OFFERYNNAU STATUDOL CYMRU

2012 Rhif 191 (Cy.30) (C.5)

GOFAL CYMDEITHASOL, CYMRU

Y GWASANAETH IECHYD GWLADOL, CYMRU

PLANT A PHOBL IFANC, CYMRU

Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 4) 2012

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn rhoi effaith i Ran 3 o Fesur Plant a Theuluoedd (Cymru) 2010 ("Mesur 2010") mewn perthynas â dwy set bellach o ardaloedd awdurdod lleol (ac eithrio rhan o adran 58(6)).

Mae hefyd yn cychwyn rhai pwerau i wneud rheoliadau mewn perthynas â phob rhan o Gymru lle nad ydynt eisoes wedi cychwyn. Mae Rhan 3 (ac eithrio adran 58(6)) eisoes wedi cael ei dwyn i rym gan Orchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn) 2010, ond dim ond mewn perthynas ag ardaloedd awdurdod lleol penodedig, sef Merthyr Tudful, Casnewydd, Rhondda Cynon Taf a Wrecsam.

Mae erthygl 2 o'r Gorchymyn hwn yn cychwyn y darpariaethau yn Atodlen 1. Mae'r darpariaethau'n rhoi pŵer i Weinidogion Cymru i wneud rheoliadau penodol i roi effaith i Ran 3 o'r Mesur ac mae'n cael eu dwyn i rym ar y diwrnod ar ôl i'r Gorchymyn hwn gael ei wneud. Effaith erthygl 2 yw dwyn y pwerau hyn i rym mewn perthynas ag ardaloedd lle nad yw'r pwerau hynny eisoes wedi cychwyn.

WELSH STATUTORY INSTRUMENTS

2012 No. 191 (W.30) (C.5)

SOCIAL CARE, WALES

NATIONAL HEALTH SERVICE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Children and Families (Wales) Measure 2010 (Commencement No. 4) Order 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into effect Part 3 of the Children and Families (Wales) Measure 2010 ("the 2010 Measure") in relation to two further sets of local authority areas (with the exception of part of section 58(6)).

It also commences certain regulation making powers in relation to all parts of Wales where they are not already in force. Part 3 (except part of section 58(6)) has already been brought into force by the Children and Families (Wales) Measure 2010 (Commencement) Order 2010, but only in relation to specified local authority areas, namely Merthyr Tydfil, Newport, Rhondda Cynon Taff and Wrexham.

Article 2 of this Order commences the provisions in Schedule 1. The provisions give the Welsh Ministers power to make specific regulations to give effect to Part 3 of the Measure and are brought into force on the day after this Order is made. The effect of article 2 is to bring these powers into force in relation to areas in which the powers have not already been commenced.

Mae erthygl 3 a 4 yn cychwyn y darpariaethau a restrir yn Atodlen 2. Mae'r darpariaethau yn cael eu dwyn i rym mewn perthynas ag ardaloedd awdurdod lleol Caerdydd a Bro Morgannwg ar 28 Chwefror 2012 ac mewn perthynas ag ardaloedd awdurdod lleol Sir Gaerfyrddin, Ceredigion, Sir Benfro a Phowys ar 31 Mawrth 2012. Mae'r darpariaethau yn gosod dyletswydd ar awdurdodau lleol i sefydlu un neu ragor o dimau integredig cymorth i deuluoedd yn eu hardal. Rhaid i Fwrdd Iechyd Lleol y mae ei ardal yn cyfateb i ardal awdurdod lleol gymryd rhan wrth sefydlu'r tîm. Mae adran 58 yn nodi'r mathau o achosion a allai gael eu hatgyfeirio at dîm integredig cymorth i deuluoedd ("ICiD") ac mae adran 58(6) yn nodi'r categorïau o oedolion a all fod yn destun atgyfeiriad teulu. Dim ond paragraff (a) o adran 58(6) sydd wedi ei gychwyn, felly dim ond atgyfeiriadau mewn perthynas â theuluoedd lle y mae rhiant yn ddibynnol ar alcohol neu gyffuriau sy'n gallu cael eu derbyn gan dîm ICiD. Mae adrannau 61 a 62 yn darparu ar gyfer sefydlu byrddau ICiD i arolygu timau ICiD.

Mae erthygl 5 yn cychwyn adran 12 o Fesur 2010 ar 31 Ionawr 2012. Mae adran 12 yn ymwneud â phlant yn cymryd rhan ym mhenderfyniadau awdurdod lleol.

