsection (1) for the provision of equipment or adaptations under sections 21 to 29 to meet a person's needs.'

Adran 43, tudalen 34, ar ôl llinell 3, mewnosoder –

- '(5) Ni chaniateir i awdurdod lleol ei gwneud yn ofynnol i berson dalu ffi i'r awdurdod o dan is-adran (1) am ddarparu cyfarpar neu addasiadau o dan adrannau 21 i 29 i ddiwallu anghenion person.'

**Gwenda Thomas**

431

Section 44, page 34, line 5, leave out 'specifies' and insert 'describes'.

Adran 44, tudalen 34, llinell 5, hepgorer 'pennu'r' a mewnosoder 'disgrifio'r'.

**William Graham**

98

Section 44, page 34, line 9, leave out subsection (3).

Adran 44, tudalen 34, llinell 10, hepgorer is-adran (3).

**Kirsty Williams**

102

Section 44, page 34, leave out lines 21 to 24.

Adran 44, tudalen 34, hepgorer llinellau 22 hyd at 25.



**Kirsty Williams**

**103**

Section 44, page 34, leave out lines 32 to 37.

Adran 44, tudalen 34, hepgorer llinellau 34 hyd at 39.

**William Graham**

**254**

To insert a new section –

**‘(1) Procedure for regulations under section 45**

- (1) The Welsh Ministers must comply with this section before making regulations under section 45 to provide for proposals about the detail of the exercise of a power to impose a charge under section 43.
- (2) The Welsh Ministers must consult –
  - (a) Local Health Boards,
  - (b) Community Health Councils,
  - (c) local authorities, and
  - (d) such other persons or bodies as appear to represent the interests of persons likely to be affected by the proposals.
- (3) If, following that consultation, the Welsh Ministers wish to proceed with the regulations they must lay before the National Assembly for Wales a document which –
  - (a) explains the proposals,
  - (b) sets the proposals out in the form of draft regulations, and
  - (c) gives details of the consultation under subsection (2).
- (4) No draft of regulations under section 45 to give effect to the proposals (“the final draft regulations”) may be laid before the National Assembly for Wales in accordance with this section until after the expiry of the period of 60 days beginning with the day on which the document relating to the proposals was laid before the National Assembly for Wales under subsection (3).
- (5) In calculating the period mentioned in subsection (4) no account shall be taken of any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) In preparing the final draft regulations the Welsh Ministers must consider any representations made during the period mentioned in subsection (4).
- (7) If the final draft regulations are laid before the National Assembly for Wales in accordance with this section the regulations must be accompanied by a statement of the Welsh Ministers giving details of –
  - (a) any representations considered in accordance with subsection (6), and
  - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (3) which are given effect to in the final draft regulations.’.

I fewnosod adran newydd –

**‘( ) Y weithdrefn ar gyfer rheoliadau o dan adran 45**

- (1) Rhaid i Weinidogion Cymru gydymffurfio â'r adran hon cyn gwneud rheoliadau o dan adran 45 i ddarparu ar gyfer cynigion ynghylch manylion yn ymwneud ag arfer pŵer i osod ffi o dan adran 43.
- (2) Rhaid i Weinidogion Cymru ymgynghori â'r canlynol –
  - (a) Byrddau Iechyd Lleol,
  - (b) Cyngorau Iechyd Cymuned,
  - (c) awdurdodau lleol, a
  - (d) y personau neu'r cyrff eraill hynny yr ymddengys eu bod yn cynrychioli buddiannau personau yr effeithir arnynt yn ôl pob tebyg gan y cynigion.
- (3) Os bydd Gweinidogion Cymru, yn dilyn yr ymgynghoriad hwnnw, yn dymuno bwrw ymlaen â'r rheoliadau, rhaid iddynt osod gerbron Cynulliad Cenedlaethol Cymru ddogfen –
  - (a) sy'n esbonio'r cynigion,
  - (b) sy'n gosod y cynigion ar ffurf rheoliadau drafft, ac
  - (c) sy'n rhoi manylion yr ymgynghoriad o dan is-adran (2).
- (4) Ni chaiff unrhyw reoliadau drafft o dan adran 45 i roi effaith i'r cynigion (“y rheoliadau drafft terfynol”) gael eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol â'r adran hon tan ar ôl i'r cyfnod o 60 diwrnod, sy'n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn â'r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3), ddirwyn i ben.
- (5) Wrth gyfrifo'r cyfnod a grybwyllir yn is-adran (4), rhaid peidio ag ystyried unrhyw amser pryd y bydd Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu ar doriad am fwy na phedwar diwrnod.
- (6) Wrth baratoi'r rheoliadau drafft terfynol rhaid i Weinidogion Cymru ystyried unrhyw sylwadau a gyflwynwyd yn ystod y cyfnod a grybwyllir yn is-adran (4).
- (7) Os caiff y rheoliadau drafft terfynol eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol â'r adran hon rhaid i ddatganiad gan Weinidogion Cymru gyd-fynd â'r rheoliadau sy'n rhoi manylion –
  - (a) unrhyw sylwadau a ystyriwyd yn unol ag is-adran (6), a
  - (b) unrhyw newidiadau a wnaed i'r cynigion a oedd wedi eu cynnwys yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3) ac y rhoddir effaith iddynt yn y rheoliadau drafft terfynol.’.

**Gwenda Thomas**

**432**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version Adran 53, tudalen 38, llinell 12, hepgorer 'iddo' a mewnosoder 'i awdurdod lleol,'.

**Kirsty Williams** 104

Section 53, page 38, line 12, leave out 'a person mentioned in subsection (2)' and insert 'an adult'.

Adran 53, tudalen 38, llinell 13, hepgorer 'gyda pherson a grybwyllir yn is-adran (2) a hwnnw'n berson' a mewnosoder 'gydag oedolyn'.

**Kirsty Williams** 105

Section 53, page 38, line 18, leave out subsection (2).

Adran 53, tudalen 38, llinell 18, hepgorer is-adran (2).

**Gwenda Thomas** 433

Section 53, page 39, line 13, leave out 'under' and insert 'by virtue of'.

Adran 53, tudalen 39, llinell 11, hepgorer 'o dan' yn yr ail le mae'n ymddangos a mewnosoder 'yn rhinwedd'.

**William Graham** 69

Page 39, line 32, leave out section 54.

*Prevents charging for information.*

Tudalen 39, llinell 29, hepgorer adran 54.

*Mae'n atal codi ffi am wybodaeth.*

**William Graham** 78

**Gyda chefnogaeth/ Supported by: Kirsty Williams, Lindsay Whittle**

Section 54, page 39, leave out line 34.

*This amendment will prevent local authorities from charging for information, advice or assistance.*

Adran 54, tudalen 39, hepgorer llinell 31.

*Bydd y gwelliant hwn yn atal awdurdodau lleol rhag codi ffi am wybodaeth, cyngor neu gynhorthwy.*

**Gwenda Thomas** 434

Section 54, page 39, line 34, leave out 'information, advice or'.

Adran 54, tudalen 39, llinell 31, hepgorer 'wybodaeth, cyngor neu'.

**Gwenda Thomas** 79A

As an amendment to amendment 79, line 1, leave out 'or assistance'.

Fel gwelliant i welliant 79, llinell 1, hepgorer 'neu gynhorthwy'.

**William Graham**

79

**Gyda chefnogaeth / Supported by: Kirsty Williams, Lindsay Whittle**

Section 54, page 39, line 36, leave out ‘, information, advice or assistance’.

*This amendment will prevent local authorities from charging for information, advice or assistance.*

Adran 54, tudalen 39, llinell 33, hepgorer ‘, gwybodaeth, cyngor neu gynhorthwy’.

*Bydd y gwelliant hwn yn atal awdurdodau lleol rhag codi ffi am wybodaeth, cyngor neu gynhorthwy.*

**Gwenda Thomas**

80A

As an amendment to amendment 80, line 1, leave out ‘or assistance to which the charge relates’.

Fel gwelliant i welliant 80, llinell 1, hepgorer ‘neu’r cynhorthwy y mae’r ffi yn ymwneud â hwy’.

**William Graham**

80

**Gyda chefnogaeth / Supported by: Kirsty Williams**

Section 54, page 39, line 39, leave out ‘, information, advice or assistance to which the charge relates’.

*This amendment will prevent local authorities from charging for information, advice or assistance.*

Adran 54, tudalen 39, llinell 36, hepgorer ‘, yr wybodaeth, y cyngor neu’r cynhorthwy y mae’r ffi yn ymwneud â hwy’.

*Bydd y gwelliant hwn yn atal awdurdodau lleol rhag codi ffi am wybodaeth, cyngor neu gynhorthwy.*

**William Graham**

99

Section 54, page 39, after line 39, insert—

‘(c) which enables a charge to be imposed for equipment or adaptations not exceeding £5,000.’.

Adran 54, tudalen 39, ar ôl llinell 37, mewnosoder—

‘(c) sy’n galluogi codi ffi am gyfarpar neu addasiadau nad ydynt yn uwch na £5,000.’.

**William Graham**

255

To insert a new section—

**‘( ) Procedure for regulations under section 54**

- (1) The Welsh Ministers must comply with this section before making regulations under section 54 to provide for proposals about the detail of the exercise of a power to impose a charge under section 54.
- (2) The Welsh Ministers must consult—
  - (a) Local Health Boards,
  - (b) Community Health Councils,
  - (c) local authorities, and

- (d) such other persons or bodies as appear to represent the interests of persons likely to be affected by the proposals.
- (3) If, following that consultation, the Welsh Ministers wish to proceed with the regulations they must lay before the National Assembly for Wales a document which –
  - (a) explains the proposals,
  - (b) sets the proposals out in the form of draft regulations, and
  - (c) gives details of the consultation under subsection (2).
- (4) No draft of regulations under section 54 to give effect to the proposals (“the final draft regulations”) may be laid before the National Assembly for Wales in accordance with this section until after the expiry of the period of 60 days beginning with the day on which the document relating to the proposals was laid before the National Assembly for Wales under subsection (3).
- (5) In calculating the period mentioned in subsection (4) no account shall be taken of any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) In preparing the final draft regulations the Welsh Ministers must consider any representations made during the period mentioned in subsection (4).
- (7) If the final draft regulations are laid before the National Assembly for Wales in accordance with this section the regulations must be accompanied by a statement of the Welsh Ministers giving details of –
  - (a) any representations considered in accordance with subsection (6), and
  - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (3) which are given effect to in the final draft regulations.’.

I fewnosod adran newydd –

**‘(1) Y weithdrefn ar gyfer rheoliadau o dan adran 54**

- (1) Rhaid i Weinidogion Cymru gydymffurfio â’r adran hon cyn gwneud rheoliadau o dan adran 54 i ddarparu ar gyfer cynigion ynghylch manylion yn ymwneud ag arfer pŵer i osod ffi o dan adran 54.
- (2) Rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
  - (a) Byrddau Iechyd Lleol,
  - (b) Cynghorau Iechyd Cymuned,
  - (c) awdurdodau lleol, a
  - (d) y personau neu’r cyrff eraill hynny yr ymddengys eu bod yn cynrychioli buddiannau personau yr effeithir arnynt yn ôl pob tebyg gan y cynigion.
- (3) Os bydd Gweinidogion Cymru, yn dilyn yr ymgynghoriad hwnnw, yn dymuno bwrw ymlaen â’r rheoliadau, rhaid iddynt osod gerbron Cynulliad Cenedlaethol Cymru ddogfen –
  - (a) sy’n esbonio’r cynigion,
  - (b) sy’n gosod y cynigion ar ffurf rheoliadau drafft, ac

- (c) sy'n rhoi manylion yr ymgynghoriad o dan is-adran (2).
- (4) Ni chaiff unrhyw reoliadau drafft o dan adran 54 i roi effaith i'r cynigion ("y rheoliadau drafft terfynol") gael eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol â'r adran hon tan ar ôl i'r cyfnod o 60 diwrnod, sy'n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn â'r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3), ddirwyn i ben.
- (5) Wrth gyfrifo'r cyfnod a grybwyllir yn is-adran (4), rhaid peidio ag ystyried unrhyw amser pryd y bydd Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu ar doriad am fwy na phedwar diwrnod.
- (6) Wrth baratoi'r rheoliadau drafft terfynol rhaid i Weindogion Cymru ystyried unrhyw sylwadau a gyflwynwyd yn ystod y cyfnod a grybwyllir yn is-adran (4).
- (7) Os caiff y rheoliadau drafft terfynol eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol â'r adran hon rhaid i ddatganiad gan Weinidogion Cymru gyd-fynd â'r rheoliadau sy'n rhoi manylion –
- (a) unrhyw sylwadau a ystyriwyd yn unol ag is-adran (6), a
  - (b) unrhyw newidiadau a wnaed i'r cynigion a oedd wedi eu cynnwys yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3) ac y rhoddir effaith iddynt yn y rheoliadau drafft terfynol.'

**Kirsty Williams**

106

Section 55, page 40, line 22, leave out 'or child aged 16 or 17'.

Adran 55, tudalen 40, llinell 23, hepgorer 'neu blentyn sy'n 16 neu'n 17 oed'.

**Kirsty Williams**

107

Section 55, page 40, line 27, leave out 'or child aged 16 or 17'.

Adran 55, tudalen 40, llinell 28, hepgorer 'neu blentyn sy'n 16 neu'n 17 oed'.

**Elin Jones**

481

Section 57, page 43, after line 2, insert –

- '( ) provide for appeals against the decision of the local authority to require payment under subsection (2).'

*An amendment to provide for an appeals mechanism against the decision of local authorities that charges were deliberately avoided through transfer of assets.*

Adran 57, tudalen 43, ar ôl llinell 2, mewnosoder –

- '( ) darparu ar gyfer apeliadau yn erbyn penderfyniad gan yr awdurdod lleol i'w gwneud yn ofynnol bod taliad yn cael ei wneud o dan is-adran (2).'

*Gwelliant i ddarparu dull o apelio yn erbyn penderfyniad gan awdurdodau lleol y cafodd ffioedd eu hosgoi'n fwriadol drwy drosglwyddo asedau.*

**Gwenda Thomas** **294**

Section 58, page 43, line 7, leave out ‘any reference to a child who is looked after by a local authority (“a looked after child”)’ and insert ‘a reference to a child who is looked after by a local authority’.

Adran 58, tudalen 43, llinell 7, hepgorer ‘unrhyw gyfeiriad at blentyn sy’n derbyn gofal gan awdurdod lleol (“plentyn sy’n derbyn gofal”)’ a mewnosoder ‘cyfeiriad at blentyn sy’n derbyn gofal gan awdurdod lleol’.

**Gwenda Thomas** **295**

Section 58, page 43, line 12, leave out ‘93 or 94’ and insert ‘94 or (section to be inserted by amendment 361)’.

Adran 58, tudalen 43, llinell 12, hepgorer ‘93 neu 94’ a mewnosoder ‘94 neu (yr adran sy’n cael ei fewnosod gan welliant 361)’.

**Gwenda Thomas** **296**

Section 58, page 43, after line 14, insert—

‘(3) In this Part, a reference to a young person being looked after by a local authority is a reference to a young person being looked after by the authority while he or she is a child.’.

Adran 58, tudalen 43, ar ôl llinell 14, mewnosoder—

‘(3) Yn y Rhan hon, mae cyfeiriad at berson ifanc sy’n derbyn gofal gan awdurdod lleol yn gyfeiriad at berson ifanc sy’n derbyn gofal gan yr awdurdod tra bo’n blentyn.’.

**William Graham** **246**

Section 60, page 44, line 11, leave out ‘may’ and insert ‘must’.

Adran 60, tudalen 44, llinell 11, hepgorer ‘caiff yr’ a mewnosoder ‘rhaid i’r’.

**Gwenda Thomas** **188**

Section 61, page 45, after line 31, insert—

‘( ) the child is not being provided with accommodation—

- (i) by a local authority, or
- (ii) in a hospital vested in the Welsh Ministers, an NHS Trust or the Secretary of State, or otherwise made available pursuant to arrangements made by a Local Health Board, an NHS Trust, the Welsh Ministers, the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group.’.

Adran 61, tudalen 45, ar ôl llinell 35, mewnosoder—

‘( ) pan nad yw’r plentyn yn cael llety a ddarperir—

- (i) gan awdurdod lleol, neu

- (ii) mewn ysbyty a freiniwyd yng Ngweinidogion Cymru, Ymddiriedolaeth GIG neu'r Ysgrifennydd Gwladol, neu sydd fel arall wedi ei roi ar gael yn unol â threfniadau a wnaed gan Fwrdd Iechyd Lleol, Ymddiriedolaeth GIG, Gweinidogion Cymru, yr Ysgrifennydd Gwladol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol neu grŵp comisiynu clinigol'.

**Gwenda Thomas**

**189**

Section 61, page 45, leave out lines 32 to 34.

Adran 61, tudalen 45, hepgorer llinellau 36 hyd at 39.

**William Graham**

**127**

Section 62, page 46, after line 8, insert –

'(c) act in the best interests of the child.'

Adran 62, tudalen 46, ar ôl llinell 9, mewnosoder –

'(c) gweithredu er lles pennaf y plentyn.'

**Gwenda Thomas**

**435**

Section 62, page 46, line 18, leave out 'specified' and insert 'set out'.

Adran 62, tudalen 46, llinell 21, hepgorer 'bennir' a mewnosoder 'nodir'.

**Elin Jones**

**482**

Section 62, page 46, line 23, after 'background', insert 'particularly in relation to a child whose first language is Welsh'.

*An amendment relating to the promotion of Welsh language service provision.*

Adran 62, tudalen 46, llinell 25, ar ôl 'plentyn', mewnosoder 'yn enwedig mewn perthynas â phlentyn y mae'r Gymraeg yn iaith gyntaf iddo'.

*Gwelliant ynghylch hyrwyddo'r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**Gwenda Thomas**

**436**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 65, tudalen 47, llinell 12, hepgorer 'dan' a mewnosoder 'fewn'.

**Gwenda Thomas**

**190**

Section 65, page 48, line 12, leave out 'the local authority'.

Adran 65, tudalen 48, llinell 12, hepgorer 'fo'r awdurdod lleol'.



**Gwenda Thomas** **191**

Section 65, page 48, leave out line 13 and insert –

‘( ) the local authority is satisfied that C ought to be placed for adoption and proposes to place C for adoption with a particular prospective adopter (“A”),’.

Adran 65, tudalen 48, hepgorer llinell 13 a mewnosoder –

‘( ) fo’r awdurdod lleol wedi ei fodloni y dylai C gael ei leoli ar gyfer ei fabwysiadu ac yn bwriadu lleoli C i’w fabwysiadu gyda darpar fabwysiadydd penodol (“A”),’.

**Gwenda Thomas** **192**

Section 65, page 48, line 14, leave out ‘has decided that C ought to be placed for adoption with a person who is a local authority foster parent and has been approved as a prospective adopter’ and insert ‘an adoption agency has determined that A is suitable to adopt a child’.

Adran 65, tudalen 48, llinell 14, hepgorer ‘wedi penderfynu y dylai C gael ei leoli ar gyfer ei fabwysiadu gan berson sy’n rhiant maeth awdurdod lleol ac sydd wedi ei gymeradwyo fel darpar fabwysiadydd’ a mewnosoder ‘fo asiantaeth fabwysiadu wedi dyfarnu bod A yn addas i fabwysiadu plentyn’.

**Gwenda Thomas** **193**

Section 65, page 48, at the beginning of line 16, insert ‘the local authority’.

Adran 65, tudalen 48, llinell 17, hepgorer ‘heb awdurdod’ a mewnosoder ‘na fo’r awdurdod lleol wedi ei awdurdodi’.

**Gwenda Thomas** **194**

Section 65, page 48, line 17, leave out ‘the local authority foster parent mentioned in subsection (10)(b)’ and insert ‘A’.

Adran 65, tudalen 48, llinell 18, hepgorer ‘gyda rhiant maeth yr awdurdod lleol a grybwyllwyd yn is-adran (10)(b)’ a mewnosoder ‘gydag A’.

**Gwenda Thomas** **195**

Section 65, page 48, line 21, after ‘(10),’, insert ‘“adoption agency” has the meaning given by section 2 of the Adoption and Children Act 2002;’.

Adran 65, tudalen 48, llinell 23, ar ôl ‘(10),’, mewnosoder ‘mae i “asiantaeth fabwysiadu” yr ystyr a roddir i “adoption agency” gan adran 2 o Ddeddf Mabwysiadu a Phlant 2002;’.

**Gwenda Thomas** **196**

Section 65, page 48, line 23, leave out ‘the Adoption and Children Act 2002’ and insert ‘that Act’.

Adran 65, tudalen 48, llinell 25, hepgorer ‘o Ddeddf Mabwysiadu a Phlant 2002’ a mewnosoder ‘o’r Ddeddf honno’.

**Gwenda Thomas** 197

Section 65, page 48, line 25, leave out 'under' at the first place where it appears.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 198

Section 65, page 48, line 27, leave out 'or (11)'.

Adran 65, tudalen 48, llinell 29, hepgorer 'neu (11)'.

**Gwenda Thomas** 199

Section 65, page 48, line 29, after 'parent', insert 'under subsection (5) or with a prospective adopter under subsection (11)'.

Adran 65, tudalen 48, llinell 31, ar ôl 'lleol', mewnosoder 'o dan is-adran (5) neu gyda darpar fabwysiaddd o dan is-adran (11)'.

**Gwenda Thomas** 200

Section 65, page 48, line 32, leave out subsection (14).

Adran 65, tudalen 48, llinell 34, hepgorer is-adran (14).

**Gwenda Thomas** 437

Section 67, page 49, line 23, leave out 'review' and insert 'the review and revision'.

Adran 67, tudalen 49, llinell 24, hepgorer 'adolygu'r' a mewnosoder 'adolygu a diwygio'.

**Gwenda Thomas** 438

Section 67, page 49, line 25, leave out 'or review a plan under this section at the same time as it or another body is preparing or reviewing' and insert ', review or revise a plan under this section at the same time as it or another body is preparing, reviewing or revising'.

Adran 67, tudalen 49, llinell 26, hepgorer 'neu adolygu cynllun o dan yr adran hon ar yr un adeg ag y mae ef neu gorff arall yn llunio neu yn adolygu' a mewnosoder ', adolygu neu ddiwygio cynllun o dan yr adran hon yr un pryd ag y mae ef neu gorff arall yn llunio, adolygu neu ddiwygio'.

**Gwenda Thomas** 201

Section 67, page 49, after line 32, insert—

- '(7) Any part of a plan maintained under this section which meets the requirements imposed by or under section 31A of the Children Act 1989 may be treated for the purposes of that Act as a plan prepared under section 31A of that Act.'

Adran 67, tudalen 49, ar ôl llinell 32, mewnosoder –

- (7) Caniateir i unrhyw ran o gynllun a gynhelir o dan yr adran hon sy'n bodloni'r gofynion a osodir gan neu o dan adran 31A o Ddeddf Plant 1989 gael ei thrin at ddibenion y Ddeddf honno fel cynllun a lunnir o dan adran 31A o'r Ddeddf honno.'

**Gwenda Thomas** 439

Section 68, page 50, line 1, leave out 'and review' and insert ', review or revision'.

Adran 68, tudalen 50, llinell 1, hepgorer 'ac adolygu' a mewnosoder ', adolygu neu ddiwygio'.

**Gwenda Thomas** 440

Section 68, page 50, line 3, leave out 'or reviewed' and insert ', reviewed or revised'.

Adran 68, tudalen 50, llinell 3, hepgorer 'neu eu hadolygu' a mewnosoder ', eu hadolygu neu eu diwygio'.

**Gwenda Thomas** 441

Section 68, page 50, line 5, after 'review', insert 'or revision'.

Adran 68, tudalen 50, llinell 6, ar ôl 'adolygu', mewnosoder 'neu ddiwygio'.

**Gwenda Thomas** 297

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 68, tudalen 50, llinell 8, hepgorer 'ganiatâd' a mewnosoder 'gydsyniad'.

**Gwenda Thomas** 231

Schedule 1, page 114, after line 30, insert –

*'Service of contribution notice*

- 6 (1) A contribution notice required under this Schedule to be served on a contributor may be served on the contributor –
- (a) by being delivered personally to the contributor, or
  - (b) by being sent to the contributor –
    - (i) by a registered post service (as defined by section 125(1) of the Postal Services Act 2000), or
    - (ii) by a postal service which provides for the delivery of the document to be recorded.
- (2) For the purposes of section 7 of the Interpretation Act 1978 in its application to this paragraph, a contributor's proper address is the contributor's last known address.'

Atodlen 1, tudalen 114, ar ôl llinell 34, mewnosoder –

*‘Cyflwyno hysbysiad cyfrannu*

- 6 (1) Caniateir i hysbysiad cyfrannu y mae’n ofynnol ei gyflwyno i gyfrannwr o dan yr Atodlen hon gael ei gyflwyno i’r cyfrannwr –
- (a) drwy ei ddsbarthu’n bersonol i’r cyfrannwr, neu
  - (b) drwy ei anfon at y cyfrannwr –
    - (i) drwy wasanaeth post cofrestredig (fel y diffinnir “*registered post service*” gan adran 125(1) o Ddeddf Gwasanaethau Post 2000), neu
    - (ii) drwy wasanaeth post sy’n darparu i ddsbarthiad y ddogfen gael ei gofnodi.
- (2) At ddibenion adran 7 o Ddeddf Ddehongli 1978 o ran ei chymhwyso i’r paragraff hwn, cyfeiriad priodol cyfrannwr yw cyfeiriad hysbys diwethaf y cyfrannwr.’.

**Gwenda Thomas** 202

Section 76, page 51, line 24, after ‘parents’, insert ‘or prospective adopters’.

Adran 76, tudalen 51, llinell 24, ar ôl ‘lleol’, mewnosoder ‘neu ddarpar fabwysiadwyr’.

**Gwenda Thomas** 203

Section 76, page 51, line 28, after ‘parent’, insert ‘or prospective adopter’.

Adran 76, tudalen 51, llinell 28, ar ôl ‘lleol’, mewnosoder ‘neu’r darpar fabwysiadydd’.

**Elin Jones** 494

Section 76, page 51, after line 32, insert –

- ‘( ) for securing that a child is placed with a foster parent whose first language is the same as the language of choice of the child particularly where the child’s language of choice is Welsh.’.

*An amendment relating to the promotion of welsh language service provision.*

Adran 76, tudalen 51, ar ôl llinell 32, mewnosoder –

- ‘( ) i sicrhau bod plentyn yn cael ei leoli gyda rhiant maeth sydd â’r un iaith gyntaf â dewis iaith y plentyn, yn enwedig os mai Cymraeg yw dewis iaith y plentyn.’.

