CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 955 (Cy.129)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997 ("Rheoliadau 1997") a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986 ("Rheoliadau 1986").

Mae Rheoliadau 1997 yn darparu ar gyfer cynllun taliadau i'w gwneud gan yr Awdurdodau Iechyd ac Ymddiriedolaethau GIG drwy gyfrwng system dalebau mewn perthynas â chostau a dynnir gan gategorïau penodol o bersonau mewn cysylltiad â phrofion golwg a chyflenwi, amnewid a thrwsio teclynnau optegol.

Mae Rheoliadau 1986 yn cynnwys darpariaeth ar gyfer trefnu gwasanaethau offthalmig cyffredinol o dan y Gwasanaeth Iechyd Gwladol.

Mae rheoliadau 2 a 3 yn diwygio rheoliad 1 o Reoliadau 1997 i hepgor y diffiniadau o "amount withdrawn", "disabled person's tax credit" a "working families tax credit", rhoi diffinaid newydd yn lle "family" a mewnosod diffiniadau ar gyfer "child tax credit", "disability element" , "gross annual income" a "working tax credit".

Mae'r diwygiadau'n adlewyrchu'r newidiadau a wnaed gan Ddeddf Credydau Treth 2002 ac yn cyflwyno i'r categorïau o bersonau sydd â hawl i gael cymorth tuag at y gost o gyflenwi teclynnau optegol (o

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 955 (W.129)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (Optical Charges and Payments) Regulations 1997 ("the 1997 Regulations") and the National Health Service (General Ophthalmic Services) Regulations 1986 ("the 1986 Regulations").

The 1997 Regulations provide for a scheme of payments to be made by Health Authorities and NHS Trusts by means of a voucher system in respect of costs incurred by certain categories of persons in connection with sight tests and the supply, replacement and repair of optical appliances.

The 1986 Regulations contain provision for the arrangements for general ophthalmic services under the National Health Service.

Regulations 2 and 3 make amendments to regulation 1 of the 1997 Regulations to omit the definitions of "amount withdrawn", "disabled person's tax credit" and "working families tax credit", substitute a new definition of "family" and insert definitions for "child tax credit", "disability element", "gross annual income" and "working tax credit".

The amendments reflect the changes made by the Tax Credits Act 2002 and introduce into the categories of persons entitled to receive assistance towards the cost of supply of optical appliances (under the 1997

dan Reoliadau 1997) a chael prawf llygaid o dan wasanaethau offthalmig cyffredinol (o dan Reoliadau 1986) aelodau o deulu y mae eu hincwm yn disgyn o dan derfyn penodol ac sy'n derbyn credyd treth plant a chredyd treth gwaith, neu gredyd treth gwaith gydag elfen o anabledd. Yn ychwanegol, mae teulu sy'n cael credyd treth plant ond nad oes ganddo hawl i gredyd treth gwaith hefyd yn cael ei gynnwys yn y diffiniad ar yr amod bod ei incwm o fewn yr un terfyn penodedig.

Seilir y terfyn incwm ar incwm blynyddol gros y teulu (h.y. yr incwm cyn didynnu treth a chyfraniadau yswiriant cenedlaethol).

Mae'r newidiadau a wneir gan y diwygiadau hyn yn disodli'r hawl i gael cymorth tuag at y gost o gyflenwi teclynnau optegol a chael prawf llygaid o dan wasanaethau offthalmig cyffredinol a seiliwyd ar dderbyn credyd treth i deuluoedd sy'n gweithio a chredyd treth i bobl anabl.

Mae rheoliad 4 o'r rheoliadau hyn yn mewnosod rheoliad 12A newydd yn Rheoliadau 1997 i ddarparu i Gynulliad Cenedlaethol Cymru gyhoeddi hysbysiadau hawl wedi'u seilio ar yr hawl o dan y Ddeddf Credydau Treth.

