



## 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 darlennydd. 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 76	Adrannau 2 i 76
Schedule 1	Atodlen 1
Sections 77 to 133	Adrannau 77 i 133
Schedule 2	Atodlen 2
Sections 134 to 169	Adrannau 134 i 169
Schedule 3	Atodlen 3
Sections 170 to 183	Adrannau 170 i 183
Section 1	Adran 1
Long title	Teitl hir

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**Kirsty Williams**

**293**

To insert a new section –

**‘(1) 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.’.

I fewnosod adran newydd –

**(1) 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 a'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 a'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 ecsentrig 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 a phlant, nid yw'r egwyddorion uchod wedi'u rhestru mewn trefn blaenoriaeth ac ni roddir yr un pwyslais arnynt o reidrwydd chwaith.'

**William Graham** 82

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

‘( ) personal dignity (including treatment of the individual with respect);’.

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

‘( ) urddas bersonol (gan gynnwys trin yr unigolyn â pharch);’.

**Gwenda Thomas** 108

Section 2, page 5, line 8, leave out ‘or’ and insert ‘and’.

Adran 2, tudalen 5, llinell 8, hepgorer ‘neu weithgareddau’ a mewnosoder ‘a gweithgareddau’.

**Gwenda Thomas** 7

Section 3, page 5, line 25, after ‘(8)’, insert ‘and section (section to be inserted by amendment 52)(1)’.

Adran 3, tudalen 5, llinell 26, ar ôl ‘(8)’, mewnosoder ‘ac adran (yr adran sy’n cael ei fewnosod gan welliant 52)(1)’.

**Gwenda Thomas** 8

To insert a new section –

**‘( ) Meaning of “care and support”**

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.’.

I fewnosod adran newydd –

**‘( ) Ystyr “gofal a chymorth”**

Mae unrhyw gyfeiriad at ofal a chymorth yn y Ddeddf hon i’w ddehongli fel cyfeiriad at –

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

**William Graham** 9A

As an amendment to amendment 9, line 3, after ‘support’, insert ‘or who are likely to do so in the future’.

Fel gwelliant i welliant 9, llinell 3, ar ôl ‘chymorth’, mewnosoder ‘neu y mae’n debygol y bydd arnynt angen gofal a chymorth yn y dyfodol’.

**William Graham** **9B**

As an amendment to amendment 9, line 4, after ‘support’, insert ‘, or who are likely to do so in the future’.

Fel gwelliant i welliant 9 llinell 4, ar ôl ‘cymorth’, mewnosoder ‘, neu y mae’n debygol y bydd arnynt angen cymorth yn y dyfodol’.

**Gwenda Thomas** **9**

To insert a new section –

**‘( ) Well-being duty**

A person exercising functions under this Act must seek to promote the well-being of –

- (a) people who need care and support, and
- (b) carers who need support.’.

I fewnosod adran newydd –

**‘( ) Dyletswydd llesiant**

Rhaid i berson sy’n arfer swyddogaethau o dan y Ddeddf hon geisio hyrwyddo llesiant –

- (a) pobl y mae arnynt angen gofal a chymorth, a
- (b) gofalwyr y mae arnynt angen cymorth.’.

**Gwenda Thomas** **10**

Section 4, page 6, line 10, leave out subsection (1).

Adran 4, tudalen 6, llinell 11, hepgorer is-adran (1).

**William Graham** **61**

Section 4, page 6, line 11, after ‘support’, insert ‘or who are likely to do so in the future’.

Adran 4, tudalen 6, llinell 12, ar ôl ‘chymorth’, mewnosoder ‘neu y mae’n debygol y bydd arnynt angen gofal a chymorth yn y dyfodol’.

**William Graham** **62**

Section 4, page 6, line 12, after ‘support’, insert ‘, or who are likely to do so in the future’.

Adran 4, tudalen 6, llinell 13, ar ôl ‘cymorth’, mewnosoder ‘, neu y mae’n debygol y bydd arnynt angen cymorth yn y dyfodol’.

**William Graham** **63**

Section 4, page 6, line 14, after ‘support’, insert ‘(whether currently or in the future)’.

Adran 4, tudalen 6, llinell 16, ar ôl ‘chymorth’, mewnosoder ‘(p’un ai ar y pryd neu yn y dyfodol)’.

**William Graham**

64

Section 4, page 6, line 15, after 'support', insert '(whether currently or in the future)'.

Adran 4, tudalen 6, llinell 18, ar ôl 'gymorth', mewnosoder '(p'un ai ar y pryd neu yn y dyfodol)'.

**Gwenda Thomas**

109

Section 4, page 6, line 15, after 'support,' , insert –

'or

- (c) an individual in respect of whom functions are exercisable under Part 6 (looked after children etc),'

Adran 4, tudalen 6, llinell 18, ar ôl 'gymorth,' , mewnosoder –

'neu

- (c) unigolyn y mae swyddogaethau yn arferadwy mewn cysylltiad ag ef o dan Ran 6 (plant sy'n derbyn gofal etc),'

**Gwenda Thomas**

110

Section 4, page 6, line 27, leave out 'impaired through age, disability or otherwise' and insert 'limited for any reason'.

Adran 4, tudalen 6, llinell 29, hepgorer 'nam ar allu'r unigolyn i gyfathrebu oherwydd oedran, anabledd neu fel arall' a mewnosoder 'gallu'r unigolyn i gyfathrebu wedi ei gyfyngu am unrhyw reswm'.

**Gwenda Thomas**

111

Section 4, page 6, line 29, leave out 'or (b)' and insert ', (b) or (*paragraph to be inserted by amendment 109*)'.

Adran 4, tudalen 6, llinell 32, hepgorer 'neu (b)' a mewnosoder ', (b) neu (*paragraff sy'n cael ei fewnosod gan welliant 109*)'.

**Darren Millar**

292

Section 4, page 6, after line 32, insert –

- '( ) A person exercising functions under this Act in relation to an adult falling within subsection (2)(a) or (b), who is aged 60 or over, must, in addition, have due regard to the United Nations Principles for Older Persons.'

Adran 4, tudalen 6, ar ôl llinell 35, mewnosoder –

- '( ) Rhaid i berson sy'n arfer swyddogaethau o dan y Ddeddf hon mewn perthynas ag oedolyn sy'n dod o fewn is-adran (2)(a) neu (b), sy'n 60 oed neu hŷn, yn ogystal, roi sylw i Egwyddorion y Cenhedloedd Unedig ar gyfer Pobl Hŷn.'

**Gwenda Thomas** **112**

Section 4, page 7, line 2, leave out 'or (b)' and insert ', (b) or (*paragraph to be inserted by amendment 109*)'.

Adran 4, tudalen 7, llinell 2, hepgorer 'neu (b)' a mewnosoder ', (b) neu (*paragraff sy'n cael ei fewnosod gan welliant 109*)'.

**Gwenda Thomas** **11**

Section 4, page 7, line 11, leave out subsections (6) to (7).

Adran 4, tudalen 7, llinell 10, hepgorer is-adrannau (6) hyd at (7).

**Gwenda Thomas** **12**

Page 9, line 12, leave out section 8 and insert –

**'(1) Issue, approval and revocation of the code**

- (1) Before issuing or revising a code under section 6, the Welsh Ministers must consult such persons as they think fit on a draft of the code (or revised code).
- (2) If the Welsh Ministers wish to proceed with the draft (with or without modifications) they must lay a copy of the draft before the National Assembly for Wales.
- (3) If, before the end of the 40 day period, the National Assembly for Wales resolves not to approve the draft, the Welsh Ministers must not issue the code (or revised code) in the form of that draft.
- (4) If no such resolution is made before the end of that period –
  - (a) the Welsh Ministers must issue the code (or revised code) in the form of the draft, and
  - (b) the code (or revised code) comes into force on the date appointed by order of the Welsh Ministers.
- (5) The 40 day period –
  - (a) begins on the day on which the draft is laid before the National Assembly for Wales, and
  - (b) does not include any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) Subsection (3) does not prevent a new draft of a code (or revised code) from being laid before the National Assembly for Wales.
- (7) The Welsh Ministers may revoke a code (or revised code) issued under this section in a further code or by direction.
- (8) A direction under subsection (7) must be laid before the National Assembly for Wales.'

Tudalen 9, llinell 13, hepgorer adran 8 a mewnosoder –

**‘( ) Dyroddi’r cod, ei gymeradwyo a’i ddirymu**

- (1) Cyn dyroddi neu ddiwygio cod o dan adran 6, rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy ynghylch drafft o’r cod (neu’r cod diwygiedig).
- (2) Os bydd Gweinidogion Cymru yn dymuno bwrw ymlaen â’r drafft (gydag addasiadau neu hebddynt) rhaid iddynt osod copi o’r drafft gerbron Cynulliad Cenedlaethol Cymru.
- (3) Os, cyn diwedd y cyfnod o 40 niwrnod, bydd Cynulliad Cenedlaethol Cymru yn penderfynu peidio â chymeradwyo’r drafft, ni chaniateir i Weinidogion Cymru ddyroddi’r cod (neu’r cod diwygiedig) ar ffurf y drafft hwnnw.
- (4) Os na wneir penderfyniad o’r fath cyn diwedd y cyfnod hwnnw –
  - (a) rhaid i Weinidogion Cymru ddyroddi’r cod (neu’r cod diwygiedig) ar ffurf y drafft, a
  - (b) daw’r cod (neu’r cod diwygiedig) i rym ar y dyddiad a bennir drwy orchymyn Gweinidogion Cymru.
- (5) O ran y cyfnod o 40 niwrnod –
  - (a) bydd yn dechrau ar y diwrnod y gosodir y drafft gerbron Cynulliad Cenedlaethol Cymru, a
  - (b) ni fydd yn cynnwys unrhyw amser pan fydd Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu pan fydd ar doriad am fwy na phedwar diwrnod.
- (6) Nid yw is-adran (3) yn atal drafft newydd o god (neu god diwygiedig) rhag cael ei osod gerbron Cynulliad Cenedlaethol Cymru.
- (7) Caniateir i Weinidogion Cymru ddirymu cod (neu god diwygiedig) a ddyroddir o dan yr adran hon mewn cod pellach neu drwy gyfarwyddyd.
- (8) Rhaid gosod cyfarwyddyd o dan is-adran (7) gerbron Cynulliad Cenedlaethol Cymru.’.

**Gwenda Thomas**

113

Section 9, page 9, line 24, leave out ‘or authorities whom’ and insert ‘which’.

Adran 9, tudalen 9, llinell 28, hepgorer ‘neu’r awdurdodau lleol y maent yn bwriadu ei gynorthwyo neu eu cynorthwyo’ a mewnosoder ‘lleol y maent yn bwriadu ei gynorthwyo’.

**Elin Jones**

300

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

- ‘(f) the actions required to provide the services identified in paragraphs (d) and (e) through the medium of the Welsh language.’.

Adran 11, tudalen 10, ar ôl llinell 21, mewnosoder –

- ‘(f) y camau y mae angen eu cymryd i ddarparu’r gwasanaethau a nodir ym mharagraffau (d) ac (e) drwy gyfrwyng y Gymraeg.’.



**Kirsty Williams**

**294**

Section 11, page 10, after line 21, 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 11, tudalen 10, ar ôl llinell 23, mewnosoder –

- ‘() Bydd rheoliadau a wneir o dan yr adran hon yn egluro na ddylai ymweliadau i ddarparu gofal personol yng nghartref oedolyn gael eu comisiynu fel arfer i bara llai na thri deg munud, ac eithrio amser teithio.’.

**Gwenda Thomas**

**114**

Section 11, page 10, line 29, leave out ‘and any revised strategy’.

Adran 11, tudalen 10, llinell 31, hepgorer ‘and any revised strategy’.

**Gwenda Thomas**

**115**

Section 11, page 10, after line 30, insert –

- ‘(2C) The Local Health Board (or Boards) responsible for the strategy must submit to the Welsh Ministers any part of the strategy which relates to the health and well-being of carers (and if more than one Board is responsible for the strategy, they must do so jointly).’;

- ( ) in subsection (6), after paragraph (g) insert –

- “(h) the submission of the strategy or a part of the strategy, to the Welsh Ministers (including, for example, the form in which and the time by which the strategy or part is to be submitted);

- ( ) in subsection (9), insert in the appropriate place –

- ““carer” has the same meaning as in the Social Services and Well-being (Wales) Act 2014,”’.

Adran 11, tudalen 10, ar ôl llinell 32, mewnosoder –

- ‘(2C) The Local Health Board (or Boards) responsible for the strategy must submit to the Welsh Ministers any part of the strategy which relates to the health and well-being of carers (and if more than one Board is responsible for the strategy, they must do so jointly).’;

- ( ) yn is-adran (6), ar ôl paragraff (g) mewnosoder –

- “(h) the submission of the strategy or a part of the strategy, to the Welsh Ministers (including, for example, the form in which and the time by which the strategy or part is to be submitted);

- ( ) yn is-adran (9), mewnosoder yn y man priodol –

- ““carer” has the same meaning as in the Social Services and Well-being (Wales) Act 2014,”’.

**Elin Jones**

**301**

Section 12, page 11, after line 3, 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.’

Adran 12, tudalen 11, ar ôl llinell 3, 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.’

**Gwenda Thomas**

**116**

Section 12, page 11, line 23, leave out ‘only support for carers’ and insert ‘in the case of carers, support’.

Adran 12, tudalen 11, llinell 23, hepgorer ‘gymorth yn unig i ofalwyr’ a mewnosoder ‘yn achos gofalwyr, cymorth’.

**Elin Jones**

**302**

Section 12, page 11, line 27, leave out subsection (5).

Adran 12, tudalen 11, llinell 28, hepgorer is-adran (5).

**Gwenda Thomas**

**117**

Section 12, page 11, line 32, leave out ‘exercising’ and insert ‘discharging’.

Adran 12, tudalen 11, llinell 33, hepgorer ‘arfer y’ a mewnosoder ‘gyflawni’r’.

**Gwenda Thomas**

**118**

Section 12, page 12, line 3, leave out ‘A local authority may exercise the duty under subsection (1) jointly with one or more other local authorities in relation to the authorities’ and insert ‘Two or more local authorities may jointly discharge the duty under subsection (1) in relation to their’.

Adran 12, tudalen 12, llinell 3, hepgorer ‘awdurdod lleol arfer y ddyletswydd o dan is-adran (1) ar y cyd ag un neu ragor o awdurdodau lleol eraill mewn perthynas ag ardal gyfun yr awdurdodau’ a mewnosoder ‘dau neu fwy o awdurdodau lleol gyflawni’r ddyletswydd ar y cyd o dan is-adran (1) mewn perthynas â’u hardal gyfun’.

**Gwenda Thomas**

**119**

Section 12, page 12, line 11, leave out ‘limitations on the exercise of the duty under subsection (1)’ and insert ‘an exception to the duty under subsection (1) and limitations on the manner in which the duty may be discharged’.

Adran 12, tudalen 12, llinell 12, hepgorer ‘gyfyngiadau ar arfer y ddyletswydd o dan is-adran (1)’ a mewnosoder ‘eithriad i’r ddyletswydd o dan is-adran (1) a chyfyngiadau ar y modd y caniateir i’r ddyletswydd gael ei chyflawni’.

**Kirsty Williams**

**318**

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

‘(10) In this section “people” includes a person.’.

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

‘(10) Yn yr adran hon mae “pobl” yn cynnwys person.’.

**Gwenda Thomas**

**13**

Section 13, page 12, line 19, leave out ‘provision of care and support and preventative services in its area in ways that involve service users in the design and running of services’ and insert ‘involvement of persons for whom care and support or preventative services are to be provided in the design and operation of that provision’.

Adran 13, tudalen 12, hepgorer llinellau 21 hyd at 23 a mewnosoder –

‘(c) ymglymiad personau y mae gofal a chymorth neu wasanaethau ataliol i’w ddarparu ar eu cyfer yn y broses o ddylunio a gweithredu’r ddarpariaeth honno;’.

**Gwenda Thomas**

**14**

Section 13, page 12, line 28, leave out –

‘which a person might reasonably consider –

(a) carries on its activities wholly or mainly to provide benefits for society (“its social objects”);’

And insert –

‘whose activities are wholly or mainly activities which a person might reasonably consider to be activities carried on for the benefit of society (“its social objects”), and which –’.

Adran 13, tudalen 13, llinell 1, hepgorer –

‘gallai person farnu’n rhesymol bod y sefydliad hwnnw –

(a) yn cyflawni ei weithgareddau’n gyfan gwbl neu’n bennaf i ddarparu buddion i’r gymdeithas (“ei amcanion cymdeithasol”);’

A mewnosoder –

‘mae ei weithgareddau yn gyfan gwbl neu’n bennaf yn rhai y gallai person farnu’n rhesymol eu bod yn weithgareddau a gyflawnir er budd y gymdeithas (“ei amcanion cymdeithasol”), ac sydd –’.

**Gwenda Thomas**

**15**

Section 13, page 12, line 33, after ‘most’, insert ‘of’.

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

**Gwenda Thomas**

16

Section 13, page 13, line 3, leave out 'exists' and insert 'to exist'.

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

**Gwenda Thomas**

17

Section 13, page 13, line 7, leave out 'are' and insert 'to be'.

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

**Kirsty Williams**

295

Section 14, page 13, after line 22, insert –

'() The service must provide for information to be available in a range of accessible formats.'

Adran 14, tudalen 13, ar ôl llinell 31, mewnosoder –

'() Rhaid i'r gwasanaeth ddarparu bod gwybodaeth ar gael mewn amrywiaeth o ffurfiau hygyrch.'

**Gwenda Thomas**

120

Section 14, page 14, line 3, leave out 'for' and insert 'in'.

Adran 14, tudalen 14, llinell 3, hepgorer 'ar gyfer' a mewnosoder 'yn'.

**Gwenda Thomas**

121

Section 14, page 14, line 5, leave out 'areas' and insert 'combined area'.

Adran 14, tudalen 14, llinell 5, hepgorer 'hardaloedd' a mewnosoder 'hardal gyfun'.

**Gwenda Thomas**

122

Section 15, page 14, line 19, after 'falls', insert –

' and

() the person's linguistic circumstances'.

Adran 15, tudalen 14, llinell 19, ar ôl 'fewn', mewnosoder –

' a

() amgylchiadau ieithyddol y person'.

**Gwenda Thomas**

123

Section 15, page 14, line 23, leave out '(8)' and insert '(subsection to be inserted by amendment 125)'.

Adran 15, tudalen 14, llinell 23, hepgorer '(8)' a mewnosoder '(yr is-adran sy'n cael ei fewnosod gan welliant 125)'.

**Gwenda Thomas**

**124**

Section 15, page 14, line 24, leave out '(8)' and insert '(subsection to be inserted by amendment 125)'.

Adran 15, tudalen 14, llinell 25, hepgorer '(8)' a mewnosoder '(yr is-adran sy'n cael ei fewnosod gan welliant 125)'.

**Gwenda Thomas**

**125**

Section 15, page 14, after line 25, insert—

'( ) This subsection applies to a person who—

- (a) is disabled,
- (b) is not disabled but has a physical or mental impairment which gives rise, or which the authority considers may in the future give rise, to needs for care and support, or
- (c) comes within any other category of persons the authority considers appropriate to include in a register of persons who have, or who the authority considers may in the future have, needs for care and support.'

Adran 15, tudalen 14, ar ôl llinell 26, mewnosoder—

'( ) Mae'r is-adran hon yn gymwys i berson—

- (a) sy'n anabl,
- (b) nad yw'n anabl ond y mae ganddo nam corfforol neu feddyliol sy'n arwain, neu y mae'r awdurdod yn barnu y gall yn y dyfodol arwain, at anghenion am ofal a chymorth, neu
- (c) sy'n dod o fewn unrhyw gategori arall o bersonau y mae'r awdurdod yn barnu ei bod yn briodol ei gynnwys mewn cofrestr o bersonau y mae arnynt, neu y mae'r awdurdod yn ystyried y gall fod arnynt yn y dyfodol, anghenion am ofal a chymorth.'

**Gwenda Thomas**

**126**

Section 15, page 14, line 27, after 'fit', insert—

', and

- ( ) must identify the linguistic circumstances of those people in the relevant register'.

Adran 15, tudalen 14, llinell 27, hepgorer is-adran (6) a mewnosoder—

'( ) O ran awdurdod lleol—

- (a) caiff gatgoreiddio pobl sydd wedi eu cynnwys mewn cofrestr o dan is-adran (4) neu (5) fel y gwêl yn dda, a
- (b) rhaid iddo nodi amgylchiadau ieithyddol y bobl hynny yn y gofrestr berthnasol.'

**Gwenda Thomas**

127

Section 15, page 14, line 34, leave out subsection (8) and insert –

- '( ) Nothing in this section requires a local authority to include any person in a register maintained under this section unless –
  - (a) the person has applied to be included in the register, or
  - (b) an application to be so included has been made on the person's behalf.
- ( ) Where a local authority includes a person in a register maintained under this section, the authority –
  - (a) must inform the person that he or she has been so included, and
  - (b) if a request is made by the person or on the person's behalf, must remove from the register any personal data (within the meaning of the Data Protection Act 1998) relating to that person.'

Adran 15, tudalen 14, llinell 36, hepgorer is-adran (8) a mewnosoder –

- '( ) Nid oes dim yn yr adran hon yn ei gwneud yn ofynnol i awdurdod lleol gynnwys unrhyw berson mewn cofrestr a gedwir o dan yr adran hon oni bai –
  - (a) bod y person wedi gwneud cais i gael ei gynnwys yn y gofrestr, neu
  - (b) bod cais i'w gynnwys felly wedi ei wneud ar ran y person.
- ( ) Pan fo awdurdod lleol yn cynnwys person mewn cofrestr a gedwir o dan yr adran hon –
  - (a) rhaid i'r awdurdod hysbysu'r person ei fod wedi ei gynnwys felly, a
  - (b) os gwneir cais gan y person neu ar ran y person, rhaid i'r awdurdod ddileu o'r gofrestr unrhyw ddata personol (o fewn ystyr "personal data" yn Neddf Diogelu Data 1998) sy'n ymwneud â'r person hwnnw.'

**William Graham**

65

Section 16, page 15, line 8, after 'support', insert '(whether currently or in the future)'

Adran 16, tudalen 15, llinell 10, ar ôl 'chymorth', mewnosoder '(p'un ai ar y pryd neu yn y dyfodol)'.