*Gwelliant ynghylch hyrwyddo’r gwasanaethau a ddarperir drwy gyfrwng y Gymraeg.*

**Gwenda Thomas** 204

Section 76, page 51, line 33, after ‘parents’, insert ‘or prospective adopters’.

Adran 76, tudalen 51, llinell 33, ar ôl ‘lleol’, mewnosoder ‘neu ddarpar fabwysiadwyr’.

**Gwenda Thomas** **205**

Section 76, page 51, after line 36, insert –

‘In this section “prospective adopter” means a person with whom a child is placed under section 65(11).’.

Adran 76, tudalen 51, ar ôl llinell 36, mewnosoder –

‘Yn yr adran hon ystyr “darpar fabwysiaddd” yw person y lleolir y plentyn gydag ef o dan adran 65(11).’.

**Gwenda Thomas** **143**

Section 77, page 52, line 34, leave out ‘directions’ and insert ‘direction’.

Adran 77, tudalen 52, llinell 34, hepgorer ‘gyfarwyddiadau’ a mewnosoder ‘gyfarwyddyd’.

**Gwenda Thomas** **442**

Section 77, page 52, line 34, leave out ‘them’ and insert ‘the Welsh Ministers’.

Adran 77, tudalen 52, llinell 34, hepgorer ‘ganddynt’ a mewnosoder ‘gan Weinidogion Cymru’.

**Gwenda Thomas** **144**

Section 77, page 52, line 38, leave out ‘sub-paragraph’ and insert ‘subsection’.

Adran 77, tudalen 52, llinell 38, hepgorer ‘is-baragraff’ a mewnosoder ‘is-adran’.

**Gwenda Thomas** **145**

Section 77, page 52, after line 39, insert –

‘() A direction under subsection (7) –

(a) must be in writing;

(b) may be varied or revoked by a later direction.’.

Adran 77, tudalen 52, ar ôl llinell 39, mewnosoder –

‘() O ran cyfarwyddyd o dan is-adran (7) –

(a) rhaid iddo fod yn ysgrifenedig;

(b) caniateir iddo gael ei amrywio neu ei ddirymu drwy gyfarwyddyd diweddarach.’.

**Gwenda Thomas** **146**

Section 77, page 53, line 1, leave out ‘paragraph’ and insert ‘section’.

Adran 77, tudalen 53, llinell 1, hepgorer ‘y paragraff hwn’ a mewnosoder ‘yr adran hon’.

**Gwenda Thomas**

**206**

Section 79, page 53, line 32, leave out '59' and insert '60'.

Adran 79, tudalen 53, llinell 32, hepgorer '59' a mewnosoder '60'.

**Gwenda Thomas**

**207**

Section 81, page 55, after line 2, insert—

'(c) a child who falls within a category specified in regulations.'

Adran 81, tudalen 55, ar ôl llinell 2, mewnosoder—

'(c) plentyn sy'n dod o fewn categori a bennir mewn rheoliadau.'

**Gwenda Thomas**

**443**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 82, tudalen 55, llinell 26, hepgorer 'dan gategori' a mewnosoder 'fewn categori'.

**Gwenda Thomas**

**208**

Section 86, page 58, line 9, after 'by', insert 'or on behalf of'.

Adran 86, tudalen 58, llinell 9, ar ôl 'gan', mewnosoder 'neu ar ran'.

**Gwenda Thomas**

**298**

Section 88, page 59, line 3, leave out '96' and insert '(section to be inserted by amendment 361)'.

Adran 88, tudalen 59, llinell 3, hepgorer '96' a mewnosoder '(yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas**

**299**

Section 88, page 59, line 8, after 'authority', insert 'or a local authority in England'.

Adran 88, tudalen 59, llinell 8, ar ôl 'lleol', mewnosoder 'neu awdurdod lleol yn Lloegr'.

**Gwenda Thomas**

**300**

Section 88, page 59, line 13, after 'authority', insert 'or a local authority in England'.

Adran 88, tudalen 59, llinell 14, ar ôl 'lleol', mewnosoder 'neu awdurdod lleol yn Lloegr'.

**Gwenda Thomas**

**301**

Section 88, page 59, line 14, leave out 'was, before last ceasing to be looked after,' and insert 'immediately before ceasing to be looked after, was'.

Adran 88, tudalen 59, llinell 15, hepgorer 'cyn y tro olaf' a mewnosoder 'yn union cyn'.

**Gwenda Thomas**

**302**

Section 88, page 59, line 15, leave out –

‘who –

- (a) has attained the age of 18, and
  - (i) has been a category 2 young person, or
  - (ii) was being looked after by a local authority when the young person attained the age of 18 and, immediately before ceasing to be looked after, was a category 1 young person, and
- (b) either –
  - (i) has not attained the age of 21, or
  - (ii) has attained the age of 21 and is pursuing or wishes to pursue a programme of education or training which starts before the person attains the age of 25;’

And insert –

‘aged 18 or over who –

- ( ) has been a category 2 young person (and would continue to be so if he or she were under the age of 18), or
- ( ) was being looked after by a local authority when he or she reached the age of 18 and, immediately before ceasing to be looked after, was a category 1 young person;

“category 4 young person” means a person who –

- (a) is a category 3 young person towards whom the duties under sections 89, 90, 91(3) and (7) and 93 have ceased to apply (see section (*section to be inserted by amendment 341*)),
- (b) has informed the responsible local authority that he or she is pursuing, or wishes to pursue, a programme of education or training, and
- (c) has not reached the age of 25 or any lower age specified;’.

Adran 88, tudalen 59, llinell 17, hepgorer –

‘ –

- (a) sydd wedi cyrraedd 18 oed, ac
  - (i) sydd wedi bod yn berson ifanc categori 2, neu
  - (ii) a oedd yn derbyn gofal gan awdurdod lleol pan gyrhaeddodd 18 oed, ac, yn union cyn i’r gofal a ddarparwyd iddo ddod i ben, oedd yn berson ifanc categori 1, a
- (b) naill ai –
  - (i) sydd heb gyrraedd 21 oed, neu
  - (ii) sydd wedi cyrraedd 21 oed, ac sy’n dilyn neu sy’n dymuno dilyn rhaglen addysg neu hyfforddiant sy’n dechrau cyn i’r person gyrraedd 25 oed;’

A mewnosoder –

‘sy’n 18 oed neu drosodd –

- ( ) sydd wedi bod yn berson ifanc categori 2 (ac a fyddai’n parhau i fod felly pe bai o dan 18 oed), neu
- ( ) a oedd yn derbyn gofal gan awdurdod lleol pan gyrhaeddodd 18 oed ac a oedd, yn union cyn i’r gofal a ddarparwyd iddo ddod i ben, yn berson ifanc categori 1;

ystyr “person ifanc categori 4” yw person –

- (a) sy’n berson ifanc categori 3 y mae’r dyletswyddau o dan adrannau 89, 90, 91(3) a (7) a 93 wedi peidio â bod yn gymwys iddo (gweler adran (*yr adran sy’n cael ei fewnosod gan welliant 341*)),
- (b) sydd wedi hysbysu’r awdurdod lleol cyfrifol ei fod yn dilyn, neu ei fod yn dymuno dilyn, rhaglen addysg neu hyfforddiant, ac
- (c) sydd heb gyrraedd 25 oed neu unrhyw oedran is a bennir;’.

**Gwenda Thomas**

**303**

Section 88, page 59, line 26, leave out ‘4 young person’ means a person who’ and insert ‘5 young person’ means a person’.

Adran 88, tudalen 59, llinell 28, hepgorer ‘4’ a mewnosoder ‘5’.

**Gwenda Thomas**

**304**

Section 88, page 59, line 27, leave out ‘has attained the age of 16 but has not attained’ and insert ‘who has reached the age of 16 but has not yet reached’.

Adran 88, tudalen 59, llinell 29, ar ôl ‘oed’ yn yr ail le y mae’n ymddangos, mewnosoder ‘eto’.

**Gwenda Thomas**

**306**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 88, tudalen 59, llinell 30, hepgorer ‘gwarchodaeth’ a mewnosoder ‘gwarcheidiaeth’.

**Gwenda Thomas**

**305**

Section 88, page 59, line 29, leave out ‘attained the age of 18, was in force when he or she attained’ and insert ‘reached the age of 18, was in force when he or she reached’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas**

**307**

Section 88, page 59, line 33, leave out –

‘5 young person’ means a person, not being a category 4 young person, who –

- (a) has not attained the age of 21, and



- (b) at any time after attaining the age of 16 but while still a child was, but is no longer, looked after, accommodated or fostered;

And insert –

‘6 young person’ means a person, other than a category 5 young person, who –

- ( ) at any time after reaching the age of 16 but while still a child was, but is no longer, looked after, accommodated or fostered,
- ( ) if so accommodated or fostered, is now within Wales, and
- ( ) has not yet reached the age of 21.’.

Adran 88, tudalen 59, llinell 35, hepgorer –

‘5’ yw person ifanc, nad yw’n berson ifanc categori 4 –

- (a) sydd heb gyrraedd 21 oed, a
- (b) a oedd, ar unrhyw adeg ar ôl cyrraedd 16 oed ond tra oedd yn dal yn blentyn, yn derbyn gofal neu wedi ei letya neu ei faethu ond nad yw’n derbyn gofal nac yn cael ei letya na’i faethu mwyach’

A mewnosoder –

‘6’ yw person, ac eithrio person ifanc categori 5 –

- ( ) a oedd, ar unrhyw adeg ar ôl cyrraedd 16 oed ond tra oedd yn dal yn blentyn, yn derbyn gofal neu wedi ei letya neu ei faethu ond nad yw’n derbyn gofal nac yn cael ei letya na’i faethu mwyach,
- ( ) os oedd wedi ei letya neu ei faethu felly, sydd bellach o fewn Cymru, ac
- ( ) sydd heb gyrraedd 21 oed eto’.

**Gwenda Thomas**

**308**

Section 88, page 60, line 3, leave out ‘5’ and insert ‘6’.

Adran 88, tudalen 60, llinell 4, hepgorer ‘5’ a mewnosoder ‘6’.

**Gwenda Thomas**

**309**

Section 88, page 60, line 5, after ‘authority’, insert ‘(without subsequently being looked after by a local authority in England)’.

Adran 88, tudalen 60, llinell 6, ar ôl ‘lleol’, mewnosoder ‘(heb fod yn derbyn gofal wedyn gan awdurdod lleol yn Lloegr)’.

**Gwenda Thomas**

**310**

Section 88, page 60, line 9, leave out –

- ‘any Local Health Board, Special Health Authority or Primary Care Trust or by a local authority in the exercise of education functions, or
- (ii) in any care home or independent hospital or in any accommodation provided by a NHS’

And insert—

- ‘or on behalf of a Local Health Board or Special Health Authority,
- ( ) by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board,
  - ( ) by or on behalf of a local authority in the exercise of education functions,
  - ( ) by or on behalf of a local authority in England in the exercise of education functions,
  - ( ) in any care home or independent hospital, or
  - ( ) in any accommodation provided by or on behalf of an NHS Trust or by or on behalf of an NHS Foundation’.

Adran 88, tudalen 60, llinell 10, hepgorer—

- ‘unrhyw Fwrdd Iechyd Lleol, Awdurdod Iechyd Arbennig neu Ymddiriedolaeth Gofal Sylfaenol neu gan awdurdod lleol wrth arfer swyddogaethau addysg, neu
- (ii) mewn unrhyw gartref gofal neu ysbyty annibynnol, neu mewn unrhyw lety a ddarperir gan ymddiriedolaeth’

A mewnosoder—

- ‘neu ar ran Bwrdd Iechyd Lleol neu Awdurdod Iechyd Arbennig,
- ( ) gan neu ar ran grŵp comisiynu clinigol neu Fwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol,
  - ( ) gan neu ar ran awdurdod lleol wrth arfer swyddogaethau addysg,
  - ( ) gan neu ar ran awdurdod lleol yn Lloegr wrth arfer swyddogaethau addysg,
  - ( ) mewn unrhyw gartref gofal neu ysbyty annibynnol, neu
  - ( ) mewn unrhyw lety a ddarperir gan neu ar ran Ymddiriedolaeth GIG neu gan neu ar ran Ymddiriedolaeth Sefydliad’.

**Gwenda Thomas**

**209**

Section 88, page 60, line 13, after ‘fostered’, insert ‘(within the meaning of section 66 of the Children Act 1989)’.

Adran 88, tudalen 60, llinell 15, ar ôl ‘breifat’, mewnosoder ‘(o fewn ystyr adran 66 o Ddeddf Plant 1989)’.

**Gwenda Thomas**

**311**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 88, tudalen 60, llinell 18, ar ôl ‘“awdurdod’ yn yr ail le y mae’n ymddangos, mewnosoder ‘lleol’.

**Gwenda Thomas**

**312**

Section 88, page 60, line 16, leave out 'in relation to a young person'.

Adran 88, tudalen 60, llinell 18, hepgorer ' , o ran person ifanc,'.

**Gwenda Thomas**

**313**

Section 88, page 60, line 19, leave out 'or category 3 young person or a category 5 young person who was looked after by a local authority, the one' and insert ' , category 3 or category 4 young person, the local authority'.

Adran 88, tudalen 60, llinell 22, hepgorer 'neu gategori 3 neu berson ifanc categori 5 a oedd yn derbyn gofal gan awdurdod lleol, yr un olaf a fu'n gofalu am y person hwnnw' a mewnosoder ' , categori 3 neu gategori 4, yr awdurdod lleol a fu'n gofalu am y person hwnnw olaf'.

**Gwenda Thomas**

**314**

Section 88, page 60, line 22, leave out '4' and insert '5'.

Adran 88, tudalen 60, llinell 25, hepgorer '4' a mewnosoder '5'.

**Gwenda Thomas**

**315**

Section 88, page 60, after line 23, insert –

'( ) in relation to a category 6 young person falling within that category by virtue of paragraph (a) of subsection (3), the local authority which last looked after that person;'

Adran 88, tudalen 60, ar ôl llinell 26, mewnosoder –

'( ) mewn perthynas â pherson ifanc categori 6 sy'n dod o fewn y categori hwnnw yn rhinwedd paragraff (a) o is-adran (3), yr awdurdod lleol a fu'n gofalu am y person hwnnw olaf;'

**Gwenda Thomas**

**316**

Section 88, page 60, line 24, leave out '5 young person falling within paragraph (b) or (c) of subsection (3)' and insert '6 young person falling within that category by virtue of any other paragraph of that subsection'.

Adran 88, tudalen 60, llinell 27, hepgorer '5 sy'n dod o fewn paragraffau (b) neu (c) o is-adran (3)' a mewnosoder '6 sy'n dod o fewn y categori hwnnw yn rhinwedd unrhyw baragraff arall o'r is-adran honno'.

**Gwenda Thomas**

**317**

Section 88, page 60, line 26, leave out subsection (6).

Adran 88, tudalen 60, llinell 29, hepgorer is-adran (6).

**Gwenda Thomas** 318

Section 88, page 60, line 31, leave out 'duties under sections 89 to 94' and insert 'powers or duties under sections 89 to (section to be inserted by amendment 361)'.

Adran 88, tudalen 60, llinell 34, hepgorer 'dyletswyddau yn adrannau 89 i 94' a mewnosoder 'pwerau neu'r dyletswyddau o dan adrannau 89 i (yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas** 319

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 89, tudalen 61, llinell 9, hepgorer 'i awdurdod lleol' a mewnosoder 'i'r awdurdod lleol cyfrifol'.

**Gwenda Thomas** 320

Section 89, page 61, after line 11, insert—

'() In the case of a category 3 young person, the duties under subsections (1) and (2) are subject to section (section to be inserted by amendment 341)'.

Adran 89, tudalen 61, ar ôl llinell 11, mewnosoder—

'() Yn achos person ifanc categori 3, mae'r dyletswyddau o dan is-adrannau (1) a (2) yn ddarostyngedig i adran (yr adran sy'n cael ei fewnosod gan welliant 341)'.

**Gwenda Thomas** 321

Section 89, page 61, line 12, leave out '5 young person must take reasonable steps to contact the young person at such times as it thinks appropriate with a view to discharging its functions under section 94' and insert '6 young person falling within that category by virtue of section 88(3)(a) must take reasonable steps to contact the young person at such times as it thinks appropriate with a view to discharging its functions under section (section to be inserted by amendment 361)'.

Adran 89, tudalen 61, llinell 12, hepgorer 'i awdurdod lleol sy'n awdurdod lleol cyfrifol i berson ifanc categori 5 gymryd camau rhesymol i gysylltu â'r person ifanc ar y fath adegau y mae'n eu hystyried yn briodol gyda golwg ar gyflawni ei swyddogaethau o dan adran 94' a mewnosoder 'i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 6 sy'n dod o fewn y categori hwnnw yn rhinwedd adran 88(3)(a) gymryd camau rhesymol i gysylltu â'r person ifanc ar yr adegau hynny y mae'n eu hystyried yn briodol gyda golwg ar gyflawni ei swyddogaethau o dan adran (yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas** 322

Section 90, page 61, after line 21, insert—

'(d) a category 4 young person'.

Adran 90, tudalen 61, ar ôl llinell 21, mewnosoder—

'(d) person ifanc categori 4'.

**Gwenda Thomas** 323

Section 90, page 61, after line 21, insert –

‘( ) The duty under subsection (1) –

- (a) in the case of a category 3 young person, is subject to section (*section to be inserted by amendment 341*);
- (b) in the case of a category 4 young person, is subject to section (*section to be inserted by amendment 343*).’.

Adran 90, tudalen 61, ar ôl llinell 21, mewnosoder –

‘( ) Mae’r ddyletswydd o dan is-adran (1) –

- (a) yn achos person ifanc categori 3, yn ddarostyngedig i adran (*yr adran sy’n cael ei fewnosod gan welliant 341*);
- (b) yn achos person ifanc categori 4, yn ddarostyngedig i adran (*yr adran sy’n cael ei fewnosod gan welliant 343*).’.

**Gwenda Thomas** 324

Section 90, page 61, line 22, leave out subsection (3).

Adran 90, tudalen 61, llinell 22, hepgorer is-adran (3).

**Gwenda Thomas** 325

Section 91, page 61, line 29, leave out ‘, assistance and’ and insert ‘and other’.

Adran 91, tudalen 61, llinell 30, hepgorer ‘, cynhorthwy a chymorth’ a mewnosoder ‘a chymorth arall’.

**Gwenda Thomas** 326

Section 91, page 61, line 36, leave out ‘, assistance and’ and insert ‘and other’.

Adran 91, tudalen 61, llinell 36, hepgorer ‘, cynhorthwy a chymorth’ a mewnosoder ‘a chymorth arall’.

**Gwenda Thomas** 327

Section 91, page 62, line 1, leave out ‘this section’ and insert ‘subsection (1) or (2)’.

Adran 91, tudalen 62, llinell 1, hepgorer ‘yr adran hon’ a mewnosoder ‘is-adran (1) neu (2)’.

**Gwenda Thomas** 328

Section 91, page 62, line 3, after ‘3’, insert ‘(but see subsection (*first subsection to be inserted by amendment 334*))’.

Adran 91, tudalen 62, llinell 2, ar ôl ‘3’, mewnosoder ‘(ond gweler is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 334*))’.

**Gwenda Thomas**

**329**

Section 91, page 62, after line 3, insert—

- '( ) The responsible local authority for a category 4 young person must carry out an assessment of the young person's needs with a view to determining what advice and other support (if any) it would be appropriate for it to provide to the young person under this Part.
- ( ) In conducting an assessment under subsection (*first subsection to be inserted by amendment 329*), the local authority may take into account any duty that it may have to make a payment to the young person under section (*section to be inserted by amendment 342*)(2).
- ( ) After conducting an assessment under subsection (*first subsection to be inserted by amendment 329*), the local authority must prepare a pathway plan.'

Adran 91, tudalen 62, ar ôl llinell 2, mewnosoder—

- '( ) Rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 4 gynnal asesiad o anghenion y person ifanc gyda golwg ar ddyfarnu pa gyngor a chymorth arall (os oes cyngor a chymorth arall) y byddai'n briodol iddo eu darparu i'r person ifanc o dan y Rhan hon.
- ( ) Wrth gynnal asesiad o dan is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 329*), caiff yr awdurdod lleol ystyried unrhyw ddyletswydd a all fod ganddo i wneud taliad i'r person ifanc o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 342*)(2).
- ( ) Ar ôl cynnal asesiad o dan is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 329*), rhaid i'r awdurdod lleol lunio cynllun llwybr.'

**Gwenda Thomas**

**330**

Section 91, page 62, line 6, leave out ' , assistance and' and insert 'and other'.

Adran 91, tudalen 62, llinell 5, hepgorer ' , y cynhorthwy a'r cymorth' a mewnosoder 'a'r cymorth arall'.

**Gwenda Thomas**

**331**

Section 91, page 62, line 10, leave out 'or category 3 young person, the advice, assistance and support which the local authority intends to provide' and insert ' , category 3 or category 4 young person, the advice and other support which the local authority intends to provide for the young person'.

Adran 91, tudalen 62, llinell 9, hepgorer 'neu categori 3, y cyngor, y cynhorthwy a'r cymorth y mae'r awdurdod lleol yn bwriadu eu darparu' a mewnosoder ' , categori 3 neu categori 4, y cyngor a'r cymorth arall y mae'r awdurdod lleol yn bwriadu eu darparu i'r person ifanc'.

**Gwenda Thomas**

**332**

Section 91, page 62, line 16, leave out 'who is' and insert 'the persons who are'.

Adran 91, tudalen 62, llinell 15, hepgorer 'â phwy y dylid ymgynghori' a mewnosoder 'y personau y dylid ymgynghori â hwy'.

**Gwenda Thomas** 333

Section 91, page 62, line 21, after 'review', insert '(but see subsections (*first subsection to be inserted by amendment 334*) and (*second subsection to be inserted by amendment 334*))'.

Adran 91, tudalen 62, llinell 19, ar ôl 'gyson', mewnosoder '(ond gweler is-adrannau (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 334*) a (*yr ail is-adran sy'n cael ei fewnosod gan welliant 334*))'.

**Gwenda Thomas** 334

Section 91, page 62, after line 23, insert—

- (9) In the case of a category 3 young person, the duties under subsections (3) and (7) are subject to section (*section to be inserted by amendment 341*).
- (10) In the case of a category 4 young person, the duty under subsection (7) is subject to section (*section to be inserted by amendment 343*).

Adran 91, tudalen 62, ar ôl llinell 21, mewnosoder—

- (9) Yn achos person ifanc categori 3, mae'r dyletswyddau o dan is-adrannau (3) a (7) yn ddarostyngedig i adran (*yr adran sy'n cael ei fewnosod gan welliant 341*).
- (10) Yn achos person ifanc categori 4, mae'r ddyletswydd o dan is-adran (7) yn ddarostyngedig i adran (*yr adran sy'n cael ei fewnosod gan welliant 343*).

**Gwenda Thomas** 335

Section 92, page 62, line 25, leave out 'A local authority which is'.

Adran 92, tudalen 62, llinell 23, hepgorer 'i awdurdod lleol sydd yn awdurdod lleol cyfrifol dros' a mewnosoder 'i'r awdurdod lleol sy'n gyfrifol am'.

**Gwenda Thomas** 336

Section 92, page 62, line 35, leave out 'Subsections (4) and (5) of section 62 apply in relation to any decision by a local authority for the purposes of this section as they apply' and insert 'Section 62(3) applies in relation to any decision by a local authority for the purposes of this section as it applies'.

Adran 92, tudalen 62, llinell 32, hepgorer 'is-adrannau (4) a (5) o adran 62 yn gymwys mewn perthynas ag unrhyw benderfyniad gan awdurdod lleol at ddibenion yr adran hon fel y bônt yn' a mewnosoder 'adran 62(3) yn gymwys mewn perthynas ag unrhyw benderfyniad gan awdurdod lleol at ddibenion yr adran hon fel y bo'n'.

**Gwenda Thomas** 337

Section 93, page 63, line 2, leave out 'A local authority which is'.

Adran 93, tudalen 63, llinell 2, hepgorer 'i awdurdod lleol sy'n awdurdod lleol cyfrifol dros' a mewnosoder 'i'r awdurdod lleol sy'n gyfrifol am'.

**Gwenda Thomas**

**338**

Section 93, page 63, line 3, leave out –

‘(to the extent that the young person’s well-being requires it) by –

- (a) contributing to expenses incurred by the young person in living near the place where he or she is, or will be, employed or seeking employment;
- (b) contributing to expenses incurred by the young person in living near the place where he or she is, or will be, receiving education or training;
- (c) making a grant to the young person to enable him or her to meet expenses connected with his or her education or training;
- (d) doing anything else it considers appropriate.’

And insert –

‘by –

- ( ) contributing, to the extent that the young person’s well-being requires it, to expenses incurred by the young person in living near the place where he or she is, or will be, employed or seeking employment;
- ( ) contributing, to the extent that the young person’s well-being and educational or training needs require it, to expenses incurred by the young person in living near the place where he or she is, or will be, receiving education or training;
- ( ) making a grant to the young person, to the extent that the young person’s well-being and educational or training needs require it, to enable him or her to meet expenses connected with his or her education or training;
- ( ) doing anything else it considers appropriate, to the extent that the young person’s well-being requires it.’

Adran 93, tudalen 63, llinell 3, hepgorer –

‘(i’r graddau y bo’n ofynnol i’w lesiant) drwy –

- (a) cyfrannu at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i’r man lle y mae, neu y bydd, yn cael ei gyflogi neu yn chwilio am waith cyflogedig;
- (b) cyfrannu at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos at y man lle mae, neu y bydd, yn derbyn addysg neu hyfforddiant;
- (c) gwneud grant i’r person ifanc i’w alluogi i gwrdd â threuliau sy’n gysylltiedig â’i addysg neu ei hyfforddiant;
- (d) gwneud unrhyw beth arall sy’n briodol yn ei farn ef.’

A mewnosoder –

‘drwy –

- ( ) cyfrannu, i’r graddau y bo’n ofynnol i lesiant y person ifanc, at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i’r man lle y mae, neu y bydd, yn cael ei gyflogi neu yn chwilio am waith cyflogedig;
- ( ) cyfrannu, i’r graddau y bo’n ofynnol i lesiant ac anghenion addysg neu hyfforddiant y person ifanc, at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i’r man lle y mae, neu y bydd, yn derbyn addysg neu hyfforddiant;



- ( ) gwneud grant i'r person ifanc, i'r graddau y bo'n ofynnol i lesiant ac anghenion addysg neu hyfforddiant y person ifanc, i'w alluogi i dalu treuliau sy'n gysylltiedig â'i addysg neu ei hyfforddiant;
- ( ) gwneud unrhyw beth arall sy'n briodol yn ei farn ef, i'r graddau y bo'n ofynnol i lesiant y person ifanc.'.