Mae rheoliad 5 yn diwygio rheoliad 19 o Reoliadau 1997 (gwerth adbrynu taleb ar gyfer ailosod neu drwsio) i gynyddu gwerth taleb optegol a ddyrodwyd tuag at y gost o ailosod lens gyffwrdd unigol, a chynyddu mwyafswm y cyfraniad drwy daleb at gost trwsio ffrâm sbectol.

Mae rheoliad 6(1) yn diwygio Atodlen 1 o Reoliadau 1997 i gynyddu gwerth y talebau a ddyroddir tuag at gostau cyflenwi ac ailosod gwydrau a lensys cyffwrdd.

Rheoliad 6(2) yn diwygio Atodlen 2 i Reoliadau 1997 i gynyddu gwerthoedd ychwanegol y talebau ar gyfer prismau, arlliwiau, lensys ffotocromaidd a theclynnau mewn categorïau penodol.

Mae rheoliad 6(3) a'r Atodlen yn amnewid Atodlen 3 newydd yn Rheoliadau 1997 i gynyddu gwerth y talebau a roddir tuag at y gost o drwsio ac ailosod teclynnau optegol.

Tua 2.5%, ar gyfartaledd, yw graddfa'r cynnydd.

Mae rheoliad 7 yn darparu bod y cynnydd yng ngwerthoedd y daleb a wneir gan reoliadau 5 a 6 yn gymwys yn unig i dalebau a dderbynir neu a ddefnyddir ar ôl 1 Ebrill 2003.

Mae rheoliadau 8 a 9 o'r Rheoliadau hyn yn diwygio rheoliadau 2 a 13 o Reoliadau 1986 yn sgil diddymu credyd treth i deuluoedd sy'n gweithio a chredyd treth i bobl anabl a'u disodli gan gredyd treth plant a chredyd treth gwaith Ddeddf Credydau Treth 2002.

Regulations) and to receive a sight test under general ophthalmic services (under the 1986 Regulations) members of a family whose income falls below a specified limit and receives child tax credit and working tax credit, or working tax credit with a disability element. In addition, a family that receives child tax credit but is not entitled to working tax credit is also included within the definition provided its income is within the same specified income limit.

The income limit is based on the gross annual income (i.e. income before the deduction of tax and National Insurance contributions) of the family.

The changes made by these amendments replace entitlement to receive assistance towards the cost of supply of optical appliances and to receive a sight test under general ophthalmic services that was based on receipt of working families' tax credit and disabled person's tax credit.

Regulation 4 of these Regulations inserts a new regulation 12A into the 1997 Regulations to provide for the National Assembly for Wales to issue notices of entitlement based on entitlement under the Tax Credits Act.

Regulation 5 amends regulation 19 of the 1997 Regulations (redemption value of voucher for replacement or repair) to increase the value of an optical voucher issued towards the cost of replacing a single contact lens, and to increase the maximum contribution by way of a voucher to the cost of repairing a spectacle frame.

Regulation 6(1) amends Schedule 1 of the 1997 Regulations to increase the value of vouchers issued towards the costs of the supply and replacement of glasses and contact lenses.

Regulation 6(2) amends Schedule 2 to the 1997 Regulations to increase the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances.

Regulation 6(3) and the Schedule substitute a new Schedule 3 in the 1997 Regulations to increase the value of vouchers issued towards the repair and replacement of optical appliances.

The rate of increase is, on average, approximately 2.5%.

Regulation 7 provides that the increases to the voucher values made by regulations 5 and 6 will only apply to vouchers accepted or used after 1st April 2003.

Regulations 8 and 9 of these Regulations make amendments to of regulations 2 and 13 the 1986 Regulations consequent upon the abolition of working families' tax credit and disabled person's tax credit and their replacement by child tax credit and working tax credit by the Tax Credits Act 2002.

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2003 Rhif 955 (W.129)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003

Wedi'u gwneud *31 Mawrth 2003*

Yn dod i rym yn unol â rheoliad 1(2) a (3).

