O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 12

Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Asiantaethau Cymorth Mabwysiadu) (Cymru) 2026

Gwnaed	*23 Ionawr 2026*
Yn dod i rym	*1 Ebrill 2026*

W E L S H S T A T U T O R Y I N S T R U M E N T S

2026 No. 12

The Adoption Support Services (Adoption Support Agencies) (Wales) Regulations 2026

Made	*23 January 2026*
Coming into force	*1 April 2026*

£8.90

OFFERYNNAU STATUDOL CYMRU

2026 Rhif 12

PLANT A PHOBL IFANC, CYMRU

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Asiantaethau Cymorth Mabwysiadu) (Cymru) 2026

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud gan Weinidogion Cymru o dan bwerau a roddir gan adrannau 2(6)(b), 140(7), a 142(4) a (5)(a) o Ddeddf Mabwysiadu a Phlant 2002 ("Deddf 2002"). Maent yn dirymu ac yn disodli Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Cymru) 2019 ("Rheoliadau 2019").

Mae adran 8(1) o Ddeddf 2002 yn diffinio "adoption support agency" ("*asiantaeth cymorth mabwysiadu*") fel ymgymeriad, a diben yr ymgymeriad hwnnw, neu un o'i ddibenion, yw darparu gwasanaethau cymorth mabwysiadu.

Diffinnir gwasanaethau cymorth mabwysiadu gan adran 2(6) o Ddeddf 2002 fel cwnsela, cyngor a gwybodaeth, ac unrhyw wasanaethau eraill a ragnodir gan reoliadau, mewn perthynas â mabwysiadu.

Mae rheoliad 3 o Reoliadau Gwasanaethau Cymorth Mabwysiadu (Awdurdodau Lleol) (Cymru) 2005 yn rhagnodi gwasanaethau penodol yn wasanaethau cymorth mabwysiadu at ddibenion adran 2(6)(b) o Ddeddf 2002.

Mae rheoliad 3(4) o Reoliadau Gwybodaeth Mabwysiadu a Gwasanaethau Cyfryngol (Mabwysiadau Cyn-gychwyn) (Cymru) 2005 yn darparu bod gwasanaeth cyfryngol yn wasanaeth cymorth mabwysiadu at ddibenion adran 2(6) o Ddeddf 2002.

Mae rheoliad 3 o'r Rheoliadau hyn yn rhagnodi gwasanaethau cymorth mabwysiadu yn ychwanegol at y rhai sydd eisoes wedi eu rhagnodi at ddibenion adran 2(6) o Ddeddf 2002. Rhaid i asiantaethau cymorth mabwysiadu fod wedi eu cofrestru o dan Ran 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 i ddarparu gwasanaethau cymorth mabwysiadu rhagnodedig.

Mae rheoliad 4 yn dirymu Rheoliadau 2019. Mae rheoliad 5 yn cyflwyno diwygiadau canlyniadol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Iechyd, Gofal Cymdeithasol a'r Blynyddoedd Cynnar, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

2026 Rhif 12

PLANT A PHOBL IFANC, CYMRU

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Asiantaethau Cymorth Mabwysiadu) (Cymru) 2026

Gwnaed	*23 Ionawr 2026*
Yn dod i rym	*1 Ebrill 2026*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 2(6)(b), 140(7), a 142(4) a (5)(a) o Ddeddf Mabwysiadu a Phlant 2002(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Asiantaethau Cymorth Mabwysiadu) (Cymru) 2026 a deuant i rym ar 1 Ebrill 2026.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Mabwysiadu a Phlant 2002;

mae i "gwarcheidwad" yr ystyr a roddir i "guardian" gan adran 144(1) o Ddeddf 2002;

ystyr "person perthynol" ("*related person*") yw person—

(a) o fewn ystyr "relative" yn adran 144(1) o Ddeddf 2002, neu

(b) y mae gan y plentyn mabwysiadol berthynas ag ef yr ymddengys i'r awdurdod lleol ei bod yn fuddiol i les y plentyn gan roi sylw i'r materion y cyfeirir atynt yn is-baragraffau (i) i (iii) o adran 1(4)(f) o Ddeddf 2002;

ystyr "plentyn mabwysiadol" ("*adoptive child*") yw plentyn sy'n blentyn mabwysiadol drwy asiantaeth neu'n blentyn mabwysiadol heb fod drwy asiantaeth;

ystyr "plentyn mabwysiadol drwy asiantaeth" ("*agency adoptive child*") yw plentyn—

