CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 1397(Cy.92)

Y GWASANAETH IECHYD GWLADOL, CYMRU

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

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio ymhellach ar Reoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) 1988 ("y prif Reoliadau") sy'n darparu ar gyfer peidio â chodi taliadau'r Gwasanaeth Iechyd Gwladol ac ar gyfer talu treuliau teithio mewn achosion penodol.

Mae **Rheoliad 2** yn mewnosod diffiniad newydd o "capital limit" yn rheoliad 2(1) o'r prif Reoliadau sydd, drwy gyfrwng eithriad, yn darparu ar gyfer terfyn cyfalaf gwahanol ar gyfer hawliwr sy'n preswylio'n barhaol mewn cartref gofal preswyl neu gartref nyrsio neu mewn llety sy'n cael ei ddarparu gan awdurdod lleol o dan ddarpariaethau Deddf Cymorth Gwladol 1948.

Mae **Rheoliad 3** yn darparu ar gyfer cynnydd yn y ffigur ar gyfer swm sy'n cael ei dynnu'n ôl, o £70 i £71, ar gyfer personau sy'n cael credyd treth i deuluoedd sy'n gweithio neu gredyd treth i bobl anabl.

Mae **Rheoliad 4** yn gosod paragraff (1)(b) newydd yn rheoliad 7 o'r prif Reoliadau.

Mae **Rheoliad** 5 yn diwygio Atodlen 1 drwy osod cofnod newydd ar gyfer rheoliad 53 yn y lle perthnasol yn Rhan I, Tabl A (addasu darpariaethau Rheoliadau Cymhorthdal Incwm (Cyffredinol) 1987) sy'n golygu bod y ddau ffigur y cyfeirir atynt ym mharagraff (1A) o reoliad 53 yn codi o £10,000 i £11,500 ac o £16,000 i £18,500.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No.1397(W.92)

NATIONAL HEALTH SERVICE, WALES

National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988 ("the principal Regulations") which provide for the remission of National Health Service charges and for the payment of travelling expenses in certain cases.

Regulation 2 substitutes a new definition of "capital limit" in regulation 2(1) of the principal Regulations which provides, by way of exception, for a different capital limit for a claimant who is permanently resident in a residential care or nursing home or in accommodation provided by a local authority under the provisions of the National Assistance Act 1948.

Regulation 3 provides for an increase in the figure for an amount withdrawn, from £70 to £71,for persons who are in receipt of working families' tax credit or disabled person's tax credit.

Regulation 4 substitutes a new paragraph (1)(b) in regulation 7 of the principal Regulations.

Regulation 5 amends Schedule 1 by substituting a new entry for regulation 53 in the relevant place in Part I, Table A (modification of provisions of the Income Support (General) Regulations 1987) with the effect that the two figures referred to in paragraph (1A) of regulation 53 are increased from £10,000 to £11, 500 and from £16,000 to £18,500.

2001 Rhif 1397(Cy.92)

Y GWASANAETH IECHYD GWLADOL, CYMRU

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

Wedi'u gwneud	*29 Mawrth 2001*
Yn dod i rym,	
ac eithrio rheoliad 3	*1 Ebrill 2001*
rheoliad 3	*10 Ebrill 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:

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Diwygio) (Cymru) 2001, a deuant i rym ar 1 Ebrill 2001, ac eithrio rheoliad 3, sy'n dod i rym ar 10 Ebrill 2001.

(2) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("the principal Regulations") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a

(a) 1977 p.49; mewnosodwyd adran 83A gan adran 14(1) o Ddeddf Nawdd Cymdeithasol 1988 (p.7) a'i diwygio 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 Cymdeithasol 1990 (p.19) ("Deddf 1990") a chan baragraff 40 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p.17).

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

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

Cafodd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 83A a 126(4) eu trosglwyddo 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.

2001 No.1397(W.92)

NATIONAL HEALTH SERVICE, WALES

National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2001

Made	*29th March 2001*
Coming into force,	
except regulation 3	*1st April 2001*
regulation 3	*10th April 2001*

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:

Citation, commencement, interpretation and application

1.-(1) These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2001, and shall come into force on 1st April 2001, except regulation 3 which shall come into force on 10th April 2001.

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

(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)

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).

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

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.

Pheidio â Chodi Tâl) (Cymru) 1988(**a**)

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

Diwygio rheoliad 2 o'r prif Reoliadau

2. Yn Rheoliad 2(1) o'r prif Reoliadau (dehongli) yn lle'r diffiniad o "capital limit" rhoddir y diffiniad canlynol yn y lle priodol-

" "capital limit" means the amount prescribed for the purposes of section 134 (1) of the Social Security Contributions and Benefits Act 1992(**b**) as it applies to income support except, in the case of a claimant who lives permanently in a residential care or nursing home or in accommodation provided by a local authority under sections 21 to 24 and 26 of the National Assistance Act 1948(**c**) (provision of accommodation), where it means the amount prescribed for the purposes of regulation 20 of The National Assistance (Assessment of Resources) Regulations 1992(**ch**)."