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 38, 39, 78, 126 (4) a 127 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977, a pharagraffau 1977 a 2A o Atodlen 12 iddi(**a**) drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau

(a) 1977 p.49; *gweler* adran 128(1), fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i) i gael y diffiniadau o "prescribed" a "regulations".

Diwygiwyd adran 38 gan Ddeddf Gwasanaethau Iechyd 1980 (p.53) ("Deddf 1980"), adran 1 ac Atodlen 1, paragraff 51; gan Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"), adran 1(3); gan O.S.1985/39, erthygl 7(11); gan Ddeddf Iechyd a Meddyginiaethau 1988 (p.49) ("Deddf 1988"), adran 13(1); a chan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995"), Atodlen 1, paragraff 27.

Cafodd adran 39 ei hestyn gan Ddeddf 1988, adran 17; a'i diwygio gan Ddeddf Gwasanaethau Iechyd 1980 (p. 53), adran 1 ac Atodlen 1, paragraff 52, gan Ddeddf 1984, adran 1(4) ac Atodlen 1, paragraff 1 ac Atodlen 8; gan O.S.1985/39, erthygl 7(12); a chan Ddeddf 1995, Atodlen 1, paragraff 28.

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

Amnewidiwyd paragraff 2(1) o Atodlen 12 gan Ddeddf 1988, Atodlen 2, paragraff 8(1). Cafodd paragraff 2A o Atodlen 12 ei fewnosod gan Ddeddf 1984, Atodlen 1, Rhan 1, paragraff 3 a'i ddiwygio gan Ddeddf 1988, aadran 13(2) a (3).

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 38, 39, 78, 126(4) a 127, a pharagraffau 2 a 2A o Ddeddf 1977 ac Atodlen 12 iddi, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S.1999/672, erthygl 2 ac Atodlen 1, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.

STATUTORY INSTRUMENTS

2003 No. 955 (W.129)

NATIONAL HEALTH SERVIVCE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003

Made *31st March 2003*

Coming into force in accordance with regulation 1(2) and (3).

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 38, 39, 78, 126(4) and 127 of, and paragraphs 2 and 2A of Schedule 12 to, the National Health Service Act 1977(**a**) hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.-(1) These Regulations may be cited as the National Health Service (Optical Charges and

(a) 1977 c.49; *see* section 128(1) as amended by the National Health Service and Community Care Act 1990 (c.19) ("the 1990 Act"), section 26(2)(g) and (i) for the definitions of "prescribed" and "regulations".

Section 38 was amended by the Health Services Act 1980 (c.53) ("the 1980 Act"), section 1 and Schedule 1, paragraph 51; by the Health and Social Security Act 1984 (c.48) ("the 1984 Act"), section 1(3); by S.I.1985/39, article 7(11); by the Health and Medicines Act 1988 (c.49) ("the 1988 Act"), section 13(1); and by the Health Authorities Act 1995 (c.17) ("the 1995 Act"), Schedule 1, paragraph 27.

Section 39 was extended by the 1988 Act, section 17; and amended by the Health Services Act 1980 (c.53), section 1 and Schedule 1, paragraph 52, by the 1984 Act, section 1(4) and Schedule 1, paragraph 1 and Schedule 8; by S.I.1985/39, article 7(12); and by the 1995 Act, Schedule 1, paragraph 28.

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

Paragraph 2(1) of Schedule 12 was substituted by the 1988 Act, Schedule 2, paragraph 8(1); Paragraph 2A of Schedule 12 was inserted by the 1984 Act, Schedule 1, Part 1, paragraph 3 and amended by the 1988 Act, section 13(2) and (3).

The functions of the Secretary of State under sections 38, 39, 78, 126(4) and 127 of, and paragraphs 2 and 2A of Schedule 12 to the 1977 Act 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.

Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003.

(2) Yn ddarostyngedig i baragraff (3) daw'r Rheoliadau hyn i rym ar 1 Ebrill 2003.