**William Graham**

66

Section 16, page 15, line 10, after 'support', insert ', or is likely to do so in the future'.

Adran 16, tudalen 15, llinell 11, ar ôl 'chymorth', mewnosoder ', neu a yw'n debygol y bydd arno angen am ofal a chymorth yn y dyfodol'.

**William Graham**

67

Section 16, page 15, line 11, after 'are', insert ', or are likely to be in the future'.

Adran 16, tudalen 15, llinell 12, ar ôl 'hynny', mewnosoder ', neu beth y mae'n debygol fydd yr anghenion hynny yn y dyfodol'.

**Kirsty Williams**

**296**

Section 16, page 15, leave out lines 26 to 27.

Adran 16, tudalen 15, hepgorer llinellau 29 hyd at 30.

**Gwenda Thomas**

**128**

Section 17, page 16, line 7, leave out 'by an adult of a needs assessment under section 16 does not discharge a local authority from its duty under that section' and insert 'under subsection (1) does not discharge a local authority from its duty under section 16'.

Adran 17, tudalen 16, llinell 7, hepgorer 'yw'r ffaith bod oedolyn yn gwrthod asesiad o'i anghenion o dan adran 16 yn rhyddhau awdurdod lleol o'i ddyletswydd o dan yr adran honno' a mewnosoder 'yw gwrthodiad o dan is-adran (1) yn rhyddhau awdurdod lleol o'i ddyletswydd o dan adran 16'.

**William Graham**

**68**

Section 18, page 16, line 23, after 'support', insert '(whether currently or in the future)'.

Adran 18, tudalen 16, llinell 23, ar ôl 'blentyn', mewnosoder '(p'un ai ar y pryd neu yn y dyfodol)'.

**William Graham**

**69**

Section 18, page 16, line 26, after 'kind', insert ', or is likely to do so in the future'.

Adran 18, tudalen 16, llinell 26, ar ôl 'plentyn', mewnosoder 'neu a yw'n debygol y bydd arno angen gofal a chymorth o'r math hwnnw yn y dyfodol'.

**William Graham**

**70**

Section 18, page 16, line 27, after 'are', insert ', or are likely to be in the future'.

Adran 18, tudalen 16, llinell 27, ar ôl 'hynny', mewnosoder ', neu beth y mae'n debygol fydd yr anghenion hynny yn y dyfodol'.

**Gwenda Thomas**

**129**

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

Adran 18, tudalen 16, llinell 36, ar ôl 'asesiad', mewnosoder 'o anghenion'.

**Kirsty Williams**

**297**

Section 18, page 17, leave out lines 15 to 16.

Adran 18, tudalen 17, hepgorer llinellau 16 hyd at 17.

**Gwenda Thomas**

130

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version Adran 18, tudalen 17, llinell 23, ar ôl 'asesiad', mewnosoder 'o anghenion'.

**Gwenda Thomas**

131

Section 18, page 17, after line 23, insert –

'() For the purposes of subsection (1) a disabled child is presumed to need care and support in addition to, or instead of, the care and support provided by the child's family.'

Adran 18, tudalen 17, ar ôl llinell 25, mewnosoder –

'() At ddibenion is-adran (1) rhagdybir bod angen gofal a chymorth ar blentyn anabl yn ychwanegol at, neu yn lle, y gofal a'r cymorth sy'n cael eu darparu gan deulu'r plentyn.'

**Gwenda Thomas**

132

Section 19, page 17, line 32, leave out 'by a child aged 16 or 17 of a needs assessment under section 18 does not discharge a local authority from its duty under that section' and insert 'under subsection (1) does not discharge a local authority from its duty under section 18'.

Adran 19, tudalen 17, llinell 34, hepgorer 'yw'r ffaith bod plentyn sy'n 16 neu'n 17 oed yn gwrthod asesiad o'i anghenion o dan adran 18 yn rhyddhau awdurdod lleol o'i ddyletswydd o dan yr adran honno' a mewnosoder 'yw gwrthodiad o dan is-adran (1) yn rhyddhau awdurdod lleol o'i ddyletswydd o dan adran 18'.

**Gwenda Thomas**

133

Section 19, page 18, line 6, after 'decision', insert 'about the refusal of a needs assessment'.

Adran 19, tudalen 18, llinell 7, ar ôl 'deallus', mewnosoder 'ynghylch gwrthod asesiad o anghenion'.

**Gwenda Thomas**

134

Section 19, page 18, line 7, leave out 'the refusal by a child aged under 16 of a needs assessment' and insert 'a refusal under subsection (3)'.

Adran 19, tudalen 18, llinell 8, hepgorer 'yw'r ffaith bod plentyn o dan 16 oed yn gwrthod asesiad o'i anghenion' a mewnosoder 'yw gwrthodiad o dan is-adran (3)'.

**Gwenda Thomas**

135

Section 20, page 18, line 19, leave out 'the' and insert 'a'.

Adran 20, tudalen 18, llinell 21, hepgorer 'yw'r' a mewnosoder 'yw'.



**Gwenda Thomas** 136

Section 20, page 18, line 24, leave out 'to have'.

Adran 20, tudalen 18, llinell 26, hepgorer 'cael'.

**Gwenda Thomas** 137

Section 20, page 18, line 26, after 'decision', insert 'about the refusal of a needs assessment'.

Adran 20, tudalen 18, llinell 29, ar ôl 'deallus', mewnosoder 'ynghylch gwrthod asesiad o anghenion'.

**Gwenda Thomas** 138

Section 20, page 18, line 30, after 'responsibility', insert 'for the child'.

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

**Kirsty Williams** 298

Section 21, page 20, leave out lines 1 to 2.

Adran 21, tudalen 20, hepgorer llinellau 1 hyd at 2.

**Gwenda Thomas** 139

Section 23, page 20, line 29, leave out 'a needs assessment of the person and the carer' and insert –

' –

(a) the person's needs assessment under section 16 or 18, and

(b) the carer's needs assessment under section 21'.

Adran 23, tudalen 20, llinell 32, hepgorer 'asesiad o anghenion y person ac anghenion y gofalwr' a mewnosoder –

' –

(a) asesiad o anghenion y person o dan adran 16 neu 18, a

(b) asesiad o anghenion y gofalwr o dan adran 21'.

**Gwenda Thomas** 140

Section 23, page 20, line 34, leave out 'their' and insert 'his or her'.

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

**Gwenda Thomas** 141

Section 23, page 20, line 34, after 'combine', insert ', in respect of that person,'.

Adran 23, tudalen 20, llinell 37, ar ôl 'gyfuno', mewnosoder ', mewn cysylltiad â'r person hwnnw,'.

**Gwenda Thomas** 142

Section 24, page 21, after line 11, insert –

- ‘() Regulations under this section must make provision for the review of needs assessments, and may, for example, specify –
- (a) the persons who may request a review of an assessment (on their own behalf or on behalf of another person);
  - (b) the circumstances in which a local authority –
    - (i) may refuse to comply with a request for a review of an assessment, and
    - (ii) may not refuse to do so.’

Adran 24, tudalen 21, ar ôl llinell 11, mewnosoder –

- ‘() Rhaid i reoliadau o dan yr adran hon wneud darpariaeth ar gyfer adolygu asesiadau o anghenion, a chaniateir iddynt, er enghraifft, bennu –
- (a) y personau a gaiff ofyn am adolygiad o asesiad (ar eu rhan hwy eu hunain neu ar ran person arall);
  - (b) o dan ba amgylchiadau –
    - (i) y caiff awdurdod lleol wrthod cydymffurfio â chais am adolygiad o asesiad, a
    - (ii) na chaiff awdurdod lleol wrthod gwneud hynny.’

**Gwenda Thomas** 143

Section 24, page 21, line 12, after ‘may’, insert ‘also’.

Adran 24, tudalen 21, llinell 12, ar ôl ‘hon’, mewnosoder ‘hefyd’.

**Gwenda Thomas** 144

Section 24, page 21, leave out line 20.

Adran 24, tudalen 21, hepgorer llinell 19.

**William Graham** 71

Section 26, page 21, line 32, after ‘support’ at the first place where it appears, insert ‘, or is likely to do so in the future,’.

Adran 26, tudalen 21, llinell 32, ar ôl ‘chymorth’, mewnosoder ‘, neu y mae’n debygol y bydd ar berson anghenion am ofal a chymorth yn y dyfodol,’.

**Gwenda Thomas** 145

Section 26, page 21, line 32, leave out ‘that a carer has’ and insert ‘, if the person is a carer,’.

Adran 26, tudalen 21, llinell 32, hepgorer ‘fod ar ofalwr’ a mewnosoder ‘, os gofalwr yw’r person, bod arno’.

**William Graham**

72

Section 26, page 21, line 32, after 'support' at the second place where it appears, insert ', or is likely to do so in the future'.

Adran 26, tudalen 21, llinell 32, ar ôl 'gymorth', mewnosoder 'neu y mae'n debygol y bydd ar ofalwr anghenion am gymorth yn y dyfodol'.

**Gwenda Thomas**

146

Section 26, page 22, line 3, leave out –

' , or

- (ii) in the case of a child, other harm or a risk of such harm',

And insert –

'(if the person is an adult);

- ( ) abuse or neglect or a risk of abuse or neglect, or other harm or a risk of such harm (if the person is a child)'.

Adran 26, tudalen 22, llinell 4, hepgorer –

' , neu

- (ii) yn achos plentyn, rhag cael, neu rhag risg o gael, ei niweidio mewn modd arall',

A mewnosoder –

'(os oedolyn yw'r person);

- ( ) rhag cael ei gam-drin neu ei esgeuluso, neu rhag risg o gael ei gam-drin neu ei esgeuluso, neu rhag cael, neu rhag risg o gael, ei niweidio mewn modd arall (os plentyn yw'r person)'.

**Gwenda Thomas**

147

Section 26, page 22, line 6, leave out 'power or duty' and insert 'function'.

Adran 26, tudalen 22, llinell 9, hepgorer 'pŵer neu'r ddyletswydd' a mewnosoder 'swyddogaeth'.

**Gwenda Thomas**

148

Section 26, page 22, line 11, leave out 'or may' and insert 'be met, or are to'.

Adran 26, tudalen 22, llinell 13, hepgorer ', neu y caniateir, i unrhyw anghenion gael eu diwallu' a mewnosoder 'i unrhyw anghenion gael eu diwallu, neu eu bod i'w diwallu,'.

**Gwenda Thomas**

149

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

Adran 26, tudalen 22, llinell 16, hepgorer 'codi' a mewnosoder 'gosod'.

**Kirsty Williams**

**299**

Section 26, page 22, line 17, 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 299*) applies or there is harm or risk of harm.’

Adran 26, tudalen 22, llinell 20, 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 cymhwysytra pan fydd is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 299*) yn gymwys neu pan fydd niwed neu risg o niwed.’

**Gwenda Thomas**

**18**

To insert a new section –

‘( ) **Procedure for regulations under section 26**

- (1) Before making regulations under section 26(3) or (4), the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult –
  - (a) such persons as appear to them likely to be affected by the regulations,
  - (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations, and

- (c) such other persons as they consider appropriate, on the proposed draft regulations.
- (3) The Welsh Ministers must –
  - (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
  - (b) consider any comments submitted within that period, and
  - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) –
  - (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
  - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 179(6) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.’.

I fewnosod adran newydd –

**‘( ) Y weithdrefn ar gyfer rheoliadau o dan adran 26**

- (1) Cyn gwneud rheoliadau o dan adran 26(3) neu (4), rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori ar y rheoliadau drafft arfaethedig â’r canlynol –
  - (a) unrhyw bersonau y mae’n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt,
  - (b) unrhyw sefydliadau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae’r rheoliadau yn debygol o effeithio arnynt, ac
  - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
  - (a) rhoi cyfnod o 12 wythnos o leiaf i’r personau hynny i gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
  - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
  - (c) cyhoeddi crynodeb o’r sylwadau hynny.
- (4) Rhaid i Weinidogion Cymru osod drafft o’r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) –
  - (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a’r rheoliadau drafft a osodir o dan is-adran (4), a
  - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad

Cenedlaethol Cymru yn unol ag adran 179(6) tan ar ôl i'r cyfnod o 60 niwrnod, yn dechrau ar y diwrnod y gosodir y rheoliadau drafft, ddod i ben.'.

**Gwenda Thomas** 150

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 28, tudalen 23, llinell 20, ar ôl 'esgeuluso', mewnosoder 'neu'.

**Gwenda Thomas** 151

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 28, tudalen 23, llinell 33, hepgorer 'Meddwl' a mewnosoder 'Meddyliol'.

**Gwenda Thomas** 152

Section 29, page 24, line 6, leave out 'which' and insert 'whose area'.

Adran 29, tudalen 24, llinell 6, hepgorer 'lle y mae'r oedolyn yn preswyllo fel arfer' a mewnosoder 'y mae'r oedolyn yn preswyllo fel arfer yn ei ardal'.

**William Graham** 83

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 –

**'( ) 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 gofalir 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 a 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.'

**Elin Jones**

**303**

Section 38, page 28, line 28, leave out 'not meet a person's needs for care and support (including a carer's needs for support) under sections 28 to 36 by providing or arranging for the provision of a service or facility which is required to be provided under a health enactment, unless' and insert 'meet a person's needs for care and support (including a carer's needs for support) under sections 28 to 36 by providing or arranging for the provision of a service or facility which is required to be provided under a health enactment, where'.

Adran 38, tudalen 28, llinell 29, hepgorer 'Ni chaiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 28 i 36 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan ddeddfiad iechyd, oni bai' a mewnosoder 'Caiff awdurdod lleol ddiwallu anghenion person am ofal a chymorth (gan gynnwys anghenion gofalwr am gymorth) o dan adrannau 28 i 36 drwy ddarparu neu drwy drefnu i ddarparu gwasanaeth neu gyfleuster y mae'n ofynnol ei ddarparu o dan ddeddfiad iechyd lle'.

**Elin Jones**

**304**

Section 38, page 28, line 33, leave out 'not secure services or facilities for a person under section 12 (preventative services) that are required to be provided under a health enactment, unless' and insert 'secure services or facilities for a person under section 12 (preventative services) that are required to be provided under a health enactment, where'.

Adran 38, tudalen 28, llinell 34, hepgorer 'Ni chaiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 12 (gwasanaethau ataliol) y mae'n ofynnol eu darparu o dan ddeddfiad iechyd, oni bai' a mewnosoder 'Caiff awdurdod lleol sicrhau gwasanaethau neu gyfleusterau i berson o dan adran 12 (gwasanaethau ataliol) y mae'n ofynnol eu darparu o dan ddeddfiad iechyd, lle'.

**Elin Jones**

**305**

Section 38, page 29, line 11, leave out 'A local authority may not' and insert 'Where subsection (1) applies a local authority may'.

Adran 38, tudalen 29, llinell 11, hepgorer 'Ni chaiff' a mewnosoder 'Pan fo is-adran (1) yn gymwys caiff'.

**Elin Jones** **306**

Section 38, page 29, line 14, leave out 'A local authority may not' and insert 'Where subsection (2) applies a local authority may'.

Adran 38, tudalen 29, llinell 14, hepgorer 'Ni chaiff' a mewnosoder 'Pan fo is-adran (2) yn gymwys caiff'.

**Elin Jones** **307**

Section 38, page 29, line 16, leave out subsections (6) to (7).

Adran 38, tudalen 29, llinell 16, hepgorer is-adrannau (6) hyd at (7).

**Gwenda Thomas** **153**

Section 38, page 29, line 19, leave out 'health body regulations require' and insert –

'Local Health Board regulations require, in the case of accommodation in Wales, Scotland or Northern Ireland, or

- () whichever English health body regulations require, in the case of accommodation in England'.

Adran 38, tudalen 29, llinell 19, hepgorer 'gorff iechyd bynnag sy'n ofynnol o dan reoliadau' a mewnosoder –

'Fwrdd Iechyd Lleol bynnag sy'n ofynnol o dan reoliadau, yn achos llety yng Nghymru, yr Alban neu Ogledd Iwerddon, neu

- () pa gorff iechyd Seisnig bynnag sy'n ofynnol o dan reoliadau, yn achos llety yn Lloegr'.

**Gwenda Thomas** **154**

Section 38, page 29, line 25, leave out 'for determining' and insert 'in connection with the resolution of'.

Adran 38, tudalen 29, llinell 25, hepgorer 'er mwyn dyfarnu ynghylch' a mewnosoder 'mewn cysylltiad â datrys'.

**Gwenda Thomas** **155**

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

Adran 38, tudalen 29, llinell 30, hepgorer 'unrhyw beth' a mewnosoder 'dim'.

**Gwenda Thomas** **156**

Section 38, page 29, after line 33, insert –

'an "English health body" ("corff iechyd Seisnig") means –

- (a) a clinical commissioning group;
- (b) the National Health Service Commissioning Board;'



Adran 38, tudalen 30, ar ôl llinell 1, mewnosoder –

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

- (a) grŵp comisiynu clinigol;
- (b) Bwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol;’.

**Gwenda Thomas** 157

Section 44, page 34, line 39, after ‘to’, insert ‘58 or section’.

Adran 44, tudalen 34, llinell 41, ar ôl ‘i’, mewnosoder ‘58 neu adran’.

**Gwenda Thomas** 158

Section 44, page 35, line 2, after ‘to’ at the first place where it appears, insert ‘58 or section’.

Adran 44, tudalen 35, llinell 2, ar ôl ‘i’, mewnosoder ‘58 neu adran’.

**Gwenda Thomas** 19

Section 44, page 35, line 13, leave out ‘to whom subsection (8) applies’ and insert ‘who receives a benefit falling within a specified category’.

Adran 44, tudalen 35, llinell 13, hepgorer ‘y mae is-adran (8) yn gymwys iddo’ a mewnosoder ‘sy’n cael budd-dal sy’n dod o fewn categori penodedig’.

**Gwenda Thomas** 20

Section 44, page 35, line 19, leave out subsection (8).

Adran 44, tudalen 35, llinell 19, hepgorer is-adran (8).

**Gwenda Thomas** 21

Section 44, page 35, line 26, leave out ‘(8)(c)’ and insert ‘(7)’.

Adran 44, tudalen 35, llinell 25, hepgorer ‘(8)(c)’ a mewnosoder ‘(7)’.

**Elin Jones** 308

To insert a new section –

**‘( ) Direct payments for health care**

- (1) Where an assessment under Part 3 of this Act identifies a person’s need for care and support as requiring a service or facility which is required to be provided by a Local Health Board in the exercise of its functions under a health enactment, regulations may allow or require a Local Health Board, for the purpose of securing the provision to the person of the service or facility, to make payments (“health direct payments”), with the person’s consent, to the person or to a person nominated by the person towards the cost of meeting those needs.

- (2) A payment under subsection (1) or subsection (3) is referred to in this Act as a “health direct payment”.
- (3) 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.
- (4) For the purposes of this section and section (*section to be inserted by amendment 309*) a 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) (Northern Ireland) Act 2009.’.

I fewnosod adran newydd –

**‘( ) Taliadau uniongyrchol am ofal iechyd**

- (1) Pan fydd asesiad o dan Adran 3 o’r Ddeddf hon yn canfod bod anghenion gofal a chymorth person yn galw am wasanaeth neu gyfleuster y mae’n ofynnol ei ddarparu gan Fwrdd Iechyd Lleol wrth arfer ei swyddogaethau o dan ddeddfiad iechyd, caiff rheoliadau ganiatáu neu ei gwneud yn ofynnol i Fwrdd Iechyd Lleol, at ddibenion sicrhau darparu’r gwasanaeth neu’r cyfleuster i’r person, wneud taliadau (“taliadau uniongyrchol iechyd”), gyda chaniatâd y person, i’r person neu i berson a enwebir gan y person tuag at gostau diwallu’r anghenion hynny.
- (2) Cyfeirir at daliad o dan is-adran (1) neu is-adran (3) yn y Ddeddf hon fel “taliad uniongyrchol iechyd”.
- (3) Os yw rheoliadau’n darparu felly, caiff Bwrdd Iechyd Lleol, at ddibenion sicrhau’r ddarpariaeth i berson o wasanaethau y mae’n rhaid i’r Bwrdd eu darparu o dan adran 117 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal), wneud taliadau, gyda chydysyniad y person, i’r person neu berson a enwebir gan y person.
- (4) At ddibenion yr adran hon ac adran (*yr adran sy’n cael ei fewnosod gan welliant 309*) ystyr deddfiad iechyd yw –
  - (a) Deddf Gwasanaeth Iechyd Gwladol (Cymru) 2006;
  - (b) Deddf Iechyd Gwladol 2006;
  - (c) Deddf Iechyd Gwladol (yr Alban) 1978;
  - (d) Gorchymyn Iechyd a Gwasanaethau Cymdeithasol Personol (Gogledd Iwerddon) 1972 (S.I> 1972/1265 (N.I. 14));
  - (e) Deddf Iechyd a Gofal Cymdeithasol (Diwygio) (Gogledd Iwerddon) 2009.’.

**Elin Jones**

**309**

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 308*) 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 under a health enactment;

- (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 am daliadau uniongyrchol iechyd**

(1) Caiff Gweinidogion Cymru wneud rheoliadau ynghylch taliadau uniongyrchol iechyd.

