



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2001 Rhif 2196 (Cy. 156 ) (C. 72 )**

**2001 No. 2196 (W. 156 ) (C. 72 )**

**GWASANAETHAU  
CYMDEITHASOL, CYMRU**

**SOCIAL SERVICES, WALES**

**PLANT A PHOBL IFANC,  
CYMRU**

**CHILDREN AND YOUNG  
PERSONS, WALES**

**Gorchymyn Deddf Gofalwyr a  
Phlant Anabl 2000  
(Cychwyn Rhif 1) (Cymru) 2001**

**The Carers and Disabled Children  
Act 2000 (Commencement No. 1)  
(Wales) Order 2001**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn dod â darpariaethau penodol o Ddeddf Gofalwyr a Phlant Anabl 2000 ("y Ddeddf") i rym ar 1 Gorffennaf 2001 mewn perthynas â Chymru.

This Order brings into force on 1st July 2001 certain provisions of the Carers and Disabled Children Act 2000 ("the Act") in relation to Wales.

Mae'n dwyn i rym adran 1 sy'n creu hawl i ofalwyr (fel y'u diffinnir yn yr adran hon) gael asesiad; adran 2 sy'n galluogi awdurdodau lleol i ddarparu gwasanaethau i ofalwyr; adran 4 sy'n diwygio Deddf Gofalwyr (Cydnabyddiaeth a Gwasanaethau) 1995(a) er mwyn caniatáu asesiad o dan adrannau 1 neu 6 o'r Ddeddf i gael eu cymryd i ystyriaeth wrth wneud asesiad o dan Ddeddf 1995; adran 5 sy'n diwygio Deddf Gofal Cymunedol (Taliadau Uniongyrchol) 1996(b) er mwyn caniatáu taliadau uniongyrchol i gael eu gwneud i ofalwyr (fel y'u diffinnir yn adran 1) am wasanaethau gofalwyr (fel y'u diffinnir yn adran 2); adran 6 sy'n creu hawl i bersonau sydd â chyfrifoldeb rhiant dros blentyn anabl i gael asesiad; adran 7(1) i'r graddau y mae'n mewnosod adran 17A yn Neddf Plant 1989(c) sy'n caniatáu i daliadau uniongyrchol gael eu gwneud i bersonau sydd â chyfrifoldeb rhiant dros blentyn anabl ac i blant anabl 16 oed a 17 oed, ac adran 7(2) a (3).

It brings into force section 1 which creates a right of carers (as defined in this section) to an assessment; section 2 which enables local authorities to provide services to carers; section 4 which amends the Carers (Recognition and Services) Act 1995(a) so as to allow an assessment under sections 1 or 6 of the Act to be taken into account when making an assessment under the 1995 Act; section 5 which amends the Community Care (Direct Payments) Act 1996(b) so as to allow direct payments to be made to carers (as defined in section 1) for carers' services (as defined in section 2); section 6 which creates a right of persons with parental responsibility for a disabled child to an assessment; section 7(1) in so far as it inserts section 17A into the Children Act 1989(c) which allows direct payments to be made to persons with parental responsibility for a disabled child and to 16 and 17 year old disabled children, and section 7(2) and (3).

(a) 1995 p.12.

(b) 1996 p.30.

(c) 1989 p.41.

(a) 1995 c.12.

(b) 1996 c.30.

(c) 1989 c.41.

Mae'r Gorchymyn hefyd yn dwyn i rym adrannau 8 i 11 (yn gynhwysol) (ac eithrio i'r graddau y mae'r darpariaethau a fewnosodir gan adran 9 yn cyfeirio at ddarparu talebau, ac adran 11(4) sy'n cyfeirio at reoliadau a wneir gan yr Ysgrifennydd Gwladol), sy'n cynnwys darpariaeth o ran codi tâl am wasanaethau gofalwyr, mân ddiwygiadau a diwygiadau canlyniadol, darpariaeth ariannol a dehongli ac o ran defnyddio pwerau gwneud rheoliadau.

Dyma'r Gorchymyn Cychwyn cyntaf i gael ei wneud o dan y Ddeddf mewn perthynas â Chymru. Mae darpariaethau penodol o'r Ddeddf wedi'u dwyn i rym mewn perthynas â Lloegr gan O.S. 2001 Rhif 510 (C.20).

