OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 493 (Cy. 116)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) (Diwygio) 2020

2020 No. 493 (W. 116)

NATIONAL HEALTH SERVICE, WALES

The Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2010.

Mae rheoliad 3 yn galluogi aelod cyfetholedig o Gyngor Iechyd Cymuned i gael ei ailbenodi ar ddiwedd ei dymor penodiad.

Mae rheoliad 4 yn dileu'r cyfnod hwyaf y caiff person wasanaethu amdano fel aelod o Gyngor Iechyd Cymuned.

Mae rheoliad 5 yn galluogi cadeirydd neu is-gadeirydd Cyngor Iechyd Cymuned i gael ei ailethol ar ddiwedd ei dymor am dymor pellach o hyd at ddwy flynedd.

Mae rheoliad 6 yn galluogi aelod a etholwyd yn gadeirydd neu'n is-gadeirydd pwyllgor lleol Cyngor Iechyd Cymuned i gael ei ailethol ar ddiwedd ei dymor am dymor pellach o hyd at dair blynedd.

Mae rheoliad 7 yn diwygio'r tymor gwasanaeth hwyaf y caiff cadeirydd Cyngor Iechyd Cymuned wasanaethu ar y Bwrdd Cynghorau Iechyd Cymuned o dair blynedd i bum mlynedd.

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 a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010.

Regulation 3 enables, at the expiry of their term of appointment, a co-opted member of a Community Health Council to be re-appointed.

Regulation 4 removes the maximum period for which a person may serve as a member of a Community Health Council.

Regulation 5 enables, at the expiry of their term, a chair or vice-chair of a Community Health Council to be re-elected for a further term of up to two years.

Regulation 6 enables, at the expiry of their term, a member elected as a chair or vice-chair of a local committee of a Community Health Council to be re-elected for a further term of up to three years.

Regulation 7 amends the maximum term of service a chair of a Community Health Council may serve on the Community Health Councils Board from three years to five years.

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 and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2020 Rhif 493 (Cy. 116)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) (Diwygio) 2020

Gwnaed	*6 Mai 2020*
Gosodwyd gerbron Senedd Cymru	*7 Mai 2020*
Yn dod i rym	*30 Mai 2020*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**) a pharagraff 2(a) o Atodlen 10 iddi.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) (Diwygio) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 30 Mai 2020.

Diwygio Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2010

2. Mae Rheoliadau Cynghorau Iechyd Cymuned (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2010(**2**) wedi eu diwygio fel a ganlyn.

(**1**) 2006 p. 42. Gweler adran 206(1) am y diffiniad o "regulations".
(**2**) O.S. 2010/288 (Cy. 37), a ddiwygiwyd gan O.S. 2015/509 (Cy. 43); mae offeryn diwygio arall ond nid yw'n berthnasol i'r Rheoliadau hyn.

2020 No. 493 (W. 116)

NATIONAL HEALTH SERVICE, WALES

The Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020

Made	*6 May 2020*
Laid before Senedd Cymru	*7 May 2020*
Coming into force	*30 May 2020*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 203(9) and (10) of, and paragraph 2(a) of Schedule 10 to, the National Health Service (Wales) Act 2006(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force on 30 May 2020.

Amendment of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010

2. The Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010(**2**) are amended as follows.

(**1**) 2006 c. 42. See section 206(1) for the definition of "regulations".
(**2**) S.I. 2010/288 (W. 37), amended by S.I. 2015/509 (W. 43); there is another amending instrument but it is not relevant to these Regulations.

Tymor penodiad aelodau cyfetholedig

3. Yn rheoliad 5 (tymor penodiad aelodau cyfetholedig), hepgorer "a rhaid peidio â'u hailbenodi fel aelodau cyfetholedig wedi diwedd eu tymor".

Aelodau sy'n gymwys i'w hailbenodi

4.—(1) Mae rheoliad 10 (aelodau sy'n gymwys i'w hailbenodi) wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1), yn lle "Yn ddarostyngedig i baragraffau (2), (3) a (4), caiff aelod" rhodder "Caiff aelod".

(3) Hepgorer paragraffau (2), (3) a (4).

Ethol cadeirydd ac is-gadeirydd

5.—(1) Mae rheoliad 15 (ethol cadeirydd ac is-gadeirydd) wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (1) mewnosoder—

"(1A) Ar ddiwedd ei dymor, mae aelod a etholwyd yn gadeirydd neu'n is-gadeirydd yn gymwys i'w ailethol am gyfnod pellach o ddwy flynedd ar yr hwyaf, ond heb fod yn hwy mewn unrhyw achos na gweddill tymor yr aelod a etholwyd fel aelod o Gyngor."

(3) Ym mharagraff (2), ar ôl "mharagraff (1)" mewnosoder "neu'r cyfnod o ddwy flynedd y cyfeirir ato ym mharagraff (1A)".

