



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2023 Rhif 370 (Cy. 56) (C. 16)**

**2023 No. 370 (W. 56) (C. 16)**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

**GOFAL CYMDEITHASOL,  
CYMRU**

**SOCIAL CARE, WALES**

Gorchymyn Deddf Iechyd a Gofal  
Cymdeithasol (Ansawdd ac  
Ymgysylltu) (Cymru) 2020  
(Cychwyn Rhif 4) 2023

The Health and Social Care  
(Quality and Engagement) (Wales)  
Act 2020 (Commencement No. 4)  
Order 2023

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn a wneir gan Weinidogion Cymru yn dwyn i rym ddarpariaethau penodol yn Neddf Iechyd a Gofal Cymdeithasol (Ansawdd ac Ymgysylltu) (Cymru) 2020 ("y Ddeddf").

Mae erthygl 2 o'r Gorchymyn hwn yn dwyn i rym y darpariaethau a ganlyn o'r Ddeddf ar 29 Mawrth 2023—

- (a) adran 23(3) (dileu Cynghorau Iechyd Cymuned, a materion cysylltiedig);
- (b) Atodlen 2 (trosglwyddo eiddo, hawliau a rhwymedigaethau).

Mae erthygl 3(1) o'r Gorchymyn hwn yn dwyn i rym y darpariaethau a ganlyn o'r Ddeddf ar 1 Ebrill 2023—

- (a) adran 1 (trosolwg o'r Ddeddf hon);
- (b) adran 2 (ansawdd wrth ddarparu gwasanaethau iechyd);
- (c) adran 3 (pryd y mae'r ddyletswydd gonestrwydd yn gymwys);
- (d) adran 5 (darparwyr gofal sylfaenol: dyletswydd i lunio adroddiad);

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order made by the Welsh Ministers brings into force certain provisions of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 ("the Act").

Article 2 of this Order brings the following provisions of the Act into force on 29 March 2023—

- (a) section 23(3) (abolition of Community Health Councils, and connected matters);
- (b) Schedule 2 (transfer of property, rights and liabilities).

Article 3(1) of this Order brings the following provisions of the Act into force on 1 April 2023—

- (a) section 1 (overview of this Act);
- (b) section 2 (quality in the provision of health services);
- (c) section 3 (when the duty of candour applies);
- (d) section 5 (primary care providers: duty to prepare report);

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| (e) adran 6 (cyflenwi a chrynhoi adroddiad o dan adran 5);   | (e) section 6 (supply and summary of report under section 5);  |
| (f) adran 7 (Bwrdd Iechyd Lleol, ymddiriedolaeth GIG ac Awdurdod Iechyd Arbennig: gofynion adrodd);  | (f) section 7 (Local Health Board, NHS trust and Special Health Authority: reporting requirements);  |
| (g) adran 8 (cyhoeddi crynodeb adran 6 ac adroddiad adran 7);  | (g) section 8 (publication of section 6 summary and section 7 report);   |
| (h) adran 9 (cyfrinachedd);  | (h) section 9 (confidentiality);   |
| (i) adran 10 (canllawiau a roddir gan Weinidogion Cymru);  | (i) section 10 (guidance given by the Welsh Ministers);  |
| (j) adran 13 (amcan cyffredinol);  | (j) section 13 (general objective);  |
| (k) adran 14 (ymwybyddiaeth y cyhoedd a datganiad polisi);   | (k) section 14 (public awareness and statement of policy);   |
| (l) adran 15 (sylwadau i gyrff cyhoeddus);   | (l) section 15 (representations to public bodies);   |
| (m) adran 16 (gwasanaethau eirioli etc. mewn cysylltiad â chwynion am wasanaethau);  | (m) section 16 (advocacy services etc. in respect of complaints about services);   |
| (n) adran 17 (dyletswydd i hybu ymwybyddiaeth o weithgareddau Corff Llais y Dinesydd);   | (n) section 17 (duty to promote awareness of activities of Citizen Voice Body);  |
| (o) adran 18 (dyletswydd i gyflenwi gwybodaeth i Gorff Llais y Dinesydd);  | (o) section 18 (duty to supply information to Citizen Voice Body);   |
| (p) adran 20 (cydweithredu rhwng y Corff, awdurdodau lleol a chyrrff y GIG);   | (p) section 20 (co-operation between the Body, local authorities and NHS bodies);  |
| (q) adran 23(1) a (2) (dileu Cyngorau Iechyd Cymuned, a materion cysylltiedig);  | (q) section 23(1) and (2) (abolition of Community Health Councils, and connected matters);   |
| (r) adran 27 (mân ddiwygiadau a diwygiadau canlyniadol);   | (r) section 27 (minor and consequential amendments);   |
| (s) paragraffau 6 (penodi'r aelod cyswllt), 7 (telerau aelodaeth gyswllt etc.) ac 8 (anghymhwyso rhag penodiad fel aelod anweithredol) o Atodlen 1 (Corff Llais y Dinesydd ar gyfer Iechyd a Gofal Cymdeithasol, Cymru); | (s) paragraphs 6 (appointment of the associate member), 7 (terms of associate membership etc.) and 8 (removal of associate member from office) of Schedule 1 (Citizen Voice Body for Health and Social Care, Wales); |
| (t) Atodlen 3 (mân ddiwygiadau a diwygiadau canlyniadol).  | (t) Schedule 3 (minor and consequential amendments).   |

