Rheoliadau drafft a osodwyd gerbron Senedd Cymru yn unol â gweithdrefn gymeradwyo'r Senedd o dan adran 10(6)(d) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2).

O F F E R Y N N A U   S T A T U D O L   C Y M R U   D R A F F T

2026 Rhif

Rheoliadau Datganiadau Blynyddol (Diwygiadau Amrywiol) (Cymru) 2026

Gwnaed	*****
Yn dod i rym	*1 Ebrill 2026*

Draft Regulations laid before Senedd Cymru in accordance with the Senedd approval procedure under section 10(6)(d) of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

D R A F T   W E L S H   S T A T U T O R Y   I N S T R U M E N T S

2026 No.

The Annual Returns (Miscellaneous Amendments) (Wales) Regulations 2026

Made	*****
Coming into force	*1 April 2026*

Rheoliadau drafft a osodwyd gerbron Senedd Cymru yn unol â gweithdrefn gymeradwyo'r Senedd o dan adran 10(6)(d) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2).

O F F E R Y N N A U S T A T U D O L C Y M R U D R A F F T

2026 Rhif

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Datganiadau Blynyddol (Diwygiadau Amrywiol) (Cymru) 2026

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017 ("Rheoliadau 2017"), a wnaed o dan adran 10 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 ("Deddf 2016"). Maent hefyd yn gwneud mân ddiwygiad i Reoliadau Gwasanaethau Rheoleiddiedig (Hysbysiadau Cosb) (Cymru) 2019, sy'n codi o newidiadau i adran 48 o Ddeddf 2016 a gyflwynwyd gan adran 14(3)(c) o Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025 ("Deddf 2025").

Mae'r diwygiadau i Reoliadau 2017 yn adlewyrchu darpariaethau a fewnosodwyd yn Neddf 2016 gan Ddeddf 2025 ynghylch rheoleiddio "gwasanaethau plant o dan gyfyngiad". Mae'r term hwn wedi ei ddiffinio yn adran 2A o Ddeddf 2016. Mae rheoliad 2(2) o'r Rheoliadau hyn yn mewnosod rheoliad newydd 6A yn Rheoliadau 2017. Mae'r ddarpariaeth newydd hon yn ei gwneud yn ofynnol i ddarparwyr gwasanaethau (heblaw awdurdodau lleol) sy'n darparu gwasanaeth plant o dan gyfyngiad gynnwys yn eu datganiad blynyddol ddatganiad sy'n cadarnhau eu bod yn parhau i fodloni'r gofyniad yn adran 6A(1) o Ddeddf 2016.

Mae adran 6A(1) o Ddeddf 2016 yn darparu na chaniateir i berson nad yw'n awdurdod lleol ond cael ei gofrestru i ddarparu gwasanaeth plant o dan gyfyngiad os yw'n endid nid-er-elw. Nid yw'r gofyniad hwn yn gymwys i ddarparwyr gwasanaethau sy'n esempt rhag adran 6A yn rhinwedd paragraff 2(4) o Atodlen 1A i Ddeddf 2016. Yn unol â hynny, adlewyrchir y sefyllfa hon ym mharagraff (2) o reoliad 6A.

Mae rheoliad 2(3) yn diwygio rheoliad 10 o Reoliadau 2017 er mwyn ei gwneud yn ofynnol i ddarparwyr gwasanaethau gyhoeddi eu datganiadau blynyddol ar eu gwefannau.

Yn ogystal â’r rhwymedigaeth bresennol i gyflwyno datganiadau blynyddol o fewn amserlen benodol, rhaid i ddarparwyr gwasanaethau bellach sicrhau bod y datganiad blynyddol ar gael i’r cyhoedd ar eu gwefan o fewn 91 o ddiwrnodau ar ôl diwedd y flwyddyn ariannol y mae’n ymwneud â hi.

Mae rheoliad 3 yn gwneud diwygiad canlyniadol i reoliad 4 o Reoliadau Gwasanaethau Rheoleiddiedig (Hysbysiadau Cosb) (Cymru) 2019. Mae hyn yn adlewyrchu’r newid a wnaed gan Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025 i bennawd adran 48 o Ddeddf 2016, sydd bellach yn cyfeirio at gyhoeddi, yn ogystal â chyflwyno, datganiadau blynyddol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â’r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o’r costau a’r manteision sy’n debygol o ddeillio o gydymffurfio â’r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac ar y wefan ar https://www.llyw.cymru.