(3) Daw Rheoliadau 2, 3, 4, 8 a 9 i rym ar 6 Ebrill 2003.

Yn y Rheoliadau hyn, onid yw'r cyd-destun yn mynnu fel arall -

ystyr "Rheoliadau 1997" ("*the 1997 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997(**a**);

ystyr "Rheoliadau 1986" ("*the 1986 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986(**b**).

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

Diwygio rheoliad 1 o Reoliadau 1997

2.-(1) Diwygir rheoliad 1 o Reoliadau 1997 (enwi, cychwyn a dehongli), yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Hepgorir y diffiniadau o -

"amount withdrawn"

"disabled person's tax credit"

"working families' tax credit".

(3) Yn y mannau priodol yn nhrefn yr wyddor mewnosodir y diffiniadau canlynol-

" "child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**c**);

"disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002;

"gross annual income" means income that is calculated for a tax year for the purposes of Part I of the Tax Credits Act 2002 in accordance with regulations made under section 7 of that Act;

"working tax credit" means working tax credit under section 10 of the Tax Credits Act 2002;".

(a) O.S. 1997/818; yr offerynnau diwygio perthnasol yw O.S.1997/2488, 1998/499, 1999/609, 2000/978 (Cy.48), 2000/3119 (Cy.198), 2001/1362 (Cy.90), 2001/1423 (Cy.98) a 2002/186 (Cy.25).

(b) O.S. 1986/975; yr offerynnau diwygio perthnasol yw O.S.1988/486, 1989/395, a 1175, 1990/1051, 1991/583, 1992/404, 1995/558, 1996/705 a 2320, 1999/693, 1999/2481 (Cy.21) a 2001/1362 (Cy.90).

(c) 2002 p.21.

Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003.

(2) Subject to paragraph (3) these Regulations will come into force on 1st April 2003.

(3) Regulations 2, 3, 4, 8 and 9 will come into force on 6th April 2003.

(4) In these Regulations unless the context otherwise requires -

"the 1997 Regulations" (*"Rheoliadau 1997"*) means the National Health Service (Optical Charges and Payments) Regulations 1997(**a**);

"the 1986 Regulations" (*"Rheoliadau 1986"*) means the National Health Service (General Ophthalmic Services) Regulations 1986(**b**).

(4) These Regulations apply to Wales only.

Amendment of regulation 1 of the 1997 Regulations

2.-(1) Regulation 1 of the 1997 Regulations (citation, commencement and interpretation), is amended in accordance with the following provisions of this regulation.

(2) Omit the definitions of -

"amount withdrawn"

"disabled person's tax credit"

"working families' tax credit".

(3) In the appropriate positions in alphabetical order insert the following definitions-

" "child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**c**);

"disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002;

"gross annual income" means income that is calculated for a tax year for the purposes of Part I of the Tax Credits Act 2002 in accordance with regulations made under section 7 of that Act;

"working tax credit" means working tax credit under section 10 of the Tax Credits Act 2002;".

(a) S.I.1997/818; the relevant amending instruments are S.I.1997/2488, 1998/499, 1999/609, 2000/978 (W.48), 2000/3119 (W.198), 2001/1362 (W.90), 2001/1423 (W.98) and 2002/186 (W.25).

(b) S.I.1986/975; the relevant amending instruments are S.I.1988/486, 1989/395 and 1175, 1990/1051, 1991/583, 1992/404, 1995/558, 1996/705 and 2320, 1999/693, 1999/2481 (W.21) and 2001/1362 (W.90).

(c) 2002 c.21.

Diwygio rheoliad 8 o Reoliadau 1997

3.-(1) Diwygir rheoliad 8 o Reoliadau 1997 (cymhwyster - cyflenwi teclynnau optegol) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff (3) -

(a) ar ôl is-baragraff (k) mewnosodir yr is-baragraff canlynol-

"(l) he is a member of a family-

(i) that has a gross annual income of £14,200 or less, and

(ii) one member of which is receiving-

(aa) working tax credit and child tax credit, or

(bb) working tax credit which includes a disability element; or

(cc) child tax credit, but is not eligible to receive working tax credit.".