Mae erthygl 3(2) o'r Gorchymyn hwn yn dwyn i rym y darpariaethau a ganlyn o'r Ddeddf ar 1 Ebrill 2023, i'r graddau nad yw'r darpariaethau hynny eisoes wedi eu cychwyn—

Article 3(2) of this Order brings the following provisions of the Act into force on 1 April 2023, to the extent that those provisions have not already been commenced—

- |  |   |
|--|---|
| (a) adran 4 (gweithdrefn dyletswydd gonestrwydd);        | (a) section 4 (duty of candour procedure);                        |
| (b) adran 11 (dehongli “gofal iechyd” a thermau eraill). | (b) section 11 (interpretation of “health care” and other terms). |

**NODYN AM Y GORCHMYNION CYCHWYN  
CYNHARACH**

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

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym drwy Orchymynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
Adran 24	8 Mawrth 2022	2022/208 (Cy. 66) (C. 9)
Adran 26	8 Mawrth 2022	2022/208 (Cy. 66) (C. 9)
Adran 12	1 Ebrill 2022	2022/208 (Cy. 66) (C. 9)
Adran 19 (yn rhannol)	1 Ebrill 2022	2022/208 (Cy. 66) (C. 9)
Adran 21	1 Ebrill 2022	2022/208 (Cy. 66) (C. 9)
Adran 22	1 Ebrill 2022	2022/208 (Cy. 66) (C. 9)
Adran 4 (yn rhannol)	7 Mawrth 2023	2023/259 (Cy. 36) (C. 13)
Adran 11 (yn rhannol)	7 Mawrth 2023	2023/259 (Cy. 36) (C. 13)
Adran 25	7 Mawrth 2023	2023/259 (Cy. 36) (C. 13)
Adran 28	7 Mawrth 2023	2023/259 (Cy. 36) (C. 13)
Atodlen 1 (ac eithrio paragraffau 6, 7, 8 a 22 o'r Atodlen honno)	1 Ebrill 2022	2022/208 (Cy. 66) (C. 9)
Paragraff 22 o Atodlen 1	1 Hydref 2022	2022/996 (Cy. 212)(1)

*Gweler* hefyd adran 29(1) o'r Ddeddf ar gyfer y darpariaethau a ddaeth i rym ar 1 Mehefin 2020 (dyddiad y Cydsyniad Brenhinol).

**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 Orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 24	8 March 2022	2022/208 (W. 66) (C. 9)
Section 26	8 March 2022	2022/208 (W. 66) (C. 9)
Section 12	1 April 2022	2022/208 (W. 66) (C. 9)
Section 19 (partially)	1 April 2022	2022/208 (W. 66) (C. 9)
Section 21	1 April 2022	2022/208 (W. 66) (C. 9)
Section 22	1 April 2022	2022/208 (W. 66) (C. 9)
Section 4 (partially)	7 March 2023	2023/259 (W. 36) (C. 13)
Section 11 (partially)	7 March 2023	2023/259 (W. 36) (C. 13)
Section 25	7 March 2023	2023/259 (W. 36) (C. 13)
Section 28	7 March 2023	2023/259 (W. 36) (C. 13)
Schedule 1 (save for paragraphs 6, 7, 8 and 22 of that Schedule)	1 April 2022	2022/208 (W. 66) (C. 9)
Paragraph 22 of Schedule 1	1 October 2022	2022/996 (W. 212)(1)

*See* also section 29(1) of the Act for the provisions that came into force on 1 June 2020 (the date of Royal Assent).