(**1**) 2002 p. 38 ("Deddf 2002"). *Gweler* y diffiniadau o "appropriate Minister", "the Assembly" a "regulations" yn adran 144(1). Trosglwyddwyd y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru i wneud rheoliadau o dan Ddeddf 2002 i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(a) y mae asiantaeth fabwysiadu wedi penderfynu, yn unol â rheoliad 19(1) o Reoliadau Asiantaethau Mabwysiadu (Cymru) 2005, y dylid ei leoli ar gyfer ei fabwysiadu,

(b) sydd wedi cael ei leoli ar gyfer ei fabwysiadu gan asiantaeth fabwysiadu, neu

(c) sydd wedi cael ei fabwysiadu ar ôl cael ei leoli ar gyfer ei fabwysiadu gan asiantaeth fabwysiadu;

ystyr "plentyn mabwysiadol heb fod drwy asiantaeth" ("*non-agency adoptive child*") yw plentyn—

(a) y mae person, nad yw'n rhiant geni nac yn llys-riant i'r plentyn, wedi rhoi hysbysiad o dan adran 44 o Ddeddf 2002 o'i fwriad i wneud cais am orchymyn mabwysiadu mewn cysylltiad ag ef, neu

(b) sydd wedi cael ei fabwysiadu gan berson—

(i) nad yw'n rhiant geni i'r plentyn, a

(ii) nad oedd yn llys-riant i'r plentyn cyn iddo fabwysiadu'r plentyn,

ond nid yw'n cynnwys plentyn mabwysiadol drwy asiantaeth;

mae i "rhiant geni" ("*birth parent*") yr un ystyr â rhiant naturiol yng nghyd-destun Deddf 2002;

ystyr "rhiant mabwysiadol" ("*adoptive parent*") yw person—

(a) y mae asiantaeth fabwysiadu wedi penderfynu yn unol â rheoliad 34(1) o Reoliadau Asiantaethau Mabwysiadu (Cymru) 2005(**2**) ei fod yn ddarpar fabwysiadydd addas ar gyfer plentyn penodol,

(b) y mae asiantaeth fabwysiadu wedi lleoli plentyn gydag ef ar gyfer ei fabwysiadu,

(c) sydd wedi rhoi hysbysiad o dan adran 44 o Ddeddf 2002 o'i fwriad i wneud cais am orchymyn mabwysiadu ar gyfer plentyn,

(d) sydd wedi mabwysiadu plentyn, neu

(e) sydd wedi mabwysiadu plentyn sydd wedi cyrraedd 18 oed ar ôl hynny,

ond nid yw'n cynnwys person sy'n llys-riant i'r plentyn neu'n rhiant geni i'r plentyn neu a oedd yn llys-riant i'r plentyn cyn iddo fabwysiadu'r plentyn.

Gwasanaethau cymorth mabwysiadu

3.—(1) At ddibenion adran 8(1) o Ddeddf 2002(**3**), rhagnodir y gwasanaethau a ganlyn (yn ychwanegol at wasanaethau eraill sydd wedi eu rhagnodi at ddibenion adran 2(6) o Ddeddf 2002(**4**)) yn wasanaethau cymorth mabwysiadu—

(a) cynhorthwy i rieni mabwysiadol, plant mabwysiadol, cyn-warcheidwaid a phersonau perthynol mewn perthynas â threfniadau ar gyfer cyswllt rhwng plentyn mabwysiadol a rhiant geni, cyn-warcheidwad neu berson perthynol i'r plentyn mabwysiadol;

(**2**) O.S. 2005/1313 (Cy. 95); y mae diwygiadau iddo ond nid yw'r un ohonynt yn berthnasol.

(**3**) Mae'n ofynnol i ymgymeriad sy'n asiantaeth cymorth mabwysiadu o fewn ystyr "adoption support agency" yn adran 8 o Ddeddf 2002 gofrestru fel "gwasanaeth mabwysiadu" o dan baragraff 4(b) o Atodlen 1 i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2).