(2) Yn benodol, caiff y rheoliadau wneud darpariaeth ynghylch –

- (a) amgylchiadau lle y ceir neu lle y mae’n rhaid gwneud taliadau uniongyrchol iechyd, a disgrifiadau o bersonau a gwasanaethau y ceir neu y mae’n rhaid gwneud taliadau uniongyrchol iechyd mewn cysylltiad â hwy;
- (b) amgylchiadau lle y ceir neu lle y mae’n rhaid gwneud taliadau uniongyrchol iechyd i berson a enwebwyd gan y person;
- (c) gwneud taliadau uniongyrchol iechyd (ac, yn benodol, y personau y ceir neu y mae’n rhaid gwneud taliadau iddynt) pan na fo gan y person alluedd i gydsynio bod y taliadau’n cael eu gwneud;
- (d) amodau y mae’n rhaid i’r Bwrdd Iechyd Lleol gydymffurfio â hwy cyn, ar ôl neu ar yr adeg y caiff taliad uniongyrchol iechyd ei wneud;
- (e) amodau lle y caiff y person, neu lle y mae’n rhaid i’r person neu (os yw’n wahanol) y taledig, gydymffurfio â hwy cyn, ar ôl neu ar yr adeg y gwneir taliad uniongyrchol iechyd;
- (f) swm unrhyw daliad uniongyrchol iechyd neu sut y mae i’w gyfrifo;
- (g) amgylchiadau lle y caiff neu lle y mae’n rhaid i’r Bwrdd Iechyd Lleol roi’r gorau i wneud taliadau uniongyrchol iechyd;
- (h) amgylchiadau lle y caiff neu lle y mae’n rhaid i’r Bwrdd Iechyd Lleol ei gwneud yn ofynnol i’r taliad uniongyrchol iechyd gael ei ad-dalu’n llwyr neu’n rhannol, gan y taledig neu fel arall;
- (i) monitro’r ffordd y gwneir taliadau uniongyrchol iechyd, o ran eu defnydd gan y taledig, neu o ran y gwasanaethau y maent yn cael eu defnyddio i’w prynu;
- (j) y trefniadau sydd i’w gwneud gan y Bwrdd Iechyd Lleol ar gyfer rhoi gwybodaeth, cyngor neu gymorth arall i bersonau, taledigion neu eu cynrychiolwyr mewn cysylltiad â thaliadau uniongyrchol iechyd;
- (k) bod unrhyw gymorth o’r fath yn cael ei drin i’r cyfryw raddau rhagnodedig fel gwasanaeth y ceir gwneud taliadau uniongyrchol iechyd ar ei gyfer.

(3) Os yw’r rheoliadau’n gwneud darpariaeth yn achos person heb alluedd i gydsynio bod

taliadau uniongyrchol iechyd yn cael eu gwneud, cânt gymhwyso'r ddarpariaeth honno, neu wneud darpariaeth gyfatebol, gydag addasiadau, neu hebddynt, yn achos person nad oedd ganddo alluedd, ond sydd bellach â galluedd (boed hynny oherwydd bod ei alluedd yn amrywio, neu oherwydd iddo adennill neu ennill galluedd).

- (4) Caiff y rheoliadau ddarparu bod 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 odanynt i'w adennill fel dyled sy'n ddyledus i'r Bwrdd Iechyd Lleol.
- (5) Caiff y rheoliadau wneud darpariaeth ynghylch—
  - (a) bod gwasanaeth y mae taliad uniongyrchol iechyd wedi'i wneud ar ei gyfer o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 308*) yn cael ei ystyried, dim ond i'r graddau ac yn ddarostyngedig i'r amodau y caiff eu rhagnodi, fel gwasanaeth a ddarperir neu a drefnir gan y Bwrdd Iechyd Lleol o dan ddeddfiad iechyd;
  - (b) disodli 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, ac yn ddarostyngedig i'r amodau y caiff eu rhagnodi.
- (6) Yn yr adran hon—
  - (a) mae "gwasanaeth" yn cynnwys unrhyw beth y caiff taliadau uniongyrchol iechyd eu gwneud ar eu cyfer;
  - (b) mae cyfeiriadau at berson heb alluedd yn gyfeiriadau at berson heb alluedd o fewn ystyr Deddf Galluedd Meddwl 2005.'

**Gwenda Thomas**

159

Section 45, page 35, after line 40, insert—

- '( ) Where a local authority is satisfied that the circumstances of the person to whom a plan relates have changed in a way that affects the plan, the authority must—
- (a) carry out such assessments as it considers appropriate, and
  - (b) revise the plan.'

Adran 45, tudalen 35, ar ôl llinell 41, mewnosoder—

- '( ) Pan fo awdurdod lleol wedi ei fodloni bod amgylchiadau'r person y mae cynllun yn ymwneud ag ef wedi newid mewn ffordd sy'n effeithio ar y cynllun, rhaid i'r awdurdod—
- (a) gwneud unrhyw asesiadau y mae'n barnu eu bod yn briodol, a
  - (b) diwygio'r cynllun.'

**Gwenda Thomas**

160

Section 45, page 36, after line 4, insert—

- '( ) Regulations under subsection (4)(c) must specify, in particular—
- (a) the persons who may request a review of a plan (on their own behalf or on behalf of another person);

- (b) the circumstances in which a local authority –
  - (i) may refuse to comply with a request for a review of a plan, and
  - (ii) may not refuse to do so.’

Adran 45, tudalen 36, ar ôl llinell 4, mewnosoder –

- ‘() Rhaid i reoliadau o dan is-adran (4)(c) bennu, yn benodol –
  - (a) y personau a gaiff ofyn am adolygiad o gynllun (ar eu rhan hwy eu hunain neu ar ran person arall);
  - (b) o dan ba amgylchiadau –
    - (i) y caiff awdurdod lleol wrthod cydymffurfio â chais am adolygiad o gynllun, a
    - (ii) na chaiff awdurdod lleol wrthod gwneud hynny.’

**Gwenda Thomas**

**161**

Section 45, page 36, after line 4, insert –

- ‘() When preparing, reviewing or revising a plan under this section, a local authority must involve –
  - (a) in the case of a care and support plan relating to an adult, the adult and, where feasible, any carer that the adult has;
  - (b) in the case of a care and support plan relating to a child, the child and any person with parental responsibility for the child;
  - (c) in the case of a support plan relating to a carer, the carer and, where feasible, the person for whom the carer provides or intends to provide care.’

Adran 45, tudalen 36, ar ôl llinell 4, mewnosoder –

- ‘() Wrth lunio, adolygu neu ddiwygio cynllun o dan yr adran hon, rhaid i awdurdod lleol gynnwys –
  - (a) yn achos cynllun gofal a chymorth sy’n ymwneud ag oedolyn, yr oedolyn a, phan fo’n ddichonadwy, unrhyw ofalwr sydd gan yr oedolyn;
  - (b) yn achos cynllun gofal a chymorth sy’n ymwneud â phlentyn, y plentyn ac unrhyw berson sydd â chyfrifoldeb rhiant dros y plentyn;
  - (c) yn achos cynllun cymorth sy’n ymwneud â gofalwr, y gofalwr a, phan fo’n ddichonadwy, y person y mae’r gofalwr yn darparu neu’n bwriadu darparu gofal iddo.’

**Gwenda Thomas**

**162**

Section 45, page 36, line 10, leave out subsection (6).

Adran 45, tudalen 36, llinell 10, hepgorer is-adran (6).

**Gwenda Thomas** **163**

Section 46, page 36, line 18, leave out 'consultation in connection with' and insert 'further persons whom a local authority must involve in'.

Adran 46, tudalen 36, llinell 19, hepgorer 'ymgynggori mewn cysylltiad â llunio' a mewnosoder 'personau pellach y mae'n rhaid i awdurdod lleol eu cynnwys yn y broses o lunio'.

**Gwenda Thomas** **164**

Section 46, page 36, line 26, leave out 'particular' and insert 'further'.

Adran 46, tudalen 36, llinell 28, hepgorer 'penodol' a mewnosoder 'pellach'.

**Gwenda Thomas** **22**

Section 47, page 37, after line 22, insert—

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

Adran 47, tudalen 37, ar ôl llinell 23, mewnosoder—

'( ) Wrth gynnal yr asesiad sy'n ofynnol gan 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).'

**Gwenda Thomas** **165**

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

Adran 47, tudalen 37, llinell 35, hepgorer 'cyfeirio' a mewnosoder 'gyfeiriad'.

**Gwenda Thomas** **166**

Section 49, page 39, after line 18, insert—

'(8) An amount recoverable under subsection (7) is recoverable summarily as a civil debt (but this does not affect any other method of recovery).'

Adran 49, tudalen 39, ar ôl llinell 17, mewnosoder—

'(8) Gellir adennill yn ddiannod fel dyled sifil swm y gellir ei adennill o dan is-adran (7) (ond nid yw hynny'n effeithio ar unrhyw ddull arall o'i adennill).'

**Gwenda Thomas**

23

Section 51, page 40, line 9, leave out –

- ‘under the age of 16, on a person with parental responsibility for that child;
- (b) where the care and support is provided to a child who is aged 16 or 17, on that child or a person with parental responsibility for that child;
- (c) where the child’s needs for care and support are met by the provision of something to some other person, on that person’

And insert –

- ’, on an adult with parental responsibility for that child;
- ( ) where the child’s needs for care and support are being met by the provision of something to an adult, on that adult’.

Adran 51, tudalen 40, llinell 10, hepgorer –

- ‘o dan 16 oed, ar berson sydd â chyfrifoldeb rhiant dros y plentyn hwnnw;
- (b) pan fo’r gofal a chymorth yn cael eu darparu i blentyn sy’n 16 neu’n 17 oed, ar y plentyn hwnnw neu ar berson sydd â chyfrifoldeb rhiant dros y plentyn hwnnw;
- (c) pan fo anghenion y plentyn am ofal a chymorth yn cael eu diwallu drwy ddarparu rhywbeth i ryw berson arall, ar y person’

A mewnosoder –

- ’, ar oedolyn sydd â chyfrifoldeb rhiant dros y plentyn hwnnw;
- ( ) pan fo anghenion y plentyn am ofal a chymorth yn cael eu diwallu drwy ddarparu rhywbeth i oedolyn, ar yr oedolyn’.

**Gwenda Thomas**

24

Section 51, page 40, leave out lines 18 to 19.

Adran 51, tudalen 40, hepgorer llinellau 19 hyd at 20.

**Gwenda Thomas**

25

Section 51, page 40, line 20, leave out ‘under the age of 16, on a person’ and insert ‘a child, on an adult’.

Adran 51, tudalen 40, llinell 21, hepgorer ‘sydd o dan 16 oed, ar berson’ a mewnosoder ‘sy’n blentyn, ar oedolyn’.

**Gwenda Thomas**

26

Section 51, page 40, leave out lines 29 to 31.

Adran 51, tudalen 40, hepgorer llinellau 31 hyd at 33.



**Gwenda Thomas**

**27**

Section 51, page 40, line 33, leave out 'under the age of 16, on a person' and insert ', on an adult'.

Adran 51, tudalen 40, llinell 35, hepgorer 'sydd o dan 16 oed, ar berson' a mewnosoder ', ar oedolyn'.

**Gwenda Thomas**

**167**

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

Adran 59, tudalen 43, llinell 37, hepgorer 'godir' a mewnosoder 'osodir'.

**Gwenda Thomas**

**168**

Section 59, page 43, after line 37, insert –

'(c) decisions relating to the liability of a transferee to pay an amount to a local authority under section 64'.

Adran 59, tudalen 43, ar ôl llinell 38, mewnosoder –

'(c) penderfyniadau sy'n ymwneud ag atebolrwydd trosglwyddai i dalu swm i awdurdod lleol o dan adran 64'.

**Gwenda Thomas**

**169**

Page 43, line 34, move section 59 and insert after section 64.

Tudalen 43, llinell 35, symuder adran 59 a'i mewnosod ar ôl adran 64.

**Gwenda Thomas**

**28**

Section 60, page 44, line 12, leave out –

'a person mentioned in subsection (2) –

- (a) who has needs which the local authority is meeting (or is going to meet) under sections 28 to 36, and
- (b) who has to pay (or is going to have to pay) a charge under section 50 towards the cost of meeting those needs.

(2) The persons are an adult or a child aged 16 or 17'

And insert –

'an adult who is required (or is going to be required) to pay a charge under section 50'.

Adran 60, tudalen 44, llinell 13, hepgorer –

'gyda pherson a grybwyllir yn is-adran (2) a hwnnw'n berson –

- (a) y mae arno anghenion y mae'r awdurdod lleol yn eu diwallu (neu'n mynd i'w diwallu) o dan adrannau 28 i 36, a
- (b) y mae'n rhaid iddo dalu (neu sy'n mynd i orfod talu) ffi o dan adran 50 tuag at y gost o ddiwallu'r anghenion hynny.

(2) Oedolyn neu blentyn 16 neu 17 oed yw'r personau'

A mewnosoder –

'gydag oedolyn y mae'n ofynnol iddo (neu y mae'n mynd i fod yn ofynnol iddo) dalu ffi o dan adran 50'.

**Gwenda Thomas**

**29**

Section 60, page 44, line 20, leave out 'person's' and insert 'adult's'.

Adran 60, tudalen 44, llinell 21, hepgorer 'y person' a mewnosoder 'yr oedolyn'.

**Gwenda Thomas**

**30**

Section 60, page 44, line 22, leave out 'person agrees to give the local authority a charge over the person's interest in his or her home to secure payment of the person's' and insert 'adult agrees to give the local authority a charge over the adult's interest in his or her home to secure payment of the adult's'.

Adran 60, tudalen 44, llinell 23, hepgorer 'person yn cytuno odano i roi i'r awdurdod lleol arwystl dros fuddiant y person yn ei gartref i sicrhau bod swm gofynnol y person' a mewnosoder 'oedolyn yn cytuno odano i roi i'r awdurdod lleol arwystl dros fuddiant yr oedolyn yn ei gartref i sicrhau bod swm gofynnol yr oedolyn'.

**Gwenda Thomas**

**31**

Section 60, page 44, line 24, leave out 'person's required amount is so much of the charge that the person has to pay towards the cost of meeting those of the person's needs referred to in subsection (1)(a)' and insert 'adult's required amount is so much of the charge that the adult is required (or is going to be required) to pay under section 50'.

Adran 60, tudalen 44, llinell 25, hepgorer 'y person yw'r hyn o'r ffi y mae'n rhaid i'r person ei dalu tuag at y gost o ddiwallu'r cyfryw rai o'i anghenion a grybwyllwyd yn is-adran (1)(a)' a mewnosoder 'yr oedolyn yw'r hyn o'r ffi y mae'n ofynnol i'r oedolyn (neu y mae'n mynd i fod yn ofynnol iddo) ei dalu o dan adran 50'.

**Gwenda Thomas**

**32**

Section 60, page 44, line 28, leave out 'person's' and insert 'adult's'.

Adran 60, tudalen 44, llinell 29, hepgorer 'y person' a mewnosoder 'yr oedolyn'.

**Gwenda Thomas**

**33**

Section 60, page 44, line 34, leave out 'person's' and insert 'adult's'.

Adran 60, tudalen 44, llinell 35, hepgorer 'y person' a mewnosoder 'yr oedolyn'.

**Gwenda Thomas**

**34**

Section 60, page 45, line 3, leave out 'person's' and insert 'adult's'.

Adran 60, tudalen 45, llinell 3, hepgorer 'y person' a mewnosoder 'yr oedolyn'.

**Gwenda Thomas**

**35**

Section 60, page 45, line 8, leave out –

'person to terminate it and the charge to which it gives effect by –

- (a) giving the local authority notice, and
- (b) paying the authority the full amount for which the person is liable with respect to the person's'

And insert –

'adult to terminate it and the charge to which it gives effect by –

- (a) giving the local authority notice, and
- (b) paying the authority the full amount for which the adult is liable with respect to the adult's'.

Adran 60, tudalen 45, llinell 7, hepgorer –

'person i'w derfynu a therfynu'r arwystl y mae'n rhoi effaith iddo drwy –

- (a) hysbysu'r awdurdod lleol, a
- (b) talu i'r awdurdod y swm llawn y mae'r person yn atebol i'w dalu o ran swm gofynnol y person'

A mewnosoder –

'oedolyn i'w derfynu a therfynu'r arwystl y mae'n rhoi effaith iddo drwy –

- (a) hysbysu'r awdurdod lleol, a
- (b) talu i'r awdurdod y swm llawn y mae'r oedolyn yn atebol i'w dalu mewn cysylltiad â swm gofynnol yr oedolyn'.

**Gwenda Thomas**

**36**

Section 60, page 45, line 15, leave out –

'person where the person disposes of the interest to which the agreement relates and acquires an interest in another property in Wales or England; the regulations may, for example, make provision –

- (a) for the local authority not to require payment of the amounts referred to in subsection (9)(b) until the time specified in or determined in accordance with the regulations, and
- (b) for the person to give the local authority a charge over the person's'

And insert –

'adult where the adult disposes of the interest to which the agreement relates and acquires an interest in another property in Wales or England; the regulations may, for

example, make provision –

- ( ) for the local authority not to require payment of the amounts referred to in subsection (9)(b) until a time specified in or determined in accordance with the regulations, and
- ( ) for the adult to give the local authority a charge over his or her’.

Adran 60, tudalen 45, llinell 14, hepgorer –

‘person pan fo’r person yn gwaredu’r buddiant y mae’r cytundeb yn ymwneud ag ef ac yn caffael buddiant mewn eiddo arall yng Nghymru neu Loegr; caiff y rheoliadau, er enghraifft, wneud darpariaeth –

- (a) i’r awdurdod lleol beidio â’i gwneud yn ofynnol i’r symiau y cyfeiriwyd atynt yn is-adran (9)(b) gael eu talu tan yr amser a bennir yn y rheoliadau neu a ddyfernir yn unol â hwy, a
- (b) i’r person roi i’r awdurdod lleol arwystl dros fuddiant y person’

A mewnosoder –

‘oedolyn pan fo’r oedolyn yn gwaredu’r buddiant y mae’r cytundeb yn ymwneud ag ef ac yn caffael buddiant mewn eiddo arall yng Nghymru neu Loegr; caiff y rheoliadau, er enghraifft, wneud darpariaeth –

- ( ) i’r awdurdod lleol beidio â’i gwneud yn ofynnol i’r symiau y cyfeiriwyd atynt yn is-adran (9)(b) gael eu talu tan yr amser a bennir yn y rheoliadau neu a ddyfernir yn unol â hwy, a
- ( ) i’r oedolyn roi i’r awdurdod lleol arwystl dros ei fuddiant’.

**Gwenda Thomas**

37

Section 60, page 45, line 23, leave out ‘a person’s home is a reference to the property which the person occupies as the person’s only or main residence; and a reference to a person’s interest in a property is a reference to the person’s’ and insert ‘an adult’s home is a reference to the property which the adult occupies as his or her only or main residence; and a reference to an adult’s interest in a property is a reference to the adult’s’.

Adran 60, tudalen 45, llinell 21, hepgorer ‘person yn cyfeirio at yr eiddo y mae’r person yn ei feddiannu fel ei unig neu brif breswylfa; ac mae cyfeiriad at fuddiant person mewn eiddo yn cyfeirio at ei fuddiant cyfreithiol neu lesiannol’ a mewnosoder ‘oedolyn yn gyfeiriad at yr eiddo y mae’r oedolyn yn ei feddiannu fel ei unig neu brif breswylfa; ac mae cyfeiriad at fuddiant oedolyn mewn eiddo yn gyfeiriad at fuddiant cyfreithiol neu lesiannol yr oedolyn’.

**Gwenda Thomas**

38

Section 60, page 45, line 27, leave out ‘a person to agree to give a charge over the person’s interest in a property in Wales or England which the person used to occupy as the person’s’ and insert ‘an adult to agree to give a charge over the adult’s interest in a property in Wales or England which he or she used to occupy as his or her’.

Adran 60, tudalen 45, llinell 25, hepgorer ‘person i gytuno i roi arwystl dros fuddiant y person’ a mewnosoder ‘oedolyn i gytuno i roi arwystl dros fuddiant yr oedolyn’.

**Gwenda Thomas**

**39**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 61, tudalen 45, llinell 33, hepgorer 'codi' a mewnosoder 'gosod'.

**Gwenda Thomas**

**40**

Section 61, page 45, line 39, after 'relates', insert –

' , or

(c) which enables a charge to be imposed on a child'.

Adran 61, tudalen 45, llinell 36, ar ôl 'hwy', mewnosoder –

' , neu

(c) sy'n galluogi gosod ffi ar blentyn'.

**Gwenda Thomas**

**41**

Section 62, page 46, line 7, leave out –

'person from whom the amount is due, and

(b) that person'

And insert –

'adult from whom the amount is due, and

( ) that adult'.

Adran 62, tudalen 46, llinell 7, hepgorer –

'person y mae'r swm yn ddyledus ganddo, a

(b) bod y person'

A mewnosoder –

'oedolyn y mae'r swm yn ddyledus ganddo, a

( ) bod yr oedolyn'.

**Gwenda Thomas**

**42**

Section 62, page 46, line 22, leave out 'or child aged 16 or 17'.

Adran 62, tudalen 46, llinell 23, hepgorer 'neu blentyn sy'n 16 neu'n 17 oed'.

**Gwenda Thomas**

**43**

Section 62, page 46, line 27, leave out 'or child aged 16 or 17'.

Adran 62, tudalen 46, llinell 28, hepgorer 'neu blentyn sy'n 16 neu'n 17 oed'.

**Gwenda Thomas** 44

Section 62, page 46, line 32, leave out 'a person' and insert 'an adult'.

Adran 62, tudalen 46, llinell 33, hepgorer 'person' a mewnosoder 'oedolyn'.

**Gwenda Thomas** 45

Section 62, page 46, line 35, leave out 'under the age of 16'.

Adran 62, tudalen 46, llinell 36, hepgorer 'o dan 16 oed'.

**Kirsty Williams** 319

To insert a new section –

**'PART ()**

**APPEALS**

*Appealing local authority decisions*

**() **Appealing decisions taken by the local authority****

(1) Regulations must make provision for and in connection with the appeal of –

(a) determinations made under section 26 and section 57;

(b) charges imposed under section 50.

(2) Regulations made under this section must provide for an independent panel to be established to consider appeals.'

I fewnosod adran newydd –

**'RHAN ()**

**APELAU**

*Apelio yn erbyn penderfyniadau awdurdod lleol*

**() **Apelio yn erbyn penderfyniadau awdurdod lleol****

(1) Rhaid i reoliadau wneud darpariaeth ar gyfer, ac mewn cysylltiad ag, apelio yn erbyn –

(a) dyfarniadau a wneir o dan adran 26 ac adran 57;

(b) ffioedd a osodir o dan adran 50.

(2) Rhaid i reoliadau a wneir o dan yr adran hon ddarparu ar gyfer sefydlu panel annibynnol i ystyried apelau.'

**Gwenda Thomas** 170

Section 65, page 49, line 16, after 'is', insert 'or was'.

Adran 65, tudalen 49, llinell 16, ar ôl 'blentyn', mewnosoder 'neu at berson ifanc a oedd yn derbyn gofal gan yr awdurdod tra oedd yn blentyn'.

**Lindsay Whittle** 1A

As an amendment to amendment 1, line 1, leave out 'may' and insert 'must'.