**Gwenda Thomas**

339

Section 93, page 63, line 12, leave out '(1) may be in kind or, in exceptional circumstances,' and insert '(1)(d) may be in kind or'.

Adran 93, tudalen 63, llinell 11, hepgorer '(1) fod ar ffurf da neu, o dan amgylchiadau eithriadol,' a mewnosoder '(1)(d) fod ar ffurf da neu'.

**Gwenda Thomas**

340

Section 93, page 63, line 14, leave out subsections (3) to (6) and insert –

- '( ) The responsible local authority for a category 3 young person who pursues higher education in accordance with his or her pathway plan must pay the relevant amount to that young person.
- ( ) The duty under subsection (*first subsection to be inserted by amendment 340*) is in addition to the responsible local authority's duty under subsection (1).
- ( ) Subsection (*fourth subsection to be inserted by amendment 340*) applies where the responsible local authority for a category 3 young person is satisfied that the young person –
  - (a) is in full-time further or higher education,
  - (b) is being given support under subsection (1)(*second paragraph to be inserted by amendment 338*) or (*third paragraph to be inserted by amendment 338*) or has received a payment under subsection (*first subsection to be inserted by amendment 340*), and
  - (c) needs accommodation during a vacation because term-time accommodation is not available.
- ( ) The responsible authority must –
  - (a) provide the young person with suitable accommodation during the vacation, or
  - (b) pay the young person enough to secure such accommodation.
- ( ) The duties under this section are subject to section (*section to be inserted by amendment 341*).'

Adran 93, tudalen 63, llinell 13, hepgorer is-adrannau (3) hyd at (6) a mewnosoder –

- '( ) Rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 3 sy'n dilyn addysg uwch yn unol â'i gynllun llwybr dalu'r swm perthnasol i'r person ifanc hwnnw.
- ( ) Mae'r ddyletswydd o dan is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 340*) yn ychwanegol at ddyletswydd yr awdurdod lleol cyfrifol o dan is-adran (1).
- ( ) Mae is-adran (*y bedwaredd is-adran sy'n cael ei fewnosod gan welliant 340*) yn gymwys pan fo'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 3 wedi ei fodloni –
  - (a) bod y person ifanc mewn addysg bellach neu uwch lawnamser,

- (b) bod y person ifanc yn cael cymorth o dan is-adran (1)(*yr ail baragraff sy'n cael ei fewnosod gan welliant 338*) neu (*yr trydydd baragraff sy'n cael ei fewnosod gan welliant 338*) neu wedi cael taliad o dan is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 340*), ac
- (c) bod angen llety ar y person ifanc yn ystod gwyliau am nad yw llety yn ystod y tymor ar gael.
- ( ) Rhaid i'r awdurdod cyfrifol –
  - (a) darparu llety addas i'r person ifanc yn ystod y gwyliau, neu
  - (b) talu digon i'r person ifanc i sicrhau llety o'r fath.
- ( ) Mae'r dyletswyddau o dan yr adran hon yn ddarostyngedig i adran (*yr adran sy'n cael ei fewnosod gan welliant 341*).'

**Gwenda Thomas**

**341**

To insert a new section –

**'( ) Cessation of duties in relation to category 3 young people**

- (1) A responsible local authority's duties towards a category 3 young person cease when the young person reaches the age of 21, except in the circumstances set out in subsection (2).
- (2) Where the category 3 young person's pathway plan sets out a programme of education or training which extends beyond the date on which he or she reaches the age of 21 –
  - (a) the duties under section 93(1)(*second paragraph to be inserted by amendment 338*) and (*third paragraph to be inserted by amendment 338*), (*first subsection to be inserted by amendment 340*) and (*fourth subsection to be inserted by amendment 340*) continue until the young person ceases to pursue that programme, and
  - (b) the duties under sections 89, 90 and 91(3) and (7) continue concurrently with those duties and cease at the same time.
- (3) For the purposes of subsection (2)(a), the responsible local authority must disregard any interruption in the young person's pursuance of a programme of education or training if it is satisfied that the young person will resume the programme as soon as is reasonably practicable.'

I fewnosod adran newydd –

**'( ) Dyletswyddau yn dod i ben mewn perthynas â phobl ifanc categori 3**

- (1) Mae dyletswyddau awdurdod lleol cyfrifol tuag at berson ifanc categori 3 yn dod i ben pan fydd y person ifanc yn cyrraedd 21 oed, ac eithrio o dan yr amgylchiadau a nodir yn is-adran (2).
- (2) Pan fo cynllun llwybr person ifanc categori 3 yn nodi rhaglen addysg neu hyfforddiant sy'n estyn y tu hwnt i'r dyddiad y bydd y person ifanc yn cyrraedd 21 oed –
  - (a) mae'r dyletswyddau o dan adran 93(1)(*yr ail baragraff sy'n cael ei fewnosod gan welliant 338*) ac (*y trydydd baragraff sy'n cael ei fewnosod gan welliant 338*), (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 340*) a (*y bedwaredd is-adran sy'n cael ei fewnosod gan welliant 340*) yn parhau hyd nes bod y person ifanc yn peidio â dilyn

y rhaglen, a

- (b) mae'r dyletswyddau o dan adrannau 89, 90 ac 91(3) a (7) yn parhau'n gydedol â'r dyletswyddau hynny ac yn dod i ben ar yr un pryd.
- (3) At ddibenion is-adran (2)(a), rhaid i'r awdurdod lleol cyfrifol ddiystyru unrhyw amhariad ar raglen addysg neu hyfforddiant y mae'r person ifanc yn ei dilyn os yw wedi ei fodloni y bydd y person ifanc yn ailgydio yn y rhaglen cyn gynted ag y bo'n rhesymol ymarferol.'.

**Gwenda Thomas**

**342**

To insert a new section –

**'( ) Support for category 4 young people**

- (1) The responsible local authority for a category 4 young person must support that young person, to the extent that his or her educational or training needs require it, by –
  - (a) contributing to expenses incurred by the young person in living near the place where he or she is, or will be, receiving education or training;
  - (b) making a grant to the young person to enable him or her to meet expenses connected with his or her education or training.
- (2) The responsible local authority for a category 4 young person who pursues higher education in accordance with his or her pathway plan must pay the relevant amount to that young person.
- (3) The duty under subsection (2) is in addition to the responsible local authority's duty under subsection (1).
- (4) Where the responsible local authority for a category 4 young person is satisfied that the young person is in full-time further or higher education and needs accommodation during a vacation because term-time accommodation is not available, it must –
  - (a) provide the young person with suitable accommodation during the vacation, or
  - (b) pay the young person enough to secure such accommodation.
- (5) The duties under this section are subject to section (*section to be inserted by amendment 343*).'

I fewnosod adran newydd –

**'( ) Cymorth ar gyfer pobl ifanc categori 4**

- (1) Rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 4 roi cymorth i'r person ifanc hwnnw, i'r graddau y bo'n ofynnol i'w anghenion addysg neu hyfforddiant, drwy –
  - (a) cyfrannu at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i'r man lle y mae, neu y bydd, yn derbyn addysg neu hyfforddiant;
  - (b) gwneud grant i'r person ifanc i'w alluogi i dalu treuliau sy'n gysylltiedig â'i addysg neu ei hyfforddiant.
- (2) Rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 4 sy'n dilyn addysg uwch

yn unol â'i gynllun llwybr dalu'r swm perthnasol i'r person ifanc hwnnw.

- (3) Mae'r ddyletswydd o dan is-adran (2) yn ychwanegol at ddyletswydd yr awdurdod lleol cyfrifol o dan is-adran (1).
- (4) Pan fo awdurdod lleol sy'n gyfrifol am berson ifanc categori 4 wedi ei fodloni bod y person ifanc mewn addysg bellach neu uwch lawnamser a bod arno angen llety yn ystod gwyliau am nad yw llety yn ystod y tymor ar gael, rhaid iddo—
  - (a) darparu llety addas i'r person ifanc yn ystod y gwyliau, neu
  - (b) talu digon i'r person ifanc i sicrhau llety o'r fath.
- (5) Mae'r dyletswyddau o dan yr adran hon yn ddarostyngedig i adran (*yr adran sy'n cael ei fewnosod gan welliant 343*).

**Gwenda Thomas**

**343**

To insert a new section—

**'( ) Cessation of duties in relation to category 4 young people**

- (1) A responsible local authority's duties towards a category 4 young person cease when the young person ceases to pursue a programme of education or training in accordance with his or her pathway plan.
- (2) For the purposes of subsection (1), the responsible local authority may disregard any interruption in the young person's pursuance of a programme of education or training if it is satisfied that the young person will resume the programme as soon as is reasonably practicable.'

I fewnosod adran newydd—

**'( ) Dyletswyddau yn dod i ben mewn perthynas â phobl ifanc categori 4**

- (1) Mae dyletswyddau awdurdod lleol cyfrifol tuag at berson ifanc categori 4 yn dod i ben pan fydd y person ifanc yn peidio â dilyn rhaglen addysg neu hyfforddiant yn unol â'i gynllun llwybr.
- (2) At ddibenion is-adran (1), caiff yr awdurdod lleol cyfrifol ddiystyru unrhyw amhariad ar raglen addysg neu hyfforddiant y mae'r person ifanc yn ei dilyn os yw wedi ei fodloni y bydd y person ifanc yn ailgydio yn y rhaglen cyn gynted ag y bo'n rhesymol ymarferol.'

**Gwenda Thomas**

**344**

Section 94, page 63, line 33, leave out 'A local authority which is the relevant local authority for a category 4 or' and insert 'The responsible local authority for a category'.

Adran 94, tudalen 63, llinell 31, hepgorer 'i awdurdod lleol sy'n awdurdod lleol dros berson ifanc categori 4 neu gategori' a mewnosoder 'i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori'.

**Gwenda Thomas**

**345**

Section 94, page 64, line 2, leave out 'help' and insert 'support'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 346

Section 94, page 64, line 3, leave out ‘in the case of a person who was not being looked after by any local authority,’.

Adran 94, tudalen 64, llinell 4, hepgorer ‘yn achos person nad oedd yn derbyn gofal gan unrhyw awdurdod lleol, ei fod wedi cael’ a mewnosoder ‘bod yr awdurdod lleol wedi’.

**Gwenda Thomas** 347

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 94, tudalen 64, llinell 6, hepgorer ‘i gynghori neu gyfeillio ef neu hi’ a mewnosoder ‘i’w gynghori neu ymgyfeillio ag ef’.

**Gwenda Thomas** 348

Section 94, page 64, line 8, leave out –

‘, if he or she was being looked after by a local authority or was accommodated by or on behalf of a voluntary organisation, and

(b) in any other case, the authority may advise and befriend the young person’

And insert –

‘and may give that person support in the manner described in subsection (5)’.

Adran 94, tudalen 64, llinell 8, hepgorer –

‘os oedd yn derbyn gofal gan awdurdod lleol neu’n cael ei letya gan neu ar ran sefydliad gwirfoddol, a

(b) mewn unrhyw achos, arall caiff yr awdurdod gynghori’r person ifanc ac ymgyfeillio ag ef’

A mewnosoder –

‘a chaiff roi cymorth i’r person hwnnw yn y modd a ddisgrifir yn is-adran (5)’.

**Gwenda Thomas** 349

Section 94, page 64, line 12, leave out subsection (4).

Adran 94, tudalen 64, llinell 13, hepgorer is-adran (4).

**Gwenda Thomas** 350

Section 94, page 64, line 14, after ‘be’, insert ‘given’.

Adran 94, tudalen 64, llinell 15, hepgorer ‘fod’ a mewnosoder ‘gael ei roi’.

**Gwenda Thomas** 351

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 94, tudalen 64, llinell 17, hepgorer ‘at y’ a mewnosoder ‘i’r’.

**Gwenda Thomas**

352

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 94, tudalen 64, llinell 19, hepgorer 'at y' a mewnosoder 'i'r'.

**Gwenda Thomas**

353

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 94, tudalen 64, llinell 21, hepgorer 'gwrdd â threuliau' a mewnosoder 'dalw treuliau'.

**Gwenda Thomas**

354

Section 94, page 64, leave out lines 22 to 24 and insert—

'() by providing accommodation, if support may not be given in respect of the  
accommodation under paragraphs (b) to (d);'

Adran 94, tudalen 64, hepgorer llinellau 23 hyd at 25 a mewnosoder—

'() drwy ddarparu llety, os na chaniateir i gymorth gael ei roi mewn cysylltiad â'r  
llety o dan baragraffau (b) i (d);'

**Gwenda Thomas**

355

Section 94, page 64, line 26, leave out 'of the kind described in paragraph (b),' and insert 'in the  
manner described in paragraphs'.

Adran 94, tudalen 64, llinell 27, hepgorer 'o'r fath a ddisgrifiwyd ym mharagraff (b),' a  
mewnosoder 'yn y modd a ddisgrifir ym mharagraffau'.

**Gwenda Thomas**

356

Section 94, page 64, line 29, leave out '4 or'.

Adran 94, tudalen 64, llinell 30, hepgorer '4 neu'.

**Gwenda Thomas**

357

Section 94, page 64, after line 29, insert—

'() Where a local authority is giving support in the manner described in subsection (5)(c) or  
(d) it may disregard any interruption in the young person's pursuance of a programme of  
education or training if it is satisfied that the young person will resume the programme  
as soon as is reasonably practicable.'

Adran 94, tudalen 64, ar ôl llinell 30, mewnosoder—

'() Pan fo awdurdod lleol yn rhoi cymorth yn y modd a ddisgrifir yn is-adran (5)(c) neu (d)  
caiff ddiystyru unrhyw amhariad ar raglen addysg neu hyfforddiant y mae'r person ifanc  
yn ei dilyn os yw wedi ei fodloni y bydd y person ifanc yn ailgydio yn y rhaglen cyn  
gynted ag y bo'n rhesymol ymarferol.'

**Gwenda Thomas** 358

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 94, tudalen 64, llinell 32, hepgorer 'uwch neu addysg bellach' a mewnosoder 'bellach neu uwch'.

**Gwenda Thomas** 359

Section 94, page 64, line 33, leave out 'then'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 360

Section 94, page 64, line 36, leave out subsection (8).

Adran 94, tudalen 64, llinell 36, hepgorer is-adran (8).

**Gwenda Thomas** 361

To insert a new section –

**'( ) Support for category 6 young people and former category 6 young people**

- (1) The responsible local authority for a category 6 young person must consider whether the conditions in subsection (2) are satisfied in relation to the young person.
- (2) The conditions are that –
  - (a) the young person needs support of a kind which the local authority can give under this section, and
  - (b) where the young person is a category 6 young person by virtue of section 88(3)(b) to (e), the local authority is satisfied that the person by whom the young person was being looked after, accommodated or fostered (within the meaning of that subsection) does not have the necessary facilities for advising or befriending him or her.
- (3) If the conditions are satisfied –
  - (a) the local authority must advise and befriend the young person, if that person is a category 6 young person by virtue of section 88(3)(a) or (b), and
  - (b) in any other case, the local authority may advise and befriend the young person.
- (4) Where as a result of this section, a local authority is under a duty, or is empowered, to advise and befriend a young person, it may give that person support in the manner described in subsection (5).
- (5) The support may be given –
  - (a) in kind;
  - (b) where the young person is a category 6 young person by virtue of section 88(3)(a) –
    - (i) by contributing to expenses incurred by the young person in living near the

- place where he or she is, or will be, employed or seeking employment;
- (ii) by contributing to expenses incurred by the young person in living near the place where he or she is, or will be, receiving education or training;
  - (iii) by making a grant to the young person to enable him or her to meet expenses connected with his or her education or training;
- (c) by providing accommodation, if support may not be given in respect of the accommodation under paragraph (b);
  - (d) in cash.
- (6) A local authority may also give support in the manner described in subsection (5)(b)(ii) and (iii) to a young person who—
- (a) is under the age of 25, and
  - (b) if he or she were under the age of 21, would be a category 6 young person by virtue of section 88(3)(a).
- (7) Where a local authority is giving support in the manner described in subsection (5)(b)(ii) or (iii) it may disregard any interruption in the young person's pursuance of a programme of education or training if it is satisfied that the young person will resume the programme as soon as is reasonably practicable.
- (8) Where a local authority is satisfied that a young person for whom it may provide support under subsection (4) or (6) is in full-time further or higher education and needs accommodation during a vacation because term-time accommodation is not available, it must—
- (a) provide the person with suitable accommodation during the vacation, or
  - (b) pay the person enough to secure such accommodation.'.

I fewnosod adran newydd—

- '(1) Cymorth ar gyfer pobl ifanc categori 6 a phobl ifanc a fu gynt yn bobl ifanc categori 6**
- (1) Rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 6 ystyried a fodlonwyd yr amodau yn is-adran (2) mewn perthynas â'r person ifanc.
  - (2) Yr amodau yw—
    - (a) bod ar y person angen cymorth o fath y gall yr awdurdod lleol ei roi o dan yr adran hon, a
    - (b) pan fo'r person ifanc yn berson ifanc categori 6 yn rhinwedd adran 88(3)(b) i (e), bod yr awdurdod lleol wedi ei fodloni nad oes gan y person yr oedd y person ifanc yn derbyn gofal ganddo, yn cael ei letya ganddo neu ei faethu ganddo (o fewn ystyr yr is-adran honno) y cyfleusterau angenrheidiol i'w gynghori neu ymgyfeillio ag ef.
  - (3) Os yw'r amodau wedi eu bodloni—
    - (a) rhaid i'r awdurdod lleol gynghori'r person ifanc ac ymgyfeillio ag ef, os yw'r person hwnnw yn berson ifanc categori 6 yn rhinwedd adran 88(3)(a) neu (b), a
    - (b) mewn unrhyw achos arall, caiff yr awdurdod lleol gynghori'r person ifanc ac ymgyfeillio ag ef.



- (4) Pan fo awdurdod lleol, o ganlyniad i'r adran hon, o dan ddyletswydd neu wedi ei rymuso i gynghori'r person ifanc ac ymgyfeillio ag ef, caiff roi cymorth i'r person hwnnw yn y modd a ddisgrifir yn is-adran (5).
- (5) Caiff y cymorth gael ei roi—
  - (a) ar ffurf da;
  - (b) pan fo'r person ifanc yn berson ifanc categori 6 yn rhinwedd adran 88(3)(a)—
    - (i) drwy gyfrannu at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i'r man lle y mae, neu y bydd, yn cael ei gyflogi neu yn chwilio am waith cyflogedig;
    - (ii) drwy gyfrannu at dreuliau a dynnir gan y person ifanc wrth iddo fyw yn agos i'r man lle y mae, neu y bydd, yn derbyn addysg neu hyfforddiant;
    - (iii) drwy roi grant i'r person ifanc i'w alluogi i dalu treuliau sy'n gysylltiedig â'i addysg neu ei hyfforddiant;
  - (c) drwy ddarparu llety, os na chaniateir i gymorth gael ei roi mewn cysylltiad â'r llety o dan baragraff (b);
  - (d) mewn arian parod.
- (6) Caiff awdurdod lleol hefyd roi cymorth yn y modd a ddisgrifir yn is-adran (5)(b)(ii) a (iii) i berson ifanc—
  - (a) sydd o dan 25 oed, a
  - (b) a fyddai'n berson ifanc categori 6 yn rhinwedd adran 88(3)(a), pe bai o dan 21 oed.
- (7) Pan fo awdurdod lleol yn rhoi cymorth yn y modd a ddisgrifir yn is-adran (5)(b)(ii) neu (iii) caiff ddiystyru unrhyw amhariad ar raglen addysg neu hyfforddiant y mae'r person ifanc yn ei dilyn os yw wedi ei fodloni y bydd y person ifanc yn ailgydio yn y rhaglen cyn gynted ag y bo'n rhesymol ymarferol.
- (8) Pan fo awdurdod lleol wedi ei fodloni bod person ifanc y caiff ddarparu cymorth iddo o dan is-adran (4) neu (6) mewn addysg bellach neu uwch lawnamser a bod arno angen llety yn ystod gwyliau am nad yw llety yn ystod y tymor ar gael, rhaid iddo—
  - (a) darparu llety addas i'r person yn ystod y gwyliau, neu
  - (b) talu digon i'r person i sicrhau llety o'r fath.'

**Gwenda Thomas**

**362**

To insert a new section—

**'( ) Supplementary provision about support for young persons in further or higher education**

- (1) Regulations may, for the purposes of sections 93(3) and (*section to be inserted by amendment 342*)(2)—
  - (a) specify the relevant amount;
  - (b) specify the meaning of "higher education";
  - (c) make provision as to the payment of the relevant amount;

- (d) make provision as to the circumstances in which the relevant amount (or any part of it) may be recovered by the local authority from a young person to whom a payment has been made under those provisions.
- (2) Regulations may make provision for the meaning of “full-time” (“llawnamser”), “further education” (“addysg bellach”), “higher education” (“addysg uwch”) and “vacation” (“gwylliau”) for the purposes of sections 93(5), (section to be inserted by amendment 342)(4), 94(7) and (section to be inserted by amendment 361)(8).’.

I fewnosod adran newydd –

**‘(1) Darpariaeth atodol ynghylch cymorth ar gyfer pobl ifanc mewn addysg bellach neu uwch**

- (1) Caiff rheoliadau, at ddibenion adrannau 93(3) a (yr adran sy’n cael ei fewnosod gan welliant 342)(2) –
  - (a) pennu’r swm perthnasol;
  - (b) pennu ystyr “addysg uwch”;
  - (c) gwneud darpariaeth o ran talu’r swm perthnasol;
  - (d) gwneud darpariaeth o ran yr amgylchiadau lle y caniateir i’r swm perthnasol (neu unrhyw ran ohono) gael ei adennill gan yr awdurdod lleol oddi wrth berson ifanc y gwnaed taliad iddo o dan y darpariaethau hynny.
- (2) Caiff rheoliadau wneud darpariaeth ar gyfer ystyr “addysg bellach” (“further education”), “addysg uwch” (“higher education”), “gwylliau” (“vacation”) a “llawnamser” (“full-time”) at ddibenion adrannau 93(5), (yr adran sy’n cael ei fewnosod gan welliant 342)(4), 94(7) a (yr adran sy’n cael ei fewnosod gan welliant 361)(8).’.

**Gwenda Thomas**

**363**

Section 95, page 64, line 38, leave out ‘accommodation, maintenance or support under sections 92 to 94’ and insert ‘support (other than advice) under sections 92 to (section to be inserted by amendment 361)’.

Adran 95, tudalen 64, llinell 38, hepgorer ‘lety, am gynhالياeth neu am gymorth o dan adrannau 92 i 94’ a mewnosoder ‘gymorth (ac eithrio cyngor) o dan adrannau 92 i (yr adran sy’n cael ei fewnosod gan welliant 361)’.

**Gwenda Thomas**

**364**

Section 95, page 65, line 4, leave out ‘accommodation, maintenance or’.

Adran 95, tudalen 65, llinell 4, hepgorer ‘llety, y gynhالياeth neu’r’.

**Gwenda Thomas**

**365**

Section 95, page 65, line 10, leave out ‘sections 45 and’ and insert ‘section 45 or’.

Adran 95, tudalen 65, llinell 11, hepgorer ‘adrannau 45 a’ a mewnosoder ‘adran 45 neu’.

**Gwenda Thomas** 366

Section 95, page 65, line 11, leave out 'accommodation, maintenance and'.

Adran 95, tudalen 65, llinell 12, hepgorer 'llety, cynhaliaeth a'.

**Gwenda Thomas** 210

Section 95, page 65, line 13, after 'provision', insert 'made in or'.

Adran 95, tudalen 65, llinell 14, ar ôl 'ddarpariaeth', mewnosoder 'a wneir yn neu'.

**Gwenda Thomas** 367

Section 96, page 65, line 18, after '94', insert 'or (section to be inserted by amendment 361)'.

Adran 96, tudalen 65, llinell 19, ar ôl '94', mewnosoder 'neu (yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas** 368

Section 96, page 65, line 19, leave out 'support under section 94' and insert 'other support under section 94 or (section to be inserted by amendment 361)'.

Adran 96, tudalen 65, llinell 20, hepgorer 'iddo o dan adran 94' a mewnosoder 'arall iddo o dan adran 94 neu (yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas** 369

Section 96, page 65, line 24, after 'by' at the first place where it appears, insert 'or on behalf of'.

Adran 96, tudalen 65, llinell 25, ar ôl 'gan' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'neu ar ran'.

**Gwenda Thomas** 370

Section 96, page 65, line 24, leave out 'or by' and insert—

( ) by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board,

( ) by or on behalf of'.

Adran 96, tudalen 65, llinell 25, hepgorer 'neu gan' a mewnosoder—

( ) gan neu ar ran grŵp comisiynu clinigol neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol,

( ) gan neu ar ran'.

**Gwenda Thomas** 371

Section 96, page 65, line 25, leave out 'or' and insert—

( ) by or on behalf of a local authority in England in the exercise of education functions,'.

Adran 96, tudalen 65, llinell 26, hepgorer 'neu' a mewnosoder –

( ) gan neu ar ran awdurdod lleol yn Lloegr wrth arfer swyddogaethau addysg,'.

**Gwenda Thomas**

**372**

Section 96, page 65, line 26, leave out 'or any accommodation provided by a NHS' and insert –

, or

( ) in any accommodation provided by or on behalf of an NHS Trust or by or on behalf of an NHS Foundation'.

Adran 96, tudalen 65, llinell 27, hepgorer 'neu unrhyw lety a ddarperir gan ymddiriedolaeth' a mewnosoder –

, neu

( ) mewn unrhyw lety a ddarperir gan neu ar ran Ymddiriedolaeth GIG neu gan neu ar ran Ymddiriedolaeth Sefydliad'.

**Gwenda Thomas**

**373**

Section 96, page 65, line 28, leave out 'organisation, authority or (as the case may be) person carrying on the home' and insert 'person by whom or on whose behalf the child was accommodated or who carries on or manages the home or hospital (as the case may be)'.

Adran 96, tudalen 65, llinell 29, hepgorer 'corff, yr awdurdod neu (yn ôl y digwydd) y person sy'n rhedeg y cartref' a mewnosoder 'person y cafodd y plentyn ei letya ganddo neu ar ei ran neu sy'n rhedeg neu'n rheoli'r cartref neu'r ysbyty (yn ôl y digwydd)'.

**Gwenda Thomas**

**374**

Section 96, page 65, line 31, leave out 'paragraph (b) or (c)' and insert 'paragraphs (b) to (paragraph to be inserted by amendment 372)'.

Adran 96, tudalen 65, llinell 33, hepgorer 'paragraff (b) neu (c)' a mewnosoder 'paragraffau (b) i (y paragraff sy'n cael ei fewnosod gan welliant 372)'.