Articles 3 and 4 commence the provisions listed in Schedule 2. The provisions are brought into force in relation to the local authority areas of Cardiff and the Vale of Glamorgan on 28 February 2012 and in relation to the local authority areas of Carmarthen, Ceredigion, Pembrokeshire and Powys on 31 March 2012. The provisions place a duty on local authorities to establish one or more integrated family support ("IFS") teams in their area. A Local Health Board whose area corresponds to the area of a local authority must participate in the establishment of the team. Section 58 sets out the kinds of cases that can be referred to an IFS team and section 58(6) sets out categories of adults who may be subject to a family referral. Only paragraph (a) of section 58(6) is commenced, therefore an IFS team is only able to receive referrals in relation to families where a parent is dependent on alcohol or drugs. Sections 61 and 62 provide for the establishment of IFS boards to oversee the IFS teams.

Article 5 commences section 12 of the 2010 Measure on 31 January 2012. Section 12 concerns the participation of children in local authority decision making.

NODYN AM Y GORCHMYNION CYCHWYN BLAENOROL

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

Mae darpariaethau canlynol Mesur Plant a Theuluoedd (Cymru) 2010 wedi cael eu dwyn i rym gan Orchmynion Cychwyn sydd wedi eu gwneud cyn dyddiad y Gorchymyn hwn.

Y ddarpariaeth	*Y Dyddiad Cychwyn*	*O.S. Rhif*
Adran 57	1 Medi 2010 (mewn perthynas ag ardaloedd awdurdod lleol penodedig)	O.S. 2010/1699 (Cy.160) (C.87)
Adrannau 58 (1)-(5), (6)(a), (7)-(14)	1 Medi 2010 (mewn perthynas ag ardaloedd awdurdod lleol penodedig)	O.S. 2010/1699 (Cy.160) (C.87)
Adrannau 59-65	1 Medi 2010 (mewn perthynas ag ardaloedd awdurdod lleol penodedig)	O.S. 2010/1699 (Cy.160) (C.87)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Children and Families (Wales) Measure 2010 have been brought into force by Commencement Orders made before the date of this Order.

Provision	*Date of Commencement*	*S.I. No.*
Section 57	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 58 (1)-(5), (6)(a), (7)-(14)	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 59-65	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)

Adrannau 19-56	1 Ebrill 2011	O.S. 2010/2582 (Cy.216) (C.123)
Adran 72 ac Atodlen 1 paragraffau 1-18, paragraffau 21-28	1 Ebrill 2011	O.S. 2010/2582 (Cy.216) (C.123)
Adran 73 ac Atodlen 2 (i'r graddau y maent yn ymwneud â Deddf Plant 1989, Deddf Addysg 2002 a Deddf Gofal Plant 2006)	1 Ebrill 2011	O.S. 2010/2582 (Cy.216) (C.123)
Adran 2 (i'r graddau y mae'n gymwys i awdurdodau Cymreig)	10 Ionawr 2011	O.S 2010/2994 (Cy.248) (C.134)
Adrannau 4, 5, 6, 17, 18	10 Ionawr 2011	O.S 2010/2994 (Cy.248) (C.134)

Sections 19-56	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 72 and Schedule 1 paras 1-18, paras 21-28	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 73 and Schedule 2 (in so far as they relate to the Children Act 1989, the Education Act 2002 and the Childcare Act 2006)	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 2 (in so far as it applies to the Welsh authorities)	10 January 2011	S.I 2010/2994 (W.248) (C.134)
Section 4, 5, 6, 17, 18	10 January 2011	S.I 2010/2994 (W.248) (C.134)

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Y GWASANAETH IECHYD GWLADOL, CYMRU

PLANT A PHOBL IFANC, CYMRU

Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 4) 2012

Gwnaed *26 Ionawr 2012*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 74(2) a 75(3) o Fesur Plant a Theuluoedd (Cymru) 2010(**1**), yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Plant a Theuluoedd (Cymru) 2010 (Cychwyn Rhif 4) 2012.

(2) Yn y Gorchymyn hwn —

ystyr "ardal awdurdod lleol" ("*local authority area*") yw ardal ddaearyddol o Gymru y mae awdurdod lleol yn gyfrifol amdani;

ystyr "Mesur 2010" ("*the 2010 Measure*") yw Mesur Plant a Theuluoedd (Cymru) 2010.

Cychwyn ar y diwrnod ar ôl i'r Gorchymyn hwn gael ei wneud

2.—(1) Mae'r erthygl hon yn gymwys o ran Cymru.

(2) Mae'r darpariaethau hynny o Fesur 2010 a nodir yn Atodlen 1, i'r graddau nad ydynt eisoes mewn grym, yn dod i rym ar y diwrnod ar ôl i'r Gorchymyn hwn gael ei wneud.