Fel gwelliant i welliant 1, llinell 1, hepgorer 'Caiff' a mewnosoder 'Rhaid i'.

**Lindsay Whittle** 1B

As an amendment to amendment 1, line 2, leave out '21' and insert '22'.

Fel gwelliant i welliant 1, llinell 2, hepgorer '21' a mewnosoder '22'.

**William Graham** 1

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

Section 67, page 50, after line 20, insert—

- ( ) A local authority may provide accommodation for any relevant person within its area who has reached the age of 16 but has not yet reached the age of 21 with their former local authority foster parent, unless—
- (a) the relevant person states that they do not wish to reside in such accommodation,
  - (b) the former local authority foster parent does not wish to provide accommodation, or
  - (c) it is not reasonably practicable to arrange such accommodation.'

Adran 67, tudalen 50, ar ôl llinell 20, mewnosoder—

- ( ) Caiff awdurdod lleol ddarparu llety i unrhyw berson perthnasol o fewn ei ardal sydd wedi cyrraedd 16 oed ond nad yw eto wedi cyrraedd 21 oed gyda'i rieni maeth awdurdod lleol blaenorol, oni bai—
- (a) bod y person perthnasol yn datgan nad yw'n dymuno preswyllo mewn llety o'r fath,
  - (b) nad yw'r rhieni maeth awdurdod lleol blaenorol yn dymuno darparu llety, neu
  - (c) nad yw'r ymarferol resymol i drefnu llety o'r fath.'

**William Graham**

**2**

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

Section 67, page 50, after line 39, insert –

(9) Regulations may make provision for and in connection with the exercise of the power under subsection (*subsection to be inserted by amendment 1*).

(10) In this section –

“former local authority foster parent” (“*rhieni maeth awdurdod lleol blaenorol*”) means a local authority foster parent with whom the person in subsection (*subsection to be inserted by amendment 1*) was placed under section 72(6)(a) or (b);

“relevant person” (“*person perthnasol*”) means a person specified in regulations made under subsection (*subsection to be inserted by amendment 1*).’.

Adran 67, tudalen 50, ar ôl llinell 39, mewnosoder –

(9) Caiff rheoliadau ddarparu ar gyfer ac mewn cysylltiad ag arfer y pŵer o dan is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 1*).

(10) Yn yr adran hon –

ystyr “person perthnasol” (“*relevant person*”) yw person a nodir mewn rheoliadau a wneir o dan is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 1*);

ystyr “rhieni maeth awdurdod lleol blaenorol” (“*former local authority foster parent*”) yw rhieni maeth awdurdod lleol lle y lleolwyd y person yn is-adran (*yr is-adran sy’n cael ei fewnosod gan welliant 1*) â hwy o dan adran 72(6)(a) neu (b).’.

**William Graham**

**3**

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

To insert a new section –

**( ) Procedure for regulations under section 67**(*first subsection to be inserted by amendment 2*)

(1) The Welsh Ministers must comply with this section before making regulations under section 67(*first subsection to be inserted by amendment 2*).

(2) The Welsh Ministers must consult –

(a) each local authority, and

(b) 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 regulations under section 67(*first subsection to be inserted by amendment 2*) they must lay before the National Assembly for Wales a document which –

(a) explains the proposals,

(b) sets out the proposals in the form of draft regulations, and

(c) gives details of the consultation under subsection (2).



- (4) No draft of regulations under section 67(*first subsection to be inserted by amendment 2*) to give effect to the proposals (“the final draft regulations”) may be laid before the National Assembly for Wales in accordance with section 179 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 final period mentioned in subsection (4).
- (7) If the final draft regulations are laid before the National Assembly for Wales in accordance with section 179 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) Gweithdrefn ar gyfer rheoliadau o dan adran 67(*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 2*)**

- (1) Rhaid i Weinidogion Cymru gydymffurfio â’r adran hon cyn gwneud rheoliadau o dan adran 67(*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 2*).
- (2) Rhaid i Weinidogion Cymru ymgynghori—
  - (a) â phob awdurdod lleol, a
  - (b) â phersonau neu gyrff eraill 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 o dan adran 67(*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 2*) 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 nodi manylion yr ymgynghoriad o dan is-adran (2).
- (4) Ni chaiff unrhyw reoliadau drafft o dan adran 67(*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 2*) i roi effaith i’r cynigion (“y rheoliadau drafft terfynol”) gael eu gosod gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 179 tan ar ôl i’r cyfnod o 60 diwrnod, sy’n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn a’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 a'r adran hon rhaid i ddatganiad gan Weinidogion Cymru gyd-fynd a'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** **171**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 68, tudalen 51, llinell 34, hepgorer 'gadw' a mewnosoder 'gadw'n gaeth'.

**Gwenda Thomas** **172**

Section 68, page 52, line 1, after 'Trust', insert ', an NHS Foundation Trust'.  
Adran 68, tudalen 52, llinell 2, ar ôl 'GIG', mewnosoder ', Ymddiriedolaeth Sefydledig GIG'.

**Gwenda Thomas** **173**

Section 68, page 52, line 3, after 'Trust,', insert 'an NHS Foundation Trust',  
Adran 68, tudalen 52, llinell 4, ar ôl 'GIG,', mewnosoder 'Ymddiriedolaeth Sefydledig GIG,'.

**Gwenda Thomas** **174**

Section 69, page 52, line 33, leave out subsections (5) to (8).  
Adran 69, tudalen 52, llinell 35, hepgorer is-adrannau (5) hyd at (8).

**Gwenda Thomas** **175**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 72, tudalen 53, llinell 21, hepgorer 'preswyliad' a mewnosoder 'preswylio'.

**Gwenda Thomas** **176**

Section 74, page 55, after line 23, insert—

'( ) Where a local authority is satisfied that the circumstances of the child to whom a plan relates have changed in a way that affects the plan, the authority must—

- (a) carry out such assessments as it considers appropriate, and
- (b) revise the plan.'

Adran 74, tudalen 55, ar ôl llinell 25, mewnosoder –

- ‘() Pan fo awdurdod lleol wedi ei fodloni bod amgylchiadau’r plentyn y mae cynllun yn ymwneud ag ef wedi newid mewn ffordd sy’n effeithio ar y cynllun, rhaid i’r awdurdod –
- (a) gwneud unrhyw asesiadau y mae’n barnu eu bod yn briodol, a
  - (b) diwygio’r cynllun.’.

**Gwenda Thomas**

177

Section 74, page 55, after line 27, insert –

- ‘() Regulations under subsection (4)(c) must specify, in particular –
- (a) the persons who may request a review of a plan (on their own behalf or on behalf of another person);
  - (b) the circumstances in which a local authority –
    - (i) may refuse to comply with a request for a review of a plan, and
    - (ii) may not refuse to do so.’.

Adran 74, tudalen 55, ar ôl llinell 29, mewnosoder –

- ‘() Rhaid i reoliadau o dan is-adran (4)(c) bennu, yn benodol –
- (a) y personau a gaiff ofyn am adolygiad o gynllun (ar eu rhan hwy eu hunain neu ar ran person arall);
  - (b) o dan ba amgylchiadau –
    - (i) y caiff awdurdod lleol wrthod cydymffurfio â chais am adolygiad o gynllun, a
    - (ii) na chaiff awdurdod lleol wrthod gwneud hynny.’.

**Gwenda Thomas**

178

Section 74, page 55, after line 27, insert –

- ‘() When preparing, reviewing or revising a plan under this section, a local authority must involve the child to whom the plan relates and any person with parental responsibility for the child.’.

Adran 74, tudalen 55, ar ôl llinell 29, mewnosoder –

- ‘() Wrth lunio, adolygu neu ddiwygio cynllun o dan yr adran hon, rhaid i awdurdod lleol gynnwys y plentyn y mae’r cynllun yn ymwneud ag ef ac unrhyw berson sydd â chyfrifoldeb rhiant dros y plentyn.’.

**Gwenda Thomas**

179

Section 74, page 55, line 33, leave out subsection (6).

Adran 74, tudalen 55, llinell 35, hepgorer is-adran (6).

**Gwenda Thomas** 180

Section 75, page 56, line 8, leave out 'consultation in connection with' and insert 'further persons whom a local authority must involve in'.

Adran 75, tudalen 56, llinell 8, hepgorer 'ymgyngori mewn cysylltiad â llunio' a mewnosoder 'personau pellach y mae'n rhaid i awdurdod lleol eu cynnwys yn y broses o lunio'.

**Gwenda Thomas** 181

Section 75, page 56, line 16, leave out 'particular' and insert 'further'.

Adran 75, tudalen 56, llinell 17, hepgorer 'penodol' a mewnosoder 'pellach'.

**Gwenda Thomas** 60

Schedule 1, page 127, line 10, leave out –

'The persons liable to contribute are –

- (a) where the child is under 16, a person with parental responsibility for the child;
- (b) where the child has attained the age of 16, the child or a person'

And insert –

'A person is liable to contribute if he or she is an adult'.

Atodlen 1, tudalen 127, llinell 10, hepgorer –

'Dyma'r personau sy'n atebol am gyfrannu –

- (a) pan fo'r plentyn o dan 16 oed, person sydd â chyfrifoldeb rhiant dros y plentyn;
- (b) pan fo'r plentyn wedi cyrraedd 16 oed, y plentyn neu berson'

A mewnosoder –

'Mae person yn atebol am gyfrannu os yw'n oedolyn'.

**Gwenda Thomas** 281

Schedule 1, page 129, after line 35, insert –

'( ) Sub-paragraph (1) ceases to have effect on the day on which paragraph 120 of Schedule 11 to the Crime and Courts Act 2013 comes into force.'

Atodlen 1, tudalen 129, ar ôl llinell 36, mewnosoder –

'( ) Mae is-baragraff (1) yn peidio â chael effaith ar y diwrnod y daw paragraff 120 o Atodlen 11 i Ddeddf Troseddu a'r Llysoedd 2013 i rym.'

**Gwenda Thomas** 182

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

Adran 86, tudalen 60, llinell 22, hepgorer 'unrhyw beth' a mewnosoder 'dim'.

**Gwenda Thomas** 183

Section 86, page 60, line 29, leave out subsection (7).  
Adran 86, tudalen 60, llinell 30, hepgorer is-adran (7).

**Gwenda Thomas** 46

Section 88, page 61, after line 20, insert—

‘() Regulations specifying a category for the purpose of subsection (1)(c) must also specify the local authority which must discharge the duties imposed by or under this section in relation to a child who falls within the specified category.’.

Adran 88, tudalen 61, ar ôl llinell 21, mewnosoder —

‘() Rhaid i reoliadau sy’n pennu categori at ddiben is-adran (1)(c) hefyd bennu’r awdurdod lleol y mae’n rhaid iddo gyflawni’r dyletswyddau a osodir gan, neu o dan, yr adran hon mewn perthynas â phlentyn sy’n dod o fewn y categori penodedig.’.

**Gwenda Thomas** 184

Section 88, page 61, line 24, leave out ‘, support and assistance’ and insert ‘and other support’.  
Adran 88, tudalen 61, llinell 25, hepgorer ‘, cefnogaeth a chymorth’ a mewnosoder ‘a chymorth arall’.

**Gwenda Thomas** 185

Section 88, page 61, line 25, leave out ‘if that child seeks it from the authority’.  
Adran 88, tudalen 61, llinell 26, hepgorer ‘os yw’r plentyn hwnnw’n gofyn i’r awdurdod amdanynt’.

**Gwenda Thomas** 186

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 89, tudalen 62, llinell 26, hepgorer ‘ddigon o ddealltwriaeth’ a mewnosoder ‘ddealltwriaeth ddigonol’.

**Gwenda Thomas** 187

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 89, tudalen 62, llinell 31, hepgorer ‘ddigon o ddealltwriaeth’ a mewnosoder ‘ddealltwriaeth ddigonol’.

**Gwenda Thomas** 188

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 93, tudalen 65, llinell 13, hepgorer ‘gyda’r bwriad o’ a mewnosoder ‘gyda golwg ar’.

**Angela Burns**

**315**

Section 94, page 65, after line 16, insert –

- ‘() The Welsh Ministers must by regulations make provision for the minimum standards which a local authority must achieve when it befriends a child in the exercise of its functions under subsection (1).’.

Adran 94, tudalen 65, ar ôl llinell 18, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer y safonau gofynnol y mae’n rhaid i awdurdod lleol eu sicrhau pan fydd yn ymgyfeillio â phlentyn wrth arfer ei swyddogaethau o dan is-adran (1).’.

**Angela Burns**

**316**

Section 94, page 65, after line 16, insert –

- ‘() The Welsh Ministers must issue guidance to a local authority about the exercise of its functions under subsection (1).
- ( ) Guidance issued under subsection (*first subsection to be inserted by amendment 316*) must provide for the actions which a local authority must take when it befriends a child in the exercise of its functions under subsection (1).
- ( ) A local authority must have regard to guidance issued under subsection (*first subsection to be inserted by amendment 316*) when exercising its functions under subsection (1).’.

Adran 94, tudalen 65, ar ôl llinell 18, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdod lleol ynghylch arfer ei swyddogaethau o dan is-adran (1).
- ( ) Rhaid i ganllawiau a ddyroddir o dan is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 316*) ddarparu ar gyfer y camau y mae’n rhaid i awdurdod lleol eu cymryd pan fydd yn ymgyfeillio â phlentyn wrth arfer ei swyddogaethau o dan is-adran (1).
- ( ) Rhaid i awdurdod lleol roi sylw i ganllawiau a ddyroddir o dan is-adran (*yr is-adran cyntaf sy’n cael ei fewnosod gan welliant 316*) wrth arfer ei swyddogaethau o dan is-adran (1).’.

**Gwenda Thomas**

**189**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 95, tudalen 66, llinell 38, hepgorer ‘Sefydliad’ a mewnosoder ‘Sefydledig’.

**Gwenda Thomas**

**190**

Section 96, page 67, line 24, after ‘for’, insert ‘a’.

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

**Gwenda Thomas** 191

Section 97, page 68, line 13, leave out '(in addition to any other functions)'.

Adran 97, tudalen 68, llinell 13, hepgorer '(yn ychwanegol at unrhyw swyddogaethau eraill)'.

**William Graham** 75A

As an amendment to amendment 75, line 25, after 'support', insert '(including financial support)'.

Fel gwelliant i welliant 75, llinell 23, ar ôl 'arall', mewnosoder '(gan gynnwys cymorth ariannol)'.

**William Graham** 75B

As an amendment to amendment 75, after line 26, insert –

'() Regulations may make further provision about post-18 living arrangements.'

Fel gwelliant i welliant 75, ar ôl llinell 24, mewnosoder –

'() Caiff rheoliadau wneud darpariaeth bellach am drefniadau byw ôl-18.'

**William Graham** 75C

As an amendment to amendment 75, after line 26, insert –

'() Every local authority shall give such publicity to post-18 living arrangements as they consider appropriate.'

Fel gwelliant i welliant 75, ar ôl llinell 24, mewnosoder –

'() Rhaid i bob awdurdod lleol roi unrhyw gyhoeddusrwydd i drefniadau byw ôl-18 y mae'n ystyried ei fod yn briodol.'

**Gwenda Thomas** 75

To insert a new section –

'() **Pathway assessments and plans: post-18 living arrangements**

(1) The responsible local authority for a category 1 young person who has been placed with a local authority foster parent must comply with subsection (2) when –

(a) carrying out an assessment in relation to the young person under section 98(1),

(b) preparing and maintaining a pathway plan for the young person under section 98(3), or

(c) reviewing the young person's pathway plan under section 98(10).

(2) The responsible local authority must determine whether a post-18 living arrangement would be appropriate for the young person after it ceases to look after him or her.

(3) A "post-18 living arrangement" is an arrangement under which –

(a) a category 3 young person –

(i) who is under the age of 21, and

(ii) who 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, and

- (b) a person (a “former foster parent”) who was the young person’s local authority foster parent immediately before he or she ceased to be looked after,

continue to live together after the young person has ceased to be looked after.

- (4) Where –

- (a) the responsible local authority determines under subsection (2) that a post-18 living arrangement would be appropriate for the young person after it ceases to look after him or her, and
- (b) the young person and his or her local authority foster parent wish to make a post-18 living arrangement,

the responsible local authority must provide advice and other support under this Part in order to facilitate a post-18 living arrangement.’.

I fewnosod adran newydd –

**‘( ) Asesiadau a chynlluniau llwybr: trefniadau byw ôl-18**

- (1) Rhaid i’r awdurdod lleol sy’n gyfrifol am berson ifanc categori 1 sydd wedi ei leoli gyda rhiant maeth awdurdod lleol gydymffurfio ag is-adran (2) wrth –
- (a) cynnal asesiad mewn perthynas â’r person ifanc o dan adran 98(1),
- (b) llunio a chynnal cynllun llwybr ar gyfer y person ifanc o dan adran 98(3), neu
- (c) adolygu cynllun llwybr y person ifanc o dan adran 98(10).
- (2) Rhaid i’r awdurdod lleol cyfrifol ddyfarnu a fyddai trefniant byw ôl-18 yn briodol ar gyfer y person ifanc ar ôl i’r awdurdod lleol roi’r gorau i ofalu amdano.
- (3) Mae “trefniant byw ôl-18” yn drefniant –
- (a) pan fo person ifanc categori 3 –
- (i) sydd o dan 21 oed, a
- (ii) 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, a
- (b) pan fo person (“cyn-riant maeth”) a oedd yn rhiant maeth awdurdod lleol i’r person ifanc yn union cyn i’r gofal a ddarparwyd iddo ddod i ben,

yn parhau i fyw gyda’i gilydd ar ôl i’r gofal a ddarparwyd i’r person ifanc ddod i ben.

- (4) Pan fo’r –

- (a) awdurdod lleol cyfrifol yn dyfarnu o dan is-adran (2) y byddai trefniant byw ôl-18 yn briodol ar gyfer y person ifanc ar ôl iddo roi’r gorau i ofalu amdano, a
- (b) person ifanc a’i riant maeth awdurdod lleol yn dymuno gwneud trefniant byw ôl-18,

rhaid i’r awdurdod lleol cyfrifol ddarparu cyngor a chymorth arall o dan y Rhan hon er mwyn hwyluso trefniant byw ôl-18.’.



**Gwenda Thomas**

192

Section 99, page 69, line 34, after 'in', insert 'kind or in'.

Adran 99, tudalen 69, llinell 32, ar ôl 'ffurf', mewnosoder 'da neu mewn'.

**William Graham**

76A

As an amendment to amendment 76, line 5, after 'support', insert '(including financial support)'.

Fel gwelliant i welliant 76, llinell 5, ar ôl 'arall', mewnosoder '(gan gynnwys cymorth ariannol)'.

**Gwenda Thomas**

76

Section 100, page 70, after line 14, insert—

- '( ) The responsible local authority for a category 3 young person who has a post-18 living arrangement must, in addition—
  - (a) monitor the arrangement, and
  - (b) if the authority considers that the arrangement is consistent with the young person's well-being, provide advice and other support to the young person and the former foster parent with a view to maintaining the arrangement.
- ( ) In subsection (*first subsection to be introduced by amendment 76*) "post-18 living arrangement" has the meaning given by section (*section to be introduced by amendment 75*) and "former foster parent" has the same meaning as in that definition.'

Adran 100, tudalen 70, ar ôl llinell 14, mewnosoder—

- '( ) Yn ogystal, rhaid i'r awdurdod lleol sy'n gyfrifol am berson ifanc categori 3 sydd â threfniant byw ôl-18—
  - (a) monitro'r trefniant, a
  - (b) os yw'r awdurdod o'r farn bod y trefniant yn gyson â llesiant y person ifanc, ddarparu cyngor a chymorth arall i'r person ifanc a'r cyn-riant maeth gyda golwg ar gynnal y trefniant.
- ( ) Yn is-adran (*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 76*) mae i "trefniant byw ôl-18" yr ystyr a roddir iddo gan adran (*yr adran sy'n cael ei fewnosod gan welliant 75*) ac mae i "cyn-riant maeth" yr un ystyr ag sydd iddo yn y diffiniad hwnnw.'

**Gwenda Thomas**

77

Section 100, page 70, line 15, after '(1)(d)', insert 'and (*first subsection to be inserted by amendment 76*)(b)'.

Adran 100, tudalen 70, llinell 15, ar ôl '(1)(d)', mewnosoder 'a (*yr is-adran sy'n cael ei fewnosod gan welliant 76*)(b)'.

**Gwenda Thomas**

193

Section 106, page 74, line 8, leave out 'the' and insert 'a'.

Adran 106, tudalen 74, llinell 8, hepgorer 'yr'.

**Gwenda Thomas** 194

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 107, tudalen 74, llinell 14, hepgorer 'godi' a mewnosoder 'osod'.

**Gwenda Thomas** 195

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 107, tudalen 74, llinell 15, hepgorer 'godir' a mewnosoder 'osodir'.

**Gwenda Thomas** 47

Section 107, page 74, leave out lines 19 to 21 and insert—

'() may be imposed—

- (i) on the young person who receives the support, if that person has reached the age of 18;
- (ii) on a person with parental responsibility for the young person who receives the support, if the young person is under 18 years of age.'

Adran 107, tudalen 74, hepgorer llinellau 18 hyd at 19 a mewnosoder—

'() caniateir ei gosod—

- (i) ar y person ifanc sy'n cael y cymorth, os yw'r person ifanc hwnnw wedi cyrraedd 18 oed;
- (ii) ar berson sydd â chyfrifoldeb rhiant dros y person ifanc sy'n cael y cymorth, os yw'r person ifanc o dan 18 oed.'

**Gwenda Thomas** 196

Section 107, page 74, line 29, leave out '64' and insert '59'.

Adran 107, tudalen 74, llinell 28, hepgorer '64' a mewnosoder '59'.

**Gwenda Thomas** 197

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 108, tudalen 75, llinell 8, hepgorer 'Sefydliad' a mewnosoder 'Sefydledig'.