**Gwenda Thomas**

**375**

Section 96, page 65, line 33, leave out 'a local authority in the exercise of education functions, subsection (2) applies only if the local' and insert 'or on behalf of a local authority, or a local authority in England, in the exercise of education functions, subsection (2) applies only if the'.

Adran 96, tudalen 65, llinell 34, hepgorer 'awdurdod lleol wrth arfer swyddogaethau addysg, nid yw is-adran (2) yn gymwys oni fo'r awdurdod lleol a fu'n lletya'r plentyn yn wahanol i'r awdurdod lleol' a mewnosoder 'neu ar ran awdurdod lleol, neu awdurdod lleol yn Lloegr, wrth arfer swyddogaethau addysg, nid yw is-adran (2) yn gymwys oni fo'r awdurdod a fu'n lletya'r plentyn yn wahanol i'r awdurdod'.

**Gwenda Thomas** 376

Section 97, page 66, line 4, after 'authority', insert 'or a local authority in England'.

Adran 97, tudalen 66, llinell 4, ar ôl 'lleol', mewnosoder 'neu awdurdod lleol yn Lloegr'.

**Gwenda Thomas** 377

Section 97, page 67, line 2, after 'not', insert 'to'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 378

Section 97, page 67, line 16, leave out subsection (11).

Adran 97, tudalen 67, llinell 17, hepgorer is-adran (11).

**Gwenda Thomas** 211

Section 98, page 68, line 5, leave out 'authority's duty to assess the child under section 12 applies' and insert –

'authority must –

- (a) assess the child under section 12, and
- (b) consider the extent to which (if at all) it should exercise any of its other functions under this Act, or any of its functions under the Children Act 1989, with respect to the child'.

Adran 98, tudalen 68, llinell 6, hepgorer 'ystyrir bod dyletswydd yr awdurdod i asesu'r plentyn o dan adran 12 yn gymwys' a mewnosoder –

'rhaid i'r awdurdod –

- (a) asesu'r plentyn o dan adran 12, a
- (b) ystyried i ba raddau (os o gwbl) y dylai arfer unrhyw un neu rai o'i swyddogaethau eraill o dan y Ddeddf hon, neu unrhyw un neu rai o'i swyddogaethau o dan Ddeddf Plant 1989, mewn cysylltiad â'r plentyn'.

**Gwenda Thomas** 379

Section 98, page 68, after line 5, insert –

'(6) The duty under subsection (5) (*first paragraph to be inserted by amendment 211*) does not apply in relation to a child looked after by –

- (a) a local authority,
- (b) a local authority in England,
- (c) a local authority in Scotland, or
- (d) a Health and Social Care trust.'

Adran 98, tudalen 68, ar ôl llinell 7, mewnosoder –

- ‘(6) Nid yw’r ddyletswydd o dan is-adran (5)(y paragraff cyntaf sy’n cael ei fewnosod gan welliant 211) yn gymwys mewn perthynas â phlentyn sy’n derbyn gofal gan –
- (a) awdurdod lleol,
  - (b) awdurdod lleol yn Lloegr,
  - (c) awdurdod lleol yn yr Alban, neu
  - (d) ymddiriedolaeth Iechyd a Gofal Cymdeithasol.’.

**Gwenda Thomas**

**212**

Section 99, page 68, line 17, leave out ‘authority’s duty to assess the child under section 12 applies’ and insert –

‘authority must –

- (a) assess the child under section 12, and
- (b) consider the extent to which (if at all) it should exercise any of its other functions under this Act, or any of its functions under the Children Act 1989, with respect to the child’.

Adran 99, tudalen 68, llinell 18, hepgorer ‘mae dyletswydd yr awdurdod i asesu’r plentyn o dan adran 12 yn gymwys’ a mewnosoder –

‘rhaid i’r awdurdod –

- (a) asesu’r plentyn o dan adran 12, a
- (b) ystyried i ba raddau (os o gwbl) y dylai arfer unrhyw un neu rai o’i swyddogaethau eraill o dan y Ddeddf hon, neu unrhyw un neu rai o’i swyddogaethau o dan Ddeddf Plant 1989, mewn cysylltiad â’r plentyn’.

**Gwenda Thomas**

**380**

Section 99, page 68, after line 17, insert –

- ‘( ) The duty under subsection (3)(*first paragraph to be inserted by amendment 212*) does not apply in relation to a child looked after by –
- (a) a local authority,
  - (b) a local authority in England,
  - (c) a local authority in Scotland, or
  - (d) a Health and Social Care trust.’.

Adran 99, tudalen 68, ar ôl llinell 19, mewnosoder –

- ‘( ) Nid yw’r ddyletswydd o dan is-adran (3)(y paragraff cyntaf sy’n cael ei fewnosod gan welliant 212) yn gymwys mewn perthynas â phlentyn sy’n derbyn gofal gan –
- (a) awdurdod lleol,
  - (b) awdurdod lleol yn Lloegr,
  - (c) awdurdod lleol yn yr Alban, neu

(d) ymddiriedolaeth Iechyd a Gofal Cymdeithasol.’.

**Gwenda Thomas**

**444**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 101, tudalen 69, llinell 18, hepgorer ‘caniateir i’r’ a mewnosoder ‘gall yr’.

**William Graham**

**256**

Section 104, page 71, line 12, leave out subsection (1) and insert—

( ) “Adults at risk” are adults who—

- (a) are unable to safeguard their own well-being, property, rights or other interests,
- (b) are at risk of harm or abuse, or
- (c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

( ) An adult is at risk of harm or abuse for the purposes of subsection (*first subsection to be inserted by amendment 256*) if—

- (a) another person’s conduct is causing (or is likely to cause) the adult to be harmed or abused, or
- (b) the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.’.

Adran 104, tudalen 71, llinell 13, hepgorer —

“oedolyn sy’n wynebu risg”, at ddibenion y Rhan hon, yn oedolyn sydd —

- (a) yn cael, neu sy’n wynebu risg o gael, ei gam-drin neu ei esgeuluso,
- (b) y mae arno anghenion am ofal a chymorth (p’un a yw’r awdurdod yn diwallu unrhyw un neu rai o’r anghenion hynny ai peidio), ac
- (c) nad yw’n gallu, o ganlyniad i’r anghenion hynny, amddiffyn ei hun rhag cael, neu’r risg o gael, ei gam-drin neu ei esgeuluso’

A mewnosoder—

“oedolion sy’n wynebu risg” yn oedolion—

- ( ) nad ydynt yn gallu diogelu eu llesiant, eiddo, hawliau neu fuddiannau eraill eu hunain,
  - ( ) sy’n wynebu risg o niwed neu gam-drin, neu
  - ( ) oherwydd yr effeithir arnynt gan anabledd, anhwylder meddwl, salwch, neu wendid meddwl neu gorfforol, sydd yn fwy agored i gael eu niweidio nag oedolion nad effeithir arnynt felly.
- ( ) Mae oedolyn yn wynebu risg o gael ei niweidio neu ei gam-drin at ddibenion is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 256*)—
- (a) os yw ymddygiad person arall yn peri (neu’n debygol o beri) i’r oedolyn gael ei niweidio neu ei gam-drin, neu

- (b) os yw'r oedolyn yn ymgymryd (neu'n debygol o ymgymryd) ag ymddygiad sy'n peri (neu'n debygol o beri) hunan-niwed.'

**Kirsty Williams**

495

Section 104, page 71, line 12, leave out subsection (1) and insert –

'(1) "Adults at risk" are adults who –

- (a) are unable to safeguard their own well-being, property, rights or other interests,
- (b) are at risk of abuse or neglect, and
- (c) as a result, are in need of care and support.'

Adran 104, tudalen 71, llinell 13, hepgorer is-adran (1) a mewnosoder –

'(1) Mae "oedolion sy'n wynebu risg" yn oedolion –

- (a) nad ydynt yn gallu diogelu eu llesiant, eu heiddo, eu hawliau neu eu diddordebau eraill eu hunain,
- (b) sy'n wynebu'r risg o gael eu cam-drin neu eu hesgeuluso, ac
- (c) sydd, o ganlyniad, ag anghenion gofal a chymorth.'

**Lindsay Whittle**

496

Section 104, page 71, after line 24, insert –

'(4) The Welsh Ministers may issue guidance about (among other things) examples and indicators of neglect.

(5) A local authority must have regard to any guidance given under subsection (4).'

Adran 104, tudalen 71, ar ôl llinell 26, mewnosoder –

'(4) Caiff Gweinidogion Cymru ddyroddi canllawiau ynghylch (ymysg pethau eraill) enghreifftiau o esgeulustod a dangosyddion esgeulustod.

(5) Rhaid i awdurdod lleol roi sylw i unrhyw ganllawiau a roddir o dan is-adran (4).'

**Gwenda Thomas**

39

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 106, tudalen 73, llinell 10, hepgorer 'neu sy'n' a mewnosoder 'neu'n'.

**Gwenda Thomas**

40

Section 106, page 73, line 10, leave out 'including' and insert 'or'.

Adran 106, tudalen 73, llinell 11, hepgorer 'gan gynnwys' a mewnosoder 'neu'.

**Gwenda Thomas**

41

Section 106, page 73, line 12, leave out subsection (4) and insert –

'(4) For the purpose of this section a relevant partner of a local authority is a person who is a



relevant partner of the authority for the purposes of section 143.’.

Adran 106, tudalen 73, llinell 13, hepgorer is-adran (4) a mewnosoder –

- ‘(4) At ddiben yr adran hon mae partner perthnasol awdurdod lleol yn berson sy’n bartner perthnasol yr awdurdod at ddibenion adran 143.’.

**William Graham**

257

To insert a new section –

**‘() Removal orders**

- (1) A local authority may apply to a justice of the peace for an order (“a removal order”) which authorises –
  - (a) an authorised officer of the local authority to move a specified person to a specified place within 72 hours of the order being made, and
  - (b) the local authority to take such reasonable steps as it thinks fit for the purpose of protecting the moved person from harm.
- (2) A removal order expires 7 days (or such shorter period as may be specified in the order) after the day on which the specified person is moved in pursuance of the order.’.

I fewnosod adran newydd –

**‘() Gorchmynion symud**

- (1) Caiff awdurdod lleol wneud cais i ynad heddwch am orchymyn (“gorchymyn symud”) sy’n awdurdodi –
  - (a) swyddog awdurdodedig o’r awdurdod lleol i symud person penodedig i fan penodedig o fewn 72 awr ar ôl i’r gorchymyn gael ei wneud, a
  - (b) yr awdurdod lleol i gymryd unrhyw gamau rhesymol y gwêl yn dda at ddiben amddiffyn y person a symudwyd rhag cael ei niweidio.
- (2) Daw gorchymyn symud i ben saith diwrnod (neu gyfnod llai a gaiff ei bennu yn y gorchymyn) ar ôl y diwrnod y symudir y person penodedig yn unol â’r gorchymyn.’.

**William Graham**

258

To insert a new section –

**‘() Criteria for granting a removal order**

- (1) A justice of the peace may grant a removal order only if satisfied –
  - (a) that the person in respect of whom the order is sought is an adult at risk who is likely to be seriously harmed if not moved to another place, and
  - (b) as to the availability and suitability of the place to which the adult at risk is to be moved.
- (2) A removal order may require a local authority to allow any specified person to have contact with the adult at risk to whom the order relates –

- (a) at any specified time during which the order has effect, and
  - (b) in accordance with any specified conditions.
- (3) But the justice of the peace, before including such a requirement, must have regard to—
- (a) any representations made by the local authority as to whether persons should be allowed to have contact with the adult at risk, and
  - (b) any relevant representations made by —
    - (i) the adult at risk,
    - (ii) any person who wishes to be able to have contact with the adult at risk, and
    - (iii) any other person who has an interest in the adult at risk's well-being or property.'.

I fewnosod adran newydd—

**'( ) Y meini prawf ar gyfer rhoi gorchymyn symud**

- (1) Caiff ynad heddwch roi gorchymyn heddwch dim ond os yw wedi cael ei fodloni—
- (a) bod y person y ceisir y gorchymyn ar ei ran yn oedolyn sy'n wynebu risg ac sy'n debygol o gael ei niweidio'n ddifrifol os na symudir ef i fan arall, a
  - (b) o ran argaeledd ac addasrwydd y man y symudir yr oedolyn sy'n wynebu risg iddo.
- (2) Caiff gorchymyn symud ei gwneud yn ofynnol i awdurdod lleol ganiatáu i unrhyw berson penodedig gael cyswllt â'r oedolyn sy'n wynebu risg ac y mae'r gorchymyn yn ymwneud ag ef—
- (a) ar unrhyw adeg benodedig y mae'r gorchymyn yn cael effaith, a
  - (b) yn unol ag unrhyw amodau penodedig.
- (3) Ond rhaid i'r ynad heddwch, cyn cynnwys gofyniad o'r fath, roi sylw i—
- (a) unrhyw sylwadau a wnaed gan yr awdurdod lleol o ran a ddylid caniatáu i bersonau gael cyswllt â'r oedolyn sy'n wynebu risg, a
  - (b) unrhyw sylwadau perthnasol a wnaed gan—
    - (i) yr oedolyn sy'n wynebu risg,
    - (ii) unrhyw berson sy'n dymuno y gall gael cyswllt â'r oedolyn sy'n wynebu risg, a
    - (iii) unrhyw berson arall y mae ganddo ddiddordeb yn llesiant neu eiddo'r oedolyn sy'n wynebu risg.'.

**William Graham**

259

To insert a new section—

**'( ) Right to move an adult at risk**

- (1) An authorised officer of a local authority may enter any place in order to move an adult at risk from the place in pursuance of a removal order.

- (2) A right to enter any place under subsection (1) includes a right to enter any adjacent place for the same purpose.’.

I fewnosod adran newydd –

**‘(1) Yr hawl i symud oedolyn sy’n wynebu risg**

- (1) Caiff swyddog awdurdodedig awdurdod lleol gael mynediad i unrhyw fan er mwyn symud oedolyn sy’n wynebu risg o’r man hwnnw yn unol â gorchymyn symud.
- (2) Mae hawl i gael mynediad i unrhyw fan o dan isadran (1) yn cynnwys hawl i gael mynediad i unrhyw fan cyfagos am yr un diben.’.

**William Graham**

**260**

To insert a new section –

**‘(1) Variation or recall of removal order**

- (1) A justice of the peace may vary or recall a removal order if satisfied that the variation or recall is justified by a change in the facts or circumstances in respect of which the order was granted or, as the case may be, last varied.
- (2) A removal order may not be varied so as to authorise the local authority to do anything after the day which falls 7 days after the day on which the adult at risk to whom the order relates is moved in pursuance of the order.
- (3) Where an adult at risk has been moved from any place in pursuance of a removal order which is recalled, the justice of the peace may direct the local authority to –
  - (a) return the adult to that place, or
  - (b) take the adult to any other place which the justice of the peace, having regard to the adult’s wishes, may specify.
- (4) A removal order may be varied or recalled only on the application of –
  - (a) the adult at risk to whom the order relates,
  - (b) any person who has an interest in the adult at risk’s well-being or property, or
  - (c) the local authority.’.

I fewnosod adran newydd –

**‘(1) Amrywiad ar orchymyn symud neu ei alw yn ôl**

- (1) Caiff ynad heddwch amrywio gorchymyn symud neu ei alw yn ôl os yw wedi’i fodloni bod modd cyfiawnhau’r amrywiad neu’r penderfyniad i’w alw yn ôl gan newid yn y ffeithiau neu’r amgylchiadau y rhoddwyd y gorchymyn neu, yn ôl y digwydd, y cafodd ei amrywio ddiwethaf.
- (2) Ni chaiff gorchymyn symud ei amrywio i awdurdodi’r awdurdod lleol i wneud unrhyw beth yn unol â’r gorchymyn ar ôl y diwrnod sy’n digwydd saith diwrnod ar ôl y diwrnod y symudir yr oedolyn sy’n wynebu risg y mae’r gorchymyn yn ymwneud ag ef.
- (3) Pan fydd oedolyn sy’n wynebu risg wedi’i symud o unrhyw fan yn unol â gorchymyn symud a gaiff ei alw yn ôl, caiff yr ynad heddwch gyfarwyddo’r awdurdod lleol i –

- (a) dychwelyd yr oedolyn i'r man hwnnw, neu
  - (b) cymryd yr oedolyn i unrhyw fan arall y bydd yr ynad heddwch, gan roi sylw i ddymuniadau'r oedolyn, yn ei bennu.
- (4) Caiff gorchymyn symud ei amrywio neu ei alw yn ôl dim ond ar gais –
- (a) yr oedolyn sy'n wynebu risg y mae'r gorchymyn yn ymwneud ag ef,
  - (b) unrhyw berson y mae ganddo ddiddordeb yn llesiant neu eiddo'r oedolyn sy'n wynebu risg, neu
  - (c) yr awdurdod lleol.'

**William Graham**

261

To insert a new section –

**'(1) Protection of a moved person's property**

- (1) The local authority must take reasonable steps to prevent any property owned or controlled by a person moved in pursuance of a removal order from being lost or damaged because –
  - (a) the moved person is unable to protect, care for or otherwise deal with it, and
  - (b) no other suitable arrangements have been or are being made for the purposes of preventing such loss or damage.
- (2) An authorised officer of the local authority may enter any place which the authority knows or believes to contain any property in respect of which it has a duty under subsection (1) in order to enable or assist the local authority to perform that duty.
- (3) A right to enter any place under subsection (2) includes a right to enter any adjacent place for the same purpose.
- (4) An authorised officer of the local authority who finds any property in respect of which the authority has a duty under subsection (1) may do anything which the officer considers reasonably necessary in order to prevent the property from being lost or damaged, and may, in particular, move the property to another place.
- (5) The local authority is not entitled to recover from a moved person any expenses it incurs in performing functions under this section in relation to property owned or controlled by that person.
- (6) The duty imposed by subsection (1) applies only while the removal order concerned has effect.
- (7) A local authority which moves any property in pursuance of the duty imposed by subsection (1) must, as soon as is reasonably practicable after the removal order concerned ceases to have effect, return the property to the adult concerned.'

I fewnosod adran newydd –

**'(1) Gwarchod eiddo person a symudir**

- (1) Rhaid i'r awdurdod lleol gymryd camau rhesymol i atal unrhyw eiddo sy'n cael ei berchenogi neu ei reoli gan berson a symudir yn unol â gorchymyn symud rhag cael ei

golli neu ei ddifrodi—

- (a) am nad yw'r person yn gallu gwarchod, gofalu neu ymdrin ag ef fel arall, a
  - (b) am nad oes trefniadau addas eraill wedi eu gwneud neu yn cael eu gwneud at ddibenion atal colled neu ddifrod o'r fath.
- (2) Caiff swyddog awdurdodedig o'r awdurdod lleol gael mynediad i unrhyw fan y mae'r awdurdod yn gwybod neu yn credu sy'n cynnwys unrhyw eiddo y mae ganddo ddyletswydd yn ei gylch o dan is-adran (1) er mwyn galluogi neu gynorthwyo'r awdurdod lleol i gyflawni'r ddyletswydd honno.
- (3) Mae hawl i gael mynediad i unrhyw fan o dan is-adran (2) yn cynnwys hawl i gael mynediad i unrhyw fan cyfagos at yr un diben.
- (4) Caiff swyddog awdurdodedig o'r awdurdod lleol sy'n dod o hyd i unrhyw eiddo y mae gan yr awdurdod ddyletswydd yn ei gylch o dan is-adran (1) wneud unrhyw beth y mae'r swyddog yn ei ystyried yn rhesymol er mwyn atal yr eiddo rhag cael ei golli neu ei ddifrodi, a chaiff, yn benodol, symud yr eiddo i le arall.
- (5) Nid oes gan yr awdurdod lleol hawl i adennill unrhyw dreuliau wrth gyflawni swyddogaethau o dan yr adran hon gan berson a symudir mewn perthynas ag eiddo sy'n cael ei berchenogi neu ei reoli gan y person hwnnw.
- (6) Mae'r ddyletswydd a osodir gan is-adran (1) ond yn gymwys tra bo'r gorchymyn symud o dan sylw yn cael effaith.
- (7) Rhaid i awdurdod lleol sy'n symud unrhyw eiddo yn unol â'r ddyletswydd a osodir gan is-adran (1) ddychwelyd yr eiddo i'r oedolyn o dan sylw cyn gynted ag sy'n rhesymol ymarferol ar ôl i'r gorchymyn symud o dan sylw ddod i ben.'

**Gwenda Thomas**

42

Section 108, page 73, after line 19, insert—

- '( ) If a relevant partner of a local authority has reasonable cause to suspect that a child is a child at risk and appears to be within the authority's area, it must inform the local authority of that fact.
- ( ) If the child that the relevant partner has reasonable cause to suspect is a child at risk appears to be within the area of a local authority other than the one of which it is a relevant partner, it must inform that other local authority.'

Adran 108, tudalen 73, ar ôl llinell 20, mewnosoder—

- '( ) Os oes gan bartner perthnasol awdurdod lleol sail resymol dros gredu bod plentyn yn blentyn sy'n wynebu risg, a'i bod yn ymddangos bod y plentyn hwnnw o fewn ardal yr awdurdod, rhaid iddo hysbysu'r awdurdod lleol am y ffaith honno.
- ( ) Os yw'n ymddangos bod y plentyn, y mae gan y partner perthnasol sail resymol dros gredu bod y plentyn hwnnw yn blentyn sy'n wynebu risg, o fewn ardal awdurdod lleol ac eithrio'r un y mae'n bartner perthnasol iddo, rhaid iddo hysbysu'r awdurdod lleol arall hwnnw.'

**Gwenda Thomas** 43

Section 108, page 73, line 22, leave out 'including' and insert 'or'.

Adran 108, tudalen 73, llinell 23, hepgorer 'gan gynnwys' a mewnosoder 'neu'.

**Gwenda Thomas** 44

Section 108, page 73, after line 27, insert—

'( ) For the purpose of this section a relevant partner of a local authority is—

- (a) a person who is a relevant partner of the local authority for the purposes of section 143;
- (b) a youth offending team for an area any part of which falls within the area of the authority.'

Adran 108, tudalen 73, ar ôl llinell 29, mewnosoder—

'( ) At ddiben yr adran hon mae partner perthnasol awdurdod lleol yn—

- (a) person sy'n bartner perthnasol yr awdurdod lleol at ddibenion adran 143;
- (b) tîm troseddwy'r ifanc ar gyfer ardal y mae unrhyw ran ohoni yn dod o fewn ardal yr awdurdod.'

**Lindsay Whittle** 497

Section 108, page 73, after line 29, insert—

'(4) The Welsh Ministers may issue guidance about (among other things) examples and indicators of neglect.

(5) A local authority must have regard to any guidance given under subsection (4).'

Adran 108, tudalen 73, ar ôl llinell 31, mewnosoder—

'(4) Caiff Gweinidogion Cymru ddyroddi canllawiau ynghylch (ymysg pethau eraill) enghreifftiau o esgeulustod a dangosyddion esgeulustod.

(5) Rhaid i awdurdod lleol roi sylw i unrhyw ganllawiau a roddir o dan is-adran (4).'

**Gwenda Thomas** 45

To insert a new section—

'( ) **Guidance about adults at risk and children at risk**

The following must, in exercising their functions under sections 104 to 106 and 108, have regard to any guidance given to them for the purpose by the Welsh Ministers—

- (a) a local authority;
- (b) a person who is an authorised officer for the purposes of section 105;
- (c) a constable or other specified person accompanying an authorised officer in accordance with an adult protection and support order made under section 105;
- (d) a person who is a relevant partner for the purposes of section 106 or 108.'

I fewnosod adran newydd –

**‘( ) Canllawiau ynghylch oedolion sy’n wynebu risg a phlant sy’n wynebu risg**

Rhaid i’r canlynol, wrth arfer eu swyddogaethau o dan adrannau 104 i 106 a 108, roi sylw i unrhyw ganllawiau a roddir iddynt at y diben gan Weinidogion Cymru –

- (a) awdurdod lleol;
- (b) person sy’n swyddog awdurdodedig at ddibenion adran 105;
- (c) cwnstabl neu berson penodedig arall sydd gyda swyddog awdurdodedig yn unol â gorchymyn amddiffyn a chynorthwyo oedolyn a wneir o dan adran 105;
- (d) person sy’n bartner perthnasol at ddibenion adran 106 neu 108.’.

**Gwenda Thomas**

**445**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 109, tudalen 73, llinell 34, hepgorer ‘yna fwrdd’ a mewnosoder ‘bwrdd’.

**Gwenda Thomas**

**46**

Section 111, page 74, after line 35, insert –

- ‘(e) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a Safeguarding Board partner in relation to the Safeguarding Board area.’.

Adran 111, tudalen 74, ar ôl llinell 36, mewnosoder –

- ‘(e) unrhyw ddarparwr gwasanaethau prawf y mae’n ofynnol iddo gan drefniadau o dan adran 3(2) o Ddeddf Rheoli Troseddwyd 2007 weithredu fel partner Bwrdd Diogelu mewn perthynas â’r ardal Bwrdd Diogelu.’.

**William Graham**

**114**

Section 111, page 75, after line 12, insert –

- ‘(c) one or more representatives nominated by organisations representative of persons who are, or who have been, in receipt of care and support.’.

Adran 111, tudalen 75, ar ôl llinell 13, mewnosoder –

- ‘(c) un neu fwy o gynrychiolwyr a enwebir gan sefydliadau sy’n cynrychioli personau sy’n derbyn gofal a chymorth, neu sydd wedi bod yn derbyn gofal a chymorth.’.

**William Graham**

**262**

Section 112, page 75, line 39, leave out ‘may’ and insert ‘must’.

Adran 112, tudalen 75, llinell 40, hepgorer ‘Caiff rheoliadau’ a mewnosoder ‘Rhaid i reoliadau’.

**William Graham** 247

Section 112, page 76, line 14, leave out subsection (7).

Adran 112, tudalen 76, llinell 15, hepgorer is-adran (7).

**Gwenda Thomas** 446

Section 114, page 77, line 14, after ‘body’ at the first place where it appears, insert ‘(“*person neu gorff cymhwysol*”)’.

Adran 114, tudalen 77, llinell 15, ar ôl ‘cymhwysol’, mewnosoder ‘(“*qualifying person or body*”)’.

**Gwenda Thomas** 447

Section 114, page 77, line 18, after ‘Board’, insert –

“‘specified’ (“*penodedig*” and “*a bennir*”) means specified in a request made under subsection (1)’.

Adran 114, tudalen 77, llinell 15, ar ôl ‘hon’, mewnosoder –

‘ –

ystyr “*penodedig*” ac “*a bennir*” (“*specified*”) yw wedi ei bennu mewn cais a wneir o dan is-adran (1);’.