Rheoliadau drafft a osodwyd gerbron Senedd Cymru yn unol â gweithdrefn gymeradwyo'r Senedd o dan adran 10(6)(d) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2).

O F F E R Y N N A U   S T A T U D O L   C Y M R U   D R A F F T

2026 Rhif

GOFAL CYMDEITHASOL, CYMRU

Rheoliadau Datganiadau Blynyddol (Diwygiadau Amrywiol) (Cymru) 2026

Gwnaed	*****
Yn dod i rym	*1 Ebrill 2026*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 10(1)(b), (2A) a (4A) a 187(1)(a) o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016(**1**) ("Deddf 2016") a chan adran 28(1)(a) o Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025(**2**).

Mae'r Rheoliadau hyn wedi eu gosod gerbron Senedd Cymru yn unol â gweithdrefn gymeradwyo'r Senedd o dan adran 10(6)(d) o Ddeddf 2016.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Datganiadau Blynyddol (Diwygiadau Amrywiol) (Cymru) 2026 a deuant i rym ar 1 Ebrill 2026.

Diwygio Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017

2.—(1) Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Datganiadau Blynyddol) (Cymru) 2017(**3**) wedi eu diwygio fel a ganlyn.

(2) Ar ôl rheoliad 6 mewnosoder—

> **"6A.**—(1) Rhaid i ddatganiad blynyddol a gyflwynir gan ddarparwr gwasanaeth, heblaw awdurdod lleol, sy'n darparu gwasanaeth plant o dan gyfyngiad, gynnwys

(**1**) 2016 dccc 2. Diwygiwyd adran 10 gan adrannau 7 a 14(2) o Ddeddf Iechyd a Gofal Cymdeithasol (Cymru) 2025 dsc 1. Mae adran 189(1) o Ddeddf 2016 yn darparu mai ystyr "a ragnodir" a "rhagnodedig" yw wedi ei ragnodi drwy reoliadau a wneir gan Weinidogion Cymru.
(**2**) 2025 dsc 1.
(**3**) O.S. 2017/1097 (Cy. 277).

datganiad bod y darparwr gwasanaeth yn parhau i fodloni'r gofyniad yn adran 6A(1) o'r Ddeddf.

(2) Nid yw paragraff (1) yn gymwys i ddarparwr gwasanaeth nad yw adran 6A o'r Ddeddf yn gymwys iddo yn rhinwedd paragraff 2(4) o Atodlen 1A i'r Ddeddf.

(3) Yn y rheoliad hwn, mae i "gwasanaeth plant o dan gyfyngiad" yr ystyr a roddir gan adran 2A o'r Ddeddf."

(3) Yn rheoliad 10 (terfyn amser ar gyfer cyflwyno datganiadau blynyddol)—

(a) yn y pennawd—

(i) yn lle "Terfyn" rhodder "Terfynau";

(ii) ar ôl "cyflwyno" mewnosoder "a chyhoeddi";

(b) ar ôl paragraff (2), mewnosoder—

"(3) Rhaid cyhoeddi datganiad blynyddol ar wefan y darparwr gwasanaeth heb fod yn hwyrach na 91 o ddiwrnodau ar ôl diwedd y flwyddyn ariannol y mae'n ymwneud â hi."

Diwygiad canlyniadol i Reoliadau Gwasanaethau Rheoleiddiedig (Hysbysiadau Cosb) (Cymru) 2019

3.—(1) Mae Rheoliadau Gwasanaethau Rheoleiddiedig (Hysbysiadau Cosb) (Cymru) 2019(**4**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 4, ar ôl "gyflwyno" mewnosoder "neu gyhoeddi".

Enw
Y Gweinidog Plant a Gofal Cymdeithasol, o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru
Dyddiad

(**4**) O.S. 2019/887 (Cy. 159).

Draft Regulations laid before Senedd Cymru in accordance with the Senedd approval procedure under section 10(6)(d) of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

DRAFT WELSH STATUTORY INSTRUMENTS

2026 No.

SOCIAL CARE, WALES

The Annual Returns (Miscellaneous Amendments) (Wales) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Regulated Services (Annual Returns) (Wales) Regulations 2017 ("the 2017 Regulations"), which were made under section 10 of the Regulation and Inspection of Social Care (Wales) Act 2016 ("the 2016 Act"). They also make a minor amendment to the Regulated Services (Penalty Notices) (Wales) Regulations 2019, arising from changes to section 48 of the 2016 Act introduced by section 14(3)(c) of the Health and Social Care (Wales) Act 2025 ("the 2025 Act").