**Lindsay Whittle** 331

To insert a new section—

'() **"Post-18 living arrangements"**

- (1) A local authority must provide advice and other support (including financial support) for any relevant person within its area in order to facilitate and maintain a post-18 living arrangement.
- (2) The duty under subsection (1) does not apply if—

- (a) the relevant person does not wish to participate in a post-18 living arrangement, or
  - (b) the former local authority foster parent does not wish to participate in a post-18 living arrangement.
- (3) A “post-18 living arrangement” is an arrangement under which –
- (a) a relevant person who was being looked after by a local authority when he or she reached the age of 18, and
  - (b) the former local authority foster parent,
- continue to live together after the young person has ceased to be looked after.
- (4) Regulations must make provision for and in connection with the duty under subsection (1).
- (5) Regulations under this section must make provision about –
- (a) who is a relevant person for the purposes of subsection (1);
  - (b) the types of support and advice that must be provided;
  - (c) how and to whom a local authority is to make available information about post-18 living arrangements.
- (6) In this section –
- “former local authority foster parent” (“*cyn-riant maeth awdurdod lleol*”) means a local authority foster parent with whom the relevant person was placed under section 72(6)(a) or (b);
- “relevant person” (“*person perthnasol*”) means a person specified in regulations made under subsection (4).’.

*An amendment relating to local authorities’ duties in relation to post-18 living arrangements.*

I fewnosod adran newydd –

**‘( ) “Trefniadau byw ôl-18”**

- (1) Rhaid i awdurdod lleol ddarparu cyngor a chymorth arall (gan gynnwys cymorth ariannol) ar gyfer unrhyw berson perthnasol o fewn ei ardal er mwyn hwyluso a chynnal trefniant byw ôl-18.
- (2) Nid yw’r ddyletswydd o dan is-adran (1) yn gymwys –
  - (a) os nad yw’r person perthnasol yn dymuno cymryd rhan mewn trefniant byw ôl-18, neu
  - (b) os nad yw cyn-riant maeth awdurdod lleol yn dymuno cymryd rhan mewn trefniant byw ôl-18.
- (3) Mae “trefniant byw ôl-18” yn drefniant lle mae –
  - (a) person perthnasol a oedd yn derbyn gofal gan awdurdod lleol pan gyrhaeddodd 18 oed, a
  - (b) cyn-riant maeth awdurdod lleol,yn parhau i fyw gyda’i gilydd ar ôl i’r gofal a ddarparwyd i’r person ifanc ddod i ben.
- (4) Rhaid i reoliadau wneud darpariaeth ar gyfer ac mewn cysylltiad â’r ddyletswydd o dan

is-adran (1).

- (5) Rhaid i reoliadau o dan yr adran hon wneud darpariaeth ynghylch—
- (a) y sawl sy'n berson perthnasol at ddibenion is-adran (1);
  - (b) y mathau o gymorth a chynghor y mae'n rhaid eu darparu;
  - (c) sut ac i bwy y mae'r awdurdod lleol i ddarparu gwybodaeth ynghylch trefniadau byw ôl-18.
- (6) Yn yr adran hon—
- ystyr "cyn-riant maeth awdurdod lleol" ("former local authority foster parent") yw rhiant maeth awdurdod lleol y lleolwyd y person perthnasol gydag ef o dan adran 72(6)(a) neu (b);
- ystyr "person perthnasol" ("relevant person") yw person a bennir mewn rheoliadau a wneir o dan is-adran (4).'

*Gwelliant sy'n ymwneud â dyletswyddau awdurdodau lleol mewn perthynas â threfniadau byw ôl-18.*

**Gwenda Thomas** 198

Section 112, page 78, line 31, leave out 'function' and insert 'duty'.

Adran 112, tudalen 78, llinell 33, hepgorer 'Swyddogaeth' a mewnosoder 'Dyletswydd'.

**Gwenda Thomas** 199

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

Adran 112, tudalen 78, llinell 34, hepgorer 'perfformio' a mewnosoder 'cyflawni'.

**Kirsty Williams** 320

Section 116, page 81, leave out lines 7 to 10 and insert—

- '( ) is unable to protect himself or herself against the abuse or neglect or the risk of it, and
- ( ) has needs for care and support (whether or not the authority is meeting any of those needs).'

Adran 116, tudalen 81, hepgorer llinellau 7 hyd at 10 a mewnosoder—

- '( ) yn methu ag amddiffyn ei hun rhag cael, neu'r risg o gael, ei gam-drin neu ei esgeuluso, ac
- ( ) 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).'

**Gwenda Thomas** 200

Section 116, page 81, line 14, after 'whom', insert—

', and

- ( ) decide whether any such action should be taken'.

Adran 116, tudalen 81, llinell 15, ar ôl 'bwy', mewnosoder –

, a

- ( ) penderfynu a ddylid cymryd unrhyw gamau o'r fath'.

**Gwenda Thomas**

**201**

Section 116, page 81, line 15, leave out '46' and insert '45(4)'.

Adran 116, tudalen 81, llinell 16, hepgorer '46' a mewnosoder '45(4)'.

**Gwenda Thomas**

**202**

Section 117, page 82, line 14, leave out 'that' and insert 'at which'.

Adran 117, tudalen 82, llinell 15, hepgorer 'y caniateir' a mewnosoder 'pan ganiateir'.

**Gwenda Thomas**

**203**

Section 118, page 82, line 37, leave out 'the' at the second place where it appears.

Adran 118, tudalen 82, llinell 38, hepgorer 'eithrio'r' a mewnosoder 'eithrio'.

**William Graham**

**87**

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 gwel yn dda at ddiben amddiffyn y person a symudwyd rhag cael ei niweidio.
- (2) Daw gorchymyn symud i ben saith niwrnod (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**

88

To insert a new section –

**‘(1) 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 –

**‘(1) 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 ddi-ddordeb yn llesiant neu eiddo'r oedolyn sy'n wynebu risg.'.

**William Graham**

89

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 –

**'( ) 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 is-adran (1) yn cynnwys hawl i gael mynediad i unrhyw fan cyfagos at yr un diben.'.

**William Graham**

90

To insert a new section –

**'( ) 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 niwrnod 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**

91

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.’.

**William Graham**

92

Page 83, line 7, leave out section 119.

Tudalen 83, llinell 8, hepgorer adran 119.

**Gwenda Thomas** 204

Section 120, page 83, line 16, leave out 'the' at the second place where it appears.

Adran 120, tudalen 83, llinell 18, hepgorer 'eithrio'r' a mewnosoder 'eithrio'.

**Gwenda Thomas** 205

Section 121, page 84, after line 3, insert—

'() The Welsh Ministers must consult the Secretary of State before giving guidance under subsection (1).'

Adran 121, tudalen 84, ar ôl llinell 3, mewnosoder—

'() Rhaid i Weinidogion Cymru ymgynghori â'r Ysgrifennydd Gwladol cyn rhoi canllawiau o dan is-adran (1).'

**Gwenda Thomas** 206

Section 124, page 85, after line 13, insert—

'() the Secretary of State to the extent that the Secretary of State is discharging functions under sections 2 and 3 of the Offender Management Act 2007 in relation to Wales;'

Adran 124, tudalen 85, ar ôl llinell 13, mewnosoder—

'() yr Ysgrifennydd Gwladol i'r graddau y mae'r Ysgrifennydd Gwladol yn cyflawni swyddogaethau o dan adrannau 2 a 3 o Ddeddf Rheoli Troseddwyr 2007 o ran Cymru;'

**Gwenda Thomas** 207

Section 124, page 85, line 28, leave out 'Board's' and insert 'Board'.

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

**Gwenda Thomas** 208

Section 124, page 85, line 30, leave out 'Board's' and insert 'Board'.

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

**Gwenda Thomas** 209

Section 124, page 85, line 34, leave out 'as a Safeguarding Board partner' and insert 'or the governor of a prison or secure training centre (or, in the case of a contracted out prison or secure training centre, its director) as a Safeguarding Board partner unless the Secretary of State consents'.

Adran 124, tudalen 85, llinell 35, hepgorer 'fel partner Bwrdd Diogelu' a mewnosoder 'na llywodraethwr carchar neu ganolfan hyfforddi ddiogel (neu, yn achos carchar sydd wedi ei gcontractio allan neu ganolfan hyfforddi ddiogel sydd wedi ei chontractio allan, y cyfarwyddwr) fel partner Bwrdd Diogelu oni bai bod yr Ysgrifennydd Gwladol yn cydsynio'.

**Gwenda Thomas** 210

Section 124, page 86, line 1, after 'who', insert 'or which'.

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

**Gwenda Thomas** 211

Section 124, page 86, after line 3, insert—

'(11) In this section—

- (a) a reference to a prison includes a young offender institution;
- (b) a reference to a contracted out secure training centre has the meaning given by section 15 of the Criminal Justice and Public Order Act 1994;
- (c) a reference to a contracted out prison has the meaning given by section 84(4) of the Criminal Justice Act 1991.'

Adran 124, tudalen 86, ar ôl llinell 3, mewnosoder—

'(11) Yn yr adran hon—

- (a) mae cyfeiriad at garchar yn cynnwys sefydliad troseddwy'r ifanc;
- (b) mae i gyfeiriad at ganolfan hyfforddi ddiogel wedi ei chontractio allan yr ystyr a roddir i "contracted out secure training centre" gan adran 15 o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994;
- (c) mae i gyfeiriad at garchar sydd wedi ei gontractio allan yr ystyr a roddir i "contracted out prison" gan adran 84(4) o Ddeddf Cyfiawnder Troseddol 1991.'

**Gwenda Thomas** 212

Section 125, page 86, line 31, leave out 'Board's' and insert 'Board'.

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

**Gwenda Thomas** 213

Section 127, page 87, line 19, after 'whom', insert 'or to which'.

Adran 127, tudalen 87, llinell 22, hepgorer 'iddynt' a mewnosoder 'iddo'.

**Gwenda Thomas** 214

Section 127, page 87, line 27, after 'whom', insert 'or to which'.

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

**Gwenda Thomas** 215

Section 127, page 87, line 28, after 'request', insert—

'unless the person or body considers that doing so would—

- (a) be incompatible with the duties of the person or body, or

- (b) otherwise have an adverse effect on the exercise of the functions of the person or body’.

Adran 127, tudalen 87, llinell 31, ar ôl ‘cais’, mewnosoder –

‘oni bai bod y person neu’r corff o’r farn y byddai gwneud hynny –

- (a) yn anghydnaws â dyletswyddau’r person neu’r corff, neu
- (b) fel arall yn cael effaith andwyol ar arfer swyddogaethau’r person neu’r corff’.

**Gwenda Thomas**

**216**

Section 127, page 87, after line 28, insert –

- ‘() A qualifying person or body who decides not to comply with a request under subsection (1) must give the Safeguarding Board which made the request written reasons for the decision.’.

Adran 127, tudalen 87, ar ôl llinell 31, mewnosoder –

- ‘() Rhaid i berson neu gorff cymhwysol sy’n penderfynu peidio â chydymffurfio â chais o dan is-adran (1) roi i’r Bwrdd Diogelu a wnaeth y cais resymau ysgrifenedig dros y penderfyniad.’.

**Gwenda Thomas**

**217**

Section 127, page 87, line 30, after ‘whom’, insert ‘or to which’.

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

**Gwenda Thomas**

**218**

Section 127, page 87, line 35, leave out ‘but if that person or body is a Minister of the Crown, the duty in subsection (4) applies only in relation to a request for information by a Safeguarding Children Board;’.

Adran 127, tudalen 88, llinell 4, hepgorer ‘; ond os yw’r person neu’r corff hwnnw yn un o Weinidogion y Goron, nid yw’r ddyletswydd yn is-adran (4) yn gymwys ond mewn perthynas â chais am wybodaeth oddi wrth Fwrdd Diogelu Plant’.

**Gwenda Thomas**

**219**

Section 128, page 88, after line 16, insert –

- ‘(4) The Welsh Ministers must consult the Secretary of State before making regulations under subsection (3) which require payments to be made by a Safeguarding Board partner mentioned in section 124(2)(b), (*paragraph to be inserted by amendment 206*) or (e)’.

Adran 128, tudalen 88, ar ôl llinell 22, mewnosoder –

- ‘(4) Rhaid i Weinidogion Cymru ymgynghori â’r Ysgrifennydd Gwladol cyn gwneud rheoliadau o dan is-adran (3) sy’n ei gwneud yn ofynnol bod taliadau yn cael eu gwneud gan bartner Bwrdd Diogelu a grybwyllwyd yn adran 124(2)(b), (*paragraff sy’n cael ei fewnosod gan welliant 206*) neu (e)’.

**Gwenda Thomas** 220

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Adran 131, tudalen 89, llinell 4, ar ôl 'ymgyngori', mewnosoder 'ar y gorchymyn drafft arfaethedig'.

**Gwenda Thomas** 221

Section 131, page 89, after line 6, insert –

'() the Secretary of State,'.

Adran 131, tudalen 89, ar ôl llinell 7, mewnosoder –

'() yr Ysgrifennydd Gwladol,'.

**Gwenda Thomas** 222

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

Adran 131, tudalen 89, hepgorer llinell 10.

**Gwenda Thomas** 224

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

Adran 132, tudalen 89, llinell 38, hepgorer 'cyfeirio' a mewnosoder 'gyfeiriadau'.

**Gwenda Thomas** 223

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

Adran 132, tudalen 89, llinell 34, hepgorer 'cyfeirio' a mewnosoder 'gyfeiriadau'.

**Lindsay Whittle** 98

**Gyda chefnogaeth/ Supported by: Kirsty Williams, Simon Thomas**

To insert a new section –

**'PART ()**

**AMENDMENT TO THE CHILDREN ACT 2004**

*Removal of reasonable punishment defence*

**( ) Removal of reasonable punishment defence**

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

I fewnosod adran newydd –

## **‘RHAN ( )**

### **DIWYGIO DEDDF PLANT 2004**

#### *Dileu’r amddiffyniad cosb resymol*

#### **( ) Dileu’r amddiffyniad cosb resymol**

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) rhodder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

**Gwenda Thomas** 282

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 2, tudalen 132, Tabl 1, llinell 34, colofn 2, hepgorer 'o dan gadwad' a mewnosoder 'a  
gedwir yn gaeth'.

**Gwenda Thomas** 283

Schedule 2, page 133, Table 1, line 14, column 1, leave out 'and' and insert 'of'.  
Atodlen 2, tudalen 133, Tabl 1, llinell 14, colofn 1, hepgorer 'ac' a mewnosoder 'o'.

**Gwenda Thomas** 284

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 2, tudalen 134, Tabl 1, llinell 19, colofn 2, hepgorer 'annibynnol ym maes galluedd  
meddyliol' a mewnosoder 'galluedd meddyliol annibynnol'.

**Gwenda Thomas** 285

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 2, tudalen 134, Tabl 1, llinell 22, colofn 2, hepgorer 'annibynnol ym maes galluedd  
meddyliol' a mewnosoder 'galluedd meddyliol annibynnol'.

**Gwenda Thomas** 286

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 2, tudalen 134, Tabl 1, llinell 25, colofn 2, hepgorer 'annibynnol ym maes galluedd  
meddyliol' a mewnosoder 'galluedd meddyliol annibynnol'.

**Gwenda Thomas** 287

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 2, tudalen 134, Tabl 1, llinell 29, colofn 2, hepgorer 'annibynnol ym maes galluedd  
meddyliol' a mewnosoder 'galluedd meddyliol annibynnol'.

**Gwenda Thomas** 288

Schedule 2, page 135, Table 1, line 14, column 1, after '118' insert '(1) and (2), 120(1) and (2)'.  
Atodlen 2, tudalen 135, Tabl 1, llinell 11, colofn 1, ar ôl '118' mewnosoder '(1) a (2), 120(1) a (2)'.

**Gwenda Thomas** 225

Section 136, page 91, line 14, leave out 'of the code, the Welsh Ministers must not issue the  
proposed code' and insert ', the Welsh Ministers must not issue the code (or revised code)'.  
Adran 136, tudalen 91, llinell 14, hepgorer 'o'r cod, ni chaniateir i Weinidogion Cymru ddyroddi'r  
cod arfaethedig' a mewnosoder ', ni chaniateir i Weinidogion Cymru ddyroddi'r cod (neu'r cod

diwygiedig’.

**Gwenda Thomas** **226**

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version  
Adran 136, tudalen 91, llinell 19, hepgorer ‘benodir’ a mewnosoder ‘bennir’.

**Gwenda Thomas** **227**

Section 136, page 91, line 26, leave out ‘proposed code’ and insert ‘code (or revised code)’.  
Adran 136, tudalen 91, llinell 26, hepgorer ‘arfaethedig’ a mewnosoder ‘(neu god diwygiedig)’.

**Gwenda Thomas** **228**

Section 136, page 91, line 28, leave out ‘made’ and insert ‘(or revised code) issued’.  
Adran 136, tudalen 91, llinell 28, hepgorer ‘a wneir’ a mewnosoder ‘(neu god diwygiedig) a ddyroddir’.

**Gwenda Thomas** **229**

Section 136, page 91, line 31, leave out subsection (9).  
Adran 136, tudalen 91, llinell 31, hepgorer is-adran (9).

**Gwenda Thomas** **230**

Section 139, page 92, line 35, after ‘the’ at the second place where it appears, insert ‘relevant’.  
Adran 139, tudalen 92, llinell 37, ar ôl ‘gofyniad’, mewnosoder ‘perthnasol’.

**Gwenda Thomas** **48**

Section 144, page 95, line 8, leave out ‘is made under subsection (2)’ and insert ‘under subsection (2) is in force’.  
Adran 144, tudalen 95, llinell 8, hepgorer ‘gwneir cyfarwyddyd o dan is-adran (2)’ a mewnosoder ‘oes cyfarwyddyd o dan is-adran (2) mewn grym’.

**Gwenda Thomas** **49**

Section 145, page 95, line 18, leave out ‘is made under subsection (2)’ and insert ‘under subsection (2) is in force’.  
Adran 145, tudalen 95, llinell 21, hepgorer ‘gwneir cyfarwyddyd o dan is-adran (2)’ a mewnosoder ‘oes cyfarwyddyd o dan is-adran (2) mewn grym’.



**Gwenda Thomas** **231**

Section 152, page 97, line 30, after 'partners', insert –

‘in the exercise of –

- (i) their functions relating to adults with needs for care and support or to adults who are carers, and
- (ii) their other functions the exercise of which is relevant to the functions referred to in sub-paragraph (i)’.

Adran 152, tudalen 97, llinell 31, ar ôl 'awdurdod', mewnosoder –

‘wrth arfer –

- (i) eu swyddogaethau sy'n ymwneud ag oedolion y mae arnynt anghenion am ofal a chymorth neu ag oedolion sy'n ofalwyr, a
- (ii) eu swyddogaethau eraill y mae eu harfer yn berthnasol i'r swyddogaethau y cyfeirir atynt yn is-baragraff (i)'.

**Gwenda Thomas** **232**

Section 152, page 97, line 32, after 'who', insert 'or which'.

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

**Gwenda Thomas** **233**

Section 152, page 98, line 13, leave out 'the' at the third place where it appears and insert 'a'.

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

**Gwenda Thomas** **234**

Section 152, page 98, after line 18, insert –

- ‘() the Secretary of State to the extent that the Secretary of State is discharging functions under sections 2 and 3 of the Offender Management Act 2007 in relation to Wales;’.

Adran 152, tudalen 98, ar ôl llinell 19, mewnosoder –

- ‘() yr Ysgrifennydd Gwladol i'r graddau y mae'r Ysgrifennydd Gwladol yn cyflawni swyddogaethau o dan adrannau 2 a 3 o Ddeddf Rheoli Troseddwyr 2007 o ran Cymru;’.

**Gwenda Thomas** **235**

Section 152, page 98, line 27, after 'such' in the first place where it appears, insert 'a'.

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

**Gwenda Thomas** 236

Section 152, page 98, line 28, after 'Crown', insert 'or the governor of a prison (or, in the case of a contracted out prison, its director) unless the Secretary of State consents'.

Adran 152, tudalen 98, llinell 29, ar ôl 'Goron', mewnosoder 'na llywodraethwr carchar (neu yn achos carchar sydd wedi ei gontractio allan, y cyfarwyddwr) oni bai bod yr Ysgrifennydd Gwladol yn cydsynio'.

**Gwenda Thomas** 237

Section 152, page 99, after line 6, insert—

'() The Welsh Ministers must consult the Secretary of State before giving guidance under subsection (9).'

Adran 152, tudalen 99, ar ôl llinell 6, mewnosoder—

'() Rhaid i Weinidogion Cymru ymgynghori â'r Ysgrifennydd Gwladol cyn rhoi canllawiau o dan is-adran (9).'

**Gwenda Thomas** 238

Section 152, page 99, after line 6, insert—

'() In this section—

- (a) a reference to a prison includes a young offender institution;
- (b) a reference to a contracted out prison has the meaning given by section 84(4) of the Criminal Justice Act 1991.'

Adran 152, tudalen 99, ar ôl llinell 6, mewnosoder—

'() Yn yr adran hon—

- (a) mae cyfeiriad at garchar yn cynnwys sefydliad troseddwr ifanc;
- (b) mae i gyfeirad at garchar sydd wedi ei gontractio allan yr ystyr a roddir i "contracted out prison" gan adran 84(4) o Ddeddf Cyfiawnder Troseddol 1991.'

**Gwenda Thomas** 239

Section 153, page 99, line 33, after 'such' in the first place where it appears, insert 'a'.

Adran 153, tudalen 99, llinell 33, ar ôl 'such' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'a'.

**Gwenda Thomas** 240

Section 153, page 99, line 37, after 'Crown', insert 'or the governor of a prison or secure training centre (or, in the case of a contracted out prison or secure training centre, its director) unless the Secretary of State consents'.

Adran 153, tudalen 99, llinell 37, ar ôl 'Crown', mewnosoder 'or the governor of a prison or secure training centre (or, in the case of a contracted out prison or secure training centre, its director) unless the Secretary of State consents'.

**Gwenda Thomas** **241**

Section 153, page 100, after line 15, insert –

‘() suitability of living accommodation;’.

Adran 153, tudalen 100, ar ôl llinell 15, mewnosoder –

‘() suitability of living accommodation;’.

**Gwenda Thomas** **242**

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

Adran 154, tudalen 100, llinell 26, hepgorer ‘yn meddwl’ a mewnosoder ‘o’r farn’.

**Gwenda Thomas** **243**

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

Adran 154, tudalen 100, llinell 35, hepgorer ‘dewis’ a mewnosoder ‘penderfynu’.

**Gwenda Thomas** **244**

Section 154, page 101, after line 7, insert –

‘() The Welsh Ministers must consult the Secretary of State before giving guidance under subsection (5).’.

