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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2008 Rhif 2364 (Cy.203)**

**2008 No. 2364 (W.203)**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

Rheoliadau Gwasanaeth Iechyd  
Gwladol (Ffioedd Ymwelwyr  
Tramor) (Diwygio) (Cymru)  
2008

The National Health Service  
(Charges to Overseas Visitors)  
(Amendment) (Wales) Regulations  
2008

**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 Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989 ("y prif Reoliadau"). Mae'r prif Reoliadau yn darparu ar gyfer codi ac adennill ffioedd mewn cysylltiad â gwasanaethau penodol a ddarperir o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 i bersonau penodol nad ydynt fel arfer yn preswyllo yn y Deyrnas Unedig (ymwelwyr tramor).

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 ("the principal Regulations"), which provide for the making and recovery of charges in respect of certain services provided under the National Health Service (Wales) Act 2006 to certain persons not ordinarily resident in the United Kingdom (overseas visitors).

Mae Rheoliad 2 yn diwygio rheoliad 4(1) o'r prif Reoliadau i fodloni rhwymedigaethau'r Deyrnas Unedig o ran triniaeth feddygol o dan Gonfensiwn Cyngor Ewrop ar Weithredu yn erbyn Masnachu mewn Pobl.

Regulation 2 amends regulation 4(1) of the principal Regulations to meet the United Kingdom's obligations in relation to medical treatment under the Council of Europe Convention on Action Against Human Trafficking.

Effaith hyn yw estyn yr esemptiad rhag ffioedd i ymwelwyr tramor a nodir yn rheoliad 4 o'r prif Reoliadau i ddau ddsbarth o bobl. Yn gyntaf, i ymwelwyr tramor y mae gan y Deyrnas Unedig sail resymol i gredu eu bod yn ddiodefwr o fewn ystyr Erthygl 4 o'r Confensiwn Cyngor Ewrop ar Weithredu yn erbyn Masnachu mewn Pobl (mae'r esemptiad yn gyfyngedig i'r cyfnod gwella ac ystyried a gydnabyddir yn Erthygl 13 o'r Confensiwn). Ac yn ail, y rhai a adnabuwyd fel diodefwr.

The effect of this is to extend the exemption from charges to overseas visitors set out in regulation 4 of the principal Regulations, to overseas visitors who the United Kingdom has reasonable grounds to believe are victims within the meaning of Article 4 of the Council of Europe Convention on Action Against Human Trafficking (this exemption is limited to the recovery and reflection period recognised in Article 13 of the Convention), and those who have been identified as victims.

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*Gwnaed* 4 Medi 2008  
*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 8 Medi 2008  
*Yn dod i rym* 1 Hydref 2008

*Made* 4 September 2008  
*Laid before the National  
Assembly for Wales* 8 September 2008  
*Coming into force* 1 October 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 124 a 203 (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 124 and 203 (10) of the National Health Service (Wales) Act 2006(1), make the following Regulations:

**Enwi, cychwyn, cymhwyso a dehongli**

**Title, commencement, application and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2008 sy'n dod i rym ar 1 Hydref 2008.

1.—(1) The title of these Regulations is the National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2008 which come into force on 1 October 2008.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) These Regulations apply in relation to Wales.

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" (*"the principal Regulations"*) yw Rheoliadau Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989(2).

(3) In these Regulations, "the principal Regulations" (*"y prif Reoliadau"*) means the National Health Service (Charges to Overseas Visitors) Regulations 1989(2).

**Diwygio rheoliad 4 o'r Prif Reoliadau**

**Amendment of regulation 4 of the principal Regulations**

2. Yn rheoliad 4 o'r prif Reoliadau (ymwelwyr tramor sy'n esempt rhag ffioedd)—

2. In regulation 4 of the principal Regulations (overseas visitors exempt from charges)—

(a) ym mharagraff (1), ar ôl is-baragraff (p) mewnosoder—  
", or

(a) in paragraph (1), after sub-paragraph (p) insert—  
", or

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(1) 2006 p.42.

(2) 1989/306 (fel y'i diwygiwyd).

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(1) 2006 c.42.

(2) 1989/306 (as amended).

- (q) who the competent authorities of the United Kingdom for the purposes of the Council of Europe Convention on Action Against Trafficking in Human Beings<sup>(1)</sup> (in this regulation "the Convention"),
- (i) consider that there are reasonable grounds to believe is a victim within the meaning of Article 4 of the Convention, and the recovery and reflection period in relation to him under Article 13 of the Convention has not yet expired; or
- (ii) have identified as a victim within the meaning of Article 4 of the Convention."

- (q) who the competent authorities of the United Kingdom for the purposes of the Council of Europe Convention on Action Against Trafficking in Human Beings<sup>(1)</sup> (in this regulation "the Convention"),
- (i) consider that there are reasonable grounds to believe is a victim within the meaning of Article 4 of the Convention, and the recovery and reflection period in relation to him under Article 13 of the Convention has not yet expired; or
- (ii) have identified as a victim within the meaning of Article 4 of the Convention."

*Edwina Hart*

Y Gweinidog dros Iechyd a Gwasanaethau  
Cymdeithasol, un o Weinidogion Cymru

Minister for Health and Social Services, one of the  
Welsh Ministers

4 Medi 2008

4 September 2008

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(1) Confensiwn Cyngor Ewrop ar Weithredu yn erbyn Masnachu mewn Pobl 2005 (CETS Rhif 197).

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(1) The Council of Europe Convention on Action Against Trafficking in Human Beings 2005 (CETS No197).

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**£4.00**

W367/09/08

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