**William Graham** 70

**Gyda chefnogaeth / Supported by: Lindsay Whittle**

Page 78, line 8, leave out section 117.

*Removes the provision that would enable Safeguarding Children Boards and Safeguarding Adult Boards to be combined.*

Tudalen 78, llinell 9, hepgorer adran 117.

*Mae’n cael gwared ar y ddarpariaeth a fyddai’n galluogi Byrddau Diogelu Plant a Byrddau Diogelu Oedolion i gael eu cyfuno.*

**Gwenda Thomas** 147

To insert a new section –

**‘( ) Procedure for orders under section 117**

- (1) Before making an order under section 117, the Welsh Ministers must consult –
  - (a) each Safeguarding Board partner for the Safeguarding Board area to which the proposed order relates, and
  - (b) such other persons as the Welsh Ministers consider appropriate, on the proposed draft order.
- (2) The Welsh Ministers must –
  - (a) allow those persons a period of at least 12 weeks to submit comments on the



- proposed draft order,
- (b) consider any comments submitted within that period, and
  - (c) publish a summary of those comments.
- (3) If, following that consultation, the Welsh Ministers wish to proceed with the making of an order under section 117, they must lay a draft order before the National Assembly for Wales.
- (4) A draft order laid under subsection (3) –
- (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft order consulted on under subsection (1) and the draft order laid under subsection (3), and
  - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 165(5) until after the expiry of the period of 60 days beginning with the day on which the draft order is laid.’.

I fewnosod adran newydd –

**‘(1) Gweithdrefn ar gyfer gorchmynion o dan adran 117**

- (1) Cyn gwneud gorchymyn o dan adran 117, rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
- (a) pob partner Bwrdd Diogelu ar gyfer yr ardal Bwrdd Diogelu y mae’r gorchymyn arfaethedig yn ymwneud â hi, a
  - (b) unrhyw bersonau eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol,
- ynghylch y gorchymyn drafft arfaethedig.
- (2) Rhaid i Weinidogion Cymru –
- (a) rhoi cyfnod o 12 wythnos o leiaf i’r personau hynny i gyflwyno sylwadau ar y gorchymyn drafft arfaethedig,
  - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
  - (c) cyhoeddi crynodeb o’r sylwadau hynny.
- (3) Os yw Gweinidogion Cymru, ar ôl yr ymgynghoriad hwnnw, yn dymuno bwrw ymlaen i wneud gorchymyn o dan adran 117, rhaid iddynt osod gorchymyn drafft gerbron Cynulliad Cenedlaethol Cymru.
- (4) O ran gorchymyn drafft a osodir o dan is-adran (3) –
- (a) rhaid iddo fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y gorchymyn drafft yr ymgynghorwyd arno o dan is-adran (1) a’r gorchymyn drafft a osodir o dan is-adran (3), a
  - (b) ni chaniateir iddo gael ei gymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 165(5) tan ar ôl i’r cyfnod o 60 niwrnod, yn dechrau ar y diwrnod y gosodir y gorchymyn drafft, ddod i ben.’.

**Gwenda Thomas** 448

Section 120, page 79, line 22, leave out 'director' and insert 'a director of'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 449

Section 123, page 81, line 2, leave out 'case' and insert 'cases'.

Adran 123, tudalen 81, llinell 2, hepgorer 'achos' a mewnosoder 'achosion'.

**Gwenda Thomas** 450

Section 125, page 81, line 33, after 'to' at the second place where it appears, insert 'the'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 451

Section 125, page 82, line 1, leave out subsections (3) to (4).

Adran 125, tudalen 82, llinell 1, hepgorer is-adrannau (3) hyd at (4).

**Elin Jones** 483

Section 127, page 82, after line 30, insert—

'(3) Where the Welsh Ministers give a warning notice under subsection (1), they must—

- (a) within 21 days of the giving of the notice lay a copy of the notice before the National Assembly for Wales; and
- (b) within 90 days report to the National Assembly for Wales on the steps taken under subsection (1).'

*An amendment to ensure that Welsh Ministers have a duty to report to the National Assembly for Wales on interventions made under section 128.*

Adran 127, tudalen 82, ar ôl llinell 30, mewnosoder—

'(3) Pan fo Gweinidogion Cymru yn rhoi hysbysiad rhybuddio o dan is-adran (1), rhaid iddynt—

- (a) o fewn 21 diwrnod o roi'r hysbysiad osod copi ohono gerbron Cynulliad Cenedlaethol Cymru; a
- (b) o fewn 90 diwrnod adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau sy'n cael eu cymryd o dan is-adran (1).'

*Gwelliant i sicrhau bod dyletswydd ar Weiniogion Cymru i adrodd i Gynulliad Cenedlaethol Cymru ynghylch ymyriadau a wneir o dan adran 128.*

**Elin Jones**

**484**

Section 128, page 83, after line 6, insert—

‘() The Welsh Ministers must, within 90 days, report to the National Assembly for Wales on the steps taken to intervene in the social services functions of a local authority.’.

*An amendment to ensure that Welsh Ministers have a duty to report to the National Assembly for Wales on interventions made under section 128.*

Adran 128, tudalen 83, ar ôl llinell 7, mewnosoder—

‘() Rhaid i Weinidogion Cymru, o fewn 90 diwrnod, adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau a gymerir i ymyrryd â swyddogaethau gwasanaethau cymdeithasol awdurdod lleol.’.

*Gwelliant i sicrhau bod dyletswydd ar Weinidogion Cymru i adrodd i Gynulliad Cenedlaethol Cymru ynghylch ymyriadau a wneir o dan adran 128.*

**Gwenda Thomas**

**452**

Section 128, page 83, line 10, after ‘that’, insert ‘the’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version

**Elin Jones**

**485**

Section 128, page 83, after line 14, insert—

‘() Until such time as notice is given under subsection (5), the Welsh Ministers must report every 6 months to the National Assembly for Wales on the steps being taken pursuant to the intervention.’.

*An amendment to ensure that Welsh Ministers have a duty to report to the National Assembly for Wales on interventions made under section 128.*

Adran 128, tudalen 83, ar ôl llinell 14, mewnosoder—

‘() Hyd nes y rhoddir hysbysiad o dan is-adran (5), rhaid i Weinidogion Cymru adrodd i Gynulliad Cenedlaethol Cymru bob 6 mis ynghylch y camau sy’n cael eu cymryd yn unol â’r ymyriad.’.

*Gwelliant i sicrhau bod dyletswydd ar Weinidogion Cymru i adrodd i Gynulliad Cenedlaethol Cymru ynghylch ymyriadau a wneir o dan adran 128.*

**Gwenda Thomas**

**453**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 129, tudalen 83, llinell 22, hepgorer ‘dan ddsbarth’ a mewnosoder ‘fewn dosbarth’.

**Gwenda Thomas**

**454**

Section 130, page 83, line 29, leave out ‘directions to the local authority or any of its officers as they think are’ and insert ‘a direction to the local authority or any of its officers as they think is’.

Adran 130, tudalen 83, llinell 31, hepgorer 'unrhyw gyfarwyddiadau i awdurdod lleol neu unrhyw un o'i swyddogion y maent yn credu eu bod' a mewnosoder 'cyfarwyddyd o'r fath i'r awdurdod lleol neu unrhyw un o'i swyddogion y maent yn credu ei fod'.

**Gwenda Thomas** 381

Section 130, page 83, after line 35, insert—

'(4) If a direction is made under subsection (2), the functions of the local authority to which it relates are to be treated for all purposes as being exercisable by the specified person.'

Adran 130, tudalen 83, ar ôl llinell 37, mewnosoder—

'(4) Os gwneir cyfarwyddyd o dan is-adran (2), mae swyddogaethau'r awdurdod lleol y mae'n ymwneud â hwy i'w trin at bob diben fel eu bod yn arferadwy gan y person penodedig.'

**Gwenda Thomas** 382

Section 131, page 84, after line 8, insert—

'(4) If a direction is made under subsection (2), the functions of the local authority to which it relates are to be treated for all purposes as being exercisable by the Welsh Ministers or their nominee.'

Adran 131, tudalen 84, ar ôl llinell 10, mewnosoder—

'(4) Os gwneir cyfarwyddyd o dan is-adran (2), mae swyddogaethau'r awdurdod lleol y mae'n ymwneud â hwy i'w trin at bob diben fel eu bod yn arferadwy gan Weinidogion Cymru neu eu henwebai.'

**Gwenda Thomas** 455

Section 132, page 84, line 15, after 'than', insert 'the'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** 456

Section 133, page 84, line 21, leave out 'give directions to' and insert 'direct'.

Adran 133, tudalen 84, llinell 25, hepgorer 'rhoi cyfarwyddiadau i'r' a mewnosoder 'cyfarwyddo'r'.

**Elin Jones** 486

To insert a new section—

'() **Intervention: duty to report**

Where the Welsh Ministers exercise their power of direction under section 129, 130, 131 or 133, they must—

(a) within 21 days lay a copy of the direction before the National Assembly for Wales,

- (b) within 90 days report the giving of the direction to the National Assembly for Wales, and
- (c) report to the National Assembly for Wales on the steps taken by the local authority to comply with the direction.’.

*An amendment to ensure that Welsh Ministers have a duty to report to the National Assembly for Wales on interventions made under section 128.*

I fewnosod adran newydd –

**‘()** **Ymyrryd: dyletswydd i adrodd**

Pan fo Gweinidogion Cymru yn arfer eu pŵer i roi cyfarwyddyd o dan adran 129, 130, 131 neu 133, rhaid iddynt –

- (a) o fewn 21 diwrnod osod copi o’r cyfarwyddyd gerbron Cynulliad Cenedlaethol Cymru,
- (b) o fewn 90 diwrnod adrodd i Gynulliad Cenedlaethol Cymru eu bod yn rhoi’r cyfarwyddyd iddo, ac
- (c) adrodd i Gynulliad Cenedlaethol Cymru ynghylch y camau a gymerwyd gan yr awdurdod lleol i gydymffurfio â’r cyfarwyddyd.’.

*Gwelliant i sicrhau bod dyletswydd ar Weinidogion Cymru i adrodd i Gynulliad Cenedlaethol Cymru ynghylch ymyriadau a wneir o dan adran 128.*

**Gwenda Thomas**

**457**

Section 135, page 85, line 7, leave out ‘directions’ and insert ‘a direction’.

Adran 135, tudalen 85, llinell 8, hepgorer ‘gyfarwyddiadau’ a mewnosoder ‘gyfarwyddyd’.

**Gwenda Thomas**

**458**

Section 136, page 85, line 24, after ‘by’, insert ‘a’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version

**Elin Jones**

**487**

Section 137, page 86, line 9, after ‘must’, insert ‘within 3 years following commencement of this Act’.

*An amendment to ensure statements about well-being are issued within specified time frames.*

Adran 137, tudalen 86, llinell 10, ar ôl ‘Cymru’, mewnosoder ‘o fewn 3 blynedd ar ôl cychwyn y Ddeddf hon,’.

*Gwelliant i sicrhau bod datganiadau ynghylch llesiant yn cael eu dyroddi o fewn amserlenni penodol.*

**Gwenda Thomas** 459

Section 137, page 86, after line 22, insert—

- ‘() Before issuing or revising a statement, the Welsh Ministers must consult such persons as they think fit.’

Adran 137, tudalen 86, ar ôl llinell 24, mewnosoder—

- ‘() Cyn dyroddi neu ddiwygio datganiad, rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy.’

**William Graham** 250

Section 137, page 86, after line 22, insert—

- ‘() Before the Welsh Ministers issue or revise a statement under subsection (1), the Welsh Ministers must consult—

- (a) each local authority,
- (b) each NHS Trust, and
- (c) each Local Health Board.’

Adran 137, tudalen 86, ar ôl llinell 24, mewnosoder—

- ‘() Cyn i Weinidogion Cymru ddyroddi neu ddiwygio datganiad o dan is-adran (1), rhaid i Weinidogion Cymru ymgynghori â’r canlynol—

- (a) pob awdurdod lleol,
- (b) pob Ymddiriedolaeth GIG, ac
- (c) pob Bwrdd Iechyd Lleol.’

**Elin Jones** 488

Section 137, page 86, after line 25, insert—

- ‘(6) Statements under this section must be reviewed every 2 years from the issue of the first statement.’

*An amendment to ensure statements about well-being are reviewed within specified time frames.*

Adran 137, tudalen 86, ar ôl llinell 27, mewnosoder—

- ‘(6) Rhaid adolygu datganiadau o dan yr adran hon bob 2 flynedd ar ôl dyroddi’r datganiad cyntaf.’

*Gwelliant i sicrhau bod datganiadau ynghylch llesiant yn cael eu hadolygu o fewn amserlenni penodol.*

**Gwenda Thomas** 460

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 138, tudalen 87, llinell 1, hepgorer ‘caniateir’ a mewnosoder ‘gellir’.

**William Graham** 263

Section 143, page 88, line 31, after 'authority', insert 'and its relevant partners'.

Adran 143, tudalen 88, llinell 34, ar ôl 'lleol', mewnosoder 'a'i bartneriaid perthnasol'.

**Gwenda Thomas** 461

Section 143, page 88, leave out line 33.

Adran 143, tudalen 88, hepgorer llinell 36.

**William Graham** 264

Section 143, page 88, after line 33, insert—

'() the employees of a relevant partner who exercise the relevant partner's functions,'.

Adran 143, tudalen 88, ar ôl llinell 36, mewnosoder—

'() cyflogwyr partner perthnasol sy'n arfer swyddogaethau'r partner perthnasol,'.

**William Graham** 265

Section 143, page 88, line 34, leave out 'each of the authority's' and insert 'the authority and its'.

Adran 143, tudalen 88, llinell 37, hepgorer 'pob un o bartneriaid perthnasol yr awdurdod' a mewnosoder 'yr awdurdod a'i bartneriaid perthnasol'.

**William Graham** 266

Section 143, page 89, line 1, after 'authority', insert 'and its relevant partners'.

Adran 143, tudalen 89, llinell 1, ar ôl 'awdurdod', mewnosoder 'a'i bartneriaid perthnasol'.

**Gwenda Thomas** 462

Section 143, page 89, after line 5, insert—

'() A local authority must also make arrangements to promote co-operation between the officers of the authority who exercise its functions.'

Adran 143, tudalen 89, ar ôl llinell 7, mewnosoder—

'() Rhaid i awdurdod lleol hefyd wneud trefniadau i hyrwyddo cydweithrediad rhwng swyddogion yr awdurdod sy'n arfer ei swyddogaethau.'

**Gwenda Thomas** 463

Section 143, page 89, line 6, after 'arrangements', insert 'under subsections (1) and (*subsection to be inserted by amendment 462*)'.

Adran 143, tudalen 89, llinell 8, ar ôl 'trefniadau', mewnosoder 'o dan is-adrannau (1) a (*yr is-adran sy'n cael ei fewnosod gan welliant 462*)'.

**William Graham** 267

Section 143, page 89, line 35, after 'provide', insert 'or secure the provision of'.

Adran 143, tudalen 89, llinell 38, ar ôl 'darparu', mewnosoder 'neu sicrhau y darperir'.

**Gwenda Thomas** 464

Section 144, page 90, line 13, leave out subsection (2) and insert –

'(2) After subsection (1) insert –

“(1A) Each local authority in Wales must also make arrangements to promote co-operation between officers of the authority who exercise its functions.”.

Adran 144, tudalen 90, llinell 13, hepgorer is-adran (2) a mewnosoder –

'(2) Ar ôl is-adran (1) mewnosoder –

“(1A) Each local authority in Wales must also make arrangements to promote co-operation between officers of the authority who exercise its functions.”.

**Gwenda Thomas** 465

Section 144, page 90, line 17, after 'arrangements', insert 'under subsections (1) and (1A)'.

Adran 144, tudalen 90, llinell 17, ar ôl 'arrangements', mewnosoder 'under subsections (1) and (1A)'.

**Gwenda Thomas** 47

Section 144, page 90, after line 26, insert –

'(a) after paragraph (a) insert –

“(aa) any other local authority in Wales with which the authority agrees that it would be appropriate to co-operate under this section;”.

Adran 144, tudalen 90, ar ôl llinell 26, mewnosoder –

'(a) ar ôl paragraff (a) mewnosoder –

“(aa) any other local authority in Wales with which the authority agrees that it would be appropriate to co-operate under this section;”.

**Gwenda Thomas** 48

Section 144, page 90, line 35, leave out subsection (6).

Adran 144, tudalen 90, llinell 35, hepgorer is-adran (6).



**Gwenda Thomas** 49

Section 144, page 90, line 38, leave out subsection (8).

Adran 144, tudalen 90, llinell 38, hepgorer is-adran (8).

**Gwenda Thomas** 148

Section 144, page 91, after line 13, insert—

‘(10) In consequence of the amendment made by subsection (4)(b), in section 66 of the Children Act 2004 (regulations and orders), in subsection (7), after “section” insert “25 or”.’.

Adran 144, tudalen 91, ar ôl llinell 13, mewnosoder—

‘(10) O ganlyniad i’r diwygiad a wneir gan is-adran (4)(b), yn adran 66 o Ddeddf Plant 2004 (rheoliadau a gorchmynion), yn is-adran (7), ar ôl “section” mewnosoder “25 or”.’.

**William Graham** 268

Section 145, page 91, line 15, after ‘authority’, insert ‘or one of its relevant partners’.

Adran 145, tudalen 91, llinell 16, ar ôl ‘lleol’, mewnosoder ‘neu un o’i bartneriaid perthnasol’.

**William Graham** 269

Section 145, page 91, line 16, leave out ‘social services functions’ and insert ‘functions under section 143’.

Adran 145, tudalen 91, llinell 17, hepgorer ‘gwasanaethau cymdeithasol’ a mewnosoder ‘o dan adran 143’.

**William Graham** 270

Section 145, page 91, line 20, after ‘authority’, insert ‘or one of its relevant partners’.

Adran 145, tudalen 91, llinell 21, ar ôl ‘lleol’, mewnosoder ‘neu un o’i bartneriaid perthnasol’.

**William Graham** 271

Section 145, page 91, line 27, after ‘authority’, insert ‘or relevant partner’.

Adran 145, tudalen 91, llinell 28, ar ôl ‘lleol’, mewnosoder ‘neu bartner perthnasol’.

**William Graham** 272

Section 145, page 91, line 29, leave out ‘making the request’.

Adran 145, tudalen 91, llinell 30, hepgorer ‘sy’n gwneud y cais’.

**William Graham** 273

Section 145, page 91, line 31, after 'authority', insert 'or relevant partner'.

Adran 145, tudalen 91, llinell 32, ar ôl 'lleol', mewnosoder 'neu bartner perthnasol'.

**William Graham** 274

Section 145, page 91, line 33, leave out 'making the request'.

Adran 145, tudalen 91, llinell 34, hepgorer 'sy'n gwneud y cais'.

**Gwenda Thomas** 50

Section 145, page 91, after line 33, insert—

'() A local authority and each of those persons mentioned in subsection (4) must in exercising their functions under this section have regard to any guidance given to them for the purpose by the Welsh Ministers.'

Adran 145, tudalen 91, ar ôl llinell 34, mewnosoder—

'() Rhaid i awdurdod lleol a phob un o'r personau hynny a grybwyllwyd yn is-adran (4), wrth arfer eu swyddogaethau o dan yr adran hon, roi sylw i unrhyw ganllawiau a roddir iddynt at y diben gan Weinidogion Cymru.'

**Gwenda Thomas** 51

Section 145, page 91, line 34, leave out subsection (5) and insert—

'() For the purpose of this section a relevant partner of a local authority is a person who is a relevant partner of the authority for the purposes of section 143.'

Adran 145, tudalen 91, llinell 35, hepgorer is-adran (5) a mewnosoder—

'() At ddiben yr adran hon mae partner perthnasol awdurdod lleol yn berson sy'n bartner perthnasol yr awdurdod at ddibenion adran 143.'

**Lindsay Whittle** 415

Section 146, page 92, line 2, leave out 'with a view to ensuring the integration of care and support provision with health provision and health-related provision where it considers' and insert 'and a Local Health Board must exercise its functions with a view to ensuring the integration of care and support provision with health provision and health-related provision where the local authority and the Local Health Board consider'.

Adran 146, tudalen 92, llinell 2, hepgorer 'gyda golwg ar sicrhau bod darpariaeth gofal a chymorth yn cael ei hintegreiddio â darpariaeth iechyd a darpariaeth sy'n ymwneud ag iechyd pan fo'n' a mewnosoder 'a rhaid i Fwrdd Iechyd Lleol arfer ei swyddogaethau gyda golwg ar sicrhau bod darpariaeth gofal a chymorth yn cael ei hintegreiddio â darpariaeth iechyd a darpariaeth sy'n ymwneud ag iechyd pan fo'r awdurdod lleol a'r Bwrdd Iechyd Lleol yn'.

**Gwenda Thomas** 149

Section 147, page 93, line 4, leave out 'may' and insert 'under subsection (1) must'.

Adran 147, tudalen 93, llinell 4, hepgorer 'Caiff rheoliadau' a mewnosoder 'Rhaid i reoliadau o dan is-adran (1)'.

**Gwenda Thomas** 150

Section 147, page 93, after line 9, insert –

'( ) for sharing information between the following –

- (i) local authorities;
- (ii) Local Health Boards;
- (iii) any teams or persons carrying out partnership arrangements in accordance with regulations under subsection (3)(e);
- (iv) any partnership boards established under regulations under section 149.'

Adran 147, tudalen 93, ar ôl llinell 8, mewnosoder –

'( ) ar gyfer rhannu gwybodaeth rhwng y canlynol –

- (i) awdurdodau lleol;
- (ii) Byrddau Iechyd Lleol;
- (iii) unrhyw dimau neu bersonau sy'n cyflawni trefniadau partneriaeth yn unol â rheoliadau o dan is-adran (3)(e);
- (iv) unrhyw fyrddau partneriaeth a sefydlir o dan reoliadau o dan adran 149.'

**Gwenda Thomas** 151

Section 147, page 93, after line 9, insert –

'( ) Regulations under subsection (1) may make provision –'.

Adran 147, tudalen 93, ar ôl llinell 8, mewnosoder –

'( ) Caiff rheoliadau o dan is-adran (1) wneud darpariaeth –'.

**Gwenda Thomas** 152

Section 147, page 93, leave out lines 20 to 25.

Adran 147, tudalen 93, hepgorer llinellau 19 hyd at 24.

**Elin Jones** 489

Section 148, page 94, line 4, leave out 'may' and insert 'must'.

*An amendment with the aim of strengthening provisions in the Bill relating to joint working.*

Adran 148, tudalen 94, llinell 4, hepgorer 'Caiff' a mewnosoder 'Rhaid i'.

*Gwelliant sydd â'r nod o gryfhau'r darpariaethau yn y Bil sy'n ymwneud â chydweithio.*

**Elin Jones** 490

Section 148, page 94, after line 8, insert –

‘() A local authority or a Local Health Board must establish and maintain a pooled fund.’.

*An amendment with the aim of strengthening provisions in the Bill relating to joint working.*

Adran 148, tudalen 94, ar ôl llinell 8, mewnosoder –

‘() Rhaid i awdurdod lleol neu Fwrdd Iechyd Lleol sefydlu a chynnal cronfa gyfun.’.

*Gwelliant sydd â'r nod o gryfhau'r darpariaethau yn y Bil sy'n ymwneud â chydweithio.*

**Elin Jones** 491

Section 148, page 94, line 12, leave out ‘may’ and insert ‘must’.

*An amendment with the aim of strengthening provisions in the Bill relating to joint working.*

Adran 148, tudalen 94, llinell 12, hepgorer ‘Caiff rheoliadau’ a mewnosoder ‘Rhaid i reoliadau’.

*Gwelliant sydd â'r nod o gryfhau'r darpariaethau yn y Bil sy'n ymwneud â chydweithio.*

**Elin Jones** 492

Section 148, page 94, leave out lines 14 to 15.

*An amendment with the aim of strengthening provisions in the Bill relating to joint working.*

Adran 148, tudalen 94, hepgorer llinellau 14 hyd at 15.

*Gwelliant sydd â'r nod o gryfhau'r darpariaethau yn y Bil sy'n ymwneud â chydweithio.*

**Elin Jones** 493

Section 149, page 94, line 34, leave out ‘may’ and insert ‘under subsection (1) must’.

*An amendment with the aim of strengthening provisions in the Bill relating to joint working.*

Adran 149, tudalen 94, llinell 35, hepgorer ‘Caiff rheoliadau’ a mewnosoder ‘O dan is-adran (1) rhaid i reoliadau’.

*Gwelliant sydd â'r nod o gryfhau'r darpariaethau yn y Bil sy'n ymwneud â chydweithio.*

**Gwenda Thomas** 153

Section 150, page 95, after line 4, insert –

‘() The Welsh Ministers must issue, and from time to time revise, guidance about partnership arrangements made under regulations under section 147.’.

Adran 150, tudalen 95, ar ôl llinell 4, mewnosoder –

‘() Rhaid i Weinidogion Cymru ddyroddi, ac o bryd i’w gilydd ddiwygio, canllawiau ynghylch trefniadau partneriaeth a wneir o dan reoliadau o dan adran 147.’.

**Gwenda Thomas** **470**

Section 150, page 95, line 5, leave out 'their functions under' and insert 'functions conferred on them under or by virtue of'.

Adran 150, tudalen 95, llinell 5, hepgorer 'eu swyddogaethau o dan' a mewnosoder 'swyddogaethau a roddir iddynt o dan neu yn rhinwedd'.

**Gwenda Thomas** **251A**

As an amendment to amendment 251, line 1, leave out 'any outcomes specified in any', and insert 'that guidance and to any outcomes specified in a'.

Fel gwelliant i welliant 251, llinell 1, hepgorer 'unrhyw ganlyniadau a bennir mewn unrhyw' a mewnosoder 'y canllawiau hynny ac i unrhyw ganlyniadau a bennir mewn'.

**Gwenda Thomas** **251B**

As an amendment to amendment 251, line 2, leave out 'and to'.

Fel gwelliant i welliant 251, llinell 2, hepgorer 'ac i'.

**William Graham** **251**

Section 150, page 95, line 5, after 'to' at the second place where it appears, insert 'any outcomes specified in any statement issued under section 137 and to'.

Adran 150, tudalen 95, llinell 5, ar ôl 'i' yn yr ail le y mae'n ymddangos, mewnosoder 'unrhyw ganlyniadau a bennir mewn unrhyw ddatganiad a ddyroddir o dan adran 137 ac i'.

**WITHDRAWN/TYNNWYD YN ÔL**

**Gwenda Thomas** **154**

Section 150, page 95, line 6, leave out 'any guidance given by the Welsh Ministers' and insert 'that guidance'.

