CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 917 (Cy. 105)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002

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 cyfarpar optegol.

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

Mae **rheoliad 2** yn diwygio rheoliad 8 o Reoliadau 1997 er mwyn cynyddu gwerth y ffigur a bennir ynddo ar gyfer yr "amount withdrawn" o ddyfarniadau credyd treth teuluoedd sy'n gweithio a chredyd treth pobl anabl. (Mae'r ddarpariaeth hon yn cynyddu'r lefel incwm sy'n dod â'r rheini sy'n cael credydau treth yn gymwys i gael talebau optegol GIG).

Mae **rheoliad 3** yn diwygio rheoliad 19 o Reoliadau 1997 (gwerth adbrynu taleb ar gyfer amnewid neu drwsio) er mwyn cynyddu gwerth taleb optegol a roddir tuag at gost amnewid un lens cyffwrdd, ac er

NATIONAL ASSEMBLY FOR WALES

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NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002

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.

Regulation 2 amends regulation 8 of the 1997 Regulations to increase the value of the figure specified therein for the "amount withdrawn" from awards of working families' tax credit and disabled person's tax credit. (This increases the income level at which recipients of the tax credits are eligible to receive NHS optical vouchers).

Regulation 3 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

mwyn cynyddu uchafswm y cyfraniad a wneir drwy gyfrwng taleb tuag at gost trwsio ffrâm sbectol.

Mae **rheoliad 4(1)** yn diwygio Atodlen 1 o Reoliadau 1997 er mwyn cynyddu gwerth talebau a roddir tuag at gost cyflenwi ac amnewid sbectolau a lensys cyffwrdd.

Mae **rheoliad 4(2)** yn diwygio Atodlen 2 i Reoliadau 1997 er mwyn cynyddu gwerthoedd ychwanegol talebau ar gyfer prismau, tintiau, lensys ffotocromig a chategorïau penodol o gyfarpar.

Mae **rheoliad 4(3)** a'r Atodlen yn gosod Atodlen 3 newydd yn Rheoliadau 1997 er mwyn cynyddu gwerth talebau a roddir tuag at drwsio ac amnewid cyfarpar optegol.

Rhyw 1.95% yw cyfradd y cynnydd, ar gyfartaledd.

Mae **rheoliad 5** yn diwygio rheoliad 13 o Reoliadau 1986 er mwyn cynyddu gwerth y ffigur ar gyfer yr "amount withdrawn" o ddyfarniadau credyd treth teuluoedd sy'n gweithio a chredyd treth pobl anabl. (Mae'r ddarpariaeth hon yn cynyddu'r lefel incwm sy'n dod â'r rheini sy'n derbyn y credydau treth yn gymwys i gael prawf golwg GIG).

Yn **rheoliad 6** ceir darpariaethau trosiannol.

single contact lens, and to increase the maximum contribution by way of a voucher to the cost of repairing a spectacle frame.

Regulation 4(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 4(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 4(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 1.95%.

Regulation 5 amends regulation 13 of the 1986 Regulations to increase the value of the figure for the "amount withdrawn" from awards of working families' tax credit and disabled person's tax credit. (This increases the income level at which recipients of the tax credits are eligible to receive an NHS sight test).

Regulation 6 contains transitional provisions.

OFFERYNNAU STATUDOL

2002 Rhif 917 (Cy. 105)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002

Wedi'u gwneud	*28 Mawrth 2002*
Yn dod i rym	
ac eithrio rheoliadau 2 a 5	*1 Ebrill 2002*
rheoliadau 2 a 5	*9 Ebrill 2002*

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**) a pharagraffau 2 a 2A o Atodlen 12 iddi, drwy hyn yn gwneud y Rheoliadau canlynol:

(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.

Estynwyd adran 39 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); mewnosodwyd paragraff 2A o Atodlen 12 gan Ddeddf 1984, Atodlen 1, Rhan 1, paragraff 3 a'i ddiwygio gan Ddeddf 1988, adran 13(2) a (3).

Cafodd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 38, 39, 78, 126(4) a 127 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977, a pharagraffau 2 a 2A o Atodlen 12 iddi, 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.

STATUTORY INSTRUMENTS

2002 No. 917 (W. 105)

NATIONAL HEALTH SERVIVCE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002

Made	*28th March 2002*
Coming into force	
except for regulations 2 and 5	*1st April 2002*
regulations 2 and 5	9th April 2002

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:

(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.

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002.

(2) Daw'r Rheoliadau hyn i rym -

(a) ac eithrio rheoliadau 2 a 5, ar 1 Ebrill 2002; a

(b) rheoliadau 2 a 5 ar 9 Ebrill 2002.

(3) Yn y Rheoliadau hyn, oni bai bod y 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) (Cymru) 1986(**b**).

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

Diwygio rheoliad 8 o Reoliadau 1997

2. Yn rheoliad 8 o Reoliadau 1997 (cymhwyster - cyflenwi cyfarpar optegol), ym mharagraffau (3)(c) (cael credyd treth teuluoedd sy'n gweithio) a (g) (credyd treth pobl anabl), yn lle "£71" rhowch "£72.20".

Diwygio rheoliad 19 o Reoliadau 1997

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

(a) ym mharagraff (1)(b), yn lle "£43.90" rhowch "£44.60"; a

(b) ym mharagraff (3), yn lle "£11.30" rhowch "£11.50".

(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).

