
OFFERYNNAU STATUDOL CYMRU

2016 No. 413

**Rheoliadau Deddf Gwasanaethau Cymdeithasol a
Llesiant (Cymru) 2014 (Diwygiadau Canlyniadol) 2016**

Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 (p. 4)

130. Mae Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 wedi ei diwygio fel a ganlyn.

131. Yn adran 143 (ystyr “person responsible for child or qualifying young person”), yn is-adran (3)(c)(1)—

- (a) hepgorer is-baragraff (i);
- (b) ar ôl is-baragraff (vii) hepgorer “ or”;
- (c) ar ôl is-baragraff (viii) mewnosoder—

“or

(ix) Part 4 of the Social Services and Well-being (Wales) Act 2014.”

132. Yn adran 171ZB(2) (hawlogaeth: mabwysiadu) ar y diwedd mewnosoder—

“(10) This section has effect in a case involving a child placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsection (2) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the adopter is notified of being matched with the child for the purposes of adoption is to be treated as a reference to the week in which the prospective adopter is notified that the child is to be, or is expected to be, placed with the prospective adopter under section 81;
- (c) the reference in subsection (6) to placement for adoption is to be treated as a reference to placement under section 81;
- (d) the definition in subsection (7) is to be treated as if it were a definition of “prospective adopter”.

(11) Where, by virtue of subsection (10), a person becomes entitled to statutory paternity pay in connection with the placement of a child under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory paternity pay in connection with the placement of the child for adoption.”

(1) Yn adran 143(3)(c), amnewidiwyd is-baragraffau (vii) ac (viii) gan baragraff 4(2) o Ran 1 o Atodlen 1 i [O.S. 2013/1465](#).

(2) Mewnosodwyd adrannau 171ZB a 171ZE gan adran 2 o Ddeddf Cyflogaeth 2002 (p. 22). Symudwyd adrannau 171ZA i 171ZE o dan bennawd newydd, sef “Ordinary Statutory Paternity Pay”, gan baragraff 11 o Atodlen 1 i Ddeddf Gwaith a Theuluoedd 2006 (p. 18). Symudwyd yr adrannau hyn wedyn i Ran XIIZA pan ddiddymwyd y pennawd “Ordinary Statutory Paternity Pay” gan baragraff 11 o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014 (p. 6). Mewnosodwyd is-adrannau (8) a (9) o adran 171ZB gan adran 121(3) o Ddeddf Plant a Theuluoedd 2014.

133. Yn adran 171ZE(3) (cyfradd a chyfnod cyflog) ar y diwedd mewnosoder—

“(13) Where statutory paternity pay is payable to a person by virtue of section 171ZB(10), this section has effect as if—

- (a) the references in subsections (3)(b) and (10) to placement for adoption were references to placement under section 81 of the Social Services and Well-being (Wales) Act 2014;
- (b) the references in subsection (10) to being placed for adoption were references to being placed under section 81.”

134. Yn adran 171ZJ(1)(4) (Rhan 12ZA: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.**135.** Yn adran 171ZL(5) (hawlogaeth) ar y diwedd mewnosoder—

“(11) This section has effect in a case involving a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsections (2)(a) and (4A)(a) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the person is notified that he has been matched with the child for the purposes of adoption is to be treated as a reference to the week in which the person is notified that the child is to be, or is expected to be placed with him under section 8;
- (c) the references in subsection (4B)(a) to adoption are to be treated as references to placement under section 81;
- (d) the reference in subsection (5) to placement, or expected placement, for adoption is to be treated as a reference to placement, or expected placement under section 81.

(12) Where, by virtue of subsection (11), a person becomes entitled to statutory adoption pay in respect of a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory adoption pay as a result of the child being, or being expected to be, placed for adoption.”

136. Yn adran 171ZN(6) (cyfradd a chyfnod cyflog) ar y diwedd mewnosoder—

“(10) Where statutory adoption pay is payable to a person by virtue of section 171ZL(11), this section has effect as if the reference in subsection (2F) to the week in which the person is notified that he has been matched with a child for the purposes of adoption were a reference to the week in which the person is notified that a child is to be, or is expected to be, placed with him under section 81 of the Social Services and Well-being (Wales) Act 2014.”

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- (3) Mewnosodwyd is-adran (12) o adran 171ZE gan adran 121(4) o Ddeddf Plant a Theuluoedd 2014 (p. 6).
 - (4) Mewnosodwyd adran 171ZJ gan adran 2 o Ddeddf Cyflogaeth 2002 (p. 22). Symudwyd yr adran hon o dan y pennawd “Ordinary and additional statutory paternity pay: supplementary provisions” gan baragraff 17 o Atodlen 1 i Ddeddf Gwaith a Theuluoedd 2006 (p. 18). Symudwyd yr adran eto wedyn i Ran XIIZA pan ddiddymwyd y croesbennawd “Ordinary and additional statutory paternity pay: supplementary provisions” gan baragraff 18 o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014 (p. 6). Mewnosodwyd y diffiniad o “local authority foster parent” yn is-adran (1) gan adran 121(7)(a) o Ddeddf Plant a Theuluoedd 2014.
 - (5) Mewnosodwyd adran 171ZL gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adrannau (9) a (10) gan adran 121(5) o Ddeddf Plant a Theuluoedd 2014 (p. 6).
 - (6) Mewnosodwyd adran 171ZN gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adran (9) gan adran 121(6) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

137. Yn adran 171ZS(1)(7) (Rhan 12ZB: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

138. Yn adran 171ZV(8) (hawlogaeth: mabwysiadu) yn lle is-adrannau (17) a (18) rhodder—

“(17) Regulations are to provide for entitlement to statutory shared parental pay in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.

(18) This section has effect in relation to regulations made by virtue of subsection (17) as if—

- (a) references to a child being placed for adoption under the law of any part of the United Kingdom were references to being placed under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with a local authority foster parent who has been approved as a prospective adopter;
- (b) references to a placement for adoption were references to placement under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with such a person.”

139. Yn adran 171ZZ4(1)(9) (Rhan 12ZC: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

(7) Mewnosodwyd adran 171ZS gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd y diffiniad o “local authority foster parent” gan adran 121(7)(b) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(8) Mewnosodwyd adran 171ZV gan adran 119(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(9) Mewnosodwyd adran 171ZZ4 gan adran 119(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).