Diwygio rheoliad 4 o'r prif Reoliadau

3. Ym mharagraffau (c) a (g) o reoliad 4 o'r prif Reoliadau (disgrifiad o bersonau y mae ganddynt hawl i beidio â thalu ac i gael ad-daliad) yn lle "£70" rhoddir "£71".

Diwygio rheoliad 7 o'r prif Reoliadau

4.-(1) Diwygir rheoliad 7 o'r prif Reoliadau yn unol â'r darpariaethau canlynol.

(2) Yn lle paragraff (1)(b) rhowch -

"(b) provide any declaration of entitlement required under regulation 3(3) or 4(3) or any declaration or evidence of entitlement required under regulation 5(3), 6(3) or 7(3) of the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001.(**d**)
"

Diwygio Atodlen 1 i'r prif Reoliadau

5.-(1) Diwygir Atodlen 1 i'r prif Reoliadau (addasu darpariaethau Rheoliadau Cymhorthdal Incwm

(a) 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, 1346 a 2362, 1997/748 a 2393,1998/2417, 1999/762 and 2840.

(b) 1992 p.4

(c) 1948 (p.29).

(ch) O.S. 1999/2977; yr offeryn diwygio perthnasol yw O.S. 1993/964.

(d) O.S. 2001/1358 (Cy.86).

Regulations 1998(**a**)

(3) These Regulations apply to Wales only.

Amendment of regulation 2 of the principal Regulations

2. In Regulation 2 (1) of the principal Regulations (interpretation) for the definition of "capital limit" there shall be substituted in the appropriate place the following definition-

" "capital limit" means the amount prescribed for the purposes of section 134 (1) of the Social Security Contributions and Benefits Act 1992(**b**) as it applies to income support except, in the case of a claimant who lives permanently in a residential care or nursing home or in accommodation provided by a local authority under sections 21 to 24 and 26 of the National Assistance Act 1948(**c**) (provision of accommodation), where it means the amount prescribed for the purposes of regulation 20 of The National Assistance (Assessment of Resources) Regulations 1992(**d**)."

Amendment of regulation 4 of the principal Regulations

3. In paragraphs (c) and (g) of regulation 4 of the principal Regulations (description of persons entitled to full remission and payment) for "£70" there shall be substituted "£71".

Amendment of regulation 7 of the principal Regulations

4.-(1) Regulation 7 of the principal Regulations shall be amended in accordance with the following provisions .

(2) For paragraph (1)(b) substitute -

"(b) provide any declaration of entitlement required under regulation 3(3) or 4(3) or any declaration or evidence of entitlement required under regulation 5(3), 6(3) or 7(3) of the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001.(**e**)"

Amendment of Schedule 1 to the principal Regulations

5.-(1) Schedule 1 to the principal Regulations (modification of provisions of the Income Support

(a) 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, 1346 and 2362, 1997/748 and 2393, 1998/2417, 1999/767 and 2840.

(b) 1992 c.4

(c) 1948 (c.29)

(d) S.I.1992/2977; relevant amending instrument is S.I.1993/964.

(e) S.I.2001/ 1358 (W.86).

(Cyffredinol) 1987(**a**) yn unol â'r darpariaethau canlynol yn y rheoliad hwn.

(2) Yn Rhan I, Tabl A, yn lle'r cofnod sy'n addasu rheoliad 53 rhowch-

"regulation 53 As if in paragraph (3) the reference to regulation 60 were a reference to regulation 25.

As if in paragraph (1A) there for "£10,000" on each occasion it appears there were substituted "£11,500" and as if for "£16,000" there were substituted "£18,500". "

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

29 Mawrth 2001

Dafydd Elis Thomas

Llywydd y Cynulliad Cenedlaethol

(a) O.S. 1987/1967; yr offerynnau diwygio perthnasol yw O.S. 1988/2022, 1995/462, 1997/65 a 2197 a 2000/2545.

(b) 1998 p.38.

(General) Regulations 1987(**a**) shall be amended in accordance with the following provisions of this regulation.

(2) In Part I, Table A, for the entry modifying regulation 53 substitute-

"regulation 53 As if in paragraph (3) the reference to regulation 60 were a reference to regulation 25.

As if in paragraph (1A) for "£10,000" on each occasion it appears there were substituted "£11,500" and as if for "£16,000" there were substituted "£18,500". "

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

29th March 2001

The Presiding Officer of the National Assembly

(a) S.I.1987/1967; relevant amending instruments are S.I.1988/2022, 1996/462, 1997/65 and 2197 and 2000/2545.

(b) 1998 c.38.

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

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National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2001

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