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 122

Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) (Diwygio) 2026

Gwnaed *14 Hydref 2026*

Yn dod i rym yn unol ag erthygl 1(2)

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. 122

The Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) (Amendment) Order 2026

Made *14 October 2026*

Coming into force in accordance with article 1(2)

£8.90

OFFERYNNAU STATUDOL CYMRU

2026 Rhif 122

GOFAL CYMDEITHASOL, CYMRU

PLANT A PHOBL IFANC, CYMRU

Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) (Diwygio) 2026

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn wedi ei wneud o dan adrannau 19(4) a (5) a 74(2)(c) o Fesur Plant a Theuluoedd (Cymru) 2010 ("y Mesur").

Mae Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026 ("Gorchymyn 2026") yn dirymu ac yn disodli Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010 ("Gorchymyn 2010"). Daw Gorchymyn 2026 i rym ar 1 Ebrill 2027 ac mae'n nodi eithriadau i'r hyn a olygir wrth "gwarchod plant" a "gofal dydd i blant" at ddibenion Rhan 2 o'r Mesur.

Mae'r Gorchymyn hwn yn diwygio Gorchymyn 2026 drwy fewnosod erthygl newydd 23 ac Atodlen o ddiwygiadau canlyniadol sy'n diweddaru cyfeiriadau at Orchymyn 2010 mewn is-ddeddfwriaeth berthnasol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

2026 Rhif 122

GOFAL CYMDEITHASOL, CYMRU

PLANT A PHOBL IFANC, CYMRU

Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) (Diwygio) 2026

Gwnaed *14 Hydref 2026*

Yn dod i rym yn unol ag erthygl 1(2)

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir gan adrannau 19(4) a (5) a 74(2)(c) o Fesur Plant a Theuluoedd (Cymru) 2010(**1**) ("y Mesur").

Yn unol â gweithdrefn gymeradwyo'r Senedd a gymhwysir gan adran 74(5) o'r Mesur, gosodwyd drafft o'r offeryn statudol Cymreig hwn gerbron Senedd Cymru(**2**) ac fe'i cymeradwywyd ganddi drwy benderfyniad.

Enwi a dod i rym

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) (Diwygio) 2026.

(2) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2027, yn union ar ôl i Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026(**3**) ddod i rym.

Dehongli

2. Yn y Gorchymyn hwn, ystyr "y Gorchymyn" yw Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026.

Diwygio'r Gorchymyn

3. Mae'r Gorchymyn wedi ei ddiwygio yn unol ag erthygl 4.

Mewnosod Rhan 5 a'r Atodlen

4.—(1) Ar ôl Rhan 4 mewnosoder—

(**1**) 2010 mccc 1.
(**2**) Mae cyfeiriadau yn y Mesur at "Cynulliad Cenedlaethol Cymru" bellach yn cael effaith fel cyfeiriadau at Senedd Cymru yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).
(**3**) O.S.C. 2026/100.

“RHAN 5

Diwygiadau Canlyniadol

Diwygiadau canlyniadol

23. Mae’r Atodlen yn cynnwys diwygiadau sy’n ganlyniadol ar y Gorchymyn hwn yn dod i rym.”

(2) Ar ddiwedd y Gorchymyn mewnosoder yr Atodlen a nodir yn yr Atodlen i’r Gorchymyn hwn.

Sioned Williams
Dirprwy Brif Weinidog a Gweinidog Cabinet dros Gyfiawnder Cymdeithasol a Chydraddoldeb, un o Weinidogion Cymru
14 Hydref 2026

YR ATODLEN Erthygl 4(2)

Yr Atodlen sydd i'w mewnosod yn y Gorchymyn

"YR ATODLEN Erthygl 23

Diwygiadau sy'n ganlyniadol ar y Gorchymyn hwn yn dod i rym

Rheoliadau Grantiau Adnewyddu Tai 1996

1. Yn rheoliad 19(7)(g) o Reoliadau Grantiau Adnewyddu Tai 1996(**4**), o ran Cymru, yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

