CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 2660 (Cy.256) (C.102)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd (Cymru) 2003 (Cychwyn Rhif 1) 2003

NODYN ESBONIADOL

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

Dyma'r Gorchymyn Cychwyn cyntaf o dan Ddeddf Iechyd (Cymru) 2003 ("y Ddeddf").

Mae Erthygl 2 yn dwyn i rym adran 1 o'r Ddeddf ac Atodlen 1 iddi. Mae'r rhain yn ymwneud â Chynghorau Iechyd Cymuned yng Nghymru. Mae'r cynghorau a sefydlwyd o dan adran 20 o Ddeddf y Gwasanaeth Iechyd 1977 i barhau mewn bodolaeth a rhoddir pŵer i Gynulliad Cenedlaethol Cymru wneud rheoliadau ynglŷn â'u swyddogaethau. Yn ychwanegol, caiff y Cynulliad sefydlu corff statudol i gynghori a chynorthwyo Cynghorau Iechyd Cymuned ynglŷn â chyflawni eu swyddogaethau.

Bydd cynghorau cymuned yn Lloegr yn parhau i fodoli tan ddyddiad cychwyn adran 22 o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002.

Mae Erthygl 3 yn cychwyn at ddibenion gwneud rheoliadau yn unig (ynghylch aelodaeth a swyddogaethau), adrannau 2 a 3 o'r Ddeddf, a pharagraff 10 o Atodlen 2 iddi. Mae'r rhain yn ymwneud â Chanolfan Iechyd Cymru. Mae’r Ganolfan i’w sefydlu, gyda golwg ar ymgymryd â swyddogaethau ynghylch diogelu a gwella iechyd yng Nghymru, ar 1 Ebrill 2005 pan gychwynnir adran 2 a 3 ac Atodlen 2 at bob diben arall.

Ymhlith y darpariaethau a gychwynnir gan Erthygl 2 o'r Gorchymyn y mae darpariaethau ynglŷn â Phroffesiynau Iechyd Cymru. Mae adrannau 4 a 5 o'r Ddeddf yn rhoi pŵer i Gynulliad Cenedlaethol Cymru sefydlu corff a elwir Proffesiynau Iechyd Cymru ac i

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 2660 (W.256) (C.102)

NATIONAL HEALTH SERVICE, WALES

The Health (Wales) Act 2003 (Commencement No. 1) Order 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first Commencement Order under the Health (Wales) Act 2003 ("the Act").

Article 2 brings into force section 1 of, and Schedule 1 to the Act which relate to Community Health Councils in Wales. Councils established under section 20 of the National Health Service Act 1977 are to continue in existence and the National Assembly for Wales is given power to make regulations in respect of their functions. Additionally, the Assembly may establish a statutory body to advise and assist Community Health Councils with respect to the performance of their functions.

Community councils in England will continue in existence until the commencement of section 22 of the National Health Service Reform and Health Care Professions Act 2002.

Article 3 commences for the purposes of making regulations only (in respect of membership and functions), sections 2 and 3 of, and paragraph 10 of Schedule 2 to the Act, relating to the Wales Centre for Health. The Centre is to be established, with a view to undertaking functions relating to the protections and improvement of health in Wales, on 1st April 2005 when section 2 and 3 and Schedule 2 are commenced for all other purposes.

Included in the provisions commenced by Article 2 of the Order are provisions relating to Health Professions Wales, Sections 4 and 5 of the Act empower the National Assembly for Wales to establish a body know as Health Professions Wales and to make

wneud darpariaeth i Broffesiynau Iechyd Cymru gyflawni swyddogaethau ynglŷn â phroffesiynau gofal iechyd a chymorth gofal iechyd.

Mae'r Gorchymyn yn cychwyn diwygiadau a diddymiadau canlyniadol hefyd.

provision for the carrying out by Health Professions Wales functions in relation to health care professions and health care support.

The Order also commences consequential amendments and repeals.

OFFERYNNAU STATUDOL

2003 Rhif 2660 (Cy.256)(C.102)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Gorchymyn Deddf Iechyd (Cymru) 2003 (Cychwyn Rhif 1) 2003

Wedi'i wneud *14 Hydref 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵerau a roddwyd iddo gan adrannau 8(2) a (3) a 10(2) o Ddeddf Iechyd (Cymru) 2003(**a**), drwy hyn yn gwneud y Gorchymyn canlynol:-

Enwi a dehongli

1. -(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd (Cymru) 2003 (Cychwyn Rhif 1) 2003.

(2) Yn y Gorchymyn hwn -

(3) ystyr "y Ddeddf ("*the Act*") yw Deddf Iechyd (Cymru) 2003;

(4) ystyr "Deddf 1977" ("*the 1977 Act*") yw Deddf y Gwasanaeth Iechyd Gwladol 1977(**b**).