Adran 154, tudalen 101, ar ôl llinell 7, mewnosoder –

‘() Rhaid i Weinidogion Cymru ymgynghori â’r Ysgrifennydd Gwladol cyn rhoi canllawiau o dan is-adran (5).’.

**Gwenda Thomas** **245**

Section 156, page 102, line 24, leave out ‘under’ and insert ‘made by virtue of’.

Adran 156, tudalen 102, llinell 25, hepgorer ‘o dan’ a mewnosoder ‘a wneir yn rhinwedd’.

**Elin Jones** **310**

Section 157, page 103, after line 16, insert –

‘() A local authority or a Local Health Board must establish and maintain a pooled fund for the purpose of, or in connection with, partnership arrangements made under regulations under section 156.’.

Adran 157, tudalen 103, ar ôl llinell 17, mewnosoder –

‘() Rhaid i awdurdod lleol neu Fwrdd Iechyd Lleol sefydlu a chynnal cronfa gyfun at ddibenion trefniadau partneriaeth a wneir o dan reoliadau o dan adran 156 neu’n gysylltiedig â’r trefniadau hynny.’.

**Elin Jones** **311**

Section 157, page 103, line 17, leave out 'may' and insert 'must'.

Adran 157, tudalen 103, llinell 18, hepgorer 'Caiff a mewnosoder 'Rhaid i'.

**Elin Jones** **312**

Section 157, page 103, line 25, leave out 'may' and insert 'must'.

Adran 157, tudalen 103, llinell 26, hepgorer 'Caiff rheoliadau' a mewnosoder 'Rhaid i reoliadau'.

**Elin Jones** **313**

Section 157, page 103, line 27, leave out 'requiring a local authority or a Local Health Board to establish and maintain' and insert 'as to the establishment and maintenance of'.

Adran 157, tudalen 103, llinell 28, hepgorer 'sy'n ei gwneud yn ofynnol bod awdurdod lleol neu Fwrdd Iechyd Lleol yn sefydlu ac yn cynnal' a mewnosoder 'o ran sefydlu a chynnal'.

**Elin Jones** **314**

Section 158, page 104, line 11, leave out 'may' and insert 'under subsection (1) must'.

Adran 158, tudalen 104, llinell 11, hepgorer 'Caiff rheoliadau' a mewnosoder 'O dan is-adran (1) rhaid i reoliadau'.

**Gwenda Thomas** **246**

Section 159, page 104, line 27, leave out 'under' and insert 'made by virtue of'.

Adran 159, tudalen 104, llinell 26, hepgorer 'o dan' a mewnosoder 'a wneir yn rhinwedd'.

**Angela Burns** **325**

**Gyda chefnogaeth/ Supported by: Simon Thomas**

To insert a new section—

**'PART ()**

**NATIONAL BOARD FOR ADOPTION SERVICES**

*National Board for Adoption Services*

**( ) National Board for Adoption Services**

(1) There is to be a board called the National Board for Adoption Services (referred to in this Part as "the National Board").

(2) The duties of the National Board are—

(a) to compile and maintain a register of services provided in Wales by local authorities or registered adoption societies under the Adoption and Children Act

2002,

- (b) to establish a national performance management framework (“the framework”) for the provision of adoption services in Wales,
  - (c) to report on the adequacy and effectiveness of adoption services in Wales, and
  - (d) to make recommendations to the Welsh Ministers as to how those services could be improved.
- (3) Recommendations made under paragraph (2)(d) may include recommendations about the use of the Welsh Ministers’ powers of direction under section 3A of the Adoption and Children Act 2002.’.

*An amendment to require the establishment of a national board for adoption services, which would oversee adoption services across Wales, with the aim of ensuring collaboration and cohesion.*

I fewnosod adran newydd –

## **‘RHAN ( )**

### **Y BWRDD CENEDLAETHOL AR GYFER GWASANAETHAU MABWYSIADU**

*Y Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu*

#### **( ) Y Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu**

- (1) Bydd bwrdd o’r enw’r Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu (y cyfeirir ato yn y Rhan hon fel “y Bwrdd Cenedlaethol”).
- (2) Dyletswyddau’r Bwrdd Cenedlaethol yw –
  - (a) llunio a chadw cofrestr o wasanaethau a ddarperir yng Nghymru gan awdurdodau lleol neu gymdeithasau mabwysiadu cofrestredig o dan Ddeddf Mabwysiadu a Phlant 2002,
  - (b) sefydlu fframwaith cenedlaethol rheoli perfformiad (“y fframwaith”) ar gyfer darparu gwasanaethau mabwysiadu yng Nghymru,
  - (c) cyflwyno adroddiadau ynghylch digonolrwydd ac effeithiolrwydd gwasanaethau mabwysiadu yng Nghymru, a
  - (d) gwneud argymhellion i Weinidogion Cymru ynghylch sut y gellid gwella’r gwasanaethau hynny.
- (3) Caiff argymhellion a wneir o dan baragraff (2)(d) gynnwys argymhellion ynghylch defnyddio pwerau cyfarwyddo Gweinidogion Cymru o dan adran 3A o Ddeddf Mabwysiadu a Phlant 2002.’.

*Gwelliant i’w gwneud yn ofynnol i sefydlu Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu, a fyddai’n goruchwyllo gwasanaethau mabwysiadu ledled Cymru, gyda’r nod o sicrhau cydweithredu a chydlyniant.*

**Angela Burns**

**326**

**Gyda chefnogaeth / Supported by: Simon Thomas**

To insert a new section –

**‘( ) National Board: duties**

The National Board –

- (a) must make an annual report to the Welsh Ministers,
- (b) must make such other reports to the Welsh Ministers as they require, and
- (c) may make such other reports as it thinks fit.’

*An amendment setting out the duties of the national board for adoption services (see amendment 325).*

I fewnosod adran newydd –

**‘( ) Y Bwrdd Cenedlaethol: dyletswyddau**

O ran y Bwrdd Cenedlaethol –

- (a) rhaid iddo gyflwyno adroddiad blynyddol i Weinidogion Cymru,
- (b) rhaid iddo gyflwyno unrhyw adroddiadau eraill i Weinidogion Cymru y byddant yn eu mynnu, ac
- (c) caiff gyflwyno unrhyw adroddiadau eraill y gwêl yn dda.’

*Gwelliant sy'n nodi dyletswyddau'r Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu (gweler gwelliant 325).*

**Angela Burns**

**327**

**Gyda chefnogaeth / Supported by: Simon Thomas**

To insert a new section –

**‘( ) Framework: further provisions**

The framework must include provisions relating (but not limited) to –

- (a) arrangements for the provision, by local authorities and registered adoption societies, of information, advice and support to prospective adopters and adoptive parents, such information to include (but not be limited to) information on training programmes available to, and assessment of, prospective adopters;
- (b) the provision of post adoptive support to adoptive parents and adopted children;
- (c) arrangements for reviewing the quality of the information, advice and support provided under paragraph (a) and (b);
- (d) the provision of advice and assistance to local authorities and registered adoption societies on the promotion of adoption services including (but not limited to) the promotion of adoption where in the best interests of the child and recruitment of prospective adopters;
- (e) the provision of advice and assistance to local authorities and registered adoption societies about the development of a specialist workforce.’

*An amendment setting out further framework provisions for the national board of adoption services (see amendment 325).*

I fewnosod adran newydd –

**‘( ) Y fframwaith: darpariaethau pellach**

Rhaid i’r fframwaith gynnwys darpariaethau ynghylch (ond heb fod yn gyfyngedig) i–

- (a) trefniadau ar gyfer darparu gwybodaeth, cyngor a chymorth i ddarpar fabwysiadwyr a rhieni sy’n mabwysiadu gan awdurdodau lleol a chymdeithasau mabwysiadu cofrestredig, a’r wybodaeth honno i gynnwys (ond heb fod yn gyfyngedig i) gwybodaeth am y rhaglenni hyfforddiant sydd ar gael i ddarpar fabwysiadwyr, a’r ffordd y cânt eu hasesu;
- (b) darparu cymorth ôl-fabwysiadu i rieni sy’n mabwysiadu a phlant a fabwysiadwyd;
- (c) trefniadau ar gyfer adolygu ansawdd yr wybodaeth, y cyngor a’r cymorth a ddarperir o dan baragraff (a) a (b);
- (d) darparu cyngor a chynhorthwy i awdurdodau lleol a chymdeithasau mabwysiadu cofrestredig ynghylch hyrwyddo gwasanaethau mabwysiadu, gan gynnwys (ond heb fod yn gyfyngedig i) hyrwyddo mabwysiadu lle y mae hynny er lles pennaf y plentyn a recriwtio darpar fabwysiadwyr;
- (e) darparu cyngor a chynhorthwy i awdurdodau lleol a chymdeithasau mabwysiadu cofrestredig ynghylch datblygu gweithlu arbenigol.’.

*Gwelliant sy’n nodi darpariaethau fframwaith pellach ar gyfer y Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu (gweler gwelliant 325).*

**Angela Burns**

328

**Gyda chefnogaeth / Supported by: Simon Thomas**

To insert a new section –

**‘( ) Regulations about the National Board**

- (1) The Welsh Ministers may by regulations make provision about the appointment of the National Board including provision about –
  - (a) the eligibility of persons for appointment;
  - (b) the procedure for appointment.
- (2) Regulations under this section may –
  - (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
  - (b) make other provision relating to any such code.’.

*An amendment specifying the regulation making powers of the Welsh Ministers in relation to the national board of adoption services (see amendment 325).*

I fewnosod adran newydd –

**‘( ) Rheoliadau ynghylch y Bwrdd Cenedlaethol**

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ynghylch penodi’r Bwrdd Cenedlaethol, gan gynnwys darpariaeth ynghylch –
  - (a) cymhwystra personau i’w penodi;
  - (b) y weithdrefn ar gyfer penodi.
- (2) Caiff rheoliadau o dan yr adran hon –
  - (a) cymhwyso (gydag addasiadau neu hebddynt) unrhyw god ymarfer sy’n berthnasol i benodiadau i gyrff cyhoeddus, neu
  - (b) gwneud unrhyw ddarpariaeth arall sy’n berthnasol i unrhyw god o’r fath.’.

*Gwelliant sy’n pennu pwerau Gweinidogion Cymru i wneud rheoliadau mewn perthynas â’r Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu (gweler gwelliant 325).*

**Angela Burns**

**329**

**Gyda chefnogaeth / Supported by: Simon Thomas**

To insert a new section –

**‘( ) Regulations about the National Board: further provisions**

- (1) Regulations may make further provision about the National Board.
- (2) Regulations under this section may, for example, provide for –
  - (a) the constitution and membership of the National Board (including provision about terms of appointment, disqualification, resignation, suspension or removal of members);
  - (b) the remuneration and allowances to be paid to members;
  - (c) the proceedings of the National Board;
  - (d) the National Board to consult with those who may be affected by arrangements relating to adoption services in Wales;
  - (e) the form, content and timing of the National Board’s reports;
  - (f) the publication of the National Board’s reports.
- (3) Regulations under this section may not provide for a Minister of the Crown to be a member of the National Board.’.

*An amendment specifying further regulation making powers of the Welsh Ministers in relation to the national board of adoption services (see amendment 325).*

I fewnosod adran newydd –

**‘( ) Rheoliadau ynghylch y Bwrdd Cenedlaethol: darpariaethau pellach**

- (1) Caiff rheoliadau wneud darpariaethau pellach ynghylch y Bwrdd Cenedlaethol.
- (2) Caiff rheoliadau o dan yr adran hon ddarparu, er enghraifft, ar gyfer –



- (a) cyfansoddiad ac aelodaeth y Bwrdd Cenedlaethol (gan gynnwys darpariaeth ynghylch telerau penodi, anghymwyso, ymddiswyddo, atal neu symud aelodau o'u swydd);
  - (b) y tâl a'r lwfansau sydd i'w talu i aelodau;
  - (c) trafodion y Bwrdd Cenedlaethol;
  - (d) bod y Bwrdd Cenedlaethol yn ymgynghori â'r rhai y gallai trefniadau i ddiogelu oedolion a phlant yng Nghymru effeithio arnynt;
  - (e) ffurf, cynnwys ac amseriad adroddiadau'r Bwrdd Cenedlaethol;
  - (f) cyhoeddi adroddiadau'r Bwrdd Cenedlaethol.
- (3) Ni chaiff rheoliadau o dan yr adran hon ddarparu i Weinidog y Goron fod yn aelod o'r Bwrdd Cenedlaethol.'

*Gwelliant sy'n pennu pwerau pellach Gweinidogion Cymru i wneud rheoliadau mewn perthynas â'r Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu (gweler gwelliant 325).*

**Gwenda Thomas** **247**

Section 162, page 107, line 9, leave out 'or body about whom' and insert 'about whom, or a body about which,'.

Adran 162, tudalen 107, llinell 9, hepgorer 'amdanynt' a mewnosoder 'amdano'.

**Gwenda Thomas** **248**

Section 162, page 107, line 17, leave out 'or body who' and insert 'who, or a body which,'.

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

**Gwenda Thomas** **249**

Section 162, page 107, line 24, leave out 'or body who' and insert 'who, or a body which,'.

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

**Gwenda Thomas** **250**

Section 164, page 108, line 36, leave out 'a' and insert 'the'.

Adran 164, tudalen 108, llinell 37, hepgorer 'plentyn sy'n derbyn gofal gan awdurdod lleol, neu blentyn' a mewnosoder 'y plentyn sy'n derbyn gofal gan awdurdod lleol, neu'r plentyn'.

**Gwenda Thomas** **251**

Section 164, page 109, line 31, leave out 'child' and insert 'person'.

Adran 164, tudalen 109, llinell 33, hepgorer 'plentyn' a mewnosoder 'person'.

**Gwenda Thomas** **252**

Section 164, page 109, line 36, after 'to', insert 'a'.

Adran 164, tudalen 109, llinell 38, hepgorer 'â'r ystyried neu'r trafod' a mewnosoder 'ag ystyried neu drafod'.

**Gwenda Thomas** 253

Section 165, page 110, line 16, leave out 'child (if the local authority considers that he or she has sufficient understanding)' and insert 'person to whom the representation relates (if different)'.

Adran 165, tudalen 110, llinell 18, hepgorer 'plentyn (os yw'r awdurdod lleol o'r farn bod ganddo ddigon o ddealltwriaeth)' a mewnosoder 'person y mae'r sylw yn ymwneud ag ef (os yw'n wahanol)',.

**Gwenda Thomas** 254

Section 165, page 110, line 18, leave out 'to be' 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** 255

Section 165, page 110, after line 18, insert—

'(6) Where the person mentioned in subsection (5)(b) or (c) is a child, the duty under subsection (4)(b) applies only where the local authority considers that the child has sufficient understanding.'

Adran 165, tudalen 110, ar ôl llinell 21, mewnosoder—

'(6) Pan fo'r person a grybwyllir yn is-adran (5)(b) neu (c) yn blentyn, dim ond pan fo'r awdurdod lleol o'r farn bod gan y plentyn ddealltwriaeth ddigonol y mae'r ddyletswydd o dan is-adran (4)(b) yn gymwys.'

**Gwenda Thomas** 256

Section 166, page 110, line 29, leave out 'have been' and insert 'be'.

Adran 166, tudalen 110, llinell 32, hepgorer ', wedi bod'.

**Gwenda Thomas** 257

Section 167, page 111, line 17, after 'of' at the second place where it appears, insert 'the further consideration of'.

Adran 167, tudalen 111, llinell 17, ar ôl 'i', mewnosoder 'roi ystyriaeth bellach i'.

**Gwenda Thomas** 258

Section 167, page 111, line 19, after 'about' at the second place where it appears, insert 'the further consideration of'.

Adran 167, tudalen 111, llinell 18, ar ôl 'am', mewnosoder 'roi ystyriaeth bellach i'.

**Gwenda Thomas** **259**

Section 167, page 112, line 2, leave out 'or body who' and insert 'who, or a body which,'.  
Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Gwenda Thomas** **289**

Schedule 3, page 137, line 6, after 'care', insert 'service'.  
Atodlen 3, tudalen 137, llinell 6, ar ôl 'care', mewnosoder 'service'.

**Gwenda Thomas** **290**

Schedule 3, page 153, after line 18, insert –

'() information obtained from the Welsh Language Commissioner by virtue of section 34V or 34W of this Act or section 22 of the Welsh Language (Wales) Measure 2011 (power to disclose information);'.

Atodlen 3, tudalen 153, ar ôl llinell 18, mewnosoder –

'() information obtained from the Welsh Language Commissioner by virtue of section 34V or 34W of this Act or section 22 of the Welsh Language (Wales) Measure 2011 (power to disclose information);'.

**Gwenda Thomas** **291**

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version  
Atodlen 3, tudalen 159, llinell 1, hepgorer 'landlordiaid' a mewnosoder 'chyn-landlordiaid'.

**Lindsay Whittle** **78A**

As an amendment to amendment 78, line 13, leave out subsections (4) to (5).  
Fel gwelliant i welliant 78, llinell 15, hepgorer is-adrannau (4) hyd at (5).

**Gwenda Thomas** **78**

To insert a new section –

**'() 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 section (*section to be inserted by amendment 79*).
- (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 may provide for a local authority to charge for advocacy services made available by virtue of regulations under this section and may apply any provision made in or under sections 54 to 60, section 62 or section 59, with or without specified modifications.
- (5) But the regulations may not make provision –
- (a) which enables a charge to cover anything other than the cost incurred in making available the advocacy services to which the charge relates, or
  - (b) which enables a charge to be imposed on a child.
- (6) The regulations must require a local authority to give publicity to its arrangements for making advocacy services available.’.

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 adran (*yr adran sy’n cael ei fewnosod gan welliant 79*).
- (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 odanynt;
  - (c) y personau, neu ddisgrifiad o’r personau, y caniateir, neu na chaniateir, i wasanaethau eirioli gael eu darparu ganddynt.
- (4) Caiff y rheoliadau ddarparu i awdurdod lleol godi ffi am wasanaethau eirioli a roddir ar gael yn rhinwedd rheoliadau o dan yr adran hon a chaent gymhwyso unrhyw ddarpariaeth a wneir yn neu o dan adrannau 54 i 60, adran 62 neu adran 59, gydag addasiadau penodedig neu hebddynt.
- (5) Ond ni chaiff y rheoliadau wneud darpariaeth –
- (a) 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, neu
  - (b) sy’n galluogi ffi i gael ei gosod ar blentyn.
- (6) Rhaid i’r rheoliadau ei gwneud yn ofynnol i awdurdod lleol roi cyhoeddusrwydd i’w drefniadau ar gyfer rhoi gwasanaethau eirioli ar gael.’.

**Gwenda Thomas**

**79**

To insert a new section –

**‘(1) Provision of advocacy services: restrictions**

- (1) Regulations under section (*section to be inserted by amendment 78*) 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 163;
  - (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 168;
  - (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.
- (2) Where –
  - (a) advocacy services are being provided for a person under section 12, 14, 28, 29, 30 or 31, and
  - (b) regulations under section (*section to be inserted by amendment 78*) 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: cyfyngiadau**

- (1) Ni chaiff rheoliadau o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 78*) 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 163;
  - (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 168;

- (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 meddyliol 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.

(2) Pan—

- (a) bo gwasanaethau eirioli yn cael eu darparu ar gyfer person o dan adran 12, 14, 28, 29, 30 neu 31, a
- (b) byddai rheoliadau o dan adran (*yr adran sy'n cael ei fewnosod gan welliant 78*) (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**

80

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 78*) 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 (*yr adran sy'n cael ei fewnosod gan welliant 78*) of the Social Services and Well-being (Wales) Act 2014.”.

**Gwenda Thomas**

**260**

Section 171, page 114, line 24, after ‘children’, insert –

’, but only if that information is needed to inform –

- (a) the review and development of policy and practice relating to the well-being of children, or
- (b) the conduct of research relating to the well-being of children’.

Adran 171, tudalen 114, llinell 27, ar ôl ‘unigol’ yn yr ail le y mae’n ymddangos, mewnosoder –

’, ond dim ond os oes angen yr wybodaeth honno er mwyn llywio –

- (a) y broses o adolygu a datblygu polisi ac arfer sy’n ymwneud â llesiant plant, neu
- (b) y broses o wneud ymchwil sy’n ymwneud â llesiant plant’.

**Gwenda Thomas**

**261**

Section 171, page 114, line 26, after ‘(7)’, insert ‘, but the summary must not include information that identifies an individual child or allows an individual child to be identified’.

Adran 171, tudalen 114, llinell 29, ar ôl ‘(7)’, mewnosoder ‘, ond rhaid i’r crynodeb beidio â chynnwys gwybodaeth sy’n golygu bod modd adnabod plentyn unigol neu sy’n caniatáu i blentyn unigol gael ei adnabod’.

**Gwenda Thomas**

**50**

To insert a new section –

**‘( ) Adults in prison, youth detention accommodation or bail accommodation etc**

- (1) In its application to an adult who is detained in prison or youth detention accommodation in Wales, this Act has effect as if references to being ordinarily resident in an area were references to being detained in prison or youth detention accommodation in that area.
- (2) In its application to an adult who is residing in approved premises in Wales, this Act has effect as if references to being ordinarily resident in an area were references to being resident in approved premises in that area.
- (3) In its application to an adult who is residing in any other premises in Wales because a requirement to do so has been imposed on the adult as a condition of the grant of bail in criminal proceedings, this Act has effect as if references to being ordinarily resident in an area were references to being resident in premises in that area for that reason.
- (4) Section 117 (adult protection and support orders) does not apply in the case of an adult who is detained in prison or youth detention accommodation.

- (5) See also section (*section to be inserted by amendment 52*) for further modifications of this Act's provisions in relation to—
- (a) adults who are detained in prison or in youth detention accommodation, and
  - (b) adults who are—
    - (i) residing in approved premises, or
    - (ii) residing in any other premises because a requirement to do so has been imposed as a condition of the grant of bail in criminal proceedings.'.

