



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 252 (Cy.27) (C.9)

2004 No. 252 (W.27) (C.9)

**GOFAL CYMDEITHASOL,
CYMRU**

**SOCIAL CARE,
WALES**

**PLANT A PHOBL IFANC,
CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

**Gorchymyn Deddf Mabwysiadu a
Phlant 2002 (Cychwyn Rhif 5)
(Cymru) 2004**

**The Adoption and Children Act
2002 (Commencement No.5)
(Wales) Order 2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Dyma'r pumed Gorchymyn Cychwyn a wnaed o dan Ddeddf Mabwysiadu a Phlant 2002 ("y Ddeddf") ac mae'n gymwys i Gymru yn unig.

This Order is the fifth Commencement Order made under the Adoption and Children Act 2002 ("the Act") and applies to Wales only.

Mae'r Gorchymyn yn dwyn darpariaethau canlynol y Ddeddf i rym ar 7 Chwefror 2004 -

The Order brings the following provisions of the Act into force on 7th February 2004 -

- adrannau 2(6) a 65, sy'n ddarpariaethau dehongli;
- pwerau gwneud rheoliadau yn adrannau 4(6) a (7), 9 i 11, 12(1) i (3), 27(3), 53(1) i (3), 54, 56(1) a (3), 57(6), 59, 63, 64 a 98;
- at ddibenion gwneud rheoliadau yn unig, adrannau 4(1)(b) a (5), 57(5), 58(2) a (3), 60(2) a (4), 61(5)(c) a 62(7)(c);
- paragraffau 3 (gwasanaethau cymorth mabwysiadu) a 5 (mecanwaith adolygu annibynnol) o Atodlen 4.

- sections 2(6) and 65, being interpretation provisions;
- regulation-making powers in sections 4(6) and (7), 9 to 11, 12(1) to (3), 27(3), 53(1) to (3), 54, 56(1) and (3), 57(6), 59, 63, 64 and 98;
- only for the purposes of making regulations, sections 4(1)(b) and (5), 57(5), 58(2) and (3), 60(2) and (4), 61(5)(c) and 62(7)(c);
- paragraphs 3 (adoption support services) and 5 (independent review mechanism) of Schedule 4.

**NODYN YNGHYLCH GORCHMYNION
CYCHWYN CYNHARACH**

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

Mae darpariaethau canlynol y Ddeddf wedi'u dwyn i rym drwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn-

Y Ddarpariaeth	Y Dyddiad Cychwyn	O.S. Rhif
Adran 2(6), (7) ac (8) (yn rhannol), o ran Lloegr	6 Hydref 2003	2003/366 (C.24)
Adran 2(7) ac (8) (yn rhannol), o ran Cymru	28 Tachwedd 2003	2003/3079 (C.117)
Adran 4(6) a (7) (yn rhannol), o ran Lloegr	6 Hydref 2003	2003/366 (C.24)
Adran 16 o ran Cymru	29 Ionawr 2003	2003/181 (Cy.31) (C.9)
Adran 16 o ran Lloegr	30 Ebrill 2003	2003/366 (C.24)
Adran 87(1)(b) a (4)	1 Mehefin 2003	2003/366 (C.24)
Adran 111	1 Rhagfyr 2003	2003/3079 (C.117)
Adran 119 (yn rhannol)	30 Ionawr 2004	2003/3079 (C.117)
Adran 119	1 Ebrill 2004	2003/3079 (C.117)
Adran 135	1 Mehefin 2003	2003/366 (C.24)
Adran 139(1) yn rhannol o ran Gogledd Iwerddon	3 Chwefror 2003	2003/288 (C.14)
Yn rhannol, o ran Lloegr	25 Chwefror 2003	2003/366 (C.24)
Yn rhannol, o ran Lloegr	30 Ebrill 2003	2003/366 (C.24)
Yn rhannol, o ran Lloegr	28 Tachwedd 2003	2003/3079 (C.117)
Adran 139(2) yn rhannol	3 Chwefror 2003	2003/366 (C.24)
Yn rhannol	25 Chwefror 2003	2003/366 (C.24)

