OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2016 Rhif 101 (Cy. 49)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) (Diwygio) 2016

2016 No. 101 (W. 49)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2016

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) 2004 ("y prif Reoliadau").

Mae rheoliad 2 yn diwygio rheoliad 2 o'r prif Reoliadau i ddarparu diffiniadau pellach yn Rhan 2.

Mae rheoliad 3 yn diwygio rheoliad 4 o'r prif Reoliadau drwy fewnosod gofynion newydd sy'n ymwneud â threfniadau indemniad.

Mae rheoliadau 3 a 5 yn diweddaru cyfeiriadau at Ddeddf yr Heddlu 1997 ac yn gwneud darpariaethau mewn perthynas â gwiriadau'r Gwasanaeth Datgelu a Gwahardd.

Mae rheoliad 3(9) yn estyn cwmpas rheoliad 4(4)(g) o'r prif Reoliadau. Mae rheoliad 4(4)(g) bellach yn dal achosion yn y Deyrnas Unedig ac mewn mannau eraill.

Mae rheoliad 4 yn diwygio rheoliad 4A o'r prif Reoliadau. Mae rheoliad 4 yn diwygio'r wybodaeth y mae'n ofynnol i gyflawnwr sydd eisoes wedi ei restru ar restr cyflawnwyr Corff Gofal Sylfaenol ei darparu. Mae rheoliad 4 hefyd yn gwneud diwygiadau canlyniadol.

Mae rheoliad 6 yn diwygio rheoliad 23A o'r prif Reoliadau ac yn diwygio'r wybodaeth sydd i'w darparu gan ymarferwyr meddygol.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Performers Lists) (Wales) Regulations 2004 ("the principal Regulations").

Regulation 2 amends regulation 2 of the principal Regulations to provide further definitions in Part 2.

Regulation 3 amends regulation 4 of the principal Regulations by inserting new requirements relating to indemnity arrangements.

Regulations 3 and 5 update references to the Police Act 1997 and make provisions in relation to Disclosure and Barring Service checks.

Regulation 3(9) extends the scope of regulation 4(4)(g) of the principal Regulations. Regulation 4(4)(g) now captures proceedings in the United Kingdom and elsewhere.

Regulation 4 amends regulation 4A of the principal Regulations. Regulation 4 amends the information that a performer who is already listed on a Primary Care Organisation's performers list is required to provide. Regulation 4 also makes consequential amendments.

Regulation 6 amends regulation 23A of the principal Regulations and amends the information to be provided by medical practitioners.

Mae rheoliad 7 yn gwneud mân ddiwygiadau i'r prif Reoliadau ac i'r seiliau dros dynnu enw ymarferydd meddygol yn fandadol gan Fwrdd Iechyd Lleol oddi ar ei restr cyflawnwyr meddygol.

Mae rheoliadau 8 a 9 yn diwygio Rhan 4 o'r prif Reoliadau drwy ddiweddaru cyfeiriadau a diffiniadau.

Mae rheoliad 10 yn diwygio rheoliad 30 o'r prif Reoliadau mewn perthynas â'r wybodaeth benodol y mae rhaid i ddeintyddion ei darparu.

Mae rheoliad 10(4) yn mewnosod rheoliad newydd 30A yn y prif Reoliadau, sy'n gwneud darpariaeth ar gyfer sut y mae ymarferwyr deintyddol sydd eisoes wedi eu rhestru ar restr cyflawnwyr deintyddol yng Nghymru, Lloegr, yr Alban neu Ogledd Iwerddon i wneud cais i gael eu cynnwys mewn rhestr cyflawnwyr deintyddol yng Nghymru ac sy'n pennu pa wybodaeth sydd i fynd gyda chais o'r fath.

Mae rheoliadau 11 a 12 yn gwneud diwygiadau canlyniadol mewn perthynas â hyfforddiant sylfaen deintyddol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

Regulation 7 makes minor amendments to the principal Regulations and the grounds for mandatory removal by a Local Health Board of a medical practitioner from its medical performers list.

Regulations 8 and 9 amend Part 4 of the principal Regulations by updating references and definitions.

Regulation 10 amends regulation 30 of the principal Regulations in relation the specific information that dentists must provide.

Regulation 10(4) inserts a new regulation 30A into the principal Regulations, which makes provision for how dental practitioners who are already listed on a dental performers list in Wales, England, Scotland or Northern Ireland are to apply to be included in a dental performers list in Wales and specifies what information is to accompany such an application.

