CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2004 Rhif 103 (Cy.10) (C.6)

GWASANAETHAU CYMORTH GWLADOL, CYMRU

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd a Gofal Cymdeithasol 2001 (Cychwyn Rhif 6) (Cymru) 2004

NODYN ESBONIADOL

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

Dyma'r chweched Gorchymyn Cychwyn a wnaed o dan Ddeddf Iechyd a Gofal Cymdeithasol 2001 ("y Ddeddf") mewn perthynas â Chymru.

Mae erthygl 2 yn pennu 24 Ionawr 2004 fel y diwrnod y daw adran 6(3) o'r Ddeddf i rym yng Nghymru.

Mae erthygl 3 yn pennu 31 Ionawr 2004 fel y diwrnod y daw adran 12 o'r Ddeddf i rym yng Nghymru.

Mae erthygl 4 yn pennu 1 Ebrill 2004 fel y diwrnod y daw adran 49 o'r Ddeddf i rym yng Nghymru, i'r graddau nad yw'r adran honno eisoes mewn grym.

Mae adran 6(3) yn mewnosod diwygiadau ym mharagraff 16 o Atodlen 2 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 sy'n galluogi Cynulliad Cenedlaethol Cymru i wneud rheoliadau a rhoi cyfarwyddiadau i Ymddiriedolaethau GIG yng Nghymru ynghylch tâl a thelerau ac amodau eraill y maent yn cyflogi staff odanynt ac yn gyffredinol mewn cysylltiad â materion ynghylch cyflogi staff.

Mae adran 12 yn mewnosod adran 19A newydd yn Neddf y Gwasanaeth Iechyd Gwladol 1977. Mae'r ddarpariaeth newydd hon yn ei gwneud yn ofynnol i'r Cynulliad Cenedlaethol drefnu, i'r graddau y mae'n

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2004 No. 103 (W.10) (C.6)

NATIONAL ASSISTANCE SERVICES, WALES

NATIONAL HEALTH SERVICE, WALES

The Health and Social Care Act 2001 (Commencement No. 6) (Wales) Order 2004

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the sixth Commencement Order made under the Health and Social Care Act 2001 ("the Act") in relation to Wales.

Article 2 appoints 24th January 2004 as the day on which section 6(3) of the Act comes into force in Wales.

Article 3 appoints 31st January 2004 as the day on which section 12 of the Act comes into force in Wales.

Article 4 appoints 1 April 2004 as the day on which section 49 of the Act comes into force in Wales, in so far as that section is not already in force.

Section 6(3) inserts amendments into paragraph 16 of Schedule 2 to the National Health Service and Community Care Act 1990 which enables the National Assembly for Wales to make regulations and issue directions to NHS Trusts in Wales about the remuneration and other terms and conditions on which they employ staff and generally in connection with matters concerning the employment of staff.

Section 12 inserts a new section 19A into the National Health Service Act 1977. This new provision requires the National Assembly to arrange, to such extent as it considers necessary to meet all reasonable

ystyried sy'n angenrheidiol i fodloni holl ofynion rhesymol, i ddarparu gwasanaethau eirioli annibynnol ar gyfer pobl sy'n dymuno cwyno am y gwasanaeth y maent (neu y mae rhywun y maent yn gofalu amdano) wedi ei gael oddi wrth y GIG.

Mae adran 49 yn eithrio gofal nyrsio gan nyrs gofrestredig o'r gwasanaethau y gall yr awdurdodau lleol eu darparu yn unol â deddfiadau sy'n ymwneud â darparu gwasanaethau gofal cymunedol.

requirements, for the provision of independent advocacy services for people who wish to complain about the service they (or someone they care for) has received from the NHS.

Section 49 excludes nursing care by a registered nurse from the services which can be provided by local authorities pursuant to enactments relating to the provision of community care services.

NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Y ddarpariaeth	Dyddiad Cychwyn	O.S. Rhif
Adran 3	1 Gorffennaf 2002 (yn rhannol)	2002/1475
Adran 5	1 Gorffennaf 2002	2002/1475
Adran 11	1 Rhagfyr 2002	2002/1475
Adran 13	17 Mawrth 2003	2003/713
Adran 16	26 Awst 2002	2002/1919
Adran 19 - 26	1 Gorffennaf 2002	2002/1475
Adran 27	26 Awst 2002	2002/1919
Adran 28 - 39	1 Gorffennaf 2002	2002/1475
Adran 41 - 43	1 Gorffennaf 2002	2002/1475
Adran 49	3 Rhagfyr 2001 (yn rhannol)	2001/3807
Adran 50(1)	8 Ebrill 2002	2001/3752
Adran 50 (2) i (10)	19 Rhagfyr 2001	2001/3807
Adran 51	8 Tachwedd 2001	2001/3752
Adran 52	8 Tachwedd 2001	2001/3752
Adran 53	1 Ebrill 2003	2003/939
Adran 54	1 Ebrill 2003	2003/939
Adran 55	1 Ebrill 2003	2003/939
Adran 67(1) ac Atodlen 5;	1 Ebrill 2002, 1 Gorffennaf 2002 a 26 Awst 2002 (yn rhannol)	2002/1095, 2002/1475 a 2002/1919.
Adran 67(2) ac Atodlen 6;	1 Ebrill 2002, 15 Ebrill 2002, 1 Gorffennaf 2002 a 26 Awst 2002 (yn rhannol)	2002/1095, 2002/1312, 2002/1475 a 2002/1919
Atodlen 2	1 Gorffennaf 2002	2002/1475
Atodlen 3	1 Gorffennaf 2002	2002/1475

