



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

1999 Rhif 2840 (Cy.20)

1999 No. 2840 (W.20)

ADDYSG, CYMRU

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth
Iechyd Gwladol
(Costau Teithio a Dileu Taliadau)
(Diwygio)
(Cymru) 1999

The National Health Service
(Travelling Expenses
and Remission of Charges)
Amendment
(Wales) Regulations 1999

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Effaith y Rheoliadau hyn yw diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Costau Teithio a Dileu Taliadau) 1988 ("y prif Reoliadau") sy'n darparu ar gyfer dileu ac ad-dalu taliadau penodol a fyddai'n daladwy fel arall o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977 ac ar gyfer talu costau teithio a dynnir drwy fynd i ysbyty. Mae'r Rheoliadau hyn yn gwneud i'r diwygiadau testunol i'r prif Reoliadau, sy'n cael eu gwneud gan Reoliadau Diwygio'r Gwasanaeth Iechyd Gwladol (Costau Teithio a Dileu Taliadau) 1999 ac sy'n ymestyn dros Loegr, gael effaith yng Nghymru.

These Regulations have effect to 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 which would otherwise be payable under the National Health Service Act 1977 and for the payment of travelling expenses incurred in attending a hospital. The textual amendments of the principal Regulations which are made by the National Health Service (Travelling Expenses and Remission of Charges) Amendment Regulations 1999 and which extend to England are made to have effect in Wales.

Mae'r diwygiadau yn mewnosod diffiniad o "amount withdrawn" ac yn rhoi diffiniad o "disabled person's tax credit" yn lle'r diffiniad o "disability working allowance" a hefyd yn rhoi diffiniad o "working families' tax credit" yn lle'r diffiniad o "family credit".

The amendments insert a definition of "amount withdrawn" and substitute the definition of "disability working allowance" with a definition of "disabled person's tax credit" and also substitute the definition of "family credit" with a definition of "working families' tax credit".

Mae'r diwygiadau yn newid rheoliad 4 o'r prif Reoliadau i gymryd i ystyriaeth y newidiadau sy'n digwydd ar 5 Hydref 1999 yn y systemau treth incwm a nawdd cymdeithasol pan ddisodlir credyd teulu a lwfans gweithio i'r anabl gan gredyd treth teuluoedd mewn gwaith a chredyd treth person anabl.

The amendments alter regulation 4 of the principal Regulations to take account of the changes occurring on 5th October 1999 in the income tax and social security systems when family credit and disability working allowance are replaced with working families' tax credit and disabled person's tax credit.

Maent yn diwygio hefyd y diffiniad o "voluntary payment" y cyfeirir ato yn y cofnod ynglŷn â "regulation 65" yn Nhabl A o Ran I o Atodlen 1 i'r prif Reoliadau i gymryd i ystyriaeth y newidiadau yn y

They also amend the definition of "voluntary payment" referred to in the entry relating to "regulation 65" in Table A of Part I of Schedule 1 to the principal Regulations to take account of the changes in

ddarpariaeth ar gyfer cynhaliadaeth i fyfyrwyr drwy ychwanegu cyfeiriad at fenthyciad myfyriwr.

Mae'r rheoliadau'n cynnwys darpariaeth drosiannol sy'n darparu bod yr hawl i gael dilead o'r taliadau a sefydlwyd yn rhinwedd rheoliad 4(c), (d), (g) neu (h) o'r prif Reoliadau yn parhau tra bod yr hawl i gael credyd teulu neu lwfans gweithio i'r anabl neu daliadau o'r budd-daliadau hynny yn parhau.

maintenance provision for students by adding reference to a student's loan.

The regulations contain a transitional provision that provides that the entitlement to remission of charges established by virtue of regulation 4(c), (d), (g) or (h) of the principal Regulations shall continue whilst entitlement to or payment of family credit or disability working allowance continues.