(**4**) *Gweler* y gwasanaethau a ragnodir yn rheoliad 3 o O.S. 2005/1512 (Cy. 116) a rheoliad 3(4) o O.S. 2005/2701 (Cy. 190).

(b) gwasanaethau y gellir eu darparu mewn perthynas ag anghenion therapiwtig plentyn mewn perthynas â mabwysiadu'r plentyn;

(c) cynhorthwy at ddiben sicrhau bod y berthynas rhwng plentyn a rhiant mabwysiadol y plentyn yn parhau, gan gynnwys—

(i) hyfforddiant ar gyfer y rhiant mabwysiadol at ddiben diwallu unrhyw anghenion arbennig sydd gan y plentyn sy'n codi o'r mabwysiad hwnnw, a

(ii) yn ddarostyngedig i baragraff (2), gofal seibiant;

(d) cynhorthwy pan fo amhariad mewn lleoliad mabwysiadu wedi digwydd neu pan fo perygl y bydd hynny'n digwydd, gan gynnwys—

(i) cyfryngu, a

(ii) trefnu a chynnal cyfarfodydd i drafod amhariadau mewn lleoliadau mabwysiadu;

(e) cynhorthwy i bersonau mabwysiedig sydd wedi cyrraedd 18 oed i gael gwybodaeth mewn cysylltiad â'u mabwysiad neu i hwyluso cyswllt rhwng y personau hynny a'u perthnasau;

(f) cynhorthwy i berthnasau personau mabwysiedig sydd wedi cyrraedd 18 oed i gael gwybodaeth mewn cysylltiad â'r mabwysiad hwnnw neu i hwyluso cyswllt rhwng y personau hynny a'r person mabwysiedig;

(g) gwasanaethau i alluogi grwpiau o blant mabwysiadol, rhieni mabwysiadol a rhieni geni neu gyn-warcheidwaid plentyn mabwysiadol i drafod materion sy'n ymwneud â mabwysiadu.

(2) At ddibenion paragraff (1)(c)(ii), rhaid i lety a ddarperir drwy ofal seibiant fod yn llety a ddarperir gan neu ar ran awdurdod lleol o dan adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(**5**) neu gan sefydliad gwirfoddol o dan adran 59 o Ddeddf Plant 1989(**6**).

(3) At ddibenion paragraff (1)(d), mae "amhariad mewn lleoliad mabwysiadu" yn cyfeirio at amharu ar drefniadau mabwysiadu ar unrhyw adeg o'r adeg pan fydd plentyn yn cael ei gyflwyno i ddarpar fabwysiadwyr, drwy gydol cyfnod y lleoliad a'r tu hwnt i'r adeg pan wneir gorchymyn mabwysiadu, a chan gynnwys yr adegau hynny.

(4) At ddibenion paragraff (1)(e) ac (f), ystyr "perthynas" yw unrhyw berson a fyddai, oni bai am ei fabwysiad, yn perthyn i'r person mabwysiedig drwy waed, gan gynnwys hanner gwaed, priodas neu bartneriaeth sifil.

Dirymu

4. Mae Rheoliadau Gwasanaethau Cymorth Mabwysiadu (Cymru) 2019(**7**) wedi eu dirymu.

(**5**) 2014 dccc 4.
(**6**) 1989 p. 41.
(**7**) O.S. 2019/286 (Cy. 66). Mae adran 34(2) o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) yn cael effaith, fel y caniateir parhau neu orfodi unrhyw hawl, braint, rhwymedigaeth neu atebolrwydd a geir neu a gronnir o dan Reoliadau Gwasanaethau Cymorth Mabwysiadu (Cymru) 2019 fel pe na bai'r dirymiad wedi digwydd.

Diwygiadau canlyniadol

5.—(1) Mae Rheoliadau Gwasanaethau Mabwysiadu Rheoleiddiedig (Darparwyr Gwasanaethau ac Unigolion Cyfrifol) (Cymru) 2019(**8**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1), yn y diffiniadau canlynol, yn lle "Reoliadau Gwasanaethau Cymorth Mabwysiadu (Cymru) 2019" rhodder "Reoliadau Gwasanaethau Cymorth Mabwysiadu (Asiantaethau Cymorth Mabwysiadu) (Cymru) 2026(**9**)"—

(a) "gwasanaethau cymorth mabwysiadu";

(b) "plentyn mabwysiadol";

(c) "rhiant mabwysiadol";

(d) "person perthynol".