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	Date of Commencement	S.I. No.
Section 3	1st July 2002 (partially)	2002/1475
Section 5	1st July 2002	2002/1475
Section 11	1st December 2002	2002/1475
Section 13	17th March 2003	2003/713
Section 16	26th August 2002	2002/1919
Section 19 - 26	1st July 2002	2002/1475
Section 27	26th August 2002	2002/1919
Section 28 - 39	1st July 2002	2002/1475
Section 41 - 43	1st July 2002	2002/1475
Section 49	3rd December 2001 (partially)	2001/3807
Section 50(1)	8th April 2002	2001/3752
Section 50(2) to (10)	19th December 2001	2001/3807
Section 51	8th November 2001	2001/3752
Section 52	8th November 2001	2001/3752
Section 53	1st April 2003	2003/939
Section 54	1st April 2003	2003/939
Section 55	1st April 2003	2003/939
Section 67(1) and Schedule 5	1st April 2002, 1st July 2002 and 26th August 2002 (partially)	2002/1095, 2002/1475 and 2002/1919
Section 67(2) and Schedule 6	1st April 2002, 15th April 2002, 1st July 2002 and 26th August 2002 (partially)	2002/1095, 2002/1312, 2002/1475 and 2002/1919
Schedule 2	1st July 2002	2002/1475
Schedule 3	1st July 2002	2002/1475

Mae amryw o ddarpariaethau'r Ddeddf wedi'u dwyn i rym mewn perthynas â Lloegr gan yr Offerynnau Statudol canlynol: O.S. 2001/2804 (C.95); O.S. 2001/3167 (C.101); O.S. 2001/3294 (C.107); O.S. 2001/3619 (C.117); O.S. 2001/3752 (C.122); O.S. 2001/3738 (C.121); O.S.2001/4149 (C.133); O.S. 2002/1095 (C.26); O.S. 2002/1312 (C.36); O.S. 2002/2363 (C.77); O.S. 2003/53 (C.3); O.S. 2003/850 (C.46) ac O.S. 2003/2245 (C.87).

Various provisions of the Act have been brought into force in relation to England by the following Statutory Instruments: S.I. 2001/2804 (C.95); S.I. 2001/3167 (C.101); S.I 2001/3294 (C.107); S.I. 2001/3619 (C.117); S.I. 2001/3752 (C.122); S.I. 2001/3738 (C.121); S.I.2001/4149 (C.133); S.I. 2002/1095 (C.26); S.I. 2002/1312 (C.36); S.I 2002/2363 (C.77); S.I. 2003/53 (C.3); S.I. 2003/850 (C.46) and S.I. 2003/2245 (C.87).

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GWASANAETHAU CYMORTH GWLADOL, CYMRU

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd a Gofal Cymdeithasol 2001 (Cychwyn Rhif 6) (Cymru) 2004

Wedi'i wneud *20 Ionawr 2004*

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd iddo gan adrannau 64(6) a 70(2) o Ddeddf Iechyd a Gofal Cymdeithasol 2001(**a**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, dehongli a chymhwyso

1.-(1)Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd a Gofal Cymdeithasol 2001 (Cychwyn Rhif 6) (Cymru) 2004.

(2) Yn Gorchymyn hwn, cyfeirir at Ddeddf Iechyd a Gofal Cymdeithasol 2001 fel "y Ddeddf".

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru yn unig.

Y diwrnod penodedig mewn perthynas ag adran 6(3) o'r Ddeddf

2. 24 Ionawr 2004 yw'r diwrnod penodedig i adran 6(3) o'r Ddeddf ddod i rym.

Y diwrnod penodedig mewn perthynas ag adran 12 o'r Ddeddf

3. 31 Ionawr 2004 yw'r diwrnod penodedig i adran 12 o'r Ddeddf ddod i rym.

(a) 2001 p.15; y Cynulliad Cenedlaethol yw'r awdurdod perthnasol ar gyfer gwneud y Rheoliadau hyn yn rhinwedd adran 66 o'r Ddeddf.

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NATIONAL ASSISTANCE SERVICES, WALES

NATIONAL HEALTH SERVICE, WALES

The Health and Social Care Act 2001 (Commencement No. 6) (Wales) Order 2004

Made *20th January 2004*

The National Assembly for Wales, in exercise of the powers conferred on it by sections 64(6) and 70(2) of the Health and Social Care Act 2001(**a**), hereby makes the following Order:

Citation, interpretation and application

1.-(1) This Order may be cited as the Health and Social Care Act 2001 (Commencement No.6) (Wales) Order 2004.

(2) In this Order, the Health and Social Care Act 2001 is referred to as "the Act".

(3) This Order applies to Wales only.

Appointed day in respect of section 6(3) of the Act

2. 24th January 2004 is the day appointed for the coming into force of section 6(3) of the Act.

Appointed day in respect of section 12 of the Act

3. 31st January 2004 is the day appointed for the coming into force of section 12 of the Act.

(a) 2001 c.15; the National Assembly is the relevant authority for the making of these Regulations by virtue of section 66 of the Act.

Y diwrnod penodedig mewn perthynas ag adran 49 o'r Ddeddf

4. 1 Ebrill 2004 yw'r diwrnod penodedig i adran 49 o'r Ddeddf ddod i rym i'r graddau na chafodd yr adran honno ei dwyn i rym eisoes.

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

20 Ionawr 2004

Llywydd y Cynulliad Cenedlaethol

(a) 1998 p.38.

Appointed day in respect of section 49 of the Act

4. 1st April 2004 is the day appointed for the coming into force of section 49 of the Act in so far as that section has not already been brought into force.

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

20th January 2004

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 c.38.

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GWASANAETHAU CYMORTH GWLADOL, CYMRU

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd a Gofal Cymdeithasol 2001 (Cychwyn Rhif 6) (Cymru) 2004

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