1999 Rhif 2840 (Cy.20)

1999 No. 2840 (W.20)

Y GWASANAETH IECHYD
GWLADOL, CYMRUNATIONAL HEALTH
SERVICE, WALESRheoliadau'r Gwasanaeth Iechyd
Gwladol (Costau Teithio a Dileu
Taliadau) (Diwygio) (Cymru) 1999The National Health Service
(Travelling Expenses and
Remission of Charges) Amendment
(Wales) Regulations 1999*Wedi'u gwneud**5 Hydref 1999**Made**5th October 1999**Yn dod i rym**5 Hydref 1999**Coming into Force**5th October 1999*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i Ysgrifennydd Gwladol Cymru gan adrannau 83A, 126(4) a 128(1) o Ddeddf Gwasanaeth Iechyd Gwladol 1977(a) a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(b):

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State for Wales by sections 83A, 126(4) and 128(1) of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf and now vested in the National Assembly for Wales(b):

Enwi, cychwyn, dehongli a hyd a lled

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Costau Teithio a Dileu Taliadau) (Diwygio) (Cymru) 1999 a deuant i rym ar 5 Hydref 1999.

(2) Yn y Rheoliadau hyn, ystyr “y prif Rheoliadau” yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Costau Teithio a Dileu Taliadau) 1988(c).

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) Amendment (Wales) Regulations 1999 and shall come into force on 5th October 1999.

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

(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) (“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. Darpariaeth ar gyfer dehongli yw adran 128(1) a chyfeirir ati oherwydd yr ystyrion a briodolir i'r geiriau “prescribed” a “regulations”; diwygiwyd adran 128(1) gan adran 26(2)(g) ac (i) o Ddeddf 1990.

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 83A, 126(4) a 128(1) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 i Gynulliad Cenedlaethol Cymru (“y Cynulliad”) gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1988/551 fel y'i ddiwygiwyd 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 a 1999/767.

(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. Section 128(1) is an interpretation provision and is cited because of the meanings assigned to the words “prescribed” and “regulations”; section 128(1) was amended by section 26(2)(g) and (i) of the 1990 Act.

(b) The functions of the Secretary of State under section 83A, 126(4) and 128(1) of the National Health Service Act 1977 were transferred to the National Assembly for Wales (“the Assembly”) by the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672).

(c) 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 and 1999/767.

(3) Bydd y Rheoliadau hyn yn gymwys i Gymru'n unig.

Diwygio'r prif Reoliadau

2. Ar ddiwedd rheoliad 2 o'r prif Reoliadau mewnosodir y paragraff canlynol —

“(5) In respect of regulations 2 and 4 and Schedule 1 the amendments made by the National Health Service (Travelling Expenses and Remission of Charges) Amendment Regulations 1999(a) shall also have effect in Wales.”.

Darpariaeth Drosiannol

3.—(1) Lle'r oedd hawl gan berson yn union cyn 5ed Hydref 1999 i gael dilead o daliadau neu daliad o gostau teithio yn rhinwedd rheoliad 4(c) neu (d) o'r prif Reoliadau (dilead neu daliad wrth gyfeirio at hawl i gael gredyd teulu), neu yn rhinwedd rheoliad 4(g) neu (h) o'r prif Reoliadau (dileu neu dalu wrth gyfeirio at hawl i gael lwfans gweithio i'r anabl), bydd yr hawl honno'n parhau tra bydd credyd teulu neu lwfans gweithio i'r anabl, fel y bo'r achos, yn parhau i gael ei dalu.

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

5 Hydref 1999

Y Llywydd

Dafydd Elis Thomas

(a) O.S. 1999/2507, sef rheoliadau sy'n gymwys i Loegr yn unig.
(b) 1998 p.38.

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(3) These Regulations shall apply to Wales only.

Amendment of the principal Regulations

2. At the end of regulation 2 of the principal Regulations there shall be inserted the following paragraph —

“(5) In respect of regulations 2 and 4 and Schedule 1 the amendments made by the National Health Service (Travelling Expenses and Remission of Charges) Amendment Regulations 1999(a) shall also have effect in Wales.”.

Transitional Provision

3.—(1) Where immediately before 5th October 1999 a person was entitled to remission of charges or payment of travelling expenses by virtue of regulation 4(c) or (d) of the principal Regulations (remission or payment by reference to entitlement to family credit), or by virtue of regulation 4(g) or (h) of the principal Regulations (remission or payment by reference to entitlement to disability working allowance), that entitlement shall continue for so long as family credit or disability working allowance, as the case may be, remains in payment.

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

5th October 1999

Presiding Officer

(a) S.I. 1999/2507, which regulations extend only to England.
(b) 1998 c.38

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