**NOTE AS TO EARLIER
COMMENCEMENT ORDERS**

(This Note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order-

Provision	Date of Commencement	S.I. No.
Section 2(6), (7) and (8) (partially), as respects England	6 October 2003	2003/366 (C.24)
Section 2(7) and (8) (partially), as respects Wales	28 November 2003	2003/3079 (C.117)
Section 4(6) and (7) (partially), as respects England	6 October 2003	2003/366 (C.24)
Section 16 as respects Wales	29 January 2003	2003/181 (W.31) (C.9)
Section 16 as respects England	30 April 2003	2003/366 (C.24)
Section 87(1)(b) and (4)	1 June 2003	2003/366 (C.24)
Section 111	1 December 2003	2003/3079 (C.117)
Section 119 partially	30 January 2004	2003/3079 (C.117)
Section 119	1 April 2004	2003/3079 (C.117)
Section 135	1 June 2003	2003/366 (C.24)
Section 139(1) partially as respects Northern Ireland	3 February 2003	2003/288 (C.14)
Partially, as respects England	25 February 2003	2003/366 (C.24)
Partially, as respects England	30 April 2003	2003/366 (C.24)
Partially, as respects England	28 November 2003	2003/3079 (C.117)
Section 139(2) partially	3 February 2003	2003/366 (C.24)
Partially	25 February 2003	2003/366 (C.24)

Yn rhannol	1 Ebrill 2003	2003/366 (C.24)	Partially	1 April 2003	2003/366 (C.24)
Yn rhannol	1 Mehefin 2003	2003/366 (C.24)	Partially	1 June 2003	2003/366 (C.24)
Yn rhannol, o ran Lloegr	6 Hydref 2003	2003/366 (C.24)	Partially, as respects England	6 October 2003	2003/366 (C.24)
Adran 139(3) yn rhannol	28 Tachwedd 2003	2003/3079 (C.117)	Section 139(3) partially	28 November 2003	2003/3079 (C.117)
Atodlen 3			Schedule 3		
Paragraff 6	1 Rhagfyr 2003	2003/3079 (C.117)	Paragraph 6	1 December 2003	2003/3079 (C.117)
Paragraff 7	1 Rhagfyr 2003	2003/3079 (C.117)	Paragraph 7	1 December 2003	2003/3079 (C.117)
Paragraff 53	3 Chwefror 2003	2003/288 (C.14)	Paragraph 53	3 February 2003	2003/288 (C.14)
Paragraff 105 yn rhannol, o ran Lloegr	30 Ebrill 2003	2003/366 (C.24)	Paragraph 105 partially, as respects England	30 April 2003	2003/366 (C.24)
Paragraff 105 yn rhannol, o ran Cymru	28 Tachwedd 2003	2003/3079 (C.117)	Paragraph 105 partially, as respects Wales	28 November 2003	2003/3079 (C.117)
Paragraff 106 yn rhannol o ran Lloegr	30 Ebrill 2003	2003/366 (C.24)	Paragraph 106 partially as respects England	30 April 2003	2003/366 (C.24)
Paragraff 106 yn rhannol o ran Cymru	28 Tachwedd 2003	2003/3079 (C.117)	Paragraph 106 partially, as respects Wales	28 November 2003	2003/3079 (C.117)
Paragraff 110 yn rhannol, o ran Lloegr	30 Ebrill 2003	2003/366 (C.24)	Paragraph 110 partially, as respects England	30 April 2003	2003/366 (C.24)
Paragraff 110 yn rhannol, o ran Cymru	28 Tachwedd 2003	2003/3079 (C.117)	Paragraph 110 partially, as respects Wales	28 November 2003	2003/3079 (C.117)
Paragraff 118	28 Tachwedd 2003	2003/3079 (C.117)	Paragraph 118	28 November 2003	2003/3079 (C.117)
Atodlen 4			Schedule 4		
Paragraff 3 o ran Lloegr	6 Hydref 2003	2003/366 (C.24)	Paragraph 3 as respects England	6 October 2003	2003/366 (C.24)
Paragraff 4(1)	3 Chwefror 2003	2003/288 (C.14)	Paragraph 4(1)	3 February 2003	2003/288 (C.14)
Paragraff 4(2)	25 Chwefror 2003	2003/366 (C.24)	Paragraph 4(2)	25 February 2003	2003/366 (C.24)
Paragraff 5 yn rhannol, o ran Lloegr	1 Rhagfyr 2003	2003/3079 (C.117)	Paragraph 5 partially, as respects England	1 December 2003	2003/3079 (C.117)
Paragraff 5 yn rhannol, o ran Lloegr	1 Ebrill 2004	2003/3079 (C.117)	Paragraph 5, as respects England	1 April 2004	2003/3079 (C.117)
Paragraff 10	1 Mehefin 2003	2003/366 (C.24)	Paragraph 10	1 June 2003	2003/366 (C.24)