Dawn Bowden
Y Gweinidog Plant a Gofal Cymdeithasol, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru
23 Ionawr 2026

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

(**8**) O.S. 2019/762 (Cy. 145), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.
(**9**) O.S.C. 2026/12.

WELSH STATUTORY INSTRUMENTS

2026 No. 12

CHILDREN AND YOUNG PERSONS, WALES

SOCIAL CARE, WALES

The Adoption Support Services (Adoption Support Agencies) (Wales) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by the Welsh Ministers under powers conferred by sections 2(6)(b), 140(7), and 142(4) and (5)(a) of the Adoption and Children Act 2002 ("the 2002 Act"). They revoke and replace the Adoption Support Services (Wales) Regulations 2019 ("the 2019 Regulations").

Section 8(1) of the 2002 Act defines an "adoption support agency" as an undertaking the purpose of which, or one of the purposes of which, is the provision of adoption support services.

Adoption support services are defined by section 2(6) of the 2002 Act as counselling, advice and information, and any other services prescribed by regulations, in relation to adoption.

Regulation 3 of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 prescribes particular services as adoption support services for the purposes of section 2(6)(b) of the 2002 Act.

Regulation 3(4) of the Adoption Information and Intermediary Services (Pre-Commencement Adoptions) (Wales) Regulations 2005 provides that an intermediary service is an adoption support service for the purposes of section 2(6) of the 2002 Act.

Regulation 3 of these Regulations prescribe adoption support services in addition to those already prescribed for the purposes of section 2(6) of the 2002 Act. Adoption support agencies must be registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 to provide prescribed adoption support services.

Regulation 4 revokes the 2019 Regulations. Regulation 5 introduces consequential amendments.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health, Social Care and Early Years, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

2026 No. 12

CHILDREN AND YOUNG PERSONS, WALES

SOCIAL CARE, WALES

The Adoption Support Services (Adoption Support Agencies) (Wales) Regulations 2026

Made	*23 January 2026*
Coming into force	*1 April 2026*

The Welsh Ministers, in exercise of the powers conferred by sections 2(6)(b), 140(7), and 142(4) and (5)(a) of the Adoption and Children Act 2002(**1**), make the following Regulations.

Title and coming into force

1. The title of these Regulations is the Adoption Support Services (Adoption Support Agencies) (Wales) Regulations 2026 and they come into force on 1 April 2026.

Interpretation

2. In these Regulations—

"the 2002 Act" ("*Deddf 2002*") means the Adoption and Children Act 2002;

"adoptive child" ("*plentyn mabwysiadol*") means a child who is an agency adoptive child or a non-agency adoptive child;

"adoptive parent" ("*rhiant mabwysiadol*") means a person—

(a) who an adoption agency has decided in accordance with regulation 34(1) of the Adoption Agencies (Wales) Regulations 2005(**2**) is a suitable prospective adopter for a particular child,

(b) with whom an adoption agency has placed a child for adoption,

(c) who has given notice under section 44 of the 2002 Act of their intention to apply for an adoption order for a child,

(d) who has adopted a child, or

(**1**) 2002 c. 38 ("the 2002 Act"). *See* the definitions of "appropriate Minister", "the Assembly" and "regulations" in section 144(1). The powers conferred on the National Assembly for Wales to make regulations under the 2002 Act transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(**2**) S.I. 2005/1313 (W. 95), to which there are amendments but none are relevant.

(e) who has adopted a child who has subsequently attained the age of 18,

but does not include a person who is a step-parent or birth parent of the child or was the step-parent of the child before they adopted the child;

"agency adoptive child" ("*plentyn mabwysiadol drwy asiantaeth*") means a child—

(a) an adoption agency has decided, in accordance with regulation 19(1) of the Adoption Agencies (Wales) Regulations 2005, should be placed for adoption,

(b) who has been placed for adoption by an adoption agency, or

(c) who has been adopted after having been placed for adoption by an adoption agency;

"birth parent" ("*rhiant geni*") has the same meaning as natural parent in the context of the 2002 Act;

"guardian" ("*gwarcheidwad*") has the meaning given by section 144(1) of the 2002 Act;

