



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 3322 (Cy.275)

2001 No. 3322 (W.275)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Treuliau Teithio a
Pheidio â Chodi Tâl) (Diwygio)
(Rhif 2) (Cymru)
2001

The National Health Service
(Travelling Expenses and
Remission of Charges)
(Amendment)(No.2)(Wales)
Regulations 2001

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio ymhellach ar Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) 1988 ("y prif Rheoliadau") sy'n darparu ar gyfer peidio â chodi taliadau penodol ac ad-dalu taliadau penodol a fyddai'n daladwy fel arall o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977 ac ar gyfer talu treuliau teithio penodol a dynnir wrth fynd i'r ysbty.

Mae **Rheoliad 2** yn galluogi plant sy'n ymadael gofal awdurdod lleol ac sy'n cael eu cynnal yn gyfan gwbl neu'n rhannol gan yr awdurdod hwnnw fanteisio drwy beidio â thalu dim taliadau neu gael ad-daliadau llawn, a chael talu eu treuliau teithio.

Mae **Rheoliadau 3** a **4** yn gwneud diwygiadau canlyniadol.

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988 ("the principal Regulations") which provide for the remission and repayment of certain charges that would otherwise be payable under the National Health Service Act 1977 and for the payment of certain travelling expenses incurred in attending hospital.

Regulation 2 enables children leaving the care of a local authority and who are being wholly or partly maintained by that authority to benefit from full remission or repayment of charges and payment of travelling expenses.

Regulations 3 and **4** make consequential amendments.

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*Wedi'u gwneud**28 Medi 2001**Made**28th September 2001**Yn dod i rym**1 Hydref 2001**Coming into force**1st October 2001*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 83A, 126(4) a 128(1) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(a), drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales in exercise of the powers conferred upon it by sections 83A, 126(4) and 128(1) of the National Health Service Act 1977 (a) hereby makes the following Regulations:

Enwi, cychwyn, dehongli a chymhwyso**Citation, commencement, interpretation and application**

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Diwygio) (Rhif 2) (Cymru) 2001 a deuant i rym ar 1 Hydref 2001.

1.-(1) These Regulations may be cited as the National Health (Travelling Expenses and Remission of Charges) (Amendment) (No.2) (Wales) Regulations 2001 and shall come into force on 1st October 2001.

(2) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) 1988(b).

(2) In these Regulations, "the principal Regulations" means the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988(b).

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

(3) These Regulations apply to Wales only.

(a) 1977 p.49; mewnosodwyd adran 83A gan adran 14(1) o Ddeddf Nawdd Cymdeithasol 1988 (p.7) ac fe'i diwygiwyd gan baragraff 6 o Atodlen 2 i Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), gan baragraff 18(5) o Atodlen 9 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Ddeddf 1990") a chan baragraff 40 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p.17).

(a) 1977 c.49; section 83A was inserted by section 14(1) of the Social Security Act 1988 (c.7) and amended by paragraph 6 of Schedule 2 to the Health and Medicines Act 1988 (c.49), by paragraph 18(5) of Schedule 9 to the National Health Service and Community Care Act 1990 (c.19) ("the 1990 Act") and by paragraph 40 of Schedule 1 to the Health Authorities Act 1995 (c.17)

Diwygiwyd adran 126(4) gan adran 65(2) o Ddeddf 1990 a chan Ddeddf Iechyd 1999 (p.8) ("Ddeddf 1999"), Atodlen 4, paragraff 37(6).

Section 126(4) was amended by section 65(2) of the 1990 Act and by the Health Act 1999 (c.8) ("the 1999 Act"), Schedule 4, paragraph 37(6).

Gweler adran 128(1), fel y'i diwygiwyd gan gan adran 26(2)(g) ac (i) o Ddeddf 1990, i gael y diffiniadau o "prescribed" a "regulations".

Section 128(1), as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of "prescribed" and "regulations".

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 83A, 126(4) i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.

The functions of the Secretary of State under sections 83A and 126(4) are transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I.1999/672, article 2 and Schedule 1, as amended by section 66(5) of the 1999 Act.

(b) O.S. 1988/551 fel y'i diwygiwyd gan O.S. 1989/394, 517 a 614, 1990/548, 918 a 1661, 1991/557, 1992/1104, 1993/608, 1995/642 a 2352, 1996/410, 1364 a 2362, 1997/748 a 2393, 1998/2417, 1999/767 a 2840, 2001/1397 (Cy. 92).

(b) S.I.1988/551 as amended by S.I.1989/394, 517 and 614, 1990/548, 918 and 1661, 1991/557, 1992/1104, 1993/608, 1995/642 and 2352, 1996/410, 1364 and 2362, 1997/748 and 2393, 1998/2417, 1999/767 and 2840, 2001/1397/ (W.92).

Diwygio rheoliad 4 o'r prif Reoliadau

2. Yn rheoliad 4 o'r prif Reoliadau (disgrifiad o bersonau sydd â hawl i beidio â thalu dim ac i gael taliad llawn), ar ddiwedd paragraff (m) ychwanegir y gair "or" a'r paragraff canlynol -

"(n) a relevant child for the purposes of section 23A of the Children Act 1989 to whose maintenance a responsible local authority is contributing under section 23B(8) of that Act"(a).

Diwygio rheoliad 7 o'r prif Reoliadau

3. Ym mharagraff 1(a)(ii) o reoliad 7 o'r prif Reoliadau (hawliadau am beidio â thalu neu am daliad), yn lle "or (m)" rhowch "(m) or (n)".

Diwygio Atodlen 1A o'r prif Reoliadau

4. Yn Atodlen 1A o'r prif Reoliadau (cyfnodau dilysrwydd hysbysiadau hawl), ar ôl paragraff 9 ychwanegir y paragraff canlynol-

"10. A relevant child for 12 months or until the purposes of section the child's 18th 23A of the Children Act birthday 1989 to whose whichever is maintenance a longer". responsible local authority is contributing under section 23B(8) of that Act.

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

28 Medi 2001

J.E.Randerson

Ysgrifennydd Cynulliad

(a) 1989 p.41; Mewnosodwyd adrannau 23A a 23B gan adran 2 o Ddeddf Plant (Ymadael â Gofal) 2000 (p.35); gweler hefyd OS2001/2189 (Cy.151).

(b) 1998 c.38.

Amendment of regulation 4 of the principal Regulations

2. In regulation 4 of the principal Regulations (description of persons entitled to full remission and payment), there shall be added at the end of paragraph (m) the word "or" and the following paragraph-

"(n) a relevant child for the purposes of section 23A of the Children Act 1989 to whose maintenance a responsible local authority is contributing under section 23B(8) of that Act"(a).

Amendment of regulation 7 of the principal Regulations

3. In paragraph 1(a)(ii) of regulation 7 of the principal Regulations (claims for remission or payment), for "or (m)" substitute "(m) or (n)".

Amendment of Schedule 1A of the principal Regulations

4. In Schedule 1A of the principal Regulations (periods of validity of notices of entitlement), after paragraph 9 there shall be added the following paragraph-

"10. A relevant child for 12 months or until the purposes of section the child's 18th 23A of the Children Act birthday 1989 to whose whichever is maintenance a longer". responsible local authority is contributing under section 23B(8) of that Act.

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

28th September 2001

Assembly Secretary

(a) 1989 c.41; Sections 23A and 23B were inserted by section 2 of the Children (Leaving Care) Act 2000 (c.35); see also SI2001/2189 (W.151).

(b) 1998 p.38.

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