(b) hepgorir is-baragraffau (c), (d), (g) ac (h).

(3) Yn lle paragraff (4) rhoddir y paragraff canlynol-

"(4) In paragraph (3), "family" has the meaning assigned to it by section 137(1) of the Social Security Contributions and Benefits Act 1992(**a**) as it applies to income support except that -

(a) in sub-paragraph (j) it has the meaning assigned to it by section 35 of the Jobseekers Act 1995(**b**); and

(b) in sub-paragraph (l) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**c**).".

Mewnosod rheoliad 12A yn Rheoliadau 1997

4. Ar ôl rheoliad 12 o Reoliadau 1997 (defnyddio talebau i gyflenwi cyfarpar optegol) mewnosodir y rheoliad canlynol-

"Notices of entitlement

12A-(1) If a person is entitled to the payment of, or contribution towards, the cost incurred for the supply of an optical appliance because he or she is a member of a family described in regulation 8(3)(l), the National Assembly for Wales will issue a notice of entitlement;

(2) A notice of entitlement issued in accordance with paragraph (1) will apply to -

(a) the person to whom it is issued and who is named on the notice of entitlement, and

(a) 1992 p.4.

(b) 1995 p.18.

(c) O.S. 2002/2006.

Amendment of regulation 8 of the 1997 Regulations

3.-(1) Regulation 8 of the 1997 Regulations (eligibility - supply of optical appliances) is amended in accordance with the following provisions of this regulation.

(2) In paragraph (3)-

(a) after sub-paragraph (k) insert the following sub-paragraph-

"(l) he is a member of a family-

(i) that has a gross annual income of £14,200 or less, and

(ii) one member of which is receiving-

(aa) working tax credit and child tax credit, or

(bb) working tax credit which includes a disability element; or

(cc) child tax credit, but is not eligible to receive working tax credit.".

(b) sub-paragraphs (c), (d), (g) and (h) are omitted.

(3) For paragraph (4) substitute the following paragraph-

"(4) In paragraph (3), "family" has the meaning assigned to it by section 137(1) of the Social Security Contributions and Benefits Act 1992(**a**) as it applies to income support except that -

(a) in sub-paragraph (j) it has the meaning assigned to it by section 35 of the Jobseekers Act 1995(**b**); and

(b) in sub-paragraph (l) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**c**).".

Insertion of regulation 12A into the 1997 Regulations

4. After regulation 12 of the 1997 Regulations (use of vouchers for the supply of optical appliances) insert the following regulation-

"Notices of entitlement

12A-(1) If a person is entitled to the payment of, or contribution towards, the cost incurred for the supply of an optical appliance because he or she is a member of a family described in regulation 8(3)(l), the National Assembly for Wales will issue a notice of entitlement;

(2) A notice of entitlement issued in accordance with paragraph (1) will apply to -

(a) the person to whom it is issued and who is named on the notice of entitlement, and

(a) 1992 c.4.

(b) 1995 c.18.

(c) S.I.2002/2006.

(b) any other members of his or her family.

(3) A notice of entitlement issued in accordance with paragraph (1) will be effective-

(a) from such date; and

(b) for such period,

as the National Assembly for Wales may determine.

(4) Any change in the financial or other circumstances of a person who is a member of a family in respect of which a notice has been issued in accordance with paragraph (1), during the period for which the notice of entitlement has been issued, will not affect the validity of the notice of entitlement in respect of that period.".

(b) any other members of his or her family.

(3) A notice of entitlement issued in accordance with paragraph (1) will be effective-

(a) from such date; and

(b) for such period,

as the National Assembly for Wales may determine.

(4) Any change in the financial or other circumstances of a person who is a member of a family in respect of which a notice has been issued in accordance with paragraph (1), during the period for which the notice of entitlement has been issued, will not affect the validity of the notice of entitlement in respect of that period.".