The Order also brings into force sections 8 to 11 (inclusive) (except to the extent that the provisions inserted by section 9 refer to the provision of vouchers, and section 11(4) which relates to regulations made by the Secretary of State), which contain provision as to charging for carers' services, minor and consequential amendments, financial provision and interpretation and as to the use of regulation making powers.

This is the first Commencement Order made under the Act in relation to Wales. Certain provisions of the Act have been brought into force in relation to England by S.I. 2001 No. 510 (C.20).

**2001 Rhif 2196 (Cy. 156 ) (C. 72 )**

**GWASANAETHAU  
CYMDEITHASOL, CYMRU**

**PLANT A PHOBL IFANC,  
CYMRU**

**Gorchymyn Deddf Gofalwyr a  
Phlant Anabl 2000  
(Cychwyn Rhif 1) (Cymru) 2001**

*Wedi'i wneud*

*12 Mehefin 2001*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 12(2) o Ddeddf Gofalwyr a Phlant Anabl 2000(a), drwy hyn yn gwneud y Gorchymyn canlynol:

**Enwi a dehongli**

1. -(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Gofalwyr a Phlant Anabl 2000 (Cychwyn Rhif 1) (Cymru) 2001.

(2) Yn y Gorchymyn hwn, ystyr "y Ddeddf" yw Deddf Gofalwyr a Phlant Anabl 2000.

**Y Diwrnod Penodedig**

2. Y diwrnod penodedig ar gyfer dod â darpariaethau'r Ddeddf a bennir yn yr Atodlen i'r Gorchymyn hwn i rym yw 1 Gorffennaf 2001.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(b)

12 Mehefin 2001

Llywydd Cynulliad Cenedlaethol Cymru

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(a) 2000 p.16.

(b) 1998 p.38.

**2001 No. 2196 (W. 156 ) (C. 72 )**

**SOCIAL SERVICES, WALES**

**CHILDREN AND YOUNG  
PERSONS, WALES**

**The Carers and Disabled Children  
Act 2000 (Commencement No. 1)  
(Wales) Order 2001**

*Made*

*12th June 2001*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 12(2) of the Carers and Disabled Children Act 2000(a), hereby makes the following Order:

**Citation and interpretation**

1.-(1) This Order may be cited as the Carers and Disabled Children Act 2000 (Commencement No. 1) (Wales) Order 2001.

(2) In this Order "the Act" means the Carers and Disabled Children Act 2000.

**Appointed Day**

2. The day appointed for the coming into force of the provisions of the Act specified in the Schedule to this Order is 1st July 2001.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b)

12th June 2001

The Presiding Officer of the National Assembly for Wales

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(a) 2000 c.16.

(b) 1998 c.38.

**DARPARIAETHAU'R DDEDDF SY'N DOD I  
RYM AR 1 Gorffennaf 2001**

**PROVISIONS OF THE ACT COMING INTO  
FORCE ON 1st July 2001**

Adran 1 (Hawl gofalwyr i gael asesiad)

Section 1 (Right of carers to assessment)

Adran 2 (Gwasanaethau i ofalwyr)

Section 2 (Services for carers)

Adran 4 (Asesiadau a gwasanaethau i'r gofalwr a'r person sy'n derbyn gofal)

Section 4 (Assessments and services for both carer and person cared for)

Adran 5 (Taliadau uniongyrchol)

Section 5 (Direct payments)

Adran 6 (Asesiadau: personau sydd â gofal rhieni dros blant anabl)

Section 6 (Assessments: persons with parental responsibility for disabled children)

Adran 7(1) i'r graddau y mae'n mewnosod adran 17A yn Neddf Plant 1989, ac adran 7(2) a (3) (Taliadau uniongyrchol i blant anabl ac i bersonau â chyfrifoldeb rhiant drostynt)

Section 7(1) in so far as it inserts section 17A into the Children Act 1989, and section 7(2) and (3) (Direct payments to disabled children and persons with parental responsibility for them)

Adran 8 (Codi tâl)

Section 8 (Charging)

Adran 9 ac eithrio i'r graddau y mae'r darpariaethau a fewnosdir ganddi yn cyfeirio at ddarparu talebau (mân ddiwygiadau a diwygiadau canlyniadol)

Section 9 except in so far as the provisions inserted by it refer to the provision of vouchers (minor and consequential amendments)

Adran 10 (Darpariaeth ariannol)

Section 10 (Financial provision)

Adran 11 ac eithrio is-adran (4) (Dehongli a rheoleiddio).

Section 11 except for subsection (4) (Interpretation and regulation).

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