Regulations 11 and 12 make consequential amendments in relation to dental foundation training.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2016 Rhif 101 (Cy. 49)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) (Diwygio) 2016

Gwnaed *28 Ionawr 2016*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *2 Chwefror 2016*

Yn dod i rym *1 Mawrth 2016*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 49 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**), yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) (Diwygio) 2016.

(2) Daw'r Rheoliadau hyn i rym ar 1 Mawrth 2016 ac maent yn gymwys o ran Cymru.

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) 2004(**2**).

Diwygio rheoliad 2 o'r prif Reoliadau

2. Yn rheoliad 2(1), ar ôl y diffiniad o "fraud case", mewnosoder—

> ""indemnity arrangement" means an arrangement which may comprise—

(**1**) 2006 p. 42.
(**2**) O.S. 2004/1020 (Cy. 117).

2016 No. 101 (W. 49)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2016

Made *28 January 2016*

Laid before the National Assembly for Wales *2 February 2016*

Coming into force *1 March 2016*

The Welsh Ministers, in exercise of the powers conferred by sections 49 and 203(9) and (10) of the National Health Service (Wales) Act 2006(**1**), make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the National Health Service (Performers Lists) (Wales) (Amendment) Regulations 2016.

(2) These Regulations come into force on 1 March 2016, and apply in relation to Wales.

(3) In these Regulations "the principal Regulations" means the National Health Service (Performers Lists) (Wales) Regulations 2004(**2**).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1), after the definition of "fraud case", insert —

> ""indemnity arrangement" means an arrangement which may comprise—

(**1**) 2006 c. 42.
(**2**) S.I. 2004/1020 (W. 117).

(a) a policy of insurance;

(b) an arrangement made for the purposes of indemnifying a person; or

(c) a combination of a policy insurance and an arrangement made for the purposes of indemnifying a person;".

Diwygio rheoliad 4 o'r prif Reoliadau

3.—(1) Mae rheoliad 4 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 4(1), rhodder—

"(1) An application by a performer for inclusion in a performers list must be made by sending the Local Health Board an application in writing, including the information and documentation required by this regulation, and—

(a) in relation to application for inclusion in the medical performers list, satisfy the requirements of regulation 23; and

(b) in relation to an application for inclusion in the dental performers list, satisfy the requirements of regulation 30.".

(3) Ar ddiwedd rheoliad 4(2)(i), hepgorer "and".

(4) Ar ddiwedd rheoliad 4(2)(j), yn lle ".", rhodder "; and".

(5) Ar ôl rheoliad 4(2)(j), mewnosoder—

"(k) evidence that the performer has in force an appropriate indemnity arrangement which provides the performer with cover in respect of liabilities that may be incurred in carrying out the performer's services.".

(6) Yn lle rheoliad 4(3)(f), rhodder—

"(f) an enhanced criminal record certificate under section 113B of the Police Act 1997 which includes suitability information relating to children and suitability information relating to vulnerable adults under sections 113BA and 113BB of that Act respectively;".

(7) Ar ddiwedd rheoliad 4(3)(g), yn lle ".", rhodder "; and".

(a) a policy of insurance;

(b) an arrangement made for the purposes of indemnifying a person; or

(c) a combination of a policy insurance and an arrangement made for the purposes of indemnifying a person;".

Amendment of regulation 4 of the principal Regulations

3.—(1) Regulation 4 of the principal Regulations is amended as follows.

(2) For regulation 4(1), substitute —

"(1) An application by a performer for inclusion in a performers list must be made by sending the Local Health Board an application in writing, including the information and documentation required by this regulation, and—

(a) in relation to application for inclusion in the medical performers list, satisfy the requirements of regulation 23; and

(b) in relation to an application for inclusion in the dental performers list, satisfy the requirements of regulation 30.".

(3) At the end of regulation 4(2)(i), omit "and".

(4) At the end of regulation 4(2)(j), for ".", substitute "; and".

(5) After regulation 4(2)(j), insert—

"(k) evidence that the performer has in force an appropriate indemnity arrangement which provides the performer with cover in respect of liabilities that may be incurred in carrying out the performer's services.".

(6) For regulation 4(3)(f), substitute —

"(f) an enhanced criminal record certificate under section 113B of the Police Act 1997 which includes suitability information relating to children and suitability information relating to vulnerable adults under sections 113BA and 113BB of that Act respectively;".