Diwygio rheoliad 19 o Reoliadau 1997

5. Yn rheoliad 19 o Reoliadau 1997 (gwerth adbrynu taleb ar gyfer ailosod neu drwsio)-

(a) ym mharagraff 1(b), yn lle "£44.60", rhoddir "£45.70"; a

(b) ym mharagraph (3)(c) yn lle "£11.50", rhoddir "£11.80".

Amendment of regulation 19 of the 1997 Regulations

5. In regulation 19 of the 1997 Regulations (redemption value of voucher for replacement or repair)-

(a) in paragraph (1)(b), for "£44.60" substitute "£45.70"; and

(b) in paragraph (3), for "£11.50" substitute "£11.80".

Diwygio'r Atodlenni i Reoliadau 1997

6.-(1) Yn Atodlen 1 Reoliadau 1997 (codau llythrennau taleb a gwerthoedd ar yr wyneb - cyflenwi ac ailosod) yng ngholofn (3) (gwerth taleb ar yr wyneb), am bob swm a bennir yng ngholofn 1 o'r tabl isod amnewidier y swm a bennir mewn perthynas ag ef yng ngholofn 2 o'r tabl hwnnw.

TABL

(1) *Swm blaenorol*	(2) *Swm newydd*
£ 30.50	£ 31.30
£ 46.40	£ 47.60
£ 63.20	£ 64.80
£ 142.70	£ 146.30
£ 52.70	£ 54.00
£ 67.00	£ 68.70
£ 81.00	£ 83.00
£ 157.00 (y ddau dro y mae'n ymddangos)	£ 160.90
£ 44.60	£ 45.70

Amendment of the Schedules to the 1997 Regulations

6.-(1) In Schedule 1 to the 1997 Regulations (voucher letter codes and face values - supply and replacement) in column (3) (face value of voucher), for each amount specified in column 1 of the table below substitute the amount specified in relation to it in column 2 of that table.

TABLE

(1) *Old amount*	(2) *New amount*
£ 30.50	£ 31.30
£ 46.40	£ 47.60
£ 63.20	£ 64.80
£ 142.70	£ 146.30
£ 52.70	£ 54.00
£ 67.00	£ 68.70
£ 81.00	£ 83.00
£ 157.00 (in both places where it appears)	£ 160.90
£ 44.60	£ 45.70

(2) Yn Atodlen 2 i Reoliadau 1997 (prismau, arlliwiau, lensys ffotocromaidd, sbectol fach a sbectol arbennig a theclynnau cymhleth)-

(a) ym mharagraff 1(1)(a) (prism - lens golwg unigol), yn lle "£9.90" rhoddir "£10.10";

(b) ym mharagraff 1(1)(b) (prism - lens arall), yn lle "£11.90" rhoddir "£12.20";

(c) ym mharagraff 1(1)(c) (lens golwg unigol arlliw), yn lle "£3.30" rhoddir "£3.40";

(ch) ym mharagraff 1(1)(d) (lens arlliw arall), yn lle "£3.80" rhoddir "£3.90";

(d) ym mharagraff 1(1)(e) (sbectol fach)-

(i) yn lle "£50.20" rhoddir "£51.50",

(ii) yn lle "£44.60" rhoddir "£45.70", a

(iii) yn lle "£24.20" rhoddir "£24.80";

(dd) ym mharagraff 1(1)(g) (fframiau a weithgynhyrchwyd yn arbennig) yn lle"£50.20" rhoddir "£51.50";

(e) ym mharagraff 2(a) (isafswm taliad am declyn cymhleth - lens golwg unigol), yn lle "£10.70" rhoddir "£11.00".

(f) ym mharagraff 2(b) (isafswm taliad am declyn cymhleth - lensys eraill), yn lle "£27.00" rhoddir "£27.70".

