

**CYNULLIAD CENEDLAETHOL
CYMRU**

**OFFERYNNAU
STATUDOL**

**2001 Rhif (Cy.)
PLANT A PHERSONAU IFANC,
CYMRU**

**Rheoliadau Diwygio Cartrefi Plant
(Cymru) 2001**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cartrefi Plant 1991 mewn perthynas â Chymru o ganlyniad i ddwyn i rym, hefyd ar 28 Chwefror 2001, adran 40 o Ddeddf Safonau Gofal 2000 (2000 p.14). Mae adran 40 yn diwygio adran 63(3)(a) o Ddeddf Plant 1989 er mwyn ei gwneud yn ofynnol i gartrefi plant sy'n cael eu rhedeg yn breifat ac sy'n lletya a gofalu am lai na phedwar o blant i gael eu cofrestru gyda'r awdurdod lleol y lleolir hwy yn eu hardal yn yr un modd â chartrefi mwy i blant. Effaith y Rheoliadau hyn, yn ddarostyngedig i gyfyngiadau presennol ar berson sy'n maethu mwy na thri o

NATIONAL ASSEMBLY FOR WALES

**STATUTORY
INSTRUMENTS**

**2001 No. (W.)
CHILDREN AND YOUNG PERSONS,
WALES**

**The Children's Homes Amendment
(Wales) Regulations 2001**

EXPLANATORY NOTE

*(This note does not form part of the
Regulations)*

These Regulations amend the Children's Homes Regulations 1991 in relation to Wales as a consequence of the coming into force, also on 28th February 2001, of section 40 of the Care Standards Act 2000 (2000 c.14). Section 40 amends section 63(3)(a) of the Children Act 1989 so as to require privately operated children's homes which accommodate and care for less than four children to be registered with the local authority in whose area they are located in the same way as larger children's homes. The effect of these Regulations is, subject to existing restrictions on a person fostering more than three children, to

EM

blant, yw esemptio cartrefi y caiff plant eu lletya ynddynt fel plant maeth o'r gofyniad i gofrestru fel cartref plant.

exempt homes in which children are accommodated as foster children from the requirement to register as a children's home.

**OFFERYNNAU
STATUDOL**

2001 Rhif (Cy.)
**PLANT A PHERSONAU IFANC,
CYMRU**

**Rheoliadau Diwygio Cartrefi Plant
(Cymru) 2001**

Wedi'u gwneud 2001
Yn dod i rym 28 Chwefror 2001

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 63(3) o Ddeddf Plant 1989(a) ac sy'n arferadwy ganddo bellach mewn perthynas â Cymru(b).

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Diwygio Cartrefi Plant (Cymru) 2001 a deuant i rym ar 28 Chwefror 2001.

(2) Yn y Rheoliadau hyn, ystyr "y Ddeddf" yw Deddf Plant 1989.

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

Diwygio Rheoliadau Cartrefi Plant

**STATUTORY
INSTRUMENTS**

2001 No. (W.)
**CHILDREN AND YOUNG PERSONS,
WALES**

**The Children's Homes Amendment
(Wales) Regulations 2001**

Made 2001
Coming into force 28th
February 2001

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred upon the Secretary of State by section 63(3) of the Children Act 1989 (a) and now exercisable by it in relation to Wales (b).

Citation, commencement, interpretation and application

1.-(1) These Regulations may be cited as the Children's Homes Amendment (Wales) Regulations 2001 and shall come into force on 28th February 2001.

(2) In these Regulations, "the Act" means the Children Act 1989.

(3) These Regulations apply to Wales.

Amendment of the Children's Homes

1991

2.-(1) Diwygir Rheoliadau Cartrefi Plant 1991(c) drwy fewnosod y rheoliad canlynol ar ôl rheoliad 3A-

“Exemption from registration as a children’s home

3B.-(1) Subject to section 63(12) and Schedule 7 to the Act (Foster parents: limits on number of foster children), any home in which a child is cared for and accommodated by a person who-

- (a) is a local authority foster parent in relation to the child; or
- (b) is a foster parent with whom the child has been placed by a voluntary organisation; or
- (c) fosters the child privately,

is so far as the provision of care and accommodation for that child is concerned, exempt from the definition of a “children’s home” in section 63(3) of the Act.”

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

[] 2001

Llywydd y Cynulliad Cenedlaethol

Regulations 1991

2.-(1) The Children’s Homes Regulations 1991 (c) shall be amended by inserting after regulation 3A, the following regulation-

“Exemption from registration as a children’s home

3B.-(1) Subject to section 63(12) and Schedule 7 to the Act (Foster parents: limits on number of foster children), any home in which a child is cared for and accommodated by a person who-

- (a) is a local authority foster parent in relation to the child; or
- (b) is a foster parent with whom the child has been placed by a voluntary organisation; or
- (c) fosters the child privately,

is so far as the provision of care and accommodation for that child is concerned, exempt from the definition of a “children’s home” in section 63(3) of the Act.”

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

[] 2001

The Presiding Officer of the National Assembly

[ENDNOTES – WILL APPEAR IN PRINTED VERSION AS FOOTNOTES]

(a) 1989 p.41.

(b) Yn gyffredin â holl swyddogaethau'r Ysgrifennydd Gwladol o dan y Ddeddf i'r graddau y maent yn arferadwy yng Nghymru trosglwyddwyd y pŵer hwn i Gynulliad Cenedlaethol Cymru; *gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Mewn perthynas â Lloegr mae'r pŵer yn arferadwy o hyd gan yr Ysgrifennydd Gwladol.

(c) O.S. 1991 Rhif 1506. Yr offeryn diwygio perthnasol yw O.S. 1993 Rhif 3069.

(ch) 1998 p.38.

(a) 1989 c.41.

(b) In common with all functions of the Secretary of State under the Act so far as exercisable in relation to Wales this power has been transferred to the National Assembly for Wales: see the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). In relation to England the power remains exercisable by the Secretary of State.

(c) S.I. 1991 No.1506. The relevant amending instrument is S.I. 1993 No.3069.

(d) 1998 c.38.