(**1**) 2010 mccc 1.

WELSH STATUTORY INSTRUMENTS

2012 No. 191 (W.30) (C.5)

SOCIAL CARE, WALES

NATIONAL HEALTH SERVICE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Children and Families (Wales) Measure 2010 (Commencement No. 4) Order 2012

Made *26 January 2012*

The Welsh Ministers, in exercise of the powers conferred by sections 74(2) and 75(3) of the Children and Families (Wales) Measure 2010(**1**), make the following Order:

Title and Interpretation

1.—(1) The title of this Order is the Children and Families (Wales) Measure 2010 (Commencement No. 4) Order 2012.

(2) In this Order —

"the 2010 Measure" ("*Mesur 2010*") means the Children and Families (Wales) Measure 2010;

"local authority area" ("*ardal awdurdod lleol*") means that geographical area of Wales for which a local authority has responsibility.

Commencement on the day after the day this Order is made

2.—(1) This article applies in relation to Wales.

(2) Those provisions of the 2010 Measure set out in Schedule 1, insofar as they are not already in force, come into force on the day after the day on which this Order is made.

(**1**) 2010 nawm 1.

Cychwyn mewn ardaloedd penodedig ar 28 Chwefror 2012

3.—(1) Mae paragraff (2) o'r erthygl hon yn gymwys mewn perthynas â'r ardaloedd awdurdod lleol canlynol—

(a) Caerdydd; a

(b) Bro Morgannwg.

(2) Daw'r darpariaethau hynny o Fesur 2010 a nodir yn Atodlen 2 i rym ar 28 Chwefror 2012.

Cychwyn mewn ardaloedd penodedig ar 31 Mawrth 2012

4.—(1) Mae paragraff (2) o'r erthygl hon yn gymwys mewn perthynas â'r ardaloedd awdurdod lleol canlynol—

(a) Sir Gaerfyrddin;

(b) Ceredigion;

(c) Sir Benfro; ac

(ch) Powys.

(2) Daw'r darpariaethau hynny o Fesur 2010 a nodir yn Atodlen 2 i rym ar 31 Mawrth 2012.

Cychwyn ar 31 Ionawr 2012

5.—(1) Mae'r erthygl hon yn gymwys o ran Cymru.

(2) Daw adran 12 o Fesur 2010 i rym ar 31 Ionawr 2012.

Commencement in specified areas on 28 February 2012

3.—(1) Paragraph (2) of this article applies in relation to the following local authority areas—

(a) Cardiff; and

(b) Vale of Glamorgan.

(2) Those provisions of the 2010 Measure set out in Schedule 2 come into force on 28 February 2012.

Commencement in specified areas on 31 March 2012

4.—(1) Paragraph (2) of this article applies in relation to the following local authority areas—

(a) Carmarthen;

(b) Ceredigion;

(c) Pembrokeshire; and

(d) Powys.

(2) Those provisions of the 2010 Measure set out in Schedule 2 come into force on 31 March 2012.

Commencement on 31 January 2012

5.—(1) This article applies in relation to Wales.

(2) Section 12 of the 2010 Measure comes into force on 31 January 2012.

Gwenda Thomas

Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

26 Ionawr 2012

Deputy Minister for Children and Social Services, under authority of the Minister for Health and Social Services, one of the Welsh Ministers

26 January 2012

ATODLEN 1

Erthygl 2(2)

1. Adran 58(2) (swyddogaethau cymorth i deuluoedd);

2. Adran 60(1) (personau rhagnodedig);

3. Adran 62(2) (swyddogaethau byrddau integredig cymorth i deuluoedd);

4. Adran 63 (rheoliadau ynghylch timau a byrddau integredig cymorth i deuluoedd).

ATODLEN 2

Erthyglau 3(2) a 4(2)

Yr holl ddarpariaethau yn Rhan 3 o Fesur 2010 sydd ar ôl, i'r graddau nad ydynt eisoes mewn grym, ac eithrio paragraffau (b), (c) a (d) o adran 58(6).

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SCHEDULE 1

Article 2(2)

1. Section 58(2) (family support functions);

2. Section 60(1) (prescribed persons);

3. Section 62(2) (functions of integrated family support boards);

4. Section 63 (regulations about integrated family support teams and boards).

SCHEDULE 2

Articles 3(2) and 4(2)

All remaining provisions of Part 3 of the 2010 Measure, in so far as not already in force, except paragraphs (b), (c) and (d) of section 58(6).

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