(3) Yn lle Atodlen 3 i Reoliadau 1997 (gwerthoedd talebau - trwsio), rhoddir yr Atodlen 3 a nodir yn yr Atodlen i'r Rheoliadau hyn.

Defnyddio'r Rheoliadau hyn

7. Mae'r diwygiadau a wneir gan reoliadau 5 a 6 o'r Rheoliadau hyn yn gymwys mewn perthynas â thaleb a dderbyniwyd neu a ddefnyddiwyd yn unol â rheoliad 12 neu 17 o Reoliadau 1997 ar neu ar ôl 1 Ebrill 2003.

Diwygio rheoliad 2 o Reoliadau 1986

8.-(1)Diwygir Rheoliad 2 o Reoliadau 1986 (dehongli), yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Hepgorir y diffiniadau o-

"amount withdrawn"

"disabled person's tax credit"

"working families' tax credit".

(3) Yn y lleoedd priodol ac yn nhrefn yr wyddor mewnosodir y diffiniadau canlynol-

" "child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**a**);

"disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002;

"gross annual income" means income that is

(a) 2002 p.21.

(2) In Schedule 2 to the 1997 Regulations (prisms, tints, photochromic lenses, small and special glasses and complex appliances)-

(a) in paragraph 1(1)(a) (prism - single vision lens), for "£9.90" substitute "£10.10";

(b) in paragraph 1(1)(b) (prism - other lens), for "£11.90" substitute "£12.20";

(c) in paragraph 1(1)(c) (single vision tinted lens), for "£3.30" substitute "£3.40";

(d) in paragraph 1(1)(d) (other tinted lens), for "£3.80" substitute "£3.90";

(e) in paragraph 1(1)(e) (small glasses)-

(i) for "£50.20" substitute "£51.50",

(ii) for "£44.60" substitute "£45.70", and

(iii) for "£24.20" substitute "£24.80";

(f) in paragraph 1(1)(g) (specially manufactured frames) for "£50.20" substitute "£51.50";

(g) in paragraph 2(a) (minimum complex appliance payment - single vision lenses), for "£10.70" substitute "£11.00".

(h) in paragraph 2(b) (minimum complex appliance payment - other lenses), for "£27.00" substitute "£27.70".

(3) For Schedule 3 to the 1997 Regulations (voucher values - repair), substitute the Schedule 3 set out in the Schedule to these Regulations.

Use of these Regulations

7. The amendments made by regulations 5 and 6 of these Regulations apply only in relation to a voucher accepted or used pursuant to regulations 12 or 17 of the 1997 Regulations on or after 1st April 2003.

Amendment of regulation 2 of the 1986 Regulations

8.-(1) Regulation 2 of the 1986 Regulations (interpretation), is amended in accordance with the following provisions of this regulation.

(2) Omit the definitions of -

"amount withdrawn"

"disabled person's tax credit"

"working families' tax credit".

(3) In the appropriate positions in alphabetical order insert the following definitions-

" "child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**a**);

"disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002;

"gross annual income" means income that is

(a) 2002 c.21.

calculated for a tax year for the purposes of Part I of the Tax Credits Act 2002 in accordance with regulations made under section 7 of that Act;

"working tax credit" means working tax credit under section 10 of the Tax Credits Act 2002;".

Diwygio rheoliad 13 o Reoliadau 1986

9.-(1) Diwygir Rheoliad 13 o Reoliadau 1986 (profion golwg - cymhwyster) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff (2) ,

(a) ar ôl is-baragraff (j) mewnosodir yr is-baragraff canlynol-

"(k)he is a member of a family-

(i) that has a gross annual income of £14,200 or less, and

(ii) one member of which is receiving-

(aa) working tax credit and child tax credit, or

(bb) working tax credit which includes a disability element; or

(cc) child tax credit, but is not eligible to receive working tax credit.".

(b) hepgorir is-baragraffau (c), (d), (g) ac (h).