Rheoliadau'r Gwasanaeth Amddiffyn Troseddol (Gorchmynion Cyfrannu) 2009

2. Yn rheoliad 2(1) o Reoliadau'r Gwasanaeth Amddiffyn Troseddol (Gorchmynion Cyfrannu) 2009(**5**), yn y diffiniad o "child care costs", ym mharagraff (e), yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Gofynion Rhagnodedig) (Lloegr) 2012

3. Yn Atodlen 1 i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Gofynion Rhagnodedig) (Lloegr) 2012(**6**), ym mharagraff 25(8)(d), yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Lloegr) 2012

4. Yn yr Atodlen i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Lloegr) 2012(**7**), ym mharagraff 58(8)(d), yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

(**4**) O.S. 1996/2890.
(**5**) O.S. 2009/3328. Diwygiwyd y diffiniad o "child care costs", o ran Cymru, yn flaenorol gan erthygl 5 o Orchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 2, Arbedion a Darpariaethau Trosiannol) 2010 (O.S. 2010/2582 (Cy. 216)) a pharagraff 25(2)(b) o Atodlen 4 iddo.
(**6**) O.S. 2012/2885.
(**7**) O.S. 2012/2886.

Rheoliadau Cymorth Cyfreithiol Troseddol (Adnoddau Ariannol) 2013

5. Yn rheoliad 2 o Reoliadau Cymorth Cyfreithiol Troseddol (Adnoddau Ariannol) 2013(**8**), yn y diffiniad o "child care costs", ym mharagraff (e), yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

Rheoliadau Cymorth Cyfreithiol Troseddol (Gorchmynion Cyfrannu) 2013

6. Yn rheoliad 11(5) o Reoliadau Cymorth Cyfreithiol Troseddol (Gorchmynion Cyfrannu) 2013(**9**), yn y diffiniad o "child care costs", ym mharagraff (e), yn lle "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" rhodder "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013

7.—(1) Mae Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013(**10**) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1, ym mharagraff 19(8)(d), yn lle "11, 12 neu 14 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010" rhodder "14 neu 16 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026".

(3) Yn Atodlen 6, ym mharagraff 21(8)(d), yn lle "11, 12 neu 14 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010" rhodder "14 neu 16 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026".

Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013

8. Yn yr Atodlen i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013(**11**), ym mharagraff 55(8)(d), yn lle "11, 12 neu 14 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010" rhodder "14 neu 16 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 2026".

Rheoliadau Ysgolion Annibynnol (Darparu Gwybodaeth) (Cymru) 2024

9. Yn yr Atodlen i Reoliadau Ysgolion Annibynnol (Darparu Gwybodaeth) (Cymru) 2024(**12**), ym mharagraff 10, yn lle "14 o Orchymyn Eithriadau Gwarchod Plant a

(**8**) O.S. 2013/471.
(**9**) O.S. 2013/483.
(**10**) O.S. 2013/3029 (Cy. 301).
(**11**) O.S. 2013/3035 (Cy. 303).
(**12**) O.S. 2024/26 (Cy. 9).

Gofal Dydd (Cymru) 2010” rhodder “16 o Orchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Dirymu a Darpariaeth Drosiannol) (Cymru) 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.

WELSH STATUTORY INSTRUMENTS

2026 No. 122

SOCIAL CARE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) (Amendment) Order 2026

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under sections 19(4) and (5) and 74(2)(c) of the Children and Families (Wales) Measure 2010 ("the Measure").

The Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026 ("the 2026 Order") revokes and replaces the Child Minding and Day Care Exceptions (Wales) Order 2010 ("the 2010 Order"). The 2026 Order comes into force on 1 April 2027 and sets out exceptions to what constitutes "child minding" and "day care for children" for the purposes of Part 2 of the Measure.

