CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 1075 (Cy.51)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau Diwygio'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) (Cymru) 2001

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) 1974 (y "prif Reoliadau").

Estynnwyd Deddf Proffesiynau sy'n Atodol i Feddygaeth 1960 ("y Ddeddf") ym 1997 i gynnwys prosthetegwyr ac orthotegwyr a therapyddion celfyddydau ymhlith y proffesiynau sy'n cael eu rheoleiddio o dan y Ddeddf.

Mae'r Rheoliadau hyn yn ychwanegu'r proffesiynau hynny at y rhai y gwaherddir eu cyflogi gan Awdurdodau Iechyd ac Awdurdodau Iechyd Arbennig at ddibenion darparu gwasanaethau o dan y Gwasanaeth Iechyd Gwladol, ac eithrio pan gynhwyswyd eu henwau yn y gofrestr a gedwir yn unol ag adran 2(1) o'r Ddeddf gan y Byrddau sy'n cadw cofrestrau ar gyfer y proffesiynau hynny, neu pan y'u cyflogid yn y swyddi hynny yn union cyn i'r Rheoliadau hyn ddod i rym.

Yn ychwanegol, mae rheoliad 2(2) yn dileu'r cyfeiriad at gymnastwyr adferol o'r prif Reoliadau am nad yw'r Ddeddf bellach yn cynnwys y proffesiwn hwn ar wahân. Daeth yn rhan o broffesiwn y ffisiotherapyddion.

Diweddarwyd rhestr yr awdurdodau y mae'r prif Reoliadau'n gymwys iddynt gan reoliad 2(4).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 1075 (W.51)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Professions Supplementary to Medicine) Amendment (Wales) Regulations 2001

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations amend the National Health Service (Professions Supplementary to Medicine) Regulations 1974 (the "principal Regulations").

The Professions Supplementary to Medicine Act 1960 ("the Act") was extended in 1997 to include prosthetists and orthotists and arts therapists among the professions regulated under that Act.

These Regulations add those professions to those whose employment by Health Authorities and Special Health Authorities is prohibited for the purposes of providing services under the National Health Service, except where their names are included in the register maintained pursuant to section 2(1) of the Act by the Boards holding registers for those professions, or they were employed in that capacity immediately before the coming into force of these Regulations.

In addition, regulation 2(2) removes the reference to remedial gymnasts from the principal Regulations because the Act no longer extends to this profession separately. It has became part of the profession of physiotherapists.

The list of authorities to which the principal Regulations apply is updated by regulation 2(4).

OFFERYNNAU STATUDOL

2001 Rhif 1075 (Cy.51)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau Diwygio'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) (Cymru) 2001

Wedi'u gwneud	*13 Mawrth 2001*
Yn dod i rym	*1 Ebrill 2001*

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd gan baragraff 10(1) o Atodlen 5 i Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**a**) i'r Ysgrifennydd Gwladol ac a freiniwyd bellach yn y Cynulliad Cenedlaethol(**b**) ar ôl ymgynghori yn unol â pharagraff 11(1) o'r Atodlen honno â chyrff sy'n cael eu cydnabod gan y Cynulliad Cenedlaethol fel rhai sy'n cynrychioli personau sy'n debygol o gael eu heffeithio, drwy hyn yn gwneud y Rheoliadau canlynol:-

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Diwygio'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) (Cymru) 2000, a deuant i rym ar 1 Ebrill 2001.

(2) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) 1974(**c**).

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

(a) 1977 p.49; gweler adran 128(1) fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) adran 26(2)(g) ac (i), ar gyfer y diffinadau o "prescribed" a "regulations". Diwygiwyd paragraff 10(1) o Atodlen 5 gan Ddeddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983 (p.41), Atodlen 6, paragraff 3; gan Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48), Atodlen 3, paragraff 14, ac Atodlen 8, Rhan I; a chan Ddeddf Awdurdodau Iechyd 1995 (p.17), Atodlen 1, paragraff 60(c).

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan y darpariaethau y gwneir y rheoliadau hyn o danynt i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosgwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1974/494, a ddiwygiwyd gan O.S. 1978/1090, 1982/288 ac 2000/523.