Adran 150, tudalen 95, llinell 5, hepgorer 'i unrhyw ganllawiau a roddir gan Weinidogion Cymru' a mewnosoder 'i'r canllawiau hynny'.

**Gwenda Thomas** **471**

Section 150, page 95, line 6, leave out 'any guidance given by the Welsh Ministers'.

Adran 150, tudalen 95, llinell 6, hepgorer 'unrhyw ganllawiau a roddir gan Weinidogion Cymru'.

**Gwenda Thomas** **383**

Section 153, page 98, line 15, after 'enactment', insert 'within the legislative competence of the National Assembly for Wales'.

Adran 153, tudalen 98, llinell 15, ar ôl 'ddeddfiad', mewnosoder 'o fewn cymhwysedd deddfwriaethol Cynulliad Cenedlaethol Cymru'.

**Gwenda Thomas**

**384**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 18, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**385**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 21, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**386**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 23, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**387**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 24, hepgorer 'gymorth' a mewnosoder 'gynhorthwy'.

**Gwenda Thomas**

**388**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 25, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**389**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 26, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**390**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 154, tudalen 98, llinell 29, hepgorer 'cymorth' a mewnosoder 'cynhorthwy'.

**Gwenda Thomas**

**213**

Section 155, page 99, line 17, after 'parent', insert 'with whom the child is placed under section 65(5)'.

Adran 155, tudalen 99, llinell 17, ar ôl 'lleol', mewnosoder 'y lleolir y plentyn gydag ef o dan adran 65(5)'.

**Gwenda Thomas**

**214**

Section 155, page 99, after line 17, insert—

‘() a prospective adopter with whom the child is placed under section 65(11);’.

Adran 155, tudalen 99, ar ôl llinell 17, mewnosoder—

‘() darpar fabwysiad ydd y lleolir y plentyn gydag ef o dan adran 65(11);’.

**Gwenda Thomas**

**391**

Section 157, page 101, after line 5, insert—

‘() category 6 young persons;’.

Adran 157, tudalen 101, ar ôl llinell 5, mewnosoder—

‘() personau ifanc categori 6;’.

**Gwenda Thomas**

**392**

Section 157, page 101, line 8, leave out ‘4’ and insert ‘5’.

Adran 157, tudalen 101, llinell 7, hepgorer ‘4’ a mewnosoder ‘5’.

**Gwenda Thomas**

**393**

Section 157, page 101, line 9, leave out ‘5 young persons who had been looked after by a local authority at any time after reaching the age of 16 but while still children’ and insert ‘6 young persons falling within that category by virtue of section 88(3)(a)’.

Adran 157, tudalen 101, llinell 8, hepgorer ‘5 a fu’n derbyn gofal gan awdurdod lleol ar unrhyw adeg ar ôl iddynt gyrraedd 16 oed ond tra’r oeddent yn dal i fod yn blant’ a mewnosoder ‘6 sy’n dod o fewn y categori hwnnw yn rhinwedd adran 88(3)(a)’.

**Gwenda Thomas**

**394**

Section 157, page 101, line 21, leave out—

‘and “category 5 young person” have the meanings given by section 88;

(b) a reference to a child looked after by a local authority is to be interpreted in accordance with section 58’

And insert—

‘, “category 5 young person” and “category 6 young person” have the meanings given by section 88’.

Adran 157, tudalen 101, llinell 22, hepgorer—

‘a “person ifanc categori 5” yr ystyr a roddir gan adran 88;

(b) mae cyfeiraid at blentyn sy’n derbyn gofal gan awdurdod lleol i’w ddehongli yn unol ag adran 58’

A mewnosoder –

’, “person ifanc categori 5” a “person ifanc categori 6” yr ystyr a roddir gan adran 88’.

**Gwenda Thomas**

**466**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version Adran 159, tudalen 102, llinell 35, hepgorer ‘dan’ a mewnosoder ‘fewn’.

**Gwenda Thomas**

**405**

Schedule 3, page 138, leave out lines 8 to 9.

Atodlen 3, tudalen 138, hepgorer llinellau 8 hyd at 9.

**Gwenda Thomas**

**406**

Schedule 3, page 141, after line 23, insert –

““care home” has the meaning given by section 34R(2);”’.

Atodlen 3, tudalen 141, ar ôl llinell 23, mewnosoder –

““care home” has the meaning given by section 34R(2);”’.

**Gwenda Thomas**

**407**

Schedule 3, page 141, leave out lines 31 to 32.

Atodlen 3, tudalen 141, hepgorer llinellau 29 hyd at 30.

**William Graham**

**52A**

As an amendment to amendment 52, line 2, leave out ‘Regulations may require a local authority to’, and insert ‘A local authority must’.

Fel gwelliant i welliant 52, llinell 2, hepgorer ‘Caiff rheoliadau ei gwneud yn ofynnol’, a mewnosoder ‘Rhaid’.

**William Graham**

**52B**

As an amendment to amendment 52, after line 6, insert –

‘() Regulations may make provision about the arrangement of advocacy services.’.

Fel gwelliant i welliant 52, ar ôl llinell 8, mewnosoder –

‘() Caiff rheoliadau wneud darpariaeth ynghylch trefnu gwasanaethau eirioli.’.



**William Graham** **52C**

As an amendment to amendment 52, line 7, leave out ‘The regulations may specify’, and insert ‘Regulations under subsection (*subsection to be inserted by amendment 52B*) may, for example, provide for’.

Fel gwelliant i welliant 52, llinell 9, hepgorer ‘y rheoliadau bennu’, a mewnosoder ‘rheoliadau o dan is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 52B*)’, er enghraifft, ddarparu ar gyfer’.

**William Graham** **52D**

As an amendment to amendment 52, line 13, leave out ‘The’.

Fel gwelliant i welliant 52, llinell 15, hepgorer ‘i rheoliadau’, a mewnosoder ‘i reoliadau’.

**William Graham** **52E**

As an amendment to amendment 52, line 15, leave out ‘The’.

Fel gwelliant i welliant 52, llinell 17, hepgorer ‘y’.

**Gwenda Thomas** **52**

To insert a new section –

**‘(1) Provision of advocacy services**

- (1) Regulations may require a local authority to arrange for advocacy services to be made available to people with needs for care and support (whether or not those needs are being met by a local authority); this is subject to subsection (5).
- (2) “Advocacy services” are services which provide assistance (by way of representation or otherwise) to persons for purposes relating to their care and support.
- (3) The regulations may specify –
  - (a) the persons, or description of persons, to whom advocacy services are to be made available;
  - (b) the circumstances in which advocacy services are to be made available;
  - (c) the persons, or description of persons, by whom advocacy services may, or may not, be provided.
- (4) The regulations must require a local authority to give publicity to its arrangements for making advocacy services available.
- (5) The regulations may not require advocacy services to be made available to a person –
  - (a) for the purpose of making a complaint in respect of which a local authority is required to make arrangements for the provision of assistance to the person by virtue of regulations under section 154;
  - (b) for the purpose of making representations in respect of which a local authority is required to make arrangements for the provision of assistance to the person under section 159;
  - (c) for purposes in respect of which the Welsh Ministers are required to make

arrangements to enable an independent mental health advocate to be available under section 130E of the Mental Health Act 1983;

- (d) for purposes in respect of which a local authority is required to make arrangements for the provision of independent advocacy services under section 332BB of the Education Act 1996 or paragraph 6D of Schedule 17 to the Equality Act 2010;
- (e) for purposes in respect of which the Welsh Ministers are required to make arrangements to enable an independent mental capacity advocate to be available under section 35 of the Mental Capacity Act 2005;
- (f) for the purpose of making a complaint in respect of which the Welsh Ministers are required to arrange for the provision of independent advocacy services under section 187 of the National Health Service (Wales) Act 2006.

(6) Where—

- (a) advocacy services are being provided for a person under section 6, 8, 21, 22, 23 or 24, and
- (b) regulations under this section would (apart from this subsection) impose a requirement upon a local authority to make advocacy services available to that person in respect of the same matters,

that requirement does not apply.’.

I fewnosod adran newydd—

**‘(1) Darparu gwasanaethau eirioli**

- (1) Caiff rheoliadau ei gwneud yn ofynnol i awdurdod lleol drefnu i wasanaethau eirioli gael eu rhoi ar gael i bobl y mae arnynt anghenion am ofal a chymorth (p’un a yw’r anghenion hynny yn cael eu diwallu gan awdurdod lleol ai peidio); mae hyn yn ddarostyngedig i is-adran (5).
- (2) Mae “gwasanaethau eirioli” yn wasanaethau sy’n darparu cynhorthwy (ar ffurf cynrychiolaeth neu fel arall) i bersonau at ddibenion sy’n ymwneud â’u gofal a chymorth.
- (3) Caiff y rheoliadau bennu—
  - (a) y personau, neu ddisgrifiad o’r personau, y mae gwasanaethau eirioli i gael eu rhoi ar gael iddynt;
  - (b) yr amgylchiadau y mae gwasanaethau eirioli i gael eu rhoi ar gael oddi tanynt;
  - (c) y personau, neu ddisgrifiad o’r personau, y caniateir, neu na chaniateir, i’r gwasanaethau eirioli gael eu darparu ganddynt.
- (4) Rhaid i’r rheoliadau ei gwneud yn ofynnol i awdurdod lleol roi cyhoeddusrwydd i’w drefniadau ar gyfer rhoi gwasanaethau eirioli ar gael.
- (5) Ni chaiff y rheoliadau ei gwneud yn ofynnol i wasanaethau eirioli gael eu rhoi ar gael i berson—
  - (a) at y diben o wneud cwyn y mae’n ofynnol i awdurdod lleol wneud trefniadau mewn cysylltiad â hi ar gyfer darparu cynhorthwy i’r person yn rhinwedd rheoliadau o dan adran 154;

- (b) at y diben o gyflwyno sylwadau y mae'n ofynnol i awdurdod lleol wneud trefniadau mewn cysylltiad â hwy ar gyfer darparu cynhorthwy i'r person o dan adran 159;
  - (c) at ddibenion y mae'n ofynnol i Weinidogion Cymru wneud trefniadau mewn cysylltiad â hwy i alluogi eiriolwr iechyd meddwl annibynnol i fod ar gael o dan adran 130E o Ddeddf Iechyd Meddwl 1983;
  - (d) at ddibenion y mae'n ofynnol i awdurdod lleol wneud trefniadau mewn cysylltiad â hwy ar gyfer darparu gwasanaethau eirioli annibynnol o dan adran 332BB o Ddeddf Addysg 1996 neu baragraff 6D o Atodlen 17 i Ddeddf Cydraddoldeb 2010;
  - (e) at ddibenion y mae'n ofynnol i Weinidogion Cymru wneud trefniadau mewn cysylltiad â hwy i alluogi eiriolwr galluedd meddwl annibynnol i fod ar gael o dan adran 35 o Ddeddf Galluedd Meddyliol 2005;
  - (f) at y diben o wneud cwyn y mae'n ofynnol i Weinidogion Cymru wneud trefniadau mewn cysylltiad â hi ar gyfer darparu gwasanaethau eirioli annibynnol o dan adran 187 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006.
- (6) Pan—
- (a) fo gwasanaethau eirioli yn cael eu darparu ar gyfer person o dan adran 6, 8, 21, 22, 23 neu 24, a
  - (b) fyddai rheoliadau o dan yr adran hon (ar wahân i'r is-adran hon) yn gosod gofyniad ar awdurdod lleol i roi gwasanaethau eirioli ar gael i'r person hwnnw mewn cysylltiad â'r un materion,
- nid yw'r gofyniad hwnnw yn gymwys.'.

**Gwenda Thomas**

53

To insert a new section—

**'( ) Charging for advocacy services**

- (1) Regulations may provide for a local authority to charge for advocacy services made available by virtue of regulations under section (*section to be inserted by amendment 52*).
- (2) The regulations may (among other things) apply any provision made in or under sections 47 to 53 or section 55 to charging under this section, with or without specified modifications.
- (3) But the regulations may not make provision which enables a charge to cover anything other than the cost incurred in making available the advocacy services to which the charge relates.'

I fewnosod adran newydd—

**'( ) Codi ffi am wasanaethau eirioli**

- (1) Caiff rheoliadau ddarparu i awdurdod lleol godi ffi am wasanaethau eirioli a roddir ar gael yn rhinwedd rheoliadau o dan adran (*adran sy'n cael ei fewnosod gan welliant 52*).
- (2) Caiff y rheoliadau (ymhlith pethau eraill) gymhwyso unrhyw ddarpariaeth a wneir yn neu o dan adrannau 47 i 53 neu adran 55 i godi ffi o dan yr adran hon, gydag addasiadau

penodedig neu hebddynt.

- (3) Ond ni chaiff y rheoliadau wneud darpariaeth sy'n galluogi ffi i gwmpasu unrhyw beth ac eithrio'r gost a dynnir wrth roi ar gael y gwasanaethau eirioli y mae'r ffi yn ymwneud â hwy.'.

**Gwenda Thomas**

**54**

To insert a new section –

**'( ) Publicising advocacy services in care homes**

In section 22 of the Care Standards Act 2000 (regulation of establishments and agencies), in subsection (7), after paragraph (l) insert –

- “(m) make provision requiring a person who carries on or manages a care home in Wales to make arrangements to bring to the attention of persons accommodated in the home the advocacy services which are available to those persons by virtue of regulations made under section (*section to be inserted by amendment 52*) of the Social Services and Well-being (Wales) Act 2014.”.

I fewnosod adran newydd –

**'( ) Rhoi cyhoeddusrwydd i wasanaethau eirioli mewn cartrefi gofal**

Yn adran 22 o Ddeddf Safonau Gofal 2000 (rheoleiddio sefydliadau ac asiantaethau), yn is-adran (7), ar ôl paragraff (l) mewnosoder –

- “(m) make provision requiring a person who carries on or manages a care home in Wales to make arrangements to bring to the attention of persons accommodated in the home the advocacy services which are available to those persons by virtue of regulations made under section (*adran sy'n cael ei fewnosod gan welliant 52*) of the Social Services and Well-being (Wales) Act 2014.”.

**Gwenda Thomas**

**215**

To insert a new section –

*'Miscellaneous*

**( ) Research and provision of information**

- (1) The Welsh Ministers may conduct, commission, or assist in the conduct of, research into any matter connected with –
- (a) their functions under this Act,
  - (b) the functions mentioned in subsection (12),
  - (c) the functions of Local Health Boards under this Act, or

- (d) the functions of Safeguarding Boards.
- (2) A local authority may conduct, commission, or assist in the conduct of, research into any matter connected with—
- (a) any of its functions that are mentioned in subsection (12), or
  - (b) the functions of Safeguarding Boards.
- (3) A Local Health Board may conduct, commission, or assist in the conduct of, research into any matter connected with its functions under this Act.
- (4) The Welsh Ministers may require a local authority to provide them with information in connection with—
- (a) the performance by the authority of any of its functions that are mentioned in subsection (12), and
  - (b) the persons in relation to whom the authority has exercised those functions.
- (5) The Welsh Ministers may require a Local Health Board to provide them with information in connection with—
- (a) the performance of its functions under this Act, and
  - (b) the persons in relation to whom it has exercised those functions.
- (6) The Welsh Ministers may require the lead partner of a Safeguarding Board to provide them with information in connection with the performance by that Board of its functions.
- (7) The Welsh Ministers may require a voluntary organisation to provide them with information in connection with adults accommodated by the organisation or on its behalf.
- (8) A requirement under subsection (4), (5), (6) or (7) must be complied with by providing the information in such form and at such time as the Welsh Ministers may require.
- (9) Information required to be provided under subsection (4) may include information relating to and identifying individual children.
- (10) The Welsh Ministers must in each year lay before the National Assembly for Wales a summary of the information provided to them under subsections (4), (5), (6) and (7).
- (11) In this section—
- “the lead partner of a Safeguarding Board” (“*partner arweiniol Bwrdd Diogelu*”) is the Safeguarding Board partner specified as the lead partner in regulations under section 111, and
  - “Safeguarding Board” (“*Bwrdd Diogelu*”) means a Safeguarding Children Board or a Safeguarding Adults Board established under section 111.
- (12) The functions referred to in subsections (1), (2) and (4) are—
- (a) any function of a local authority under this Act;
  - (b) any function of a local authority as a local mental health partner under the Mental Health (Wales) Measure 2010.’.

I fewnosod adran newydd –

*'Amrywiol*

**(i) Ymchwil a darparu gwybodaeth**

- (1) Caiff Gweinidogion Cymru wneud, comisiynu, neu gynorthwyo i wneud, ymchwil i unrhyw fater sy'n gysylltiedig –
  - (a) â'u swyddogaethau o dan y Ddeddf hon,
  - (b) â'r swyddogaethau a grybwyllir yn is-adran (12),
  - (c) â swyddogaethau'r Byrddau Iechyd Lleol o dan y Ddeddf hon, neu
  - (d) â swyddogaethau'r Byrddau Diogelu.
- (2) Caiff awdurdod lleol wneud, comisiynu, neu gynorthwyo i wneud, ymchwil i unrhyw fater sy'n gysylltiedig –
  - (a) ag unrhyw un neu rai o'i swyddogaethau a grybwyllir yn is-adran (12), neu
  - (b) â swyddogaethau'r Byrddau Diogelu.
- (3) Caiff Bwrdd Iechyd Lleol wneud, comisiynu, neu gynorthwyo i wneud, ymchwil i unrhyw fater sy'n gysylltiedig â'i swyddogaethau o dan y Ddeddf hon.
- (4) Caiff Gweinidogion Cymru ei gwneud yn ofynnol i awdurdod lleol ddarparu gwybodaeth iddynt mewn cysylltiad –
  - (a) â'r modd y mae'r awdurdod yn cyflawni unrhyw un neu rai o'i swyddogaethau a grybwyllir yn is-adran (12), a
  - (b) â'r personau y mae'r awdurdod wedi arfer y swyddogaethau hynny mewn perthynas â hwy.
- (5) Caiff Gweinidogion Cymru ei gwneud yn ofynnol i Fwrdd Iechyd Lleol ddarparu gwybodaeth iddynt mewn cysylltiad –
  - (a) â'r modd y mae'n cyflawni ei swyddogaethau o dan y Ddeddf hon, a
  - (b) â'r personau y mae wedi arfer y swyddogaethau hynny mewn perthynas â hwy.
- (6) Caiff Gweinidogion Cymru ei gwneud yn ofynnol i bartner arweiniol Bwrdd Diogelu ddarparu gwybodaeth iddynt mewn cysylltiad â'r modd y mae'r Bwrdd hwnnw yn cyflawni ei swyddogaethau.
- (7) Caiff Gweinidogion Cymru ei gwneud yn ofynnol i sefydliad gwirfoddol ddarparu gwybodaeth iddynt mewn cysylltiad ag oedolion sydd wedi eu lletya gan y sefydliad neu ar ei ran.
- (8) Rhaid cydymffurfio â gofyniad o dan is-adran (4), (5), (6) neu (7) drwy ddarparu'r wybodaeth ar unrhyw ffurf ac ar unrhyw adeg sy'n ofynnol gan Weinidogion Cymru.
- (9) Caiff yr wybodaeth y mae'n ofynnol ei darparu o dan is-adran (4) gynnwys gwybodaeth sy'n ymwneud â phlant unigol ac sy'n golygu bod modd adnabod plant unigol.
- (10) Rhaid i Weinidogion Cymru ym mhob blwyddyn osod gerbron Cynulliad Cenedlaethol Cymru grynodeb o'r wybodaeth a ddarperir iddynt o dan is-adrannau (4), (5), (6) a (7).
- (11) Yn yr adran hon –

ystyr “Bwrdd Diogelu” (“Safeguarding Board”) yw Bwrdd Diogelu Plant neu Fwrdd Diogelu Oedolion a sefydlir o dan adran 111, ac

ystyr “partner arweiniol Bwrdd Diogelu” (“the lead partner of a Safeguarding Board”) yw’r partner Bwrdd Diogelu a bennir fel y partner arweiniol mewn rheoliadau o dan adran 111.

- (12) Y swyddogaethau y cyfeirir atynt yn is-adrannau (1), (2) a (4) yw –
- (a) unrhyw swyddogaeth awdurdod lleol o dan y Ddeddf hon;
  - (b) unrhyw swyddogaeth awdurdod lleol fel partner iechyd meddwl lleol o dan Fesur Iechyd Meddwl (Cymru) 2010.’.

**Gwenda Thomas**

**155**

To insert a new section –

**‘(1) Provider failure: temporary duty on local authority**

- (1) This section applies where a person registered under Part 2 of the Care Standards Act 2000 in respect of an establishment or agency (within the meaning of that Act) becomes unable to carry on or manage the establishment or agency because of business failure.
- (2) A local authority must for so long as it considers necessary (and in so far as it is not already required to do so) meet –

- (a) those of an adult’s needs for care and support, and
- (b) those of a relevant carer’s needs for support,

which were, immediately before the registered person became unable to carry on or manage the establishment or agency, being met in the authority’s area by the establishment or agency (but this is subject to section (*section to be inserted by amendment 156*)).

- (3) A local authority is required to meet needs under subsection (2) regardless of –
- (a) whether the relevant person is ordinarily resident in its area;
  - (b) whether the authority has carried out a needs assessment or a financial assessment;
  - (c) whether the authority would otherwise have a duty to meet those needs under this Act.
- (4) A local authority may impose a charge for meeting needs under subsection (2) (except in so far as doing so involves the provision of information or advice).
- (5) A charge under subsection (4) –
- (a) may be imposed only in respect of needs which were not, immediately before the registered person became unable to carry on or manage the establishment or agency, being met –
    - (i) under arrangements made by a local authority discharging its duty under section 21 or 26, or exercising its power under section 22 or 29, or
    - (ii) by the provision of accommodation or services all or part of the cost of which was paid for by direct payments made by virtue of section 34 or 36;

- (b) may cover only the cost that the local authority incurs in meeting those needs.
- (6) Sections 44 to 52 and sections 55 and 56 apply to charging under subsection (4) as they apply to charging under section 43, and accordingly a local authority's power to impose a charge under that subsection is subject to –
- (a) the provision made in regulations under section 45 or 46 (if any), and
  - (b) the authority's duties under sections 47, 50 and 51 (if applicable).
- (7) If the relevant person is not ordinarily resident in the area of the local authority which is required to meet needs under subsection (2), the authority –
- (a) must, in meeting needs under that subsection which were being met under arrangements made by another local authority discharging its duty under section 21 or 26 or exercising its power under section 22 or 29, co-operate with that authority;
  - (b) must, in meeting needs under that subsection which were being met under arrangements all or part of the cost of which was paid for by another local authority by means of direct payments made by virtue of section 34 or 36, co-operate with that authority;
  - (c) may recover from the other local authority mentioned in paragraph (a) or (b) the cost it incurs in meeting those of the adult's needs or the relevant carer's needs referred to in the paragraph in question.
- (8) Any dispute between local authorities about the application of this section is to be determined under section 164 as if it were a dispute of the type mentioned in subsection (1) of that section.
- (9) In this section and (where relevant) in section (*section to be inserted by amendment 156*) and (*section to be inserted by amendment 157*) –
- “registered person” (*“person cofrestredig”*), in relation to an establishment or agency, means the person registered under Part 2 of the Care Standards Act 2000 in respect of that establishment or agency;
  - “relevant carer” (*“gofalwr perthnasol”*) means a carer who –
    - (a) is an adult, and
    - (b) provides or intends to provide care for another adult;
  - “relevant person” (*“person perthnasol”*) means –
    - (a) in a case involving an adult's needs for care and support, that adult;
    - (b) in a case involving a relevant carer's needs for support, the adult needing care.’.



I fewnosod adran newydd –

**(1) Methiant darparwr: dyletswydd dros dro ar awdurdod lleol**

- (1) Mae'r adran hon yn gymwys pan fo person sydd wedi ei gofrestru o dan Ran 2 o Ddeddf Safonau Gofal 2000 mewn cysylltiad â sefydliad neu asiantaeth (o fewn yr ystyr a roddir i "establishment" ac "agency" yn y Ddeddf honno) yn methu â pharhau â'r sefydliad neu ei reoli neu'n methu â pharhau â'r asiantaeth neu ei rheoli oherwydd methiant busnes.
- (2) Rhaid i awdurdod lleol am ba hyd bynnag ag y mae'n ei ystyried yn angenrheidiol (ac i'r graddau nad yw eisoes yn ofynnol iddo wneud hynny) ddiwallu –
  - (a) yr anghenion hynny sydd gan oedolyn am ofal a chymorth, a
  - (b) yr anghenion hynny sydd gan ofalwr perthnasol am gymorth,a oedd, yn union cyn i'r person cofrestredig fethu â pharhau â'r sefydliad neu ei reoli neu fethu â pharhau â'r asiantaeth neu ei rheoli, yn cael eu diwallu yn ardal yr awdurdod gan y sefydliad neu'r asiantaeth (ond mae hyn yn ddarostyngedig i adran (*yr adran sy'n cael ei fewnosod gan welliant 156*)).
- (3) Mae'n ofynnol i awdurdod lleol ddiwallu anghenion o dan is-adran (2) ni waeth –
  - (a) p'un a yw'r person perthnasol yn preswyllo fel arfer yn ei ardal ai peidio;
  - (b) p'un a yw'r awdurdod wedi cynnal asesiad o anghenion neu asesiad ariannol ai peidio;
  - (c) p'un a fyddai dyletswydd fel arall ar yr awdurdod i ddiwallu'r anghenion hynny o dan y Ddeddf hon ai peidio.
- (4) Caniateir i awdurdod lleol osod ffi am ddiwallu anghenion o dan is-adran (2) (ac eithrio i'r graddau y mae gwneud hynny yn cynnwys darparu gwybodaeth neu gyngor).
- (5) Caniateir i ffi o dan is-adran (4) –
  - (a) cael ei gosod dim ond mewn cysylltiad ag anghenion nad oeddent, yn union cyn i'r person cofrestredig fethu â pharhau â'r sefydliad neu ei reoli neu fethu â pharhau â'r asiantaeth neu ei rheoli, yn cael eu diwallu –
    - (i) o dan drefniadau a wnaed gan awdurdod lleol wrth gyflawni ei ddyletswydd o dan adran 21 neu 26, neu wrth arfer ei bŵer o dan adran 22 neu 29, neu
    - (ii) drwy ddarparu llety neu wasanaethau y talwyd ei gost neu eu cost yn llwyr neu'n rhannol drwy daliadau uniongyrchol a wnaed yn rhinwedd adran 34 neu 36;
  - (b) cynnwys dim ond y gost y mae'r awdurdod lleol yn ei thynnu wrth ddiwallu'r anghenion hynny.
- (6) Mae adrannau 44 i 52 ac adrannau 55 a 56 yn gymwys i osod ffi o dan is-adran (4) yn yr un modd ag y maent yn gymwys i osod ffi o dan adran 43, ac yn unol â hynny mae pŵer awdurdod lleol i osod ffi o dan yr is-adran honno yn ddarostyngedig –
  - (a) i'r ddarpariaeth a wneir mewn rheoliadau o dan adran 45 neu 46 (os oes darpariaeth), a
  - (b) i ddyletswyddau'r awdurdod o dan adrannau 47, 50 ac 51 (os ydynt yn gymwys).