The amendments to the 2017 Regulations reflect provisions inserted into the 2016 Act by the 2025 Act concerning the regulation of "restricted children's services". This term is defined in section 2A of the 2016 Act. Regulation 2(2) of these Regulations inserts a new regulation 6A into the 2017 Regulations. This new provision requires service providers (other than local authorities) who provide a restricted children's service to include in their annual return a statement confirming that they continue to meet the requirement in section 6A(1) of the 2016 Act.

Section 6A(1) of the 2016 Act provides that a person who is not a local authority may only be registered to provide a restricted children's service if they are a not-for-profit entity. This requirement does not apply to service providers who are exempt from section 6A by virtue of paragraph 2(4) of Schedule 1A to the 2016 Act. Accordingly, this position is reflected in paragraph (2) of regulation 6A.

Regulation 2(3) amends regulation 10 of the 2017 Regulations to require service providers to publish their annual returns on their websites. In addition to the existing obligation to submit annual returns within a specified timeframe, service providers must now ensure

that the annual return is made publicly available on their website within 91 days following the end of the financial year to which it relates.

Regulation 3 makes a consequential amendment to regulation 4 of the Regulated Services (Penalty Notices) (Wales) Regulations 2019. This reflects the change made by the Health and Social Care (Wales) Act 2025 to the heading of section 48 of the 2016 Act, which now refers to both the submission and publication of annual returns.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ and on the website at https://www.gov.wales.

Draft Regulations laid before Senedd Cymru in accordance with the Senedd approval procedure under section 10(6)(d) of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

D R A F T   W E L S H   S T A T U T O R Y   I N S T R U M E N T S

2026 No.

SOCIAL CARE, WALES

The Annual Returns (Miscellaneous Amendments) (Wales) Regulations 2026

Made	*****
Coming into force	*1 April 2026*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 10(1)(b), (2A) and (4A) and 187(1)(a) of the Regulation and Inspection of Social Care (Wales) Act 2016(**1**)("the 2016 Act"), and section 28(1)(a) of the Health and Social Care (Wales) Act 2025(**2**).

These Regulations have been laid before Senedd Cymru in accordance with the Senedd approval procedure under section 10(6)(d) of the 2016 Act.

Title and coming into force

1. The title of these Regulations is the Annual Returns (Miscellaneous Amendments) (Wales) Regulations 2026 and they come into force on 1 April 2026.

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

2.—(1) The Regulated Services (Annual Returns) (Wales) Regulations 2017(**3**)are amended as follows.

(2) After regulation 6 insert—

> **"6A.**—(1) An annual return which is submitted by a service provider, other than a local authority, that provides a restricted children's service, must contain a statement that the service provider continues to meet the requirement in section 6A(1) of the Act.
>
> (2) Paragraph (1) does not apply to a service provider to which section 6A of the Act does not apply by virtue of paragraph 2(4) of Schedule 1A to the Act.

(**1**) 2016 anaw 2. Section 10 was amended by sections 7 and 14(2) of the Health and Social Care (Wales) Act 2025 asc 1. Section 189(1) of the 2016 Act provides that "prescribed" means prescribed in regulations made by the Welsh Ministers.
(**2**) 2025 asc 1.
(**3**) S.I. 2017/1097 (W. 277).

(3) In this regulation, “restricted children’s service” has the meaning given by section 2A of the Act.”

(3) In regulation 10 (time limit for submission of annual returns)—

(a) in the heading—

(i) for “limit” substitute “limits”;

(ii) after “submission” insert “and publication”;

(b) after paragraph (2), insert—

“(3) An annual return must be published on the service provider’s website no later than 91 days following the end of the financial year to which it relates.”

Consequential amendment to the Regulated Services (Penalty Notices) (Wales) Regulations 2019

3.—(1) The Regulated Services (Penalty Notices) (Wales) Regulations 2019(**4**)are amended as follows.

(2) In regulation 4, after “submit” insert “or publish”.

Name
Minister for Children and Social Care, under the authority the Cabinet Secretary for Health and Social Care, one of the Welsh Ministers
Date

(**4**) S.I. 2019/887 (W. 159).