(4) Ym mharagraff (4), ar ôl "penodi" mewnosoder "nac ailbenodi".

(5) Ym mharagraff (5), ar ôl "penodi" mewnosoder "nac ailbenodi".

Penodi pwyllgorau lleol

6.—(1) Mae rheoliad 17 (penodi pwyllgorau sydd i'w hadwaen fel pwyllgorau lleol) wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (1) mewnosoder—

"(1A) Ar ddiwedd ei dymor, mae aelod a etholwyd yn gadeirydd neu'n is-gadeirydd yn gymwys i'w ailethol am gyfnod pellach o dair blynedd ar yr hwyaf, ond heb fod yn hwy mewn unrhyw achos na gweddill tymor yr aelod hwnnw fel aelod o'r Cyngor perthnasol."

(3) Ym mharagraff (2), ar ôl "penodi" mewnosoder "nac ailbenodi".

Cymhwyster aelodau o'r bwrdd i'w hailbenodi

7.—(1) Mae rheoliad 35 (cymhwyster Aelodau o'r Bwrdd i'w hailbenodi ar y Bwrdd CIC) wedi ei ddiwygio fel a ganlyn.

Term of appointment of co-opted members

3. In regulation 5 (term of appointment of co-opted members), omit "and must not be reappointed as co-opted members after the expiry of their term".

Eligibility of members for re-appointment

4.—(1) Regulation 10 (eligibility of members for reappointment) is amended as follows.

(2) In paragraph (1), for "Subject to paragraphs (2), (3) and (4), a member" substitute "A member".

(3) Omit paragraphs (2), (3) and (4).

Election of chair and vice-chair

5.—(1) Regulation 15 (election of chair and vice-chair) is amended as follows.

(2) After paragraph (1) insert—

"(1A) At the end of their term, a member elected as a chair or vice chair is eligible for re-election for a further maximum period of two years, but not being in any case longer than the remainder of the elected member's term as member of a Council."

(3) In paragraph (2), after "paragraph (1)" insert "or the two year period referred to in paragraph (1A)".

(4) In paragraph (4), after "appointed" insert "or re-appointed".

(5) In paragraph (5), after "appointed" insert "or re-appointed".

Appointment of local committees

6.—(1) Regulation 17 (appointment of committees to be known as local committees) is amended as follows.

(2) After paragraph (1) insert—

"(1A) At the end of their term, a member elected as a chair or vice chair is eligible for re-election for a further maximum period of three years, but not being in any case longer than the remainder of that member's term as member of the relevant Council."

(3) In paragraph (2), after "appointed" insert "or re-appointed".

Eligibility of board members for re-appointment

7.—(1) Regulation 35 (eligibility of Board Members for re-appointment to the CHC Board) is amended as follows.

(2) Ym mharagraff (1)—

(a) yn lle "baragraffau (1)(a) a (b)" rhodder "baragraff (1)(a)";

(b) yn lle "dair blynedd" rhodder "bum mlynedd".

(3) Ar ôl paragraff (1) mewnosoder—

"(1ZA) Caiff aelod o'r Bwrdd a benodir o dan baragraff (1)(b) o reoliad 34 wasanaethu am gyfnod o dair blynedd fan hwyaf."

(4) Ym mharagraff (2), yn lle "dair blynedd" rhodder "bum mlynedd".

(5) Ar ôl paragraff (2) mewnosoder—

"(2ZA) Wrth gyfrifo'r cyfnod o dair blynedd y cyfeirir ato ym mharagraff (1ZA) rhaid cyfuno pob cyfnod o wasanaeth fel aelod o'r Bwrdd, gan gynnwys pob cyfnod o wasanaeth cyn 1 Ebrill 2010 a phob cyfnod o wasanaeth o ganlyniad i unrhyw benodiad o dan baragraff (1)(a) i (dd) o reoliad 34."

(2) In paragraph (1)—

(a) for "paragraphs (1)(a) and (b)" substitute "paragraph (1)(a)";

(b) for "three" substitute "five".

(3) After paragraph (1) insert—

"(1ZA) A Board member appointed under paragraph (1)(b) of regulation 34 may serve a maximum period of three years."

(4) In paragraph (2), for "three" substitute "five".

(5) After paragraph (2) insert—

"(2ZA) When calculating the three year period referred to in paragraph (1ZA) all periods of service as a Board member must be aggregated, which includes all periods of service before the 1 April 2010 and all periods of service resulting from any appointment under paragraph (1)(a) to (f) of regulation 34."

Vaughan Gething

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
6 Mai 2020

Minister for Health and Social Services, one of the Welsh Ministers
6 May 2020

©℗Hawlfraint y Goron 2020

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-348-20556-5

£4.90

W202005061012 05/2020

http://www.legislation.gov.uk/id/wsi/2020/493

9 780348 205565