- (7) Os nad yw'r person perthnasol yn preswyllo fel arfer yn ardal yr awdurdod lleol y mae'n ofynnol iddo ddiwallu anghenion o dan is-adran (2) –
- (a) rhaid i'r awdurdod, wrth ddiwallu anghenion o dan yr is-adran honno a oedd yn cael eu diwallu o dan drefniadau a wnaed gan awdurdod lleol arall wrth gyflawni ei ddyletswydd o dan adran 21 neu 26 neu wrth arfer ei bŵer o dan adran 22 neu 29, gydweithredu â'r awdurdod hwnnw;
  - (b) rhaid i'r awdurdod, wrth ddiwallu anghenion o dan yr is-adran honno a oedd yn cael eu diwallu o dan drefniadau y talwyd eu cost yn llwyr neu'n rhannol gan awdurdod lleol arall drwy daliadau uniongyrchol a wnaed yn rhinwedd adran 34 neu 36, gydweithredu â'r awdurdod hwnnw;
  - (c) caniateir i'r awdurdod adennill oddi wrth yr awdurdod lleol arall a grybwyllir ym mharagraff (a) neu (b) y gost y mae'n ei thynnu wrth ddiwallu'r anghenion hynny sydd gan yr oedolyn neu'r anghenion hynny sydd gan y gofalwr perthnasol y cyfeirir atynt yn y paragraff o dan sylw.
- (8) Mae unrhyw anghydfod rhwng awdurdodau lleol ynghylch cymhwyso'r adran hon i'w ddyfarnu o dan adran 164 fel pe bai'n anghydfod o'r math a grybwyllir yn is-adran (1) o'r adran honno.
- (9) Yn yr adran hon a (lle y bo'n berthnasol) yn adran (*yr adran sy'n cael ei fewnosod gan welliant 156*) a (*yr adran sy'n cael ei fewnosod gan welliant 157*) –
- ystyr "gofalwr perthnasol" ("*relevant carer*") yw gofalwr –
    - (a) sy'n oedolyn, a
    - (b) sy'n darparu neu sy'n bwriadu darparu gofal i oedolyn arall;
  - ystyr "person cofrestredig" ("*registered person*"), mewn perthynas â sefydliad neu asiantaeth, yw'r person sydd wedi ei gofrestru o dan Ran 2 o Ddeddf Safonau Gofal 2000 mewn cysylltiad â'r sefydliad hwnnw neu'r asiantaeth honno;
  - ystyr "person perthnasol" ("*relevant person*") yw –
    - (a) mewn achos sy'n ymwneud ag anghenion oedolyn am ofal a chymorth, yr oedolyn hwnnw;
    - (b) mewn achos sy'n ymwneud ag anghenion gofalwr perthnasol am gymorth, yr oedolyn y mae angen gofal arno.'

**Gwenda Thomas**

**156**

To insert a new section –

**'( ) Provider failure: exception to temporary duty**

- (1) A local authority is not required to meet needs which were, immediately before the registered person became unable to carry on or manage the establishment or agency, being met –
- (a) under arrangements made or by means of services provided by a local authority in England under –
    - (i) Part 3 of the National Assistance Act 1948,

- (ii) section 45 of the Health Services and Public Health Act 1968,
  - (iii) section 117 of the Mental Health Act 1983,
  - (iv) Schedule 20 to the National Health Service Act 2006, or
  - (v) section 2 of the Carers and Disabled Children Act 2000;
- (b) under arrangements made by a local authority in Scotland discharging its duty under section 12 or 13A of the Social Work (Scotland) Act 1968 or section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003;
- (c) under arrangements made by a Health and Social Care trust under Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) or section 2 of the Carers and Direct Payments Act (Northern Ireland) 2002;
- (d) by the provision of accommodation or services all or part of the cost of which was paid for by direct payments made –
- (i) by virtue of section 57 of the Health and Social Care Act 2001,
  - (ii) as a result of the choice made by the adult pursuant to section 5 of the Social Care (Self-directed Support) (Scotland) Act 2013, or
  - (iii) by virtue of section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002.
- (2) Pending the commencement of section 5 of the Social Care (Self-directed Support) (Scotland) Act 2013, subsection (1)(d)(ii) is to be read as if there were substituted for that sub-paragraph –

“(ii) under section 12B of the Social Work (Scotland) Act 1968, or”.

I fewnosod adran newydd –

**(1) Methiant darparwr: eithriad i’r ddyletswydd dros dro**

- (1) Nid yw’n ofynnol i awdurdod lleol ddiwallu anghenion a oedd, yn union cyn i’r person cofrestredig fethu â pharhau â’r sefydliad neu ei reoli neu fethu â pharhau â’r asiantaeth neu ei rheoli, yn cael eu diwallu –
- (a) o dan drefniadau a wnaed neu drwy gyfrwng gwasanaethau a ddarparwyd gan awdurdod lleol yn Lloegr o dan –
    - (i) Rhan 3 o Ddeddf Cymorth Gwladol 1948,
    - (ii) adran 45 o Ddeddf Gwasanaethau Iechyd ac Iechyd y Cyhoedd 1968,
    - (iii) adran 117 o Ddeddf Iechyd Meddwl 1983,
    - (iv) Atodlen 20 i Ddeddf y Gwasanaeth Iechyd Gwladol 2006, neu
    - (v) adran 2 o Ddeddf Gofalwyr a Phlant Anabl 2000;
  - (b) o dan drefniadau a wnaed gan awdurdod lleol yn yr Alban wrth gyflawni ei ddyletswydd o dan adran 12 neu 13A o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968 neu adran 25 o Ddeddf Iechyd Meddwl (Gofal a Thriniaeth) (Yr Alban) 2003;
  - (c) o dan drefniadau a wnaed gan ymddiriedolaeth Iechyd a Gofal Cymdeithasol o

- dan Erthygl 15 o Orchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972 (O.S. 1972/1265 (N.I. 14)) neu adran 2 o Ddeddf Gofalwyr a Thaliadau Uniongyrchol (Gogledd Iwerddon) 2002;
- (d) drwy ddarparu llety neu wasanaethau y talwyd ei gost neu eu cost yn llwyr neu'n rhannol drwy daliadau uniongyrchol a wnaed –
- (i) yn rhinwedd adran 57 o Ddeddf Iechyd a Gofal Cymdeithasol 2001,
  - (ii) o ganlyniad i'r dewis a wnaed gan yr oedolyn yn unol ag adran 5 o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013, neu
  - (iii) yn rhinwedd adran 8 o Ddeddf Gofalwyr a Thaliadau Uniongyrchol (Gogledd Iwerddon) 2002.
- (2) Wrth ddisgwyl i adran 5 o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013 gychwyn, mae is-adran (1)(d)(ii) i'w darllen fel pe bai'r is-baragraff hwnnw wedi ei amnewid gan yr is-baragraff a ganlyn –
- “(ii) o dan adran 12B o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968, neu”’.

**Gwenda Thomas**

**157**

To insert a new section –

**(1) Provider failure: supplementary**

- (1) A local authority becomes subject to the duty under section (*section to be inserted by amendment 155*)(2) as soon as it becomes aware of the business failure.
- (2) Section 20 (how to meet needs) and sections 30 to 33 (meeting needs: exceptions and restrictions) apply to meeting needs under section (*section to be inserted by amendment 155*) as they apply to meeting needs under sections 21 to 29.
- (3) Regulations may make provision about the persons whom the local authority must involve in connection with meeting needs under section (*section to be inserted by amendment 155*)(2).
- (4) Where a person whose needs are being met by a local authority under section (*section to be inserted by amendment 155*)(2) is also being provided with continuing NHS care under arrangements made by a Local Health Board no part of whose area is in the local authority's area, the Local Health Board is to be treated as a relevant partner of the authority for the purposes of sections 143 and 145.
- (5) In subsection (4) “continuing NHS care” means services or facilities provided by virtue of sections 3(1)(e) and 12 of the National Health Service (Wales) Act 2006.
- (6) Where a local authority considers it necessary to do so for the purpose of carrying out its duty under section (*section to be inserted by amendment 155*)(2), it may request the registered person, or such other person involved in the establishment or agency's business as it considers appropriate, to provide it with information.
- (7) Regulations must make provision as to the interpretation, for the purposes of section (*section to be inserted by amendment 155*) and this section, of references to business failure or to being unable to do something because of business failure; and the regulations may,

in particular, specify circumstances in which a person is to be treated as unable to carry on or manage an establishment or agency because of business failure.’.

I fewnosod adran newydd –

**‘( ) Methiant darparwr: atodol**

- (1) Daw awdurdod lleol yn ddarostyngedig i’r ddyletswydd o dan adran (*yr adran sy’n cael ei fewnosod gan welliant 155*)(2) cyn gynted ag y daw’n ymwybodol o’r methiant busnes.
- (2) Mae adran 20 (sut i ddiwallu anghenion) ac adrannau 30 i 33 (diwallu anghenion: eithriadau a chyfyngiadau) yn gymwys i ddiwallu anghenion o dan adran (*yr adran sy’n cael ei fewnosod gan welliant 155*) yn yr un modd ag y maent yn gymwys i ddiwallu anghenion o dan adrannau 21 i 29.
- (3) Caiff reoliadau wneud darpariaeth ynghylch y personau y mae rhaid i’r awdurdod lleol eu cynnwys mewn cysylltiad â diwallu anghenion o dan adran (*yr adran sy’n cael ei fewnosod gan welliant 155*)(2).
- (4) Pan fo person y mae ei anghenion yn cael eu diwallu gan awdurdod lleol o dan adran (*yr adran sy’n cael ei fewnosod gan welliant 155*)(2) ac y mae gofal parhaus y GIG hefyd yn cael ei ddarparu iddo o dan drefniadau a wnaed gan Fwrdd Iechyd Lleol nad yw unrhyw ran o’i ardal yn ardal yr awdurdod lleol, mae’r Bwrdd Iechyd Lleol i’w drin fel partner perthnasol yr awdurdod at ddibenion adrannau 143 a 145.
- (5) Yn is-adran (4) ystyr “gofal parhaus y GIG” yw gwasanaethau neu gyfleusterau a ddarperir yn rhinwedd adrannau 3(1)(e) a 12 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006.
- (6) Pan fo awdurdod lleol yn barnu ei bod yn angenrheidiol gwneud hynny at y diben o gyflawni ei ddyletswydd o dan adran (*yr adran sy’n cael ei fewnosod gan welliant 155*)(2), caiff ofyn i’r person cofrestredig, neu unrhyw berson arall sy’n gysylltiedig â busnes y sefydliad neu’r asiantaeth fel y bernir yn briodol ganddo, i ddarparu gwybodaeth iddo.
- (7) Rhaid i reoliadau wneud darpariaeth ynglŷn â’r dehongliad, at ddibenion adran (*yr adran sy’n cael ei fewnosod gan welliant 155*) a’r adran hon, o gyfeiriadau at fethiant busnes neu at fethu â gwneud rhywbeth oherwydd methiant busnes; a caiff y rheoliadau, yn benodol, bennu’r amgylchiadau hynny lle y mae person i’w drin fel rhywun sy’n methu â pharhau â sefydliad neu ei reoli neu’n methu â pharhau ag asiantaeth neu ei rheoli oherwydd methiant busnes.’.

**Gwenda Thomas**

**395**

To insert a new section –

**‘( ) Amendment of the National Assistance Act 1948**

In section 49 of the National Assistance Act 1948 (expenses of council officers acting as receivers), after “Act” insert “, other than one in Wales,”’.

I fewnosod adran newydd –

**'() Diwygio Deddf Cymorth Gwladol 1948**

Yn adran 49 o Ddeddf Cymorth Gwladol 1948 (treuliau swyddogion cyngor sy'n gweithredu fel derbynyddion), ar ôl "Act" mewnosoder ", other than one in Wales,"'.

**Gwenda Thomas 216**

Section 162, page 104, line 14, leave out '59(3)' and insert '60(1)'.

Adran 162, tudalen 104, llinell 14, hepgorer '59(3)' a mewnosoder '60(1)'.

**Gwenda Thomas 217**

Section 162, page 104, line 23, after 'Ministers,', insert 'an NHS Trust or the Secretary of State,'.

Adran 162, tudalen 104, llinell 23, ar ôl 'Cymru,', mewnosoder 'Ymddiriedolaeth GIG neu'r Ysgrifennydd Gwladol,'.

**Gwenda Thomas 218**

Section 162, page 104, line 24, after 'Board', insert ', an NHS Trust, the Welsh Ministers, the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group'.

Adran 162, tudalen 104, llinell 24, ar ôl 'Lleol', mewnosoder ', Ymddiriedolaeth GIG, Gweinidogion Cymru, yr Ysgrifennydd Gwladol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol neu grŵp comisiynu clinigol'.

**Gwenda Thomas 396**

Section 162, page 104, line 35, leave out '94' and insert '(section to be inserted by amendment 361)'.

Adran 162, tudalen 104, llinell 36, hepgorer '94' a mewnosoder '(yr adran sy'n cael ei fewnosod gan welliant 361)'.

**Gwenda Thomas 158**

Section 163, page 105, line 3, leave out 'particular type' and insert 'type specified in regulations and the adult is living in accommodation in Wales of a type so specified'.

Adran 163, tudalen 105, llinell 3, hepgorer 'penodol' a mewnosoder 'a bennir mewn rheoliadau a bod yr oedolyn yn byw mewn llety yng Nghymru o fath a bennir felly'.

**Gwenda Thomas 159**

Section 163, page 105, line 4, leave out 'Part' and insert 'Act'.

Adran 163, tudalen 105, llinell 3, hepgorer 'Rhan' a mewnosoder 'Ddeddf'.

**Gwenda Thomas** **160**

Section 163, page 105, line 6, leave out 'that type' and insert 'a type specified in the regulations'.

Adran 163, tudalen 105, llinell 6, hepgorer 'o'r math hwnnw' a mewnosoder 'o fath a bennir yn y rheoliadau'.

**Gwenda Thomas** **161**

Section 163, page 105, line 8, leave out 'that type' and insert 'a type so specified'.

Adran 163, tudalen 105, llinell 7, hepgorer 'o'r math hwnnw' a mewnosoder 'o fath a bennir felly'.

**Gwenda Thomas** **162**

Section 163, page 105, after line 9, insert—

- '( ) Where, before beginning to live in his or her current accommodation, the adult was living in accommodation of a type so specified (whether or not of the same type as the current accommodation), the reference in subsection (1)(a) to when the adult began to live in accommodation of a type so specified is a reference to the beginning of the period during which the adult has been living in accommodation of one or more of the specified types for consecutive periods.
- ( ) The regulations may make provision for determining for the purposes of subsection (1) whether an adult has needs for care and support which can be met only if the adult is living in accommodation of a type specified in regulations.'

Adran 163, tudalen 105, ar ôl llinell 8, mewnosoder—

- '( ) Pan fo oedolyn, cyn iddo ddechrau byw yn ei lety presennol, yn byw mewn llety o fath a bennir felly (p'un a yw'r llety o'r un fath â'r llety presennol ai peidio), mae'r cyfeiriad yn is-adran (1)(a) at y cyfnod y dechreuodd yr oedolyn fyw mewn llety o fath a bennir felly yn gyfeiriad at ddechrau'r cyfnod y mae'r oedolyn wedi bod yn byw mewn llety o un neu fwy o'r mathau a bennir am gyfnodau olynol.
- ( ) Caiff y rheoliadau wneud darpariaeth i ddyfarnu at ddibenion is-adran (1) a oes gan oedolyn anghenion am ofal a chymorth na ellir eu diwallu ond os yw'r oedolyn yn byw mewn llety o fath a bennir mewn rheoliadau.'

**Gwenda Thomas** **163**

Section 163, page 105, line 10, leave out 'the National Health Service (Wales) Act 2006' and insert 'a health enactment'.

Adran 163, tudalen 105, llinell 9, hepgorer 'Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006' a mewnosoder 'ddeddfiad iechyd'.

**Gwenda Thomas** **164**

Section 163, page 105, line 11, leave out 'Part' and insert 'Act'.

Adran 163, tudalen 105, llinell 10, hepgorer 'Rhan' a mewnosoder 'Ddeddf'.

**Gwenda Thomas**

**165**

Section 163, page 105, line 12, after 'resident', insert 'immediately'.

Adran 163, tudalen 105, llinell 11, ar ôl 'arfer', mewnosoder 'yn union'.

**Gwenda Thomas**

**166**

Section 163, page 105, after line 15, insert –

'( ) In subsection (2) "health enactment" means –

- (a) the National Health Service (Wales) Act 2006;
- (b) the National Health Service Act 2006;
- (c) the National Health Service (Scotland) Act 1978;
- (d) the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14));
- (e) the Health and Social Care (Reform) Act (Northern Ireland) 2009.'

Adran 163, tudalen 105, ar ôl llinell 13, mewnosoder –

'( ) Yn is-adran (2) ystyr "deddfiad iechyd" yw –

- (a) Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;
- (b) Deddf y Gwasanaeth Iechyd Gwladol 2006;
- (c) Deddf y Gwasanaeth Iechyd Gwladol (Yr Alban) 1978;
- (d) Gorchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972 (O.S. 1972/1265 (N.I. 14));
- (e) Deddf (Diwygio) Iechyd a Gofal Cymdeithasol (Gogledd Iwerddon) 2009.'

**Gwenda Thomas**

**167**

Section 163, page 105, line 16, leave out subsection (3).

Adran 163, tudalen 105, llinell 14, hepgorer is-adran (3).

**Gwenda Thomas**

**168**

Section 163, page 105, line 27, after 'authority', insert 'or a local authority in England'.

Adran 163, tudalen 105, llinell 24, ar ôl 'lleol', mewnosoder 'neu awdurdod lleol yn Lloegr'.



**William Graham**

**81**

To insert a new section –

*‘Whistleblowing*

**( ) Whistleblowing**

A person exercising any function under this Act shall be a “worker” for the purposes of sections 43K, 47B (and of sections 48 and 49 so far as they relate to section 47B) and 230 of the Employment Rights Act 1996.’.

*This amendment will ensure that workers performing functions under this Bill will be protected under the whistleblowing provisions in the Employment Rights Act 1996.*

I fewnosod adran newydd –

*‘Chwythu’r Chwiban*

**( ) Chwythu’r Chwiban**

Bydd person sy’n gweithredu unrhyw swyddogaeth o dan y Ddeddf hon yn “weithiwr” at ddibenion adrannau 43K, 47B (ac adrannau 48 a 49 i’r graddau y maent yn gysylltiedig ag adran 47B) a 230 o Ddeddf Hawliau Cyflogaeth 1996.’.

*Bydd y gwelliant hwn yn sicrhau y caiff gweithwyr sy’n arfer swyddogaethau o dan y Bil hwn eu diogelu o dan ddarpariaethau chwythu’r chwiban Deddf Hawliau Cyflogaeth 1996.*

**Gwenda Thomas**

**169**

Section 165, page 106, line 19, leave out ‘of the Welsh Ministers’.

Adran 165, tudalen 106, llinell 19, hepgorer ‘sydd gan Weinidogion Cymru’.

**Gwenda Thomas**

**170**

Section 165, page 106, line 21, leave out ‘of the Welsh Ministers’.

Adran 165, tudalen 106, llinell 21, hepgorer ‘sydd gan Weinidogion Cymru’.

**Gwenda Thomas**

**171**

Section 165, page 106, line 27, leave out ‘such incidental, supplementary, consequential, transitory, transitional or saving provision as the Welsh Ministers think fit’ and insert ‘incidental, supplementary, consequential, transitory, transitional or saving provision’.

Adran 165, tudalen 106, llinell 28, hepgorer ‘unrhyw ddarpariaeth gysylltiedig, atodol, canlyniadol, darfodol, trosiannol neu arbed y gwêl Gweinidogion Cymru’n dda ei gwneud’ a mewnosoder ‘darpariaeth gysylltiedig, atodol, ganlyniadol, ddarfodol, drosiannol neu arbed’.

**Gwenda Thomas** 172

Section 165, page 106, after line 28, insert—

‘() Subsections (1) and (2) do not apply to an order which may be made by a court or a justice of the peace.’

Adran 165, tudalen 106, ar ôl llinell 29, mewnosoder—

‘() Nid yw is-adrannau (1) a (2) yn gymwys i orchymyn y caniateir i lys neu ynad heddwch ei wneud.’

**Gwenda Thomas** 173

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 165, tudalen 106, llinell 30, hepgorer ‘unrhyw’.

**Gwenda Thomas** 174

Section 165, page 106, line 29, after ‘made’, insert ‘by the Welsh Ministers’.

Adran 165, tudalen 106, llinell 30, ar ôl ‘wneir’, mewnosoder ‘gan Weinidogion Cymru’.

**Gwenda Thomas** 175

Section 165, page 106, line 32, after ‘orders’, insert ‘(whether alone or with other provision)’.

Adran 165, tudalen 106, llinell 34, ar ôl ‘canlynol’, mewnosoder ‘(p’un ai ar eu pennau eu hunain neu ar y cyd â darpariaeth arall)’.

**Gwenda Thomas** 176

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version

Adran 165, tudalen 106, llinell 35, hepgorer ‘eu gwneud’ a mewnosoder ‘ei wneud’.

**Gwenda Thomas** 177

Section 165, page 106, line 35, leave out ‘19, 97’ and insert ‘3(6), 7(3), 9(3), 19, 23(1), 26(1), 27(1), 97, 105(9), 112(4)’.

Adran 165, tudalen 106, llinell 37, hepgorer ‘adrannau 19, 97’ a mewnosoder ‘adran 3(6), 7(3), 9(3), 19, 23(1), 26(1), 27(1), 97, 105(9), 112(4)’.

**Kirsty Williams** 61

Section 165, page 106, line 35, leave out ‘19,’.

Adran 165, tudalen 106, llinell 37, hepgorer ‘19,’.

**William Graham**

275

Section 165, page 106, after line 35, insert—

‘() regulations to which section (*section to be inserted by amendment 254*) applies;’.

Adran 165, tudalen 106, ar ôl llinell 37, mewnosoder—

‘() rheoliadau y mae adran (*yr adran sy’n cael ei fewnosod gan welliant 254*) yn gymwys iddynt;’.

**William Graham**

276

Section 165, page 106, after line 35, insert—

‘() regulations to which section (*section to be inserted by amendment 255*) applies;’.

Adran 165, tudalen 106, ar ôl llinell 37, mewnosoder—

‘() rheoliadau y mae adran (*yr adran sy’n cael ei fewnosod gan welliant 255*) yn gymwys iddynt;’.

**William Graham**

82

Section 165, page 106, line 36, after ‘section’, insert ‘2’.

*This will ensure that any changes to the list of factors to determine a person’s well-being will need to follow the affirmative procedure.*

Adran 165, tudalen 106, llinell 38, ar ôl ‘adran’, mewnosoder ‘2’.

*Bydd hyn yn sicrhau y bydd angen i unrhyw newidiadau i’r rhestr o ffactorau i fesur llesiant person ddilyn y weithdrefn gadarnhaol.*

**Gwenda Thomas**

178

Section 165, page 107, after line 2, insert—

‘(6) A statutory instrument containing regulations made by the Lord Chancellor under section 85 is subject to annulment in pursuance of a resolution of either House of Parliament.’.

Adran 165, tudalen 107, ar ôl llinell 3, mewnosoder—

‘(6) Mae offeryn statudol sy’n cynnwys rheoliadau a wneir gan yr Arglwydd Ganghellor o dan adran 85 yn ddarostyngedig i’w ddirymu yn unol â phenderfyniad gan y naill neu’r llall o ddau Dŷ’r Senedd.’.

**Kirsty Williams**

62

Section 165, page 107, after line 2, insert—

‘(6) For additional requirements in relation to the making by Welsh Ministers of regulations under section 19 see section (*section to be inserted by amendment 60*).’.

Adran 165, tudalen 107, ar ôl llinell 3, mewnosoder –

‘(6) Am ofynion ychwanegol mewn perthynas â Gweinidogion Cymru yn gwneud rheoliadau o dan adran 19 gweler adran (*adran sy’n cael ei fewnosod gan welliant 60*)’.

**William Graham**

**183**

Section 166, page 107, line 6, after ‘emotional’, insert ‘, institutional’.

Adran 166, tudalen 107, llinell 26, ar ôl ‘emosiynol’, mewnosoder ‘, sefydliadol’.

**Gwenda Thomas**

**219**

Section 166, page 107, after line 19, insert –

“clinical commissioning group” (“*grŵp comisiynu clinigol*”) means a body established under section 14D of the National Health Service Act 2006;’.

Adran 166, tudalen 108, ar ôl llinell 12, mewnosoder –

‘ystyr “grŵp comisiynu clinigol” (“*clinical commissioning group*”) yw corff a sefydlir o dan adran 14D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;’.

**Gwenda Thomas**

**220**

Section 166, page 107, after line 19, insert –

“community home” (“*cartref cymunedol*”) and “controlled community home” (“*cartref cymunedol a reolir*”) have the meaning given by section 53 of the Children Act 1989;’.

Adran 166, tudalen 107, ar ôl llinell 32, mewnosoder –

‘mae i “cartref cymunedol” (“*community home*”) a “cartref cymunedol a reolir” (“*controlled community home*”) yr ystyr a roddir i “*community home*” a “*controlled community home*” gan adran 53 o Ddeddf Plant 1989;’.

**Gwenda Thomas**

**221**

Section 166, page 107, after line 20, insert –

“education functions” (“*swyddogaethau addysg*”) has the meaning given by section 579(1) of the Education Act 1996;’.

Adran 166, tudalen 109, ar ôl llinell 6, mewnosoder –

‘mae i “swyddogaethau addysg” (“*education functions*”) yr ystyr a roddir i “*education functions*” gan adran 579(1) o Ddeddf Addysg 1996;’.

