OFFERYNNAU STATUDOL CYMRU

2021 Rhif 395 (Cy. 126)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan bwerau a roddir i Weinidogion Cymru gan Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2) ("y Ddeddf"). Maent yn diwygio gofyniad penodol a osodir ar ddarparwyr gofal cymdeithasol cofrestredig ac maent wedi eu gwneud mewn ymateb i ledaeniad coronafeirws syndrom anadlol acíwt difrifol 2 (SARS-CoV-2) yng Nghymru.

Mae Rhan 1 o'r Ddeddf yn gosod gofynion ar ddarparwyr y gwasanaethau gofal cymdeithasol a reoleiddir gan y Ddeddf. Maent yn cynnwys gofyniad yn adran 10 i gyflwyno datganiad blynyddol i Weinidogion Cymru. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017 (O.S. 2017/1097 (Cy. 277)) ("y Rheoliadau Datganiadau Blynyddol") yn darparu manylion pellach am y datganiadau blynyddol. Maent yn cynnwys darpariaeth a wneir o dan adran 10(4) ynghylch y dyddiadau erbyn pryd y mae rhaid cyflwyno'r datganiadau.

Mae'r Rheoliadau hyn yn diwygio rheoliad 10(1) o'r Rheoliadau Datganiadau Blynyddol. Mae'r rheoliad hwnnw yn ymwneud â'r dyddiad erbyn pryd y mae rhaid cyflwyno datganiadau blynyddol sy'n ymwneud â blynyddoedd ariannol 2018-19, 2019-20 a 2020-21. Effaith y diwygiad a wneir gan reoliad 4 yw bod rhaid

WELSH STATUTORY INSTRUMENTS

2021 No. 395 (W. 126)

SOCIAL CARE, WALES

The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers given to the Welsh Ministers by the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) ("the Act"). They amend a particular requirement placed on registered providers of social care and are made in response to the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

Part 1 of the Act places requirements on providers of the social care services that are regulated by the Act. They include a requirement in section 10 to submit an annual return to the Welsh Ministers. The Regulated Services (Annual Returns) (Wales) Regulations 2017 (S.I. 2017/1097 (W. 277)) ("the Annual Returns Regulations") provide further details about the annual returns. They include provision made under section 10(4) about the dates by which the returns must be submitted.

These Regulations amend regulation 10(1) of the Annual Returns Regulations. That regulation relates to the date by which annual returns relating to financial years 2018-19, 2019-20 and 2020-21 must be submitted. The effect of the amendment made by regulation 4 is that providers of all types of regulated

i ddarparwyr pob math o wasanaethau rheoleiddiedig gyflwyno datganiadau blynyddol heb fod yn hwyrach na 26 Mai 2022. Yn flaenorol, roedd yn ofynnol i ddarparwyr gwasanaethau gyflwyno datganiadau blynyddol ar gyfer blynyddoedd ariannol 2018-19, 2019-2020 a 2020-21 heb fod yn hwyrach na 26 Mai 2021.

Mae'r Rheoliadau hyn hefyd yn mewnosod rheoliad newydd 2A yn y Rheoliadau Datganiadau Blynyddol sy'n datgymhwyso darpariaethau penodol o'r Rheoliadau hynny mewn perthynas â datganiad blynyddol a gyflwynir mewn cysylltiad ag unrhyw un neu ragor o'r blynyddoedd ariannol a bennir yn rheoliad 10(1) (fel y'i diwygiwyd gan reoliad 4).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

services must submit annual returns no later than 26 May 2022. Previously, service providers were required to submit annual returns for financial years 2018-19, 2019-2020 and 2020-21 no later than 26 May 2021.

These Regulations also insert a new regulation 2A into the Annual Returns Regulations which disapplies certain provisions of those Regulations in relation to an annual return submitted in respect of any of the financial years specified in regulation 10(1) (as amended by regulation 4).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 395 (Cy. 126)

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2021

Gwnaed	*24 Mawrth 2021*
Gosodwyd gerbron Senedd Cymru	*26 Mawrth 2021*
Yn dod i rym	*16 Ebrill 2021*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 10(2)(a)(vii), (viii) a (ix), a (4) a 187(1) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(**1**).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) (Diwygio) (Coronafeirws) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 16 Ebrill 2021.

Diwygiadau i Reoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017

2. Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017(**2**) wedi eu diwygio yn unol â rheoliadau 3 a 4.

3. Ar ôl rheoliad 2 (dehongli) mewnosoder—

(**1**) 2016 dccc 2; *gweler* y diffiniad o "a ragnodir" a "rhagnodedig" yn adran 189.

(**2**) O.S. 2017/1097 (Cy. 227), a ddiwygiwyd gan O.S. 2019/233 (Cy. 52) a 2020/486 (Cy. 111).

WELSH STATUTORY INSTRUMENTS

2021 No. 395 (W. 126)

SOCIAL CARE, WALES

The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2021

Made	*24 March 2021*
Laid before Senedd Cymru	*26 March 2021*
Coming into force	*16 April 2021*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 10(2)(a)(vii), (viii) and (ix), and (4) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2021.

(2) These Regulations come into force on 16 April 2021.

Amendments to the Regulated Services (Annual Returns) (Wales) Regulations 2017

2. The Regulated Services (Annual Returns) (Wales) Regulations 2017(**2**) are amended in accordance with regulations 3 and 4.

3. After regulation 2 (interpretation) insert—

(**1**) 2016 anaw 2; *see* the definition of "prescribed" in section 189.

(**2**) S.I. 2017/1097 (W. 227), amended by S.I. 2019/233 (W. 52) and 2020/486 (W. 111).

"Cymhwyso'r Rheoliadau hyn i ddatganiadau blynyddol ar gyfer blynyddoedd ariannol penodedig

2A. Nid yw'r darpariaethau a ganlyn o'r Rheoliadau hyn yn gymwys i ddatganiadau blynyddol a gyflwynir ar gyfer unrhyw un neu ragor o'r blynyddoedd ariannol a bennir yn rheoliad 10(1)—

(a) rheoliadau 3 i 6;

(b) yr Atodlen."

4. Yn rheoliad 10(1) (terfyn amser ar gyfer cyflwyno datganiadau blynyddol), yn lle "26 Mai 2021" rhodder "26 Mai 2022".

"Application of these Regulations to annual returns for specified financial years

2A. The following provisions of these Regulations do not apply to annual returns submitted for any of the financial years specified in regulation 10(1)—

(a) regulations 3 to 6;

(b) the Schedule."

4. In regulation 10(1) (time limit for submission of annual returns), for "26 May 2021" substitute "26 May 2022".

Julie Morgan

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
24 Mawrth 2021

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

24 March 2021

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