(7) At the end of regulation 4(3)(g), for ".", substitute "; and".

(8) Ar ôl rheoliad 4(3)(g), mewnosoder—

"(h) an undertaking to maintain an appropriate indemnity arrangement which provides cover in respect of liabilities that may be incurred in carrying out work as a performer at all times and to provide evidence of such an indemnity arrangement to the Local Health Board on request.".

(9) Yn lle rheoliad 4(4)(g), rhodder —

"(g) is currently the subject of any proceedings which might lead to a conviction in the United Kingdom or elsewhere which have not been notified to the Local Health Board;".

Diwygio rheoliad 4A o'r prif Reoliadau

4.—(1) Mae rheoliad 4A o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 4A(1), rhodder—

"(1) An application by a performer already included in a performers list held by a primary care organisation shall be made by sending the Local Health Board an application in writing, which must include the information, undertakings, consents and documentation required by this regulation, and—

(a) in relation to application for inclusion in the medical performers list, satisfy the requirements of regulation 23A; and

(b) in relation to an application for inclusion in the dental performers list, satisfy the requirements of regulation 30A.".

(3) Yn lle rheoliad 4A(2), rhodder—

"(2) The performer shall provide the information as required by paragraphs (2)(a), (b), (c), (d), (g), (h), (i), (j) and (k) of regulation 4.".

(4) Yn lle rheoliad 4A(3), rhodder—

"(3) The performer shall provide the information and undertakings as required by paragraphs (3)(a), (b), (c), (d), (e) and (h) of regulation 4.".

(5) Yn lle rheoliad 4A(4), rhodder—

"(4) The performer shall provide an enhanced criminal record certificate as required by paragraph (3)(f) of regulation 4 unless:

(8) After regulation 4(3)(g), insert—

"(h) an undertaking to maintain an appropriate indemnity arrangement which provides cover in respect of liabilities that may be incurred in carrying out work as a performer at all times and to provide evidence of such an indemnity arrangement to the Local Health Board on request".

(9) For regulation 4(4)(g), substitute—

"(g) is currently the subject of any proceedings which might lead to a conviction in the United Kingdom or elsewhere which have not been notified to the Local Health Board;".

Amendment of regulation 4A of the principal Regulations

4.—(1) Regulation 4A of the principal Regulations is amended as follows.

(2) For regulation 4A(1), substitute—

"(1) An application by a performer already included in a performers list held by a primary care organisation shall be made by sending the Local Health Board an application in writing, which must include the information, undertakings, consents and documentation required by this regulation, and—

(a) in relation to application for inclusion in the medical performers list, satisfy the requirements of regulation 23A; and

(b) in relation to an application for inclusion in the dental performers list, satisfy the requirements of regulation 30A.".

(3) For regulation 4A(2), substitute —

"(2) The performer shall provide the information as required by paragraphs (2)(a), (b), (c), (d), (g), (h), (i), (j) and (k) of regulation 4.".

(4) For regulation 4A(3), substitute —

"(3) The performer shall provide the information and undertakings as required by paragraphs (3)(a), (b), (c), (d), (e) and (h) of regulation 4.".

(5) For regulation 4A(4), substitute —

"(4) The performer shall provide an enhanced criminal record certificate as required by paragraph (3)(f) of regulation 4 unless:

(a) the performer is registered with the Disclosure and Barring Service Update Service and has provided all necessary authority and information to allow the Local Health Board to view the performer's online Disclosure and Barring Service certificate status at any time, and an undertaking that if the Local Health Board's Disclosure and Barring Service status check indicates that the performer's enhanced criminal record certificate is no longer current, that the performer will provide the Local Health Board with a new enhanced criminal record certificate under section 113B of the Police Act 1997; or

(b) the performer has provided a certificate to the primary care organisation with which he or she is listed which is dated within three years immediately preceding the date upon which the performer makes the application under this regulation to the Local Health Board, in which case the performer shall provide the Local Health Board with a certified copy or give all necessary authority to enable the Local Health Board to make a request to the primary care organisation to obtain a certified copy of the certificate.".

(6) Yn rheoliad 4A(5)(b), yn lle "Local Health Board", rhodder "primary care organisation".