This Order amends the 2026 Order by inserting a new article 23 and a Schedule of consequential amendments that update references to the 2010 Order in relevant secondary legislation.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

2026 No. 122

SOCIAL CARE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) (Amendment) Order 2026

Made *14 October 2026*

Coming into force in accordance with article 1(2)

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 19(4) and (5) and 74(2)(c) of the Children and Families (Wales) Measure 2010(**1**) ("the Measure").

In accordance with the Senedd approval procedure applied by section 74(5) of the Measure, a draft of this Welsh statutory instrument was laid before, and approved by resolution of, Senedd Cymru (**2**).

Title and coming into force

1.—(1) The title of this Order is the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) (Amendment) Order 2026.

(2) This Order comes into force on 1 April 2027, immediately after the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026(**3**) comes into force.

Interpretation

2. In this Order, "the Order" means the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026.

Amendments to the Order

3. The Order is amended in accordance with article 4.

(**1**) 2010 nawm 1.
(**2**) References in the Measure to "the National Assembly for Wales" now have effect as references to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).
(**3**) W.S.I. 2026/100.

Insertion of Part 5 and the Schedule

4.—(1) After Part 4 insert—

“PART 5

Consequential Amendments

Consequential amendments

23. The Schedule contains amendments consequential upon the coming into force of this Order.”

(2) At the end of the Order insert the Schedule set out in the Schedule to this Order.

Sioned Williams
Deputy First Minister and Cabinet Minister for Social Justice and Equality, one of the Welsh Ministers
14 October 2026

SCHEDULE

Article 4(2)

Schedule to be inserted into the Order

"SCHEDULE

Article 23

Amendments consequential on the coming into force of this Order

The Housing Renewal Grants Regulations 1996

1. In regulation 19(7)(g) of the Housing Renewal Grants Regulations 1996(**4**), in relation to Wales, for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Criminal Defence Service (Contribution Orders) Regulations 2009

2. In regulation 2(1) of the Criminal Defence Service (Contribution Orders) Regulations 2009(**5**), in the definition of "child care costs", in paragraph (e), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

3. In Schedule 1 to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012(**6**), in paragraph 25(8)(d), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012

4. In the Schedule to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012(**7**), in paragraph 58(8)(d), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

(**4**) S.I. 1996/2890.
(**5**) S.I. 2009/3328. The definition of "child care costs", in relation to Wales, was previously amended by article 5 of, and paragraph 25(2)(b) of Schedule 4 to, the Children and Families (Wales) Measure 2010 (Commencement No. 2, Savings and Transitional Provisions) Order 2010 (S.I. 2010/2582 (W. 216)).
(**6**) S.I. 2012/2885.
(**7**) S.I. 2012/2886.

The Criminal Legal Aid (Financial Resources) Regulations 2013

5. In regulation 2 of the Criminal Legal Aid (Financial Resources) Regulations 2013(**8**), in the definition of "child care costs", in paragraph (e), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Criminal Legal Aid (Contribution Orders) Regulations 2013

6. In regulation 11(5) of the Criminal Legal Aid (Contribution Orders) Regulations 2013(**9**), in the definition of "child care costs", in paragraph (e), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013

7.—(1) The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(**10**) are amended as follows.

(2) In Schedule 1, in paragraph 19(8)(d), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

(3) In Schedule 6, in paragraph 21(8)(d), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

8. In the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(**11**), in paragraph 55(8)(d), for "11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010" substitute "14 or 16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026".

The Independent Schools (Provision of Information) (Wales) Regulations 2024

9. In the Schedule to the Independent Schools (Provision of Information) (Wales) Regulations 2024(**12**), in paragraph 10, for "14 of the Child Minding and Day Care

(**8**) S.I. 2013/471.
(**9**) S.I. 2013/483.
(**10**) S.I. 2013/3029 (W. 301).
(**11**) S.I. 2013/3035 (W. 303).
(**12**) S.I. 2024/26 (W. 9).

Exceptions (Wales) Order 2010” substitute “16 of the Child Minding and Day Care Exceptions (Revocation and Transitional Provision) (Wales) Order 2026”.”

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