Y dyddiau a bennwyd ar gyfer darpariaethau ynglŷn â'r Cynghorau Iechyd Cymuned ac Arbedion

2. -(1) Yn ddarostyngedig i baragraff (2) 20 Hydref 2003 yw'r dydd a bennwyd i ddarpariaethau canlynol y Ddeddf ddod i rym at bob diben -

(i) adran 1 ac Atodlen 1;

(ii) paragraffau 5, 14 ac 16 o Atodlen 3 ac adran 7(1) i'r graddau y mae'n ymwneud â hwy; a

(iii) adran 7(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 4 heblawr cyfeiriad at adran 22(4) o Ddeddf Diwygio'r Gwasanaeth lechyd Gwladol a Phroffesiynnau Gofal Iechyd 2002.

(2) Dim ond ynglŷn â Chymru y mae'r darpariaethau y cyfeiriwyd atynt ym mharagraff (1) yn cael eu dwyn i rym.

(a) 2003 p.4.

(b) 1977 p.49.

STATUTORY INSTRUMENTS

2003 No. 2660 (W.256)(C.102)

NATIONAL HEALTH SERVICE, WALES

The Health (Wales) Act 2003 (Commencement No. 1) Order 2003

Made *14th October 2003*

The National Assembly for Wales, in exercise of powers conferred on it by sections 8(2) and (3) and 10(2) of the Health (Wales) Act 2003(**a**) hereby makes the following Order:-

Citation and interpretation

1. -(1) This Order may be cited as the Health (Wales) Act 2003 (Commencement No. 1) Order 2003.

(2) In this Order-

"the Act" ("*y Ddeddf*") means the Health (Wales) Act 2003;

"the 1977 Act" ("*Deddf 1977*") means the National Health Service Act 1977(**b**).

Appointed days for provisions relating to the Community Health Councils and Saving

2. -(1) Subject to paragraph (2) 20th October 2003 is the day appointed for the coming into force for all purposes of the following provisions of the Act-

(i) section 1 and Schedule 1;

(ii) paragraphs 3, 4, 5, 7, and 14 of Schedule 3 and section 7(1) in so far as it relates thereto; and

(iii) section 7(2) in so far as it relates to the provisions of Schedule 4 except the reference to section 22(4) of the National Health Service and Health Care Professions Act 2002.

(2) The provisions referred to in paragraph (1) are brought into force only in relation to Wales.

(a) 2003 c.4.

(b) 1977 c.49.

(3) Er gwaethaf diddymu Atodlen 7 i Ddeddf 1977, bydd Rheoliadau Cynghorau Iechyd Cymuned 1996(**a**) a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Cymdeithas y Cynghorau Iechyd Cymuned) 1977(**b**) yn parhau i gael effaith.

Y dyddiau a bennwyd ar gyfer darpariaethau ynglŷn â Chanolfan Iechyd Cymru

3. -(1) 20 Hydref 2003 yw'r dydd a bennwyd i adrannau 2 a 3 o'r Ddeddf, a pharagraff 10 o Atodlen 2 iddi, ddod i rym at ddibenion gwneud rheoliadau yn unig.

(2) 1 Ebrill 2005 yw'r dydd a bennwyd i adrannau 2, 3 a 7(1) o'r Ddeddf, ac Atodlenni 2 a 3 o'r Ddeddf heblaw paragraff 16 o Atodlen 3, ddod i rym at bob diben sy'n weddill.

Y dydd a bennwyd ar gyfer darpariaethau ynglyn â Phroffesiynau Iechyd Cymru a darpariaethau atodol a darpariaethau cyffredinol.

4. 20 Hydref 2003 yw'r dydd a bennwyd i adrannau 4, 5 a 6 o'r Ddeddf ddod i rym.

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

14 Hydref 2003

Llywydd y Cynulliad Cenedlaethol

(a) OS 1996/640 fel y'i diwygiwyd gan O.S. 2000/479 (Cy.20).

(b) OS 1977/874.

(c) 1998 p.38.

(3) Notwithstanding the repeal of Schedule 7 to the 1977 Act, the Community Health Council Regulations 1996(**a**) and the National Health Service (Association of Community Health Councils) Regulations 1977(**b**) shall continue to have effect.

Appointed days for provisions relating to the Wales Centre for Health

3. -(1) 20th October 2003 is the day appointed for the coming into force, for the purposes of making regulations only, of sections 2 and 3 of, and paragraph 10 of Schedule 2 to, the Act.

(2) 1st April 2005 is the day appointed for the coming into force for all remaining purposes of sections 2, 3 and 7(1) of the Act and Schedules 2 and 3 to the Act , except for paragraph 16 of Schedule 3.

Appointed day for provisions relating to Health Professions Wales and supplementary and general provisions

4. 20th October 2003 is the day appointed for the coming into force of sections 4, 5 and 6 of the Act.

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

14th October 2003

D. Elis-Thomas

The Presiding Officer of the Assembly

(a) SI 1996/640 as amended by S.I. 2000/479 (W.20).

(b) SI 1977/874.

(c) 1998 c.38.

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