I fewnosod adran newydd—

**'(1) Oedolion mewn carchar, llety cadw ieuenctid neu lety mechnïaeth etc**

- (1) Wrth ei chymhwyso i oedolyn a gedwir yn gaeth mewn carchar neu lety cadw ieuenctid yng Nghymru, mae'r Ddeddf hon yn cael effaith fel pe bai cyfeiriadau at breswyllo fel arfer mewn ardal yn gyfeiriadau at gael ei gadw'n gaeth mewn carchar neu lety cadw ieuenctid yn yr ardal honno.
- (2) Wrth ei chymhwyso i oedolyn sy'n preswyllo mewn mangre a gymeradwywyd yng Nghymru, mae'r Ddeddf hon yn cael effaith fel pe bai cyfeiriadau at breswyllo fel arfer mewn ardal yn gyfeiriadau at breswyllo mewn mangre a gymeradwywyd yn yr ardal honno.
- (3) Wrth ei chymhwyso i oedolyn sy'n preswyllo mewn unrhyw fangre arall yng Nghymru am fod gofyniad i wneud hynny wedi ei osod ar yr oedolyn fel amod o roi mechnïaeth mewn achos troseddol, mae'r Ddeddf hon yn cael effaith fel pe bai cyfeiriadau at breswyllo fel arfer mewn ardal yn gyfeiriadau at breswyllo mewn mangre yn yr ardal honno am y rheswm hwnnw.
- (4) Nid yw adran 117 (gorchmynion amddiffyn a chynorthwyo oedolion) yn gymwys yn achos oedolyn a gedwir yn gaeth mewn carchar neu lety cadw ieuenctid.
- (5) Gweler hefyd adran (*yr adran sy'n cael ei fewnosod gan welliant 52*) am addasiadau pellach i ddarpariaethau'r Ddeddf hon mewn perthynas â'r canlynol—
  - (a) oedolion a gedwir yn gaeth mewn carchar neu lety cadw ieuenctid, a
  - (b) oedolion—
    - (i) sy'n preswyllo mewn mangre a gymeradwywyd, neu
    - (ii) sy'n preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod arnynt fel amod o roi mechnïaeth mewn achos troseddol.'.

**Gwenda Thomas**

**51**

To insert a new section—

**'(1) Children in youth detention accommodation, prison or bail accommodation etc**

- (1) In this section, a "relevant child" means a child who, having been convicted of an offence—
  - (a) is detained in youth detention accommodation or in prison,
  - (b) is residing in approved premises, or



- (c) is residing in any other premises because a requirement to do so has been imposed on the child as a condition of the grant of bail in criminal proceedings.
- (2) Where a relevant child, immediately before being convicted of an offence –
- (a) has needs for care and support that are being met by a local authority under Part 4,
  - (b) is looked after by a local authority by virtue of being provided with accommodation by the authority, or
  - (c) is ordinarily resident in the area of a local authority, but does not come within paragraph (a) or (b),
- the child is to be treated for the purposes of this Act as being within that local authority's area while he or she is a relevant child (and is not to be treated as being ordinarily resident or within any other local authority's area).
- (3) The following provisions do not apply in relation to a relevant child –
- (a) section 70 (provision of accommodation for children in care);
  - (b) section 71 (maintenance of looked after children);
  - (c) section 72 (ways in which looked after children are to be accommodated and maintained);
  - (d) section 73 (review of child's case before making alternative arrangements for accommodation);
  - (e) section 99 (support for category 2 young people);
  - (f) section 104 (support for category 5 young people and former category 5 young people);
  - (g) section 105 (support for category 6 young people and former category 6 young people);
  - (h) paragraph 1 of Schedule 1 (liability to contribute towards maintenance of looked after children).
- (4) Section 109 (use of accommodation for restricting liberty) does not apply in relation to a relevant child or to a child who is remanded to youth detention accommodation under section 91 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- (5) The provisions set out in subsection (6) do not apply in relation to a relevant child if, immediately before becoming a relevant child –
- (a) services were provided for the child, for the family of the child or for any member of the child's family by a local authority in England in the exercise of functions conferred on it by section 17 of the Children Act 1989, or
  - (b) accommodation was provided for the child by a local authority in England under section 20 of that Act.
- (6) The provisions are –
- (a) section 18 (duty to assess the needs of a child for care and support);
  - (b) section 30 (duty to meet care and support needs of a child);
  - (c) section 31 (power to meet care and support needs of a child).

- (7) See also section (*section to be inserted by amendment 52*) for further modifications of this Act's provisions in relation to –
- (a) children who are detained in youth detention accommodation or in prison, and
  - (b) children who are –
    - (i) residing in approved premises, or
    - (ii) residing in any other premises because a requirement to do so has been imposed as a condition of the grant of bail in criminal proceedings.’.

I fewnosod adran newydd –

**‘( ) Plant mewn llety cadw ieuenctid, carchar neu lety mechnïaeth etc**

- (1) Yn yr adran hon, ystyr “plentyn perthnasol” yw plentyn sydd, ar ôl cael ei gollfarnu o drosedd –
- (a) yn cael ei gadw’n gaeth mewn llety cadw ieuenctid neu garchar,
  - (b) yn preswyllo mewn mangre a gymeradwywyd, neu
  - (c) yn preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod ar y plentyn fel amod o roi mechnïaeth mewn achos troseddol.
- (2) Pan fo plentyn perthnasol, yn union cyn iddo gael ei gollfarnu o drosedd –
- (a) ag anghenion am ofal a chymorth sy’n cael eu diwallu gan awdurdod lleol o dan Ran 4,
  - (b) yn derbyn gofal gan awdurdod lleol yn rhinwedd cael llety wedi ei ddarparu iddo gan yr awdurdod, neu
  - (c) yn preswyllo fel arfer yn ardal awdurdod lleol, ond na fo’n dod o fewn paragraff (a) neu (b),
- mae’r plentyn i’w drin at ddibenion y Ddeddf hon fel pe bai o fewn ardal yr awdurdod lleol hwnnw tra bo’n blentyn perthnasol (ac nid yw i’w drin fel pe bai’n preswyllo fel arfer yn ardal unrhyw awdurdod lleol arall neu fel pe bai o fewn yr ardal honno).
- (3) Nid yw’r darpariaethau a ganlyn yn gymwys mewn perthynas â phlentyn perthnasol –
- (a) adran 70 (darparu llety i blant mewn gofal);
  - (b) adran 71 (cynnal plant sy’n derbyn gofal);
  - (c) adran 72 (y ffyrdd y mae plant sy’n derbyn gofal i’w lletya a’u cynnal);
  - (d) adran 73 (adolygu achos plentyn cyn gwneud trefniadau amgen o ran llety);
  - (e) adran 99 (cymorth ar gyfer pobl ifanc categori 2);
  - (f) adran 104 (cymorth ar gyfer pobl ifanc categori 5 a phobl ifanc a fu gynt yn bobl ifanc categori 5);
  - (g) adran 105 (cymorth ar gyfer pobl ifanc categori 6 a phobl ifanc a fu gynt yn bobl ifanc categori 6);
  - (h) paragraff 1 o Atodlen 1 (atebolrwydd am gyfrannu tuag at gynhaliath plant sy’n derbyn gofal).
- (4) Nid yw adran 109 (defnyddio llety i gyfyngu ar ryddid) yn gymwys mewn perthynas â

phlentyn perthnasol neu â phlentyn sydd wedi ei remandio i lety cadw ieuentid o dan adran 91 o Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyd 2012.

- (5) Nid yw'r darpariaethau a nodir yn is-adran (6) yn gymwys mewn perthynas â phlentyn perthnasol os, yn union cyn dod yn blentyn perthnasol –
- (a) darparwyd gwasanaethau ar gyfer y plentyn, ar gyfer teulu'r plentyn neu ar gyfer unrhyw aelod o deulu'r plentyn gan awdurdod lleol yn Lloegr wrth arfer swyddogaethau a roddwyd iddo gan adran 17 o Ddeddf Plant 1989, neu
  - (b) darparwyd llety ar gyfer y plentyn gan awdurdod lleol yn Lloegr o dan adran 20 o'r Ddeddf honno.
- (6) Y darpariaethau yw –
- (a) adran 18 (dyletswydd i asesu anghenion plentyn am ofal a chymorth);
  - (b) adran 30 (dyletswydd i ddiwallu anghenion gofal a chymorth plentyn);
  - (c) adran 31 (pŵer i ddiwallu anghenion gofal a chymorth plentyn).
- (7) Gweler hefyd adran (*yr adran sy'n cael ei fewnosod gan welliant 52*) am addasiadau pellach i ddarpariaethau'r Ddeddf hon mewn perthynas â'r canlynol –
- (a) plant a gedwir yn gaeth mewn llety cadw ieuentid neu garchar, a
  - (b) plant –
    - (i) sy'n preswyllo mewn mangre a gymeradwywyd, neu
    - (ii) sy'n preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod fel amod o roi mechnïaeth mewn achos troseddol.'

**Gwenda Thomas**

52

To insert a new section –

**'( ) Persons in prison, youth detention accommodation or bail accommodation etc**

- (1) A person is not a carer for the purposes of this Act if the person –
- (a) is detained in prison or youth detention accommodation, or
  - (b) having been convicted of an offence, is –
    - (i) residing in approved premises, or
    - (ii) residing in any other premises because a requirement to do so has been imposed on the person as a condition of the grant of bail in criminal proceedings.
- (2) Regulations under section 41 or 42 (direct payments) may not require or allow payments to be made towards the cost of meeting a person's needs for care and support if that person, having been convicted of an offence, is –
- (a) detained in prison or in youth detention accommodation,
  - (b) residing in approved premises, or
  - (c) residing in any other premises because a requirement to do so has been imposed on the person as a condition of the grant of bail in criminal proceedings.

- (3) The power under section 48 (preference for particular accommodation) may not be exercised in the case of a person who is –
- (a) detained in prison or in youth detention accommodation,
  - (b) residing in approved premises, or
  - (c) residing in any other premises because a requirement to do so has been imposed on the person as a condition of the grant of bail in criminal proceedings,
- except for the purpose of making provision with respect to accommodation for the person on the person's release from prison or youth detention accommodation (including temporary release), or on the person's ceasing to reside in the approved or other premises.
- (4) Section 49 (protecting property of persons being cared for away from home) does not apply in the case of a person who is –
- (a) detained in prison or in youth detention accommodation,
  - (b) residing in approved premises, or
  - (c) residing in any other premises because a requirement to do so has been imposed on the person as a condition of the grant of bail in criminal proceedings.'.

I fewnosod adran newydd –

**'( ) Personau mewn carchar, llety cadw ieuenctid neu lety mechnïaeth etc**

- (1) Nid yw person yn ofalwr at ddibenion y Ddeddf hon os yw'r person –
- (a) yn cael ei gadw'n gaeth mewn carchar neu lety cadw ieuenctid, neu
  - (b) ar ôl cael ei gollfarnu o drosedd –
    - (i) yn preswyllo mewn mangre a gymeradwywyd, neu
    - (ii) yn preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod ar y person fel amod o roi mechnïaeth mewn achos troseddol.
- (2) Ni chaiff rheoliadau o dan adran 41 neu 42 (taliadau uniongyrchol) ei gwneud yn ofynnol na chaniatáu i daliadau gael eu gwneud tuag at y gost o ddiwallu anghenion person am ofal a chymorth os yw'r person hwnnw, ar ôl cael ei gollfarnu o drosedd –
- (a) yn cael ei gadw'n gaeth mewn carchar neu lety cadw ieuenctid,
  - (b) yn preswyllo mewn mangre a gymeradwywyd, neu
  - (c) yn preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod ar y person fel amod o roi mechnïaeth mewn achos troseddol.
- (3) Ni chaniateir i'r pŵer o dan adran 48 (achosion pan fo person yn mynegi ei fod yn ffafrio llety penodol) gael ei arfer yn achos person sydd –
- (a) yn cael ei gadw'n gaeth mewn carchar neu lety cadw ieuenctid,
  - (b) yn preswyllo mewn mangre a gymeradwywyd, neu
  - (c) yn preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod ar y person fel amod o roi mechnïaeth mewn achos troseddol,

ac eithrio at y diben o wneud darpariaeth mewn cysylltiad â llety i'r person wrth iddo gael ei ryddhau o'r carchar neu o'r llety cadw ieuenctid (gan gynnwys ei ryddhau dros

dro), neu wrth i'r person beidio â phreswyllo mwyach yn y fangre a gymeradwywyd neu yn y fangre arall.

- (4) Nid yw adran 49 (gwarchod eiddo personau y gofelir amdanynt i ffwrdd o'u cartrefi) yn gymwys yn achos person –
- (a) sy'n cael ei gadw'n gaeth mewn carchar neu lety cadw ieuencid,
  - (b) sy'n preswyllo mewn mangre a gymeradwywyd, neu
  - (c) sy'n preswyllo mewn unrhyw fangre arall am fod gofyniad i wneud hynny wedi ei osod ar y person fel amod o roi mechnïaeth mewn achos troseddol.'

**Gwenda Thomas**

53

To insert a new section –

**'( ) Interpretation of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52)**

- (1) In sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) –

“approved premises” (“mangre a gymeradwywyd”) has the meaning given by section 13 of the Offender Management Act 2007;

“bail in criminal proceedings” (“mechnïaeth mewn achos troseddol”) has the meaning given by section 1 of the Bail Act 1976;

“prison” (“carchar”) has the same meaning as in the Prison Act 1952 (see section 53(1) of that Act);

“youth detention accommodation” (“llety cadw ieuencid”) means –

- (a) a secure children's home;
  - (b) a secure training centre;
  - (c) a young offender institution;
  - (d) accommodation provided, equipped and maintained by the Welsh Ministers under section 82(5) of the Children Act 1989 for the purpose of restricting the liberty of children;
  - (e) accommodation, or accommodation of a description, for the time being specified by order under section 107(1)(e) of the Powers of Criminal Courts (Sentencing) Act 2000 (youth detention accommodation for purposes of detention and training orders).
- (2) For the purposes of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) –
- (a) a person who is temporarily absent from prison or youth detention accommodation is to be treated as detained in prison or youth detention accommodation for the period of absence;
  - (b) a person who is temporarily absent from approved premises is to be treated as residing in approved premises for the period of absence;
  - (c) a person who is temporarily absent from other premises in which the person is

required to reside as a condition of the grant of bail in criminal proceedings is to be treated as residing in the premises for the period of absence.’.

I fewnosod adran newydd –

‘( ) **Dehongli adrannau (yr adran sy’n cael ei fewnosod gan welliant 50) i (yr adran sy’n cael ei fewnosod gan welliant 52)**

(1) Yn adrannau (yr adran sy’n cael ei fewnosod gan welliant 50) i (yr adran sy’n cael ei fewnosod gan welliant 52) –

mae i “carchar” yr ystyr a roddir i “prison” yn Neddf Carchardai 1952 (gweler adran 53(1) o’r Ddeddf honno);

ystyr “llety cadw ieuentid” (“youth detention accommodation”) yw –

- (a) cartref diogel i blant;
- (b) canolfan hyfforddi ddiogel;
- (c) sefydliad troseddwr ifanc;
- (d) llety sy’n cael ei ddarparu, ei gyfarparu a’i gynnal gan Weinidogion Cymru o dan adran 82(5) o Ddeddf Plant 1989 at y diben o gyfyngu ar ryddid plant;
- (e) llety, neu lety o ddisgrifiad, a bennir am y tro drwy orchymyn o dan adran 107(1)(e) o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000 (llety cadw ieuentid at ddibenion gorchmynion cadw a hyfforddi);

mae i “mangre a gymeradwywyd” yr ystyr a roddir i “approved premises” gan adran 13 o Ddeddf Rheoli Troseddwr 2007;

mae i “mechnïaeth mewn achos troseddol” yr ystyr a roddir i “bail in criminal proceedings” gan adran 1 o Ddeddf Mechnïaeth 1976.

(2) At ddibenion adrannau (yr adran sy’n cael ei fewnosod gan welliant 50) i (yr adran sy’n cael ei fewnosod gan welliant 52) –

- (a) mae person sy’n absennol dros dro o garchar neu lety cadw ieuentid i’w drin fel pe bai’n cael ei gadw’n gaeth mewn carchar neu lety cadw ieuentid am gyfnod yr absenoldeb;
- (b) mae person sy’n absennol dros dro o fangre a gymeradwywyd i’w drin fel pe bai’n preswyllo mewn mangre a gymeradwywyd am gyfnod yr absenoldeb;
- (c) mae person sy’n absennol dros dro o fangre arall y mae’n ofynnol i’r person breswyllo ynddi fel amod o roi mechnïaeth mewn achos troseddol i’w drin fel pe bai’n preswyllo yn y fangre am gyfnod yr absenoldeb.’.

Gwenda Thomas

262

Section 172, page 115, line 20, leave out ‘doing so involves’ and insert ‘those needs are met by’.

Adran 172, tudalen 115, llinell 21, hepgorer ‘mae gwneud hynny yn cynnwys darparu’ a mewnosoder ‘mae’r anghenion hynny yn cael eu diwallu drwy ddarparu’.

**Gwenda Thomas**

**263**

Section 174, page 118, line 1, leave out ‘as to the interpretation, for the purposes of section 172 and this section,’ and insert ‘for the purposes of section 172 and this section as to the interpretation’.

Adran 174, tudalen 118, llinell 1, hepgorer ‘ynglŷn â’r dehongliad, at ddibenion adran 172 a’r adran hon,’ a mewnosoder ‘at ddibenion adran 172 a’r adran hon ynglŷn â’r dehongliad’.

**Jocelyn Davies**

**322**

To insert a new section –

**‘(1) Use of zero hours contracts**

- (1) A local authority that directly provides or contracts a service in the exercise of its social services functions must not permit the employment of any person on a zero hours contract in the provision of that service.
- (2) “Zero hours contracts” mean contracts under which an employee agrees to be available for work but has no guarantee of minimum hours.
- (3) The Welsh Ministers may by regulations amend the definition of “zero hours contracts” in subsection (2).’.

I fewnosod adran newydd –

**‘(1) Y defnydd o gontractau dim oriau**

- (1) Ni chaiff awdurdod lleol sy’n darparu neu’n contractio gwasanaeth yn uniongyrchol wrth arfer ei swyddogaethau gwasanaethau cymdeithasol ganiatáu i unrhyw berson gael ei gyflogi ar gontract dim oriau wrth ddarparu’r gwasanaeth hwnnw.
- (2) Ystyr “contractau dim oriau” yw contractau pan fydd cyflogai yn cytuno i fod ar gael i weithio ond nad oes ganddo sicrwydd o ran isafswm oriau.
- (3) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio’r diffiniad o “contractau dim oriau” yn is-adran (2).’.

**Jocelyn Davies**

**323**

To insert a new section –

**‘(1) Procedure for regulations under section (*section to be inserted by amendment 322*)**

- (1) Before making regulations under section (*section to be inserted by amendment 322*) the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult –
  - (a) such persons as appear to them likely to be affected by the regulations,
  - (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations, and
  - (c) such other persons as they consider appropriate, on the proposed draft regulations.
- (3) The Welsh Ministers must –

- (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
  - (b) consider any comments submitted within that period, and
  - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) –
- (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
  - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 179(6) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.’.

I fewnosod adran newydd –

**‘(1) Y weithdrefn ar gyfer rheoliadau o dan adran (yr adran sy’n cael ei fewnosod gan welliant 322)**

- (1) Cyn gwneud rheoliadau o dan adran (yr adran sy’n cael ei fewnosod gan welliant 322) rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori a’r canlynol –
- (a) unrhyw bersonau y mae’n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt,
  - (b) unrhyw sefydliadau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae’r rheoliadau yn debygol o effeithio arnynt, ac
  - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
- (a) rhoi cyfnod o 12 wythnos o leiaf i’r personau hynny i gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
  - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
  - (c) cyhoeddi crynodeb o’r sylwadau hynny.
- (4) Rhaid i Weinidogion Cymru osod drafft o’r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) –
- (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a’r rheoliadau drafft a osodir o dan is-adran (4), a
  - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 179(6) tan ar ol i’r cyfnod o 60 niwrnod, yn dechrau ar y diwrnod y gosodir y rheoliadau drafft, ddod i ben.’.



**Gwenda Thomas** 264

Section 176, page 118, line 28, after 'Trust', insert ', an NHS Foundation Trust'.

Adran 176, tudalen 118, llinell 28, ar ôl 'GIG', mewnosoder ', Ymddiriedolaeth Sefydledig GIG'.

**Gwenda Thomas** 265

Section 176, page 118, line 30, after 'Trust', insert 'an NHS Foundation Trust'.

Adran 176, tudalen 118, llinell 30, ar ôl 'GIG', mewnosoder 'Ymddiriedolaeth Sefydledig GIG'.

**Gwenda Thomas** 266

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

Adran 177, tudalen 119, llinell 37, hepgorer 'preswylad' a mewnosoder 'preswylfa'.

**Gwenda Thomas** 267

Section 177, page 119, line 38, leave out 'any purpose in this Act, any period is to be disregarded in which the child lives in' and insert 'the purposes of this Act, the child's residence in the following places is to be disregarded'.

Adran 177, tudalen 119, llinell 37, hepgorer 'unrhyw ddiben yn y Ddeddf hon, mae unrhyw gyfnod i'w ddiystyru pan fo'r plentyn yn byw mewn' a mewnosoder 'ddibenion y Ddeddf hon, mae preswylfa'r plentyn yn y manau a ganlyn i'w ddiystyru'.

**Gwenda Thomas** 268

Section 177, page 120, line 1, after 'place', insert 'in which the child is placed'.

Adran 177, tudalen 120, llinell 1, ar ôl 'man', mewnosoder 'lle y lleolir y plentyn'.

**Gwenda Thomas** 269

Section 177, page 120, line 3, after 'place', insert 'in which the child is placed'.

Adran 177, tudalen 120, llinell 2, ar ôl 'man', mewnosoder 'lle y lleolir y plentyn'.

**Gwenda Thomas** 54

Section 177, page 120, after line 7, insert—

(7) See also sections (*section to be inserted by amendment 50*)(1) to (3) and (*section to be inserted by amendment 51*)(2) for provision as to the ordinary residence of persons in prison, youth detention accommodation or bail accommodation etc.'.

Adran 177, tudalen 120, ar ôl llinell 5, mewnosoder—

(7) Gweler hefyd adrannau (*yr adran sy'n cael ei fewnosod gan welliant 50*)(1) i (3) a (*yr adran sy'n cael ei fewnosod gan welliant 51*)(2) am ddarpariaeth o ran preswylfa arferol personau sydd mewn carchar, llety cadw ieuentid neu lety mechniaeth etc.'.