(7) Yn lle rheoliad 4A(8), rhodder—

"(8) Upon receipt of a performer's application made in accordance with this regulation, a Local Health Board will consider the application and notify the performer of their decision as to whether:

(a) the performer is provisionally included in its performers list (with or without conditions);

(b) the decision on the application is deferred until the Local Health Board has received and considered all the information required under this regulation; or

(c) the performer is refused admission to its performers list.".

(a) the performer is registered with the Disclosure and Barring Service Update Service and has provided all necessary authority and information to allow the Local Health Board to view the performer's online Disclosure and Barring Service certificate status at any time, and an undertaking that if the Local Health Board's Disclosure and Barring Service status check indicates that the performer's enhanced criminal record certificate is no longer current, that the performer will provide the Local Health Board with a new enhanced criminal record certificate under section 113B of the Police Act 1997; or

(b) the performer has provided a certificate to the primary care organisation with which he or she is listed which is dated within three years immediately preceding the date upon which the performer makes the application under this regulation to the Local Health Board, in which case the performer shall provide the Local Health Board with a certified copy or give all necessary authority to enable the Local Health Board to make a request to the primary care organisation to obtain a certified copy of the certificate.".

(6) In regulation 4A(5)(b), for "Local Health Board", substitute "primary care organisation".

(7) For regulation 4A(8), substitute —

"(8) Upon receipt of a performer's application made in accordance with this regulation, a Local Health Board will consider the application and notify the performer of their decision as to whether:

(a) the performer is provisionally included in its performers list (with or without conditions);

(b) the decision on the application is deferred until the Local Health Board has received and considered all the information required under this regulation; or

(c) the performer is refused admission to its performers list.".

(8) Ar ôl rheoliad 4A(8), mewnosoder—

"(8A) A performer who is provisionally included on a Local Health Board performer list pursuant to regulation 4A may perform primary services until the first of the following events arises:

(a) the Local Health Board, after considering the performer's online Disclosure and Barring Service certificate status, or the enhanced criminal record certificate required by regulation 4A(4)(b), the information and clinical references required by paragraph (5)(b), and the information relating to a general medical practitioner's medical qualifications required by regulation 23A(6) or a dentist's dental qualifications required by regulation 30A(5), notifies the performer of its decision to —

(i) include the performer in the performers list;

(ii) contingently remove the performer from the performers list; or

(iii) remove the performer from the performers list; or

(b) the end of a period of three months, starting on the date on which the Local Health Board receives the application under this regulation from the performer.

(8B) If the Local Health Board defers their decision pursuant to paragraph (8)(b) of this regulation the Local Health Board must notify the performer of the reasons for the deferral.

(8C) The Local Health Board may only defer a decision under paragraph (8)(b) until such time as the Local Health Board receives and considers the enhanced criminal record certificate as required by paragraph (4)(b), the information and clinical references required by paragraph (5)(b), and the information relating to a general medical practitioner's medical qualifications required by regulation 23A(6) or a dentist's dental qualifications required by regulation 30A(5), as appropriate.

(8D) The Local Health Board shall notify the performer as soon as possible that —

(a) the performer's application to be included in its performers list has been successful; or

(8) After regulation 4A(8), insert—

"(8A) A performer who is provisionally included on a Local Health Board performer list pursuant to regulation 4A may perform primary services until the first of the following events arises:

(a) the Local Health Board, after considering the performer's online Disclosure and Barring Service certificate status, or the enhanced criminal record certificate required by regulation 4A(4)(b), the information and clinical references required by paragraph (5)(b), and the information relating to a general medical practitioner's medical qualifications required by regulation 23A(6) or a dentist's dental qualifications required by regulation 30A(5), notifies the performer of its decision to —

(i) include the performer in the performers list;

(ii) contingently remove the performer from the performers list; or

(iii) remove the performer from the performers list; or

(b) the end of a period of three months, starting on the date on which the Local Health Board receives the application under this regulation from the performer.

(8B) If the Local Health Board defers their decision pursuant to paragraph (8)(b) of this regulation the Local Health Board must notify the performer of the reasons for the deferral.

(8C) The Local Health Board may only defer a decision under paragraph (8)(b) until such time as the Local Health Board receives and considers the enhanced criminal record certificate as required by paragraph (4)(b), the information and clinical references required by paragraph (5)(b), and the information relating to a general medical practitioner's medical qualifications required by regulation 23A(6) or a dentist's dental qualifications required by regulation 30A(5), as appropriate.