"non-agency adoptive child" ("*plentyn mabwysiadol heb fod drwy asiantaeth*") means a child—

(a) in respect of whom a person, who is not the birth parent or step-parent of the child, has given notice under section 44 of the 2002 Act of their intention to apply for an adoption order, or

(b) who has been adopted by a person who—

(i) is not the birth parent of the child, and

(ii) was not the step-parent of the child before they adopted the child,

but does not include an agency adoptive child;

"related person" ("*person perthynol*") means a person—

(a) within the meaning of relative in section 144(1) of the 2002 Act, or

(b) with whom the adoptive child has a relationship which appears to the local authority to be beneficial to the welfare of the child having regard to the matters referred to in sub-paragraphs (i) to (iii) of section 1(4)(f) of the 2002 Act.

Adoption support services

3.—(1) For the purposes of section 8(1) of the 2002 Act(**3**), the following services (in addition to other services prescribed for the purposes of section 2(6) of the 2002 Act(**4**)) are prescribed as adoption support services—

(a) assistance to adoptive parents, adoptive children, former guardians and related persons in relation to arrangements for contact between an adoptive child and a birth parent, former guardian or a related person of the adoptive child;

(b) services that may be provided in relation to the therapeutic needs of a child in relation to the child's adoption;

(**3**) An undertaking that constitutes an adoption support agency within the meaning of section 8 of the 2002 Act is required to register as an "adoption service" under paragraph 4(b) of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

(**4**) *See* the services prescribed in regulation 3 of S.I. 2005/1512 (W. 116) and regulation 3(4) of S.I. 2005/2701 (W. 190).

(c) assistance for the purpose of ensuring the continuance of the relationship between a child and the child's adoptive parent, including—

(i) training for the adoptive parent for the purpose of meeting any special needs of the child arising from that adoption, and

(ii) subject to paragraph (2), respite care;

(d) assistance where disruption in an adoption placement has occurred or is in danger of occurring, including—

(i) mediation, and

(ii) organising and running meetings to discuss disruptions in adoption placements;

(e) assistance to adopted persons who have attained the age of 18 in obtaining information in respect of their adoption or facilitating contact between such persons and their relatives;

(f) assistance to relatives of adopted persons who have attained the age of 18 in obtaining information in respect of that adoption or facilitating contact between such persons and the adopted person;

(g) services to enable groups of adoptive children, adoptive parents and birth parents or former guardians of an adoptive child to discuss matters relating to adoption.

(2) For the purposes of paragraph (1)(c)(ii), respite care consisting of the provision of accommodation must be accommodation provided by or on behalf of a local authority under section 81 of the Social Services and Well-being (Wales) Act 2014(**5**) or by a voluntary organisation under section 59 of the Children Act 1989(**6**).

(3) For the purposes of paragraph (1)(d), "disruption in an adoption placement" refers to the disruption of adoption arrangements at any point from and including when a child is introduced to prospective adopters, through the period of placement and beyond the making of an adoption order.

(4) For the purposes of paragraph (1)(e) and (f), "relative" means any person who but for their adoption would be related to the adopted person by blood, including half blood, marriage or civil partnership.

Revocation

4. The Adoption Support Services (Wales) Regulations 2019(**7**) are revoked.

Consequential amendments

5.—(1) The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(**8**) are amended as follows.

(2) In regulation 2(1), in the following definitions, for "the Adoption Support Services (Wales) Regulations 2019" substitute "the Adoption Support Services (Adoption Support Agencies) (Wales) Regulations 2026(**9**)"—

(a) "adoption support services";

(**5**) 2014 anaw 4.
(**6**) 1989 c. 41.
(**7**) S.I. 2019/286 (W. 66). Section 34(2) of the Legislation (Wales) Act 2019 (anaw 4) has effect, so that any right, privilege, obligation or liability acquired or accrued under the Adoption Support Services (Wales) Regulations 2019 may be continued or enforced as if the revocation had not occurred.
(**8**) S.I. 2019/762 (W. 145), to which there are amendments not relevant to these Regulations.
(**9**) W.S.I. 2026/12.

(b) “adoptive child”;

(c) “adoptive parent”;

(d) “related person”.

Dawn Bowden
Minister for Children and Social Care, under the authority of the Cabinet Secretary for Health and Social Care, one of the Welsh Ministers
23 January 2026

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