(1) Ni ddyrannwyd rhif i'r offeryn yn y gyfres o Offerynnau Cychwyn.

(1) Instrument not allocated number in the Commencement Instruments series.

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**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
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**GOFAL CYMDEITHASOL,  
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**SOCIAL CARE, WALES**

Gorchymyn Deddf Iechyd a Gofal  
Cymdeithasol (Ansawdd ac  
Ymgysylltu) (Cymru) 2020  
(Cychwyn Rhif 4) 2023

The Health and Social Care  
(Quality and Engagement) (Wales)  
Act 2020 (Commencement No. 4)  
Order 2023

*Gwnaed*

*26 Mawrth 2023*

*Made*

*26 March 2023*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 29(2) a (3)(a) o Ddeddf Iechyd a Gofal Cymdeithasol (Ansawdd ac Ymgysylltu) (Cymru) 2020(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on them by section 29(2) and (3)(a) of the Health and Social Care (Quality and Engagement) (Wales) Act 2020(1), make the following Order:

#### **Enwi a dehongli**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd a Gofal Cymdeithasol (Ansawdd ac Ymgysylltu) (Cymru) 2020 (Cychwyn Rhif 4) 2023.

(2) Yn y Gorchymyn hwn, ystyr “y Ddeddf” yw Deddf Iechyd a Gofal Cymdeithasol (Ansawdd ac Ymgysylltu) (Cymru) 2020.

#### **Title and interpretation**

1.—(1) The title of this Order is the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (Commencement No. 4) Order 2023.

(2) In this Order, “the Act” means the Health and Social Care (Quality and Engagement) (Wales) Act 2020.

#### **Y darpariaethau sy'n dod i rym ar 29 Mawrth 2023**

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 29 Mawrth 2023—

- (a) adran 23(3);
- (b) Atodlen 2.

#### **Provisions coming into force on 29 March 2023**

2. The following provisions of the Act come into force on 29 March 2023—

- (a) section 23(3);
- (b) Schedule 2.

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(1) 2020 dsc 1.

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(1) 2020 asc 1.

### Y darpariaethau sy'n dod i rym ar 1 Ebrill 2023

3.—(1) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2023—

- (a) adran 1;
- (b) adran 2;
- (c) adran 3;
- (d) adran 5;
- (e) adran 6;
- (f) adran 7;
- (g) adran 8;
- (h) adran 9;
- (i) adran 10;
- (j) adran 13;
- (k) adran 14;
- (l) adran 15;
- (m) adran 16;
- (n) adran 17;
- (o) adran 18;
- (p) adran 20;
- (q) adran 23(1) a (2);
- (r) adran 27;
- (s) paragraffau 6, 7 ac 8 o Atodlen 1;
- (t) Atodlen 3.

(2) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2023, i'r graddau nad ydynt eisoes mewn grym—

- (a) adran 4;
- (b) adran 11.

### Provisions coming into force on 1 April 2023

3.—(1) The following provisions of the Act come into force on 1 April 2023—

- (a) section 1;
- (b) section 2;
- (c) section 3;
- (d) section 5;
- (e) section 6;
- (f) section 7;
- (g) section 8;
- (h) section 9;
- (i) section 10;
- (j) section 13;
- (k) section 14;
- (l) section 15;
- (m) section 16;
- (n) section 17;
- (o) section 18;
- (p) section 20;
- (q) section 23(1) and (2);
- (r) section 27;
- (s) paragraphs 6, 7 and 8 of Schedule 1;
- (t) Schedule 3.

(2) The following provisions of the Act come into force on 1 April 2023, so far as not already in force—

- (a) section 4;
- (b) section 11.

*Eluned Morgan*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru  
26 Mawrth 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Health and Social Services, one of the  
Welsh Ministers  
26 March 2023

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