Paragraff 11	1 Mehefin 2003 2003/366 (C.24)	Paragraph 11	1 June 2003	2003/366 (C.24)
Paragraff 12 (yn rhannol)	1 Mehefin 2003 2003/366 (C.24)	Paragraph 12 (partially)	1 June 2003	2003/366 (C.24)
Paragraff 13	1 Mehefin 2003 2003/366 (C.24)	Paragraph 13	1 June 2003	2003/366 (C.24)
Paragraff 14	1 Mehefin 2003 2003/366 (C.24)	Paragraph 14	1 June 2003	2003/366 (C.24)

2004 Rhif 252 (Cy.27) (C.9)

**GOFAL CYMDEITHASOL,
CYMRU**

**PLANT A PHOBL IFANC,
CYMRU**

Gorchymyn Deddf Mabwysiadu a
Phlant 2002 (Cychwyn Rhif 5)
(Cymru) 2004

Wedi'i wneud

4 Chwefror 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 148(6) o Ddeddf Mabwysiadu a Phlant 2002(a), drwy hyn yn gwneud y Gorchymyn canlynol-

Enwi, dehongli a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Deddf Mabwysiadu a Phlant 2002 (Cychwyn Rhif 5) (Cymru) 2004.

(2) Yn y Gorchymyn hwn ystyr "y Ddeddf" yw Deddf Mabwysiadu a Phlant 2002.

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

Y Diwrnod Penodedig

2. 7 Chwefror 2004 yw'r diwrnod penodedig i ddarpariaethau canlynol y Ddeddf ddod i rym -

- (a) adran 2(6) (diffiniadau sylfaenol);
- (b) adrannau 4(6) a (7), 9 i 11, 12(1) i (3), 27(3), 53(1) i (3), 54, 56(1) a (3), 57(6), 59, 63 i 65 a 98;
- (c) at ddibenion gwneud rheoliadau, adrannau 4(1)(b) a (5), 57(5), 58(2) a (3), 60(2) a (4) a 61(5)(c) a 62(7)(c);
- (ch) paragraffau 3 a 5 o Atodlen 4, ac adran 139(2).

(a) 2002 p.38. Mae'r pŵer yn arferadwy gan y Gweinidog priodol a ddiffinnir yn adran 144(1) o ran Cymru fel Cynulliad Cenedlaethol Cymru.

2004 No. 252 (W.27) (C.9)

**SOCIAL CARE,
WALES**

**CHILDREN AND YOUNG
PERSONS, WALES**

The Adoption and Children Act
2002 (Commencement No. 5)
(Wales) Order 2004

Made

4th February 2004

The National Assembly for Wales, in exercise of the powers conferred upon it by section 148(6) of the Adoption and Children Act 2002(a), hereby makes the following Order-

Name, interpretation and application

1.-(1) This Order is called the Adoption and Children Act 2002 (Commencement No. 5) (Wales) Order 2004.

(2) In this Order "the Act" means the Adoption and Children Act 2002.

(3) This Order applies in relation to Wales.

Appointed Day

2. 7th February 2004 is the appointed day for the coming into force of the following provisions of the Act-

- (a) section 2(6) (basic definitions);
- (b) sections 4(6) and (7), 9 to 11, 12(1) to (3), 27(3), 53(1) to (3), 54, 56(1) and (3), 57(6), 59, 63 to 65 and 98;
- (c) for the purposes of making regulations, sections 4(1)(b) and (5), 57(5), 58(2) and (3), 60(2) and (4) and 61(5)(c) and 62(7)(c);
- (d) paragraphs 3 and 5 of Schedule 4, and section 139(2).

(a) 2002 c.38. The power is exercisable by the appropriate Minister who is defined in section 144(1) in relation to Wales as the National Assembly for Wales.

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

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

4 Chwefror 2004

4th February 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

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