**Gwenda Thomas**

**270**

Page 120, line 8, leave out section 178 and insert –

**‘(1) Disputes about ordinary residence and portability of care and support**

- (1) A dispute between local authorities about where a person is ordinarily resident in Wales for the purposes of this Act, or a dispute between a sending and receiving authority under section 47 about the application of that section in relation to a person, is to be determined by –
  - (a) the Welsh Ministers, or
  - (b) a person appointed by the Welsh Ministers for that purpose (“an appointed person”).
- (2) Regulations may make further provision about the resolution of disputes of the type mentioned in subsection (1); the regulations may, for example, make –
  - (a) provision for ensuring that care and support is provided to a person while a dispute is unresolved;
  - (b) provision requiring local authorities in dispute to take specified steps before referring a dispute to the Welsh Ministers or an appointed person;
  - (c) provision about the procedure for referring a dispute to the Welsh Ministers or an appointed person;
  - (d) provision about the review of a determination made under subsection (1).’.

Tudalen 120, llinell 6, hepgorer adran 178 a mewnosoder –

**‘(1) Anghydfodau ynghylch preswylfa arferol a hygludedd gofal a chymorth**

- (1) Mae anghydfod rhwng awdurdodau lleol ynghylch ble y mae person yn preswyllo fel arfer yng Nghymru at ddibenion y Ddeddf hon, neu anghydfod rhwng awdurdod anfon ac awdurdod derbyn o dan adran 47 ynghylch cymhwyso’r adran honno mewn perthynas â pherson, i’w ddyfarnu arno gan –
  - (a) Gweinidogion Cymru, neu
  - (b) person a benodir gan Weinidogion Cymru at y ddiben hwnnw (“person penodedig”).
- (2) Caiff rheoliadau wneud darpariaeth bellach ynghylch datrys anghydfodau o’r math a grybwyllwyd yn is-adran (1); caiff y rheoliadau wneud, er enghraifft –
  - (a) darpariaeth i sicrhau bod gofal a chymorth yn cael eu darparu i berson tra bo anghydfod heb ei ddatrys;
  - (b) darpariaeth sy’n ei gwneud yn ofynnol i awdurdodau lleol mewn anghydfod gymryd camau penodedig cyn cyfeirio anghydfod at Weinidogion Cymru neu berson penodedig;
  - (c) darpariaeth ynghylch y weithdrefn ar gyfer cyfeirio anghydfod at Weinidogion Cymru neu berson penodedig;
  - (d) darpariaeth ynghylch adolygu dyfarniad a wneir o dan is-adran (1).’.

**William Graham**

84

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.’

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.’

**William Graham**

4

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

Section 179, page 121, line 17, after ‘34(1),’, insert ‘67(first subsection to be inserted by amendment 2),’.

Adran 179, tudalen 121, llinell 19, ar ôl ‘34(1),’, mewnosoder ‘67(yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 2),’.

**Kirsty Williams**

321

Section 179, page 121, line 17, after ‘34(1),’, insert ‘(section to be inserted by amendment 319),’.

Adran 179, tudalen 121, llinell 19, ar ôl ‘34(1),’, mewnosoder ‘(yr adran sy'n cael ei fewnosod gan welliant 319),’.

**Lindsay Whittle**

332

Section 179, page 121, line 17, after ‘34(1),’, insert ‘(section to be inserted by amendment 331),’.

*An amendment consequential to amendment 332, relating to local authorities' duties in relation to post-18 living arrangements.*

Adran 179, tudalen 121, llinell 19, ar ôl ‘34(1),’, mewnosoder ‘(yr adran sy'n cael ei fewnosod gan welliant 331),’.

*Gwelliant canlyniadol i welliant 332, sy'n ymwneud â dyletswyddau awdurdodau lleol mewn perthynas â threfniadau byw ôl-18.*

**Gwenda Thomas**

81

Section 179, page 121, line 18, leave out 'or 158' and insert ', 158 or (section to be inserted by amendment 78)'.

Adran 179, tudalen 121, llinell 20, hepgorer 'neu 158' a mewnosoder ', 158 neu (yr adran sy'n cael ei fewnosod gan welliant 78)'.

**Angela Burns**

330

**Gyda chefnogaeth/ Supported by: Simon Thomas**

Section 179, page 121, line 18, leave out 'or 158' and insert ', 158, (section to be inserted by amendment 328) or (section to be inserted by amendment 329)'.

*A consequential amendment linked to amendments 325 to 329, relating to the establishment of a national board for adoption services.*

Adran 179, tudalen 121, llinell 20, hepgorer 'neu 158' a mewnosoder ', 158, (yr adran sy'n cael ei fewnosod gan welliant 328) neu (yr adran sy'n cael ei fewnosod gan welliant 329)'.

*Gwelliant canlyniadol sy'n gysylltiedig â gwelliannau 325 i 329, sy'n ymwneud â sefydlu Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu.*

**Gwenda Thomas**

271

Section 179, page 121, after line 21, insert—

'(see sections (section to be inserted by amendment 18) and 131 for further requirements in relation to the making of regulations under section 26 and orders under section 130).'

Adran 179, tudalen 121, ar ôl llinell 24, mewnosoder—

'(gweler adrannau (yr adran sy'n cael ei fewnosod gan welliant 18) a 131 am ofynion pellach mewn perthynas â gwneud rheoliadau o dan adran 26 a gorchmynion o dan adran 130).'

**William Graham**

5

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

Section 179, page 121, after line 24, insert—

'(8) For additional requirements in relation to the making by Welsh Ministers of regulations under section 67(*first subsection to be inserted by amendment 2*) see section (*section to be inserted by amendment 3*).'

Adran 179, tudalen 121, ar ôl llinell 27, mewnosoder—

'(8) Am ofynion ychwanegol mewn perthynas â Gweinidogion Cymru yn gwneud rheoliadau o dan adran 67(*yr is-adran cyntaf sy'n cael ei fewnosod gan welliant 2*) gweler adran (*yr adran sy'n cael ei fewnosod gan welliant 3*).'

**William Graham**

85

Section 180, page 121, line 28, after 'emotional', insert ', institutional'.

Adran 180, tudalen 122, llinell 18, ar ôl 'emosiynol', mewnosoder ', sefydliadol'.

**Gwenda Thomas**

55

Section 180, page 121, after line 34, insert –

“approved premises” (*“mangre a gymeradwywyd”*) is defined for the purposes of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) by section (section to be inserted by amendment 53)(1);’.

Adran 180, tudalen 123, ar ôl llinell 31, mewnosoder –

‘mae “mangre a gymeradwywyd” (*“approved premises”*) wedi ei ddiffinio at ddibenion adrannau (*yr adran sy’n cael ei fewnosod gan welliant 50*) i (*yr adran sy’n cael ei fewnosod gan welliant 52*) gan adran (*yr adran sy’n cael ei fewnosod gan welliant 53*)(1);’.

**Gwenda Thomas**

56

Section 180, page 121, after line 34, insert –

“bail in criminal proceedings” (*“mechnïaeth mewn achos troseddol”*) is defined for the purposes of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) by section (section to be inserted by amendment 53)(1);’.

Adran 180, tudalen 123, ar ôl llinell 31, mewnosoder –

‘mae “mechnïaeth mewn achos troseddol” (*“bail in criminal proceedings”*) wedi ei ddiffinio at ddibenion adrannau (*yr adran sy’n cael ei fewnosod gan welliant 50*) i (*yr adran sy’n cael ei fewnosod gan welliant 52*) gan adran (*yr adran sy’n cael ei fewnosod gan welliant 53*)(1);’.

**Gwenda Thomas**

57

Section 180, page 121, line 35, leave out ‘4(7)’ and insert ‘(section to be inserted by amendment 8)’.

Adran 180, tudalen 123, llinell 21, hepgorer ‘4(7)’ a mewnosoder ‘(*yr adran sy’n cael ei fewnosod gan welliant 8*)’.

**Gwenda Thomas**

272

Section 180, page 123, after line 32, insert –

“NHS Foundation Trust” (*“Ymddiriedolaeth Sefydledig GIG”*) has the meaning given by section 30 of the National Health Service Act 2006;’.

Adran 180, tudalen 124, ar ôl llinell 37, mewnosoder –

‘mae i “Ymddiriedolaeth Sefydledig GIG” yr ystyr a roddir i “NHS Foundation Trust” gan adran 30 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;’.

**William Graham**

94

Section 180, page 123, after line 32, insert –

“neglect” (*“esgeulustod”*) means the failure to meet a person’s basic physical, emotional, social or psychological needs, likely to result in the impairment of their health, well-being or development;’.

Adran 180, tudalen 123, ar ôl llinell 18, mewnosoder –

‘ystyr “esgeulustod” (“neglect”) yw methiant i ddiwallu anghenion corfforol, emosiynol, cymdeithasol neu seicolegol sylfaenol person, sy’n debygol o arwain at amharu ar ei iechyd, llesiant neu ddatblygiad;’.

**Gwenda Thomas**

**273**

Section 180, page 124, after line 4, insert –

“prison” (“carchar”) is defined –

- (a) for the purposes of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) by section (section to be inserted by amendment 53)(1),
- (b) for the purposes of section 124, by section 124(subsection to be inserted by amendment 211), and
- (c) for the purposes of section 152, by section 152(subsection to be inserted by amendment 238);’.

Adran 180, tudalen 122, ar ôl llinell 24, mewnosoder –

‘mae “carchar” (“prison”) wedi ei ddiffinio –

- (a) at ddibenion adrannau (yr adran sy’n cael ei fewnosod gan welliant 50) i (yr adran sy’n cael ei fewnosod gan welliant 52) gan adran (yr adran sy’n cael ei fewnosod gan welliant 53)(1),
- (b) at ddibenion adran 124, gan adran 124(yr is-adran sy’n cael ei fewnosod gan welliant 211), ac
- (c) at ddibenion adran 152, gan adran 152(yr is-adran sy’n cael ei fewnosod gan welliant 238);’.

**Gwenda Thomas**

**58**

Section 180, page 124, after line 38, insert –

“youth detention accommodation” (“llety cadw ieuenctid”) is defined for the purposes of sections (section to be inserted by amendment 50) to (section to be inserted by amendment 52) by section (section to be inserted by amendment 53)(1);’.

Adran 180, tudalen 123, ar ôl llinell 29, mewnosoder –

‘mae “llety cadw ieuenctid” (“youth detention accommodation”) wedi ei ddiffinio at ddibenion adrannau (yr adran sy’n cael ei fewnosod gan welliant 50) i (yr adran sy’n cael ei fewnosod gan welliant 52) gan adran (yr adran sy’n cael ei fewnosod gan welliant 53)(1);’.

**Gwenda Thomas**

**274**

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

Adran 180, tudalen 125, llinell 21, hepgorer ‘cyfeirio’ a mewnosoder ‘gyfeiriad’.

**Gwenda Thomas** 275

Section 180, page 125, line 17, leave out ‘of “care order” in’ and insert ‘given by’.

Adran 180, tudalen 125, llinell 22, hepgorer ‘ystyr “care order” yn’ a mewnosoder ‘yr ystyr a roddir i “care order” gan’.

**Gwenda Thomas** 276

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

Adran 180, tudalen 125, llinell 29, hepgorer ‘Meddwl’ a mewnosoder ‘Meddyliol’.

**Gwenda Thomas** 277

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

Adran 180, tudalen 125, llinell 31, hepgorer ‘Meddwl’ a mewnosoder ‘Meddyliol’.

**Gwenda Thomas** 278

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

Adran 180, tudalen 125, llinell 32, hepgorer ‘cyfeirio’ a mewnosoder ‘gyfeiriad’.

**William Graham** 95

To insert a new section –

**‘( ) Guidance about neglect**

- (1) In considering whether a person is experiencing or at risk of experiencing neglect, a person exercising functions under this Act must have regard to guidance which must be issued by Welsh Ministers.
- (2) Guidance issued under subsection (1) must include examples and indicators of neglect for adults and children.
- (3) Any guidance issued by Welsh Ministers under subsection (1) may be varied or revoked by them.’.

I fewnosod adran newydd –

**‘( ) Canllawiau ynghylch esgeulustod**

- (1) Wrth ystyried a yw person yn cael ei esgeuluso neu yn wynebu risg o gael ei esgeuluso, rhaid i berson sy’n arfer swyddogaethau o dan y Ddeddf hon roi sylw i ganllawiau y mae’n rhaid i Weinidogion Cymru eu dyroddi.
- (2) Rhaid i ganllawiau a ddyroddir o dan is-adran (1) gynnwys enghreifftiau a dangosyddion o esgeulustod ar gyfer oedolion a phlant.
- (3) Caniateir i Weinidogion Cymru amrywio neu ddirymu unrhyw ganllawiau a ddyroddir ganddynt o dan is-adran (1).’.

**Gwenda Thomas**

**279**

Section 182, page 126, line 24, leave out 'are to'.

Adran 182, tudalen 126, llinell 25, hepgorer 'Mae gweddill darpariaethau'r Ddeddf hon i ddod' a mewnosoder 'Daw gweddill darpariaethau'r Ddeddf hon'.

**Gwenda Thomas**

**280**

Section 182, page 126, line 25, leave out 'in an' and insert 'by'.

Adran 182, tudalen 126, llinell 26, hepgorer 'mewn gorchymyn' a mewnosoder 'drwy orchymyn'.

**William Graham**

**86**

Section 182, page 126, after line 25, insert—

- '( ) Before making an order under subsection (2) the Welsh Ministers must lay 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 the preparation of this Act.'

Adran 182, tudalen 126, ar ôl llinell 26, mewnosoder—

- '( ) Cyn gwneud gorchymyn o dan is-adran (2) rhaid i Weinidogion Cymru osod 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 lunio'r Ddeddf hon.'

**William Graham**

**93**

Section 182, page 126, after line 25, insert—

- '( ) Before making an order under subsection (2) the Welsh Ministers must lay a report before the National Assembly for Wales which contains an assessment of the actual costs involved in the Act's implementation.'

Adran 182, tudalen 126, ar ôl llinell 26, mewnosoder—

- '( ) Cyn gwneud gorchymyn o dan is-adran (2) rhaid i Weinidogion Cymru osod adroddiad gerbron Cynulliad Cenedlaethol Cymru sy'n cynnwys asesiad o'r gwir gostau sy'n gysylltiedig â gweithredu'r Ddeddf.'

**Gwenda Thomas**

**59**

Section 182, page 126, after line 26, insert—

- '(4) An order made under subsection (2) may not commence the provision in subsections (1) and (2) of section 26 before regulations made under subsections (3) and (4) of that section have come into force.'

Adran 182, tudalen 126, ar ôl llinell 28, mewnosoder—

- '(4) Ni chaiff gorchymyn a wneir o dan is-adran (2) gychwyn y ddarpariaeth yn is-adrannau (1) a (2) o adran 26 cyn bod rheoliadau a wneir o dan is-adrannau (3) a (4) o'r adran honno wedi dod i rym.'



**Lindsay Whittle**

96

**Gyda chefnogaeth / Supported by: Kirsty Williams, Simon Thomas**

Section 1, page 1, line 12, leave out '11' and insert '12'.

Adran 1, tudalen 1, llinell 13, hepgorer '11' a mewnosoder '12'.

**Gwenda Thomas**

99

Section 1, page 1, after line 14, insert –

'( ) requires persons exercising functions under this Act to seek to promote the well-being of people who need care and support and carers who need support (section (section to be inserted by amendment 9));'.

Adran 1, tudalen 1, ar ôl llinell 16, mewnosoder –

'( ) yn ei gwneud yn ofynnol i bersonau sy'n arfer swyddogaethau o dan y Ddeddf hon geisio hyrwyddo llesiant pobl y mae arnynt angen gofal a chymorth a gofalwyr y mae arnynt angen cymorth (adran (yr adran sy'n cael ei fewnosod gan welliant 9));'.

**Gwenda Thomas**

100

Section 1, page 1, line 16, leave out 'or carers who need or may need support' and insert ', carers who need or may need support, or persons in respect of whom functions are exercisable under Part 6'.

Adran 1, tudalen 1, llinell 19, hepgorer 'neu ofalwyr y mae angen cymorth arnynt neu y gall fod angen cymorth arnynt' a mewnosoder ', gofalwyr y mae angen cymorth arnynt neu y gall fod angen cymorth arnynt, neu bersonau y mae swyddogaethau yn arferadwy mewn cysylltiad â hwy o dan Ran 6'.

**Gwenda Thomas**

101

Section 1, page 1, line 24, leave out 'the provision of preventative services by local authorities' and insert 'local authorities to provide or arrange for the provision of preventative services'.

Adran 1, tudalen 1, llinell 29, ar ôl 'ddarparu', mewnosoder 'neu drefnu i ddarparu'.

**Gwenda Thomas**

102

Section 1, page 2, line 21, leave out 'information, advice and' and insert 'the provision of'.

Adran 1, tudalen 2, llinell 22, hepgorer 'wybodaeth, cyngor a chynhorthwy' a mewnosoder 'ddarparu cynhorthwy'.

**Kirsty Williams** 317

Section 1, page 2, after line 22, insert –

‘() Part (*section to be inserted by amendment 319*) (Appeals) requires Welsh Ministers to make provision for and in connection with appeals against determinations of eligibility (section 26), ability to pay (section 57) and charging decisions (section 50).’.

Adran 1, tudalen 2, ar ôl llinell 23, mewnosoder –

‘() Mae Rhan (*yr adran sy’n cael ei fewnosod gan welliant 319*) (Apelau) yn ei gwneud yn ofynnol i Weinidogion Cymru wneud darpariaeth ynghylch ac mewn cysylltiad ag apelau yn erbyn dyfarniadau cymhwysra (adran 26), y gallu i dalu (adran 57) a phenderfyniadau i osod ffioedd (adran 50).’.

**Gwenda Thomas** 103

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

Adran 1, tudalen 2, llinell 31, hepgorer ‘dan gadwad’ a mewnosoder ‘wedi eu cadw’n gaeth’.

**Gwenda Thomas** 104

Section 1, page 3, line 19, leave out ‘in relation to adults,’.

Adran 1, tudalen 3, llinell 22, hepgorer ‘mewn perthynas ag oedolion,’.

**Gwenda Thomas** 105

Section 1, page 3, line 28, after ‘and’ at the second place where it appears, insert ‘for’.

Adran 1, tudalen 3, llinell 30, hepgorer ‘a chyfuno’ a mewnosoder ‘ac ar gyfer cyfuno’.

**Lindsay Whittle** 97

**Gyda chefnogaeth/ Supported by: Kirsty Williams, Simon Thomas**

Section 1, page 3, after line 29, insert –

‘() Part (*section to be inserted by amendment 98*) (Amendment to the Children Act 2004) makes provision to remove the defence of reasonable punishment where battery of a child takes place in Wales.’.

Adran 1, tudalen 3, ar ôl llinell 31, mewnosoder –

‘() Mae Rhan (*yr adran sy’n cael ei fewnosod gan welliant 98*) (Diwygio Deddf Plant 2004) yn gwneud darpariaeth i ddileu’r amddiffyniad o gosb resymol pan fo plentyn yn cael ei guro yng Nghymru.’.

**Gwenda Thomas** 106

Section 1, page 4, line 5, leave out ‘to co-operate and provide information in relation to the exercise of social services functions on local authorities and their relevant partners’ and insert ‘on the relevant partners to co-operate with, and provide information to, the local authorities for the purpose of their social services functions’.

Adran 1, tudalen 4, llinell 6, hepgorer ‘awdurdodau lleol a’u partneriaid perthnasol i gydweithredu a darparu gwybodaeth mewn perthynas ag arfer’ a mewnosoder ‘y partneriaid perthnasol i gydweithredu â’r awdurdodau lleol, a darparu gwybodaeth iddynt, at ddiben eu’.

**Angela Burns**

**324**

**Gyda chefnogaeth / Supported by: Simon Thomas**

Section 1, page 4, after line 13, insert—

- ‘() Part (*section to be inserted by amendment 325*) (National Board for Adoption Services)—
- (a) establishes a National Board for Adoption Services,
  - (b) makes provision for the functions of the Board, and
  - (c) confers powers on Welsh Ministers to make regulations about the Board.’

*An amendment linked to amendments 325 to 329, relating to the establishment of a national board for adoption services.*

Adran 1, tudalen 4, ar ôl llinell 14, mewnosoder—

- ‘() Mae Rhan (*yr adran sy’n cael ei fewnosod gan welliant 325*) (Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu)—
- (a) yn sefydlu Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu,
  - (b) yn gwneud darpariaeth ar gyfer swyddogaethau’r Bwrdd, ac
  - (c) yn rhoi swyddogaethau i Weinidogion Cymru i wneud rheoliadau ynghylch y Bwrdd.’

*Gwelliant sy’n gysylltiedig â gwelliannau 325 i 329, sy’n ymwneud â sefydlu Bwrdd Cenedlaethol ar gyfer Gwasanaethau Mabwysiadu.*

**Gwenda Thomas**

**73**

Section 1, page 4, line 14, leave out ‘and representations) has two’ and insert ‘, representations and advocacy services) has three’.

Adran 1, tudalen 4, llinell 15, hepgorer ‘a sylwadau) ddwy bennod’ a mewnosoder ‘, sylwadau a gwasanaethau eirioli) dair pennod’.

**Gwenda Thomas**

**74**

Section 1, page 4, after line 18, 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 19, 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 cymorth.’

**Gwenda Thomas**

**6**

Section 1, page 4, after line 23, insert –

‘() makes provision about how this Act applies to persons in prison, youth detention accommodation or bail accommodation etc (sections (*section to be inserted by amendment 50*) to (*section to be inserted by amendment 53*));’.

Adran 1, tudalen 4, ar ôl llinell 24, mewnosoder –

‘() yn gwneud darpariaeth ynghylch sut y mae’r Ddeddf hon yn gymwys i bersonau mewn carchar, llety cadw ieuenctid neu lety mechnïaeth etc (adrannau (*yr adran sy’n cael ei fewnosod gan welliant 50*) i (*yr adran sy’n cael ei fewnosod gan welliant 53*));’.

**Gwenda Thomas**

**107**

Section 1, page 4, line 36, leave out ‘that apply to a number of provisions, but not the whole Act’.

Adran 1, tudalen 4, llinell 37, hepgorer ‘sy’n gymwys i nifer o ddarpariaethau, ond nid i’r Ddeddf gyfan’.