STATUTORY INSTRUMENTS

2001 No. 1075 (W.51)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Professions Supplementary to Medicine) Amendment (Wales) Regulations 2001

Made	*13th March 2001*
Coming into force	*1 April 2001*

The National Assembly for Wales in exercise of the powers conferred by paragraph 10(1) of Schedule 5 to the National Health Service Act 1977(**a**) on the Secretary of State and now vested in the National Assembly(**b**) after consulting in accordance with paragraph 11(1) of that Schedule bodies recognised by the National Assembly as representing persons likely to be affected, hereby makes the following Regulations:-

Citation, commencement , interpretation and application

1.-(1) These Regulations may be cited as the National Health Service (Professions Supplementary to Medicine) Amendment (Wales) Regulations 2001, and shall come into force on 1 April 2001

(2) In these Regulations, "the principal Regulations" means the National Health Service (Professions Supplementary to Medicine) Regulations 1974(**c**).

(3) These Regulations apply to Wales.

(a) 1977 c.49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c.19) section 26(2)(g) and (i), for the definitions of "prescribed" and "regulations". Paragraph 10(1) of Schedule 5 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 6, paragraph 3; by the Health and Social Security Act 1984 (c.48), Schedule 3, paragraph 14, and Schedule 8, Part I; and by the Health Authorities Act 1995 (c.17), Schedule 1, paragraph 60(c).

(b) The functions of the Secretary of State under the provisions under which these regulations are made were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 1974/494, amended by S.I. 1978/1090, 1982/288 and 2000/523.

Diwygio rheoliad 3 o'r prif Reoliadau

2.-(1) Diwygir rheoliad 3 o'r prif Reoliadau (cyflogi swyddogion) fel a ganlyn:

(2) Ym mharagraff (1), yn lle "radiographer or remedial gymnast" rhoddir "or radiographer"(**a**).

(3) Ar ôl paragraff (1), mewnosodir y paragraff canlynol -

"(1A) No person shall be employed as an officer of an authority to which this regulation applies, in the capacity of prosthetist and orthotist or arts therapist unless -

(a) that person is registered in respect of that profession; or

(b) that person has never been registered as a prosthetist and orthotist or arts therapist, but who, immediately before 1 April 2001, was employed in that capacity by an authority, in England or Wales, to which this regulation applies.".

(4) Yn lle paragraff (2) rhoddir -

"(2) The authorities to which this regulation applies are -

(a) Health Authorities;

(b) Special Health Authorities.".

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

Amendment of regulation 3 of the principal Regulations

2.-(1) Regulation 3 of the principal Regulations (employment of officers) shall be amended as follows:

(2) In paragraph (1), for "radiographer or remedial gymnast" there shall be substituted "or radiographer"(**a**).

(3) After paragraph (1), there shall be inserted the following paragraph -

"(1A) No person shall be employed as an officer of an authority to which this regulation applies, in the capacity of prosthetist and orthotist or arts therapist unless -

(a) that person is registered in respect of that profession; or

(b) that person has never been registered as a prosthetist and orthotist or arts therapist, but who, immediately before 1 April 2001, was employed in that capacity by an authority, in England or Wales, to which this regulation applies.".

(4) For paragraph (2) there shall be substituted -

"(2) The authorities to which this regulation applies are -

(a) Health Authorities;

(b) Special Health Authorities.".

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

D. Elis Thomas

13 Mawrth 2001

Llywydd y Cynulliad Cenedlaethol

13th March 2001

The Presiding Officer of the National Assembly

(a) Dileodd O.S. 1986/630 gymnastwyr adferol o'r rhestr o broffesiynau y mae Deddf Proffesiynau sy'n Atodol i Feddygaeth 1960 (p.66) yn gymwys iddynt.

(b)1998 c.38

(a) S.I. 1986/630 removed remedial gymnasts from the list of professions to which the Professions, Supplementary to Medicine Act 1960 (c.66) applies.

(b) 1998 p.38

CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 1075 (Cy.51)

2001 No.1075 (W.51)

Y GWASANAETH IECHYD GWLADOL, CYMRU

NATIONAL HEALTH SERVICE, WALES

Rheoliadau Diwygio'r Gwasanaeth Iechyd Gwladol (Proffesiynau sy'n Atodol i Feddygaeth) (Cymru) 2001

The National Health Service (Professions Supplementary to Medicine) Amendment (Wales) Regulations 2001

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