(8D) The Local Health Board shall notify the performer as soon as possible that —

(a) the performer's application to be included in its performers list has been successful; or

(b) the Local Health Board has decided to refuse the application or impose conditions on the performer's inclusion and the reasons for that (including any facts relied upon), and any right of appeal under regulation 15.".

Diwygio rheoliad 9 o'r prif Reoliadau

5.—(1) Yn rheoliad 9(4), yn lle "115", rhodder "113B".

Diwygio rheoliad 23A o'r prif Reoliadau

6.—(1) Mae rheoliad 23A o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn rheoliad 23A(1), ar ôl "shall give the information required by paragraph 1", dileer "(a),".

(3) Hepgorer rheoliad 23A(4).

(4) Ar ôl rheoliad 23A(5), mewnosoder—

"(6) The general medical practitioner shall provide all necessary authority to enable a request to be made by that Local Health Board to the primary care organisation, for information relating to the general medical practitioner's medical qualifications (including where they were obtained), and evidence concerning the general medical practitioner's qualifications and experience.".

Diwygio rheoliad 26 o'r prif Reoliadau

7.—(1) Mae rheoliad 26 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Ar ddiwedd rheoliad 26(1)(e), hepgorer "or".

(3) Ar ddiwedd rheoliad 26(1)(f), yn lle ".", rhodder "; or".

(4) Ar ôl rheoliad 26(1)(f), mewnosoder—

"(g) no longer licensed to practise medicine.".

Diwygio Rhan 4 o'r prif Reoliadau

8. Yn Rhan 4, bob tro y mae'n digwydd, yn lle "vocational training", rhodder "foundation training".

Diwygio rheoliad 28 o'r prif Reoliadau

9.—(1) Mae rheoliad 28 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(b) the Local Health Board has decided to refuse the application or impose conditions on the performer's inclusion and the reasons for that (including any facts relied upon), and any right of appeal under regulation 15.".

Amendment of regulation 9 of the principal Regulations

5.—(1) In regulation 9(4), for "115", substitute, "113B".

Amendment of regulation 23A of the principal Regulations

6.—(1) Regulation 23A of the principal Regulations is amended as follows.

(2) In regulation 23A(1), after "shall give the information required by paragraph 1", remove "(a),".

(3) Omit regulation 23A(4).

(4) After regulation 23A(5), insert—

"(6) The general medical practitioner shall provide all necessary authority to enable a request to be made by that Local Health Board to the primary care organisation, for information relating to the general medical practitioner's medical qualifications (including where they were obtained), and evidence concerning the general medical practitioner's qualifications and experience.".

Amendment of regulation 26 of the principal Regulations

7.—(1) Regulation 26 of the principal Regulations is amended as follows.

(2) At the end of regulation 26(1)(e), omit "or".

(3) At the end of regulation 26(1)(f), for ".", substitute "; or".

(4) After regulation 26(1)(f), insert —

"(g) no longer licensed to practise medicine.
".

Amendment of Part 4 of the principal Regulations

8. In Part 4, in each time it occurs, for "vocational training", substitute "foundation training".

Amendment of regulation 28 of the principal Regulations

9.—(1) Regulation 28 of the principal Regulations is amended as follows.

(2) Ar ddiwedd rheoliad 28(2)(f)(iv), hepgorer "and".

(3) Ar ddiwedd rheoliad 28(2)(f)(v), yn lle ".", rhodder ", and".

(4) Ar ôl rheoliad 28(2)(f)(v), mewnosoder—

"(vi) demonstrate that he or she has completed foundation training to a satisfactory level.".

(5) Yn lle rheoliad 28(3)(a), rhodder —

"(a) a period of full-time employment, normally of one year and not more than two years, to demonstrate satisfactory completion of foundation training;".

Diwygio rheoliad 30 o'r prif Reoliadau

10.—(1) Mae rheoliad 30 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 30(2)(b)(ii), rhodder—

"(ii) to withdraw from the dental performers list if he or she fails to satisfactorily complete his or her foundation training, and".

(3) Yn lle rheoliad 30(2)(b)(iii), rhodder—

"(iii) upon satisfactory completion of the dentist's foundation training, to provide the Local Health Board with satisfactory evidence of that fact.".