(3) Yn lle paragraff (3) rhoddir y paragraff canlynol-

"(3) In paragraph (2), "family" has the meaning assigned to it by section 137(1) of the Social Security Contributions and Benefits Act 1992(**a**) as it applies to income support except that -

(a) in sub-paragraph (j) it has the meaning assigned to it by section 35 of the Jobseekers Act 1995(**b**); and

(b) in sub-paragraph (l) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**c**).".

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

31 Mawrth 2003

Llywydd y Cynulliad Cenedlaethol

(a) 1992 p.4.

(b) 1995 p.18.

(c) O.S. 2002/2006.

(d) 1998 p. 38.

calculated for a tax year for the purposes of Part I of the Tax Credits Act 2002 in accordance with regulations made under section 7 of that Act;

"working tax credit" means working tax credit under section 10 of the Tax Credits Act 2002;".

Amendment of regulation 13 of the 1986 Regulations

9.-(1) Regulation 13 of the 1986 Regulations (sight tests - eligibility) is amended in accordance with the following provisions of this regulation.

(2) In paragraph (2),

(a) after sub-paragraph (j) insert the following sub-paragraph-

"(k)he is a member of a family-

(i) that has a gross annual income of £14,200 or less, and

(ii) one member of which is receiving-

(aa) working tax credit and child tax credit, or

(bb) working tax credit which includes a disability element; or

(cc) child tax credit, but is not eligible to receive working tax credit.".

(b) sub-paragraphs (c), (d), (g) and (h) are omitted.

(3) For paragraph (3) substitute the following paragraph-

"(3) In paragraph (2), "family" has the meaning assigned to it by section 137(1) of the Social Security Contributions and Benefits Act 1992(**a**) as it applies to income support except that -

(a) in sub-paragraph (j) it has the meaning assigned to it by section 35 of the Jobseekers Act 1995(**b**); and

(b) in sub-paragraph (k) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**c**).".

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

31st March 2003

D. Elis- Thomas

The Presiding Officer of the National Assembly

(a) 1992 c.4.

(b) 1995 c.18.

(c) S.I.2002/2006.

(d) 1998 c.38.

YR ATODLEN

Rheoliad 3(3)

ATODLEN I REOLIADAU 1997 FEL Y'I HAMNEWIDIR GAN Y RHEOLIADAU HYN

SCHEDULE 3

Regulations 19(2) and (3)

VOUCHER VALUES - REPAIR

(1) Nature of repair	(2) Letter Codes - Value A £	B £	C £	D £	E £	F £	G £	H&I £
Repair or replacement of one lens	9.75	17.90	26.50	67.25	21.10	28.45	35.60	74.55
Repair or replacement of two lenses	19.45	35.75	53.00	134.50	42.25	56.90	71.25	149.15
Repair or replacement of: -								
the front of a frame	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
a side of a frame	5.95	5.95	5.95	5.95	5.95	5.95	5.95	5.95
the whole frame	11.80	11.80	11.80	11.80	11.80	11.80	11.80	11.80

SCHEDULE

Regulation 3(3)

SCHEDULE 3 TO THE 1997 REGULATIONS AS SUBSTITUTED BY THESE REGULATIONS

SCHEDULE 3

Regulations 19(2) and (3)

VOUCHER VALUES - REPAIR

(1) Nature of repair	(2) Letter Codes - Value A £	B £	C £	D £	E £	F £	G £	H&I £
Repair or replacement of one lens	9.75	17.90	26.50	67.25	21.10	28.45	35.60	74.55
Repair or replacement of two lenses	19.45	35.75	53.00	134.50	42.25	56.90	71.25	149.15
Repair or replacement of: -								
the front of a frame	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
a side of a frame	5.95	5.95	5.95	5.95	5.95	5.95	5.95	5.95
the whole frame	11.80	11.80	11.80	11.80	11.80	11.80	11.80	11.80

OFFERYNNAU STATUDOL

2003 Rhif 955 (Cy.129)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003

STATUTORY INSTRUMENTS

2003 No. 955 (W.129)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003

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