**Gwenda Thomas**

**397**

Section 166, page 107, line 22, leave out –

‘a provision contained in any of the following (whenever enacted or made) –  
(a) an Act of Parliament;

- (b) a Measure or an Act of the National Assembly for Wales;
- (c) subordinate legislation within the meaning of the Interpretation Act 1978 (including made under an Act of Parliament or a Measure or an Act of the National Assembly for Wales)'

And insert –

' –

- ( ) except in sections 117(2)(b), 153(7) and 167(2)(b), a provision contained in any of the following (whenever enacted or made) –
  - (i) an Act of Parliament;
  - (ii) an Act or Measure of the National Assembly for Wales;
  - (iii) an Act of the Scottish Parliament;
  - (iv) Northern Ireland legislation (within the meaning of the Interpretation Act 1978);
  - (v) subordinate legislation made under an enactment falling within subparagraphs (i) to (iv);
- ( ) in sections 117(2)(b), 153(7) and 167(2)(b), a provision contained in any of the following (whenever enacted or made) –
  - (i) an Act of Parliament;
  - (ii) an Act or Measure of the National Assembly for Wales;
  - (iii) subordinate legislation made under an enactment falling within subparagraph (i) or (ii)'.

Adran 166, tudalen 108, llinell 3, hepgorer –

'darpariaeth sydd wedi ei chynnwys mewn unrhyw un o'r canlynol (pa bryd bynnag y cawsant eu deddfu neu eu gwneud) –

- (a) Deddf Seneddol;
- (b) Mesur neu Ddeddf gan Gynulliad Cenedlaethol Cymru;
- (c) is-ddeddfwriaeth o fewn ystyr "*subordinate legislation*" yn Neddf Ddehongli 1978 (gan gynnwys is-ddeddfwriaeth a wnaed o dan Ddeddf Seneddol neu un o Fesurau neu Ddeddfau Cynulliad Cenedlaethol Cymru)'

A mewnosoder –

' –

- ( ) ac eithrio yn adrannau 117(2)(b), 153(7) a 167(2)(b), darpariaeth sydd wedi ei chynnwys mewn unrhyw un neu rai o'r canlynol (pa bryd bynnag y byddant wedi eu deddfu neu eu gwneud) –
  - (i) Deddf Seneddol;
  - (ii) Deddf neu Fesur gan Gynulliad Cenedlaethol Cymru;
  - (iii) Deddf Senedd yr Alban;
  - (iv) deddfwriaeth Gogledd Iwerddon (o fewn ystyr "*Northern Ireland legislation*" yn Neddf Dehongli 1978);

- (v) is-ddeddfwriaeth a wneir o dan ddeddfiad sy'n dod o fewn is-baragraffau (i) i (iv);
- ( ) yn adrannau 117(2)(b), 153(7) a 167(2)(b), darpariaeth sydd wedi ei chynnwys mewn unrhyw un neu rai o'r canlynol (pa bryd bynnag y byddant wedi eu deddfu neu eu gwneud)—
  - (i) Deddf Seneddol;
  - (ii) Deddf neu Fesur gan Gynulliad Cenedlaethol Cymru;
  - (iii) is-ddeddfwriaeth a wneir o dan ddeddfiad sy'n dod o fewn is-baragraff (i) neu (ii)'.

**Gwenda Thomas**

**398**

Section 166, page 108, after line 6, insert—

“Health and Social Care trust” (*“ymddiriedolaeth Iechyd a Gofal Cymdeithasol”*) means a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1));’.

Adran 166, tudalen 109, ar ôl llinell 13, mewnosoder—

‘ystyr “ymddiriedolaeth Iechyd a Gofal Cymdeithasol” (*“Health and Social Care trust”*) yw ymddiriedolaeth Iechyd a Gofal Cymdeithasol a sefydlwyd o dan Orchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1991 (S.I. 1991/194 (N.I. 1));’.

**Gwenda Thomas**

**222**

Section 166, page 108, after line 6, insert—

“hospital” (*“ysbyty”*) has the meaning given by section 206 of the National Health Service (Wales) Act 2006;’.

Adran 166, tudalen 109, ar ôl llinell 13, mewnosoder—

‘mae i “ysbyty” (*“hospital”*) yr ystyr a roddir i “hospital” gan adran 206 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;’.

**Gwenda Thomas**

**223**

Section 166, page 108, line 7, leave out ‘has the meaning given by section 2 of the Care Standards Act 2000’ and insert—

‘—

- (a) in relation to Wales, has the meaning given by section 2 of the Care Standards Act 2000, and
- (b) in relation to England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section’.

Adran 166, tudalen 109, llinell 14, hepgorer 'yr ystyr a roddir i "independent hospital" gan adran 2 o Ddeddf Safonau Gofal 2000' a mewnosoder –

' –

- (a) o ran Cymru, yr ystyr a roddir i "independent hospital" gan adran 2 o Ddeddf Safonau Gofal 2000, a
- (b) o ran Lloegr, yr ystyr a roddir i "hospital" fel y'i diffinnir gan adran 275 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006 nad yw'n ysbyty gwasanaeth iechyd fel y diffinnir "health service hospital" gan yr adran honno'.

**Gwenda Thomas**

**399**

Section 166, page 108, line 11, leave out 'the council of a county in England, a metropolitan district in England, a London Borough or the Common Council of the the City of London' and insert –

' –

- (a) a county council in England,
- (b) a district council for an area in England for which there is no county council,
- (c) a London borough council, or
- (d) the Common Council of the City of London'.

Adran 166, tudalen 107, llinell 17, hepgorer 'dosbarth metropolitanaidd yn Lloegr, un o Fwrdeistrefi' a mewnosoder –

- '(b) cyngor dosbarth ar gyfer ardal yn Lloegr lle nad oes cyngor sir,
- (c) cyngor bwrdeistref yn'.

**Gwenda Thomas**

**224**

Section 166, page 108, line 14, leave out 'has the meaning given by section 65(14)' and insert 'means a person who is approved as a local authority foster parent in accordance with regulations made by virtue of section 77'.

Adran 166, tudalen 108, hepgorer llinellau 38 hyd at 39 a mewnosoder –

'ystyr "rhiant maeth awdurdod lleol" ("local authority foster parent") yw person sydd wedi ei gymeradwyo fel rhiant maeth awdurdod lleol yn unol â rheoliadau a wneir yn rhinwedd adran 77;'

**Gwenda Thomas**

**400**

Section 166, page 108, after line 15, insert –

"local authority in Scotland" ("awdurdod lleol yn yr Alban") means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;'

Adran 166, tudalen 107, ar ôl llinell 15, mewnosoder –

'ystyr "awdurdod lleol yn yr Alban" ("local authority in Scotland") yw cyngor a gyfansoddiwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994;'

**Gwenda Thomas**

**401**

Section 166, page 108, leave out lines 18 to 19.

Adran 166, tudalen 108, hepgorer llinellau 34 hyd at 35.

**Gwenda Thomas**

**225**

Section 166, page 108, after line 21, insert –

“National Health Service Commissioning Board” (*“Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol”*) means the body established under section 1H of the National Health Service Act 2006;’.

Adran 166, tudalen 107, ar ôl llinell 20, mewnosoder –

‘ystyr “Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol” (*“National Health Service Commissioning Board”*) yw’r corff a sefydlwyd o dan adran 1H o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;’.

**William Graham**

**83**

Section 166, page 108, after line 22, insert –

“neglect” (*“esgeulustod”*) in relation to a person means a persistent failure to meet the person’s physical or psychological needs (or both) likely to result in the serious impairment of the individual’s well-being and in the case of a child also includes physical, intellectual, emotional, social and behavioural development;’.

*This amendment will define the meaning of neglect for the purposes of the Bill.*

Adran 166, tudalen 108, ar ôl llinell 9, mewnosoder –

‘ystyr “esgeulustod” (*“neglect”*) mewn perthynas â pherson yw methiant parhaus i fodloni anghenion corfforol neu seicolegol person (neu’r ddau) sy’n debygol o arwain at nam difrifol ar lesiant unigolyn ac, yn achos plentyn, sydd hefyd yn cynnwys datblygiad corfforol, deallusol, emosiynol, cymdeithasol ac ymddygiadol;’.

*Bydd y gwelliant hwn yn diffinio ystyr esgeulustod at ddibenion y Bil.*

**Lindsay Whittle**

**498**

Section 166, page 108, after line 22, insert –

“neglect” (*“esgeulustod”*) in relation to a person means the failure to meet a person’s basic physical, emotional, social or psychological needs likely to result in the serious impairment of their health, well-being or development;’.

*An amendment to define neglect for the purposes of the Bill.*



Adran 166, tudalen 108, ar ôl llinell 9, mewnosoder –

‘ystyr “esgeulustod” (“neglect”) mewn perthynas â pherson yw methiant i ddiwallu anghenion corfforol, emosiynol, cymdeithasol neu seicolegol sylfaenol person, sy’n debygol o arwain at amharu’n ddifrifol ar ei iechyd, llesiant neu ddatblygiad;’.

*Gwelliant i ddiffino esgeulustod at ddiben y Bil.*

**Gwenda Thomas**

**226**

Section 166, page 108, after line 26, insert –

“private children’s home” (“*cartref plant preifat*”) means a children’s home which is not –

- (a) a community home, or
- (b) a voluntary home (within the meaning given by section 60 of the Children Act 1989);’.

Adran 166, tudalen 107, ar ôl llinell 37, mewnosoder –

‘ystyr “cartref plant preifat” (“*private children’s home*”) yw cartref plant nad yw’n –

- (a) cartref cymunedol, na
- (b) cartref gwirfoddol (o fewn yr ystyr a roddir i “*voluntary home*” gan adran 60 o Ddeddf Plant 1989);’.

**Gwenda Thomas**

**179**

Section 166, page 108, line 27, after “(*rheoliadau*)”, insert ‘, other than in relation to section 85,‘.

Adran 166, tudalen 108, llinell 36, ar ôl “(*regulations*)”, mewnosoder ‘, ac eithrio mewn perthynas ag adran 85,‘.

**Gwenda Thomas**

**227**

Section 166, page 108, after line 27, insert –

“relative” (“*perthynas*”), in relation to a child, means a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent;’.

Adran 166, tudalen 108, ar ôl llinell 32, mewnosoder –

‘ystyr “perthynas” (“*relative*”), mewn perthynas â phlentyn, yw mam-gu/nain, tad-cu/taid, brawd, chwaer, ewythr neu fodryb (p’un ai o waed coch cyfan neu o hanner gwaed neu drwy briodas neu bartneriaeth sifil) neu lys-riant;’.

**Gwenda Thomas**

**228**

Section 166, page 108, after line 34, insert –

“special guardian” (“*gwarcheidwad arbennig*”) and “special guardianship order” (“*gorchymyn gwarcheidiaeth arbennig*”) have the meaning given by section 14A of

the Children Act 1989;’.

Adran 166, tudalen 108, ar ôl llinell 12, mewnosoder –

‘mae i “gwarcheidwad arbennig” (“special guardian”) a “gorchymyn gwarcheidiaeth arbennig” (“special guardianship order”) yr ystyr a roddir i “special guardian” a “special guardianship order” gan adran 14A o Ddeddf Plant 1989;’.

**Gwenda Thomas**

**229**

Section 166, page 109, line 3, after ‘2006’, insert ‘or section 28 of the National Health Service Act 2006’.

Adran 166, tudalen 107, llinell 13, ar ôl ‘2006’, mewnosoder ‘neu adran 28 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006’.

**Gwenda Thomas**

**467**

Section 166, page 109, line 4, leave out ‘means specified in regulations or, in section 120(2), a code; but this definition does not apply in sections 105, 114, 129, 130, 136, 138, 139, 142 or paragraphs 2 and 3 of Schedule 1’ and insert ‘, unless the context otherwise requires, means specified in regulations’.

Adran 166, tudalen 108, llinell 30, hepgorer ‘yw penodedig mewn rheoliadau neu orchymyn neu, yn adran 120(2), mewn cod; ond nid yw’r diffiniad hwn yn gymwys yn adrannau 105, 114, 129, 130, 136, 138, 139, 142 neu baragraffau 2 a 3 o Atodlen 1’ a mewnosoder ‘, oni bai bod y cyd-destun yn mynnu fel arall, yw penodedig mewn rheoliadau’.

**Gwenda Thomas**

**55**

Section 166, page 109, after line 15, insert –

“youth offending team” (“tîm troseddwyd ifanc”) means a team established under section 39 of the Crime and Disorder Act 1998.’.

Adran 166, tudalen 109, ar ôl llinell 10, mewnosoder –

‘ystyr “tîm troseddwyd ifanc” (“youth offending team”) yw tîm a sefydlir o dan adran 39 o Ddeddf Trosedd ac Anrhefn 1998;’.

**Gwenda Thomas**

**402**

Section 166, page 109, after line 15, insert –

‘() In this Act –

- (a) a reference to a child looked after by a local authority has the meaning given by section 58;
- (b) a reference to a child looked after by a local authority in England has the meaning given to a reference in the Children Act 1989 to a child who is looked after by a local authority for an area in England (see section 22 of that Act);
- (c) a reference to a child looked after by a local authority in Scotland has the same meaning as a reference in Chapter 1 of Part 2 of the Children (Scotland) Act 1995

to a child who is “looked after” by a local authority (see section 17(6) of that Act);

- (d) a reference to a child looked after by a Health and Social Care trust has the same meaning as a reference in the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) to a child who is looked after by an authority (see article 25 of that Order).’.

Adran 166, tudalen 109, ar ôl llinell 15, mewnosoder –

‘() Yn y Ddeddf hon –

- (a) mae i gyfeiriad at blentyn sy’n derbyn gofal gan awdurdod lleol yr ystyr a roddir gan adran 58;
- (b) mae i gyfeiriad at blentyn sy’n derbyn gofal gan awdurdod lleol yn Lloegr yr ystyr a roddir i gyfeiriad yn Neddf Plant 1989 at blentyn sy’n derbyn gofal gan awdurdod lleol ar gyfer ardal yn Lloegr (gweler adran 22 o’r Ddeddf honno);
- (c) mae i gyfeiriad at blentyn sy’n derbyn gofal gan awdurdod lleol yn yr Alban yr un ystyr â chyfeiriad ym Mhennod 1 o Ran 2 o Ddeddf Plant (Yr Alban) 1995 at blentyn sy’n derbyn gofal (“looked after”) gan awdurdod lleol (gweler adran 17(6) o’r Ddeddf honno);
- (d) mae i gyfeiriad at blentyn sy’n derbyn gofal gan ymddiriedolaeth Iechyd a Gofal Cymdeithasol yr un ystyr â chyfeiriad yng Ngorchymyn Plant (Gogledd Iwerddon) 1995 (O.S. 1995/755 (N.I. 2)) at blentyn sy’n derbyn gofal gan awdurdod (gweler erthygl 25 o’r Gorchymyn hwnnw).’.

**Gwenda Thomas**

**230**

Section 166, page 109, after line 18, insert –

‘() A reference in this Act to accommodation provided by or on behalf of a local authority is a reference to accommodation so provided in the exercise of functions of that authority or any other local authority which are social services functions.’.

Adran 166, tudalen 109, ar ôl llinell 18, mewnosoder –

‘() Mae cyfeiriad yn y Ddeddf hon at lety a ddarperir gan neu ar ran awdurdod lleol yn gyfeiriad at lety a ddarperir felly wrth arfer swyddogaethau’r awdurdod hwnnw neu unrhyw awdurdod lleol arall sy’n swyddogaethau gwasanaethau cymdeithasol.’.

**Gwenda Thomas**

**403**

Section 166, page 109, after line 25, insert –

‘(5) The Welsh Ministers may by regulations provide that the Council of the Isles of Scilly is to be treated as a local authority in England for the purposes of this Act, or for the purposes of specified provisions of this Act, with such modifications as may be specified.’.

Adran 166, tudalen 109, ar ôl llinell 27, mewnosoder –

‘(5) Caiff Gweinidogion Cymru drwy reoliadau ddarparu bod Cyngor Ynysoedd Scilly i’w drin fel awdurdod lleol yn Lloegr at ddibenion y Ddeddf hon, neu at ddibenion darpariaethau penodol y Ddeddf hon, gydag unrhyw addasiadau a bennir.’.

**Gwenda Thomas**

**404**

Section 167, page 109, line 27, leave out ‘, or in consequence of, giving full effect to any provision of this Act’ and insert ‘giving full effect to any provision of this Act, or in consequence of any such provision’.

Adran 167, tudalen 109, llinell 30, hepgorer ‘wneud hynny’ a mewnosoder ‘unrhyw ddarpariaeth o’r fath’.

**Kirsty Williams**

**58**

Section 168, page 110, after line 6, insert—

‘section 19(3);’.

*This amendment will ensure that regulations relating to eligibility criteria are subject to a super affirmative procedure. Recommendation 20 of the Stage 1 Committee Report.*

Adran 168, tudalen 110, ar ôl llinell 6, mewnosoder—

‘adran 19(3);’.

*Bydd y gwelliant yn sicrhau bod rheoliadau mewn perthynas â meini prawf cymhwysytra yn ddarostyngedig i’r weithdrefn gadarnhaol. Argymhelliad 20 o adroddiad Cyfnod 1 y pwyllgor.*

**Kirsty Williams**

**59**

Section 168, page 110, after line 11, insert—

‘() No order commencing the remaining provisions of section 19 is to be made prior to the making of regulations under section 19(3).’.

*This amendment will ensure that regulations relating to eligibility criteria are subject to a super affirmative procedure. Recommendation 20 of the Stage 1 Committee Report.*

Adran 168, tudalen 110, ar ôl llinell 11, mewnosoder—

‘() Nid oes unrhyw orchymyn i gychwyn gweddill darpariaethau adran 19 i’w wneud cyn i reoliadau o dan adran 19(3) gael eu gwneud.’.

*Bydd y gwelliant yn sicrhau bod rheoliadau mewn perthynas â meini prawf cymhwysytra yn ddarostyngedig i’r weithdrefn gadarnhaol. Argymhelliad 20 o adroddiad Cyfnod 1 y pwyllgor.*

**William Graham**

**184**

Section 168, page 110, after line 13, insert—

‘() The remaining provisions of this Act shall not come into force until the Welsh Ministers have laid a report before the National Assembly for Wales containing an assessment of the actual costs involved in its implementation.’.

Adran 168, tudalen 110, ar ôl llinell 13, mewnosoder—

‘() Ni chaiff gweddill darpariaethau’r Ddeddf hon ddod i rym hyd nes bod Gweinidogion Cymru wedi gosod adroddiad gerbron Cynulliad Cenedlaethol Cymru sy’n cynnwys asesiad o’r costau gwirioneddol sydd ynghlwm wrth ei gweithredu.’.

**William Graham**

185

Section 168, page 110, after line 13, insert—

- ( ) The remaining provisions of this Act shall not come into force until the Welsh Ministers have laid a report before the National Assembly for Wales which contains an assessment of how the needs and considerations of rural communities and areas have been taken into account in its preparation.’.

Adran 168, tudalen 110, ar ôl llinell 13, mewnosoder—

- ( ) Ni chaiff gweddill darpariaethau’r Ddeddf hon ddod i rym hyd nes bod Gweinidogion Cymru wedi gosod adroddiad gerbron Cynulliad Cenedlaethol Cymru sy’n cynnwys asesiad o sut y mae anghenion ac ystyriaethau cymunedau ac ardaloedd gwledig wedi cael eu hystyried wrth ei lunio.’.

**Gwenda Thomas**

416

Section 1, page 1, line 16, leave out ‘the well-being of people who need care and support and carers who need support’ and insert ‘persons who need or may need care and support or carers who need or may need support, so as to give effect to certain key principles’.

Adran 1, tudalen 1, llinell 18, hepgorer ‘llesiant pobl y mae angen gofal a chymorth arnynt a gofalwyr y mae angen cymorth arnynt’ a mewnosoder ‘phersonau y mae angen gofal a chymorth arnynt neu y gall fod angen gofal a chymorth arnynt neu ofalwyr y mae angen cymorth arnynt neu y gall fod angen cymorth arnynt, er mwyn rhoi effaith i egwyddorion allweddol penodol’.

**Gwenda Thomas**

1

Section 1, page 2, line 1, leave out ‘blind, deaf’ and insert ‘sight-impaired, hearing-impaired’.

Adran 1, tudalen 2, llinell 2, hepgorer ‘ddall, pobl fyddar’ a mewnosoder ‘â nam ar eu golwg, pobl â nam ar eu clyw’.

**Gwenda Thomas**

277

Section 1, page 2, line 18, leave out ‘defines “looked after child”’ and insert ‘provides for the interpretation of references to a child or young person looked after by a local authority’.

Adran 1, tudalen 2, llinell 18, hepgorer ‘diffinio “plentyn sy’n derbyn gofal”’ a mewnosoder ‘darparu ar gyfer dehongli’r cyfeiriadau at blentyn neu berson ifanc sy’n derbyn gofal gan awdurdod lleol’.

**Gwenda Thomas**

278

Section 1, page 2, line 20, leave out ‘looked after children’ and insert ‘the children they look after’.

Adran 1, tudalen 2, llinell 20, hepgorer ‘i blant sy’n derbyn gofal’ a mewnosoder ‘i’r plant y maent yn gofalu amdanynt’.

**Gwenda Thomas**

**279**

Section 1, page 2, line 27, leave out 'accommodation, maintenance or'.

Adran 1, tudalen 2, llinell 28, hepgorer 'llety, cynhaliaeth neu'.

**Gwenda Thomas**

**280**

Section 1, page 2, line 27, leave out 'children' and insert 'young people'.

Adran 1, tudalen 2, llinell 28, hepgorer 'blant' a mewnosoder 'bobl ifanc'.

**Gwenda Thomas**

**281**

Section 1, page 2, line 28, after 'leaving', insert ', or who have left,'.

Adran 1, tudalen 2, llinell 29, ar ôl 'gadael', mewnosoder ', neu sydd wedi gadael,'.

**Gwenda Thomas**

**282**

Section 1, page 2, line 30, leave out '(sections 88 to 96);' and insert –

'(iv) with respect to whom special guardianship orders are or were in force;  
(sections 88 to 96);'.

Adran 1, tudalen 2, llinell 31, hepgorer '(adrannau 88 i 96);' a mewnosoder –

'(iv) y mae neu yr oedd gorchmynion gwarcheidiaeth arbennig mewn grym  
mewn cysylltiad â hwy;  
(adrannau 88 i 96);'.

**Gwenda Thomas**

**283**

Section 1, page 2, line 31, leave out 'looked after children or children' and insert 'children looked after by local authorities or local authorities in England or children of a description'.

Adran 1, tudalen 2, llinell 33, hepgorer 'neu blant' a mewnosoder 'gan awdurdodau lleol neu awdurdodau lleol yn Lloegr neu blant o ddisgrifiad'.

**Gwenda Thomas**

**284**

Section 1, page 2, line 34, after 'authorities' at the second place where it appears, insert 'or'.

Adran 1, tudalen 2, llinell 35, ar ôl 'addysg', mewnosoder 'neu'.

**Gwenda Thomas**

**285**

Section 1, page 2, line 35, after 'of', insert 'visits and'.

Adran 1, tudalen 2, llinell 36, ar ôl 'darparu', mewnosoder 'ymweliadau a'.

**Gwenda Thomas**

**286**

Section 1, page 2, line 36, leave out '2' and insert '1'.

Adran 1, tudalen 2, llinell 37, hepgorer '2' a mewnosoder '1'.

**Gwenda Thomas**

**287**

Section 1, page 2, line 37, leave out 'looked after children' and insert 'children looked after by local authorities'.

Adran 1, tudalen 2, llinell 38, ar ôl 'gofal', mewnosoder 'gan awdurdodau lleol'.

**Gwenda Thomas**

**2**

Section 1, page 4, line 7, leave out 'two' and insert 'three'.

Adran 1, tudalen 4, llinell 7, hepgorer 'ddwy bennod' a mewnosoder 'dair pennod'.

**Gwenda Thomas**

**3**

Section 1, page 4, after line 11, insert—

'() Chapter 3 provides for advocacy services to be made available to people with needs for care and support for purposes relating to their care and support.'

Adran 1, tudalen 4, ar ôl llinell 11, mewnosoder—

'() Mae Pennod 3 yn darparu i wasanaethau eirioli gael eu rhoi ar gael i bobl y mae arnynt anghenion am ofal a chymorth at ddibenion sy'n ymwneud â'u gofal a chymorth.'

**Gwenda Thomas**

**186**

Section 1, page 4, line 12, leave out 'supplementary' and insert 'miscellaneous'.

Adran 1, tudalen 4, llinell 12, hepgorer 'atodol' a mewnosoder 'amrywiol'.

**Gwenda Thomas**

**187**

Section 1, page 4, after line 12, insert—

'() empowers the Welsh Ministers, local authorities and Local Health Boards to conduct research, and empowers the Welsh Ministers to require information, about matters connected with functions under the Act and other related matters (section (*section to be inserted by amendment 215*));'

Adran 1, tudalen 4, ar ôl llinell 12, mewnosoder—

'() yn grymuso Gweinidogion Cymru, awdurdodau lleol a Byrddau Iechyd Lleol i wneud ymchwil, ac yn grymuso Gweinidogion Cymru i'w gwneud yn ofynnol i wybodaeth gael ei rhoi, ynghylch materion sy'n gysylltiedig â swyddogaethau o dan y Ddeddf a materion cysylltiedig eraill (adran (*yr adran sy'n cael ei fewnosod gan welliant 215*));'

**Gwenda Thomas**

**128**

Section 1, page 4, after line 12, insert –

‘() makes provision about the steps to be taken by a local authority where an establishment or agency (within the meaning of the Care Standards Act 2000) becomes unable to meet needs in the authority’s area because of business failure (sections (section to be inserted by amendment 155) to (section to be inserted by amendment 157));’.

Adran 1, tudalen 4, ar ôl llinell 12, mewnosoder –

‘() yn gwneud darpariaeth ynghylch y camau i’w cymryd gan awdurdod lleol pan fo sefydliad neu asiantaeth (o fewn yr ystyr a roddir i “establishment” ac “agency” yn Neddf Safonau Gofal 2000) yn methu â diwallu anghenion yn ardal yr awdurdod oherwydd methiant busnes (adrannau (yr adran sy’n cael ei fewnosod gan welliant 155) i (yr adran sy’n cael ei fewnosod gan welliant 157));’.

**Gwenda Thomas**

**288**

Section 1, page 4, after line 12, insert –

‘() disapplies section 49 of the National Assistance Act 1948 which allows a local authority to meet expenses incurred by any of its officers appointed by the Court of Protection as a deputy (section (section to be inserted by amendment 395));’.

Adran 1, tudalen 4, ar ôl llinell 12, mewnosoder –

‘() yn datgymhwyso adran 49 o Ddeddf Cymorth Gwladol 1948 sy’n caniatáu i awdurdod lleol dalu treuliau a dynnir gan unrhyw un neu rai o’i swyddogion a benodir yn ddirprwy gan y Llys Gwarchod (adran (yr adran sy’n cael ei fewnosod gan welliant 395));’.