(4) Ar ôl rheoliad 30, mewnosoder—

"**30A.** Application for inclusion in a dental performers list by a dentist already listed on a dental performers list of a primary care organisation

(1) In addition to providing the information required by regulation 4A(2), the dentist when making an application for inclusion of the dentist's name in a dental performers list whilst that dentist is included in a dental performers list with a primary care organisation shall give the information required by paragraph 1(b), (c), (d), (e), (f) and (g) of regulation 30.

(2) In addition to the undertakings required by regulation 4A(3), the dentist shall give the further undertakings as required by paragraph (2) of regulation 30.

(3) If the dentist is an armed forces dentist included in a list held by a primary care organisation, the dentist shall not be required to give an undertaking as required by regulation 4(3), as further specified in regulation 4(3)(e).

(2) At the end of regulation 28(2)(f)(iv), omit "and".

(3) At the end of regulation 28(2)(f)(v), for "." substitute ", and".

(4) After regulation 28(2)(f)(v), insert—

"(vi) demonstrate that he or she has completed foundation training to a satisfactory level.".

(5) For regulation 28(3)(a), substitute—

"(a) a period of full-time employment, normally of one year and not more than two years, to demonstrate satisfactory completion of foundation training;".

Amendment of regulation 30 of the principal Regulations

10.—(1) Regulation 30 of the principal Regulations is amended as follows.

(2) For regulation 30(2)(b)(ii), substitute—

"(ii) to withdraw from the dental performers list if he or she fails to satisfactorily complete his or her foundation training, and".

(3) For regulation 30(2)(b)(iii), substitute—

"(iii) upon satisfactory completion of the dentist's foundation training, to provide the Local Health Board with satisfactory evidence of that fact.".

(4) After regulation 30, insert—

"**30A. Application for inclusion in a dental performers list by a dentist already listed on a dental performers list of a primary care organisation**

(1) In addition to providing the information required by regulation 4A(2), the dentist when making an application for inclusion of the dentist's name in a dental performers list whilst that dentist is included in a dental performers list with a primary care organisation shall give the information required by paragraph 1(b), (c), (d), (e), (f) and (g) of regulation 30.

(2) In addition to the undertakings required by regulation 4A(3), the dentist shall give the further undertakings as required by paragraph (2) of regulation 30.

(3) If the dentist is an armed forces dentist included in a list held by a primary care organisation, the dentist shall not be required to give an undertaking as required by regulation 4(3), as further specified in regulation 4(3)(e).

(4) A dentist may not withdraw an application made under this regulation whilst a Local Health Board is deciding that application.

(5) The dentist shall provide all necessary authority to enable a request to be made by the Local Health Board to the primary care organisation, for information relating to the dentist's dental qualifications (including where they were obtained), and evidence concerning the dentist's qualifications and experience.".

Diwygio rheoliad 31 o'r prif Reoliadau

11.—(1) Mae rheoliad 31 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 31(2)(c), rhodder —

"(c) he or she is not undertaking foundation training and had neither satisfactorily completed foundation training nor is exempt under paragraph (5) from the requirement to undertake foundation training.".

Diwygio rheoliad 32 o'r prif Reoliadau

12.—(1) Mae rheoliad 32 o'r prif Reoliadau wedi ei ddiwygio fel a ganlyn.

(2) Yn lle rheoliad 32(1)(c), rhodder —

"(c) has failed to satisfactorily complete foundation training and has not withdrawn from the list pursuant to regulation 30(2)(b)(ii).".

(4) A dentist may not withdraw an application made under this regulation whilst a Local Health Board is deciding that application.

(5) The dentist shall provide all necessary authority to enable a request to be made by the Local Health Board to the primary care organisation, for information relating to the dentist's dental qualifications (including where they were obtained), and evidence concerning the dentist's qualifications and experience.".

Amendment of regulation 31 of the principal Regulations

11.—(1) Regulation 31 of the principal Regulations is amended as follows.

(2) For regulation 31(2)(c), substitute—

"(c) he or she is not undertaking foundation training and had neither satisfactorily completed foundation training nor is exempt under paragraph (5) from the requirement to undertake foundation training.".

Amendment of regulation 32 of the principal Regulations

12.—(1) Regulation 32 of the principal Regulations is amended as follows.

(2) For regulation 32(1)(c), substitute—

"(c) has failed to satisfactorily complete foundation training and has not withdrawn from the list pursuant to regulation 30(2)(b)(ii).".

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

28 Ionawr 2016

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

28 January 2016

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