Citation, commencement, interpretation and application

1.-(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002.

(2) These Regulations shall come into force on -

(a) except for regulations 2 and 5, on 1st April 2002; and

(b) regulations 2 and 5 on 9th April 2002.

(3) 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 8 of the 1997 Regulations

2. In regulation 8 of the 1997 Regulations (eligibility - supply of optical appliances), in paragraphs (3)(c) (receipt of working families' tax credit) and (g) (disabled person's tax credit), for "£71" substitute "£72.20".

Amendment of regulation 19 of the 1997 Regulations

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

(a) in paragraph (1)(b), for "£43.90" substitute "£44.60"; and

(b) in paragraph (3), for "£11.30" substitute "£11.50".

(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).

Diwygio'r Atodlenni i Reoliadau 1997

4.-(1) Yn Atodlen 1 i Reoliadau 1997 (codau llythrennau talebau a'u gwerth ar yr wyneb - cyflenwi ac amnewid) yn ngholofn (3) (gwerth y daleb ar ei hwyneb), yn lle pob swm a bennir yng ngholofn 1 o'r tabl isod rhowch y swm a bennir mewn perthynas ag ef yng ngholofn 2 o'r tabl hwnnw.

TABL

(1) *Yr hen swm*	(2) *Y swm newydd*
£30.00	£30.50
£45.60	£46.40
£62.10	£63.20
£140.30	£142.70
£51.80	£52.70
£65.90	£67.00
£79.60	£81.00
£154.30 (yn y ddau fan lle y'i gwelir)	£157.00
£43.90	£44.60

(2) Yn Atodlen 2 i Reoliadau 1997 (prismau, tintiau, lensys ffotocromig, sbectolau bach ac arbennig a chyfarpar cymhleth) -

(a) ym mharagraff 1(1)(a) (prism - lens golwg sengl), yn lle "£6.30" rhowch "£9.90";

(b) ym mharagraff 1(1)(b) (prism - lens arall), yn lle "£7.20" rhowch "£11.90";

(c) ym mharagraff 1(1)(c) (lens golwg sengl â thint), yn lle "£3.20" rhowch "£3.30";

(ch) ym mharagraff 1(1)(d) (lens arall â thint), yn lle "£3.70" rhowch "£3.80";

(d) ym mharagraff 1(1)(e) (sbectolau bach), yn lle "£49.90", "£43.90" a "£23.80", rhowch "£50.20", "£44.60" a "£24.20" yn eu trefn;

(dd) ym mharagraff 1(1)(g) (fframiau wedi'u gweithgynhyrchu'n arbennig) yn lle "£49.40" rhowch "£50.20";

(e) ym mharagraff 2(a) (isafswm taliad cyfarpar cymhleth - lensys golwg sengl), yn lle "£10.50" rhowch "£10.70";

(f) ym mharagraff 2(b) (isafswm taliad cyfarpar cymhleth - lensys eraill), yn lle "£26.50" rhowch "£27.00".

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

Amendment of the Schedules to the 1997 Regulations

4.-(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*
£30.00	£30.50
£45.60	£46.40
£62.10	£63.20
£140.30	£142.70
£51.80	£52.70
£65.90	£67.00
£79.60	£81.00
£154.30 (in both places where it appears)	£157.00
£43.90	£44.60

(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 "£6.30" substitute "£9.90";

(b) in paragraph 1(1)(b) (prism - other lens), for "£7.20" substitute "£11.90";

(c) in paragraph 1(1)(c) (single vision tinted lens), for "£3.20" substitute "£3.30";

(d) in paragraph 1(1)(d) (other tinted lens), for "£3.70" substitute "£3.80";

(e) in paragraph 1(1)(e) (small glasses), for "£49.40" , "£43.90", and "£23.80" substitute "£50.20", "44.60", and "£24.20" respectively;

(f) in paragraph 1(1)(g) (specially manufactured frames) for "£49.40" substitute "£50.20";

(g) in paragraph 2(a) (minimum complex appliance payment - single vision lenses), for "£10.50" substitute "£10.70".

(h) in paragraph 2(b) (minimum complex appliance payment - other lenses), for "£26.50" substitute "£27.00".

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

Diwygio rheoliad 13 o Reoliadau 1986

5. Yn rheoliad 13 o Reoliadau 1986 (Profion Golwg - cymhwyster), ym mharagraffau (2)(c) (cael credyd treth teuluoedd sy'n gweithio) a (2) (g) (cael credyd treth pobl anabl), yn lle "£71" rhowch "£72.20".

Defnyddio'r Rheoliadau hyn

6. Mae'r diwygiadau a wneir gan reoliadau 3 a 4 o'r Rheoliadau hyn yn gymwys mewn perthynas â thaleb a dderbynnir neu a ddefnyddir yn union â rheoliadau 12 a 17 o Reoliadau 1997 ar 1 Ebrill 2002 neu ar ôl hynny.

Amendment of regulation 13 of the 1986 Regulations

5. In regulation 13 of the 1986 Regulations (Sight Tests - eligibility), in paragraphs (2)(c) (receipt of working families' tax credit) and (2)(g) (receipt of disabled person's tax credit), for "£71" substitute "£72.20".

Use of these Regulations

6. The amendments made by regulations 3 and 4 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 2002.

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

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

28 Mawrth 2002

28th March 2002

Rhodri Morgan

Prif Weinidog y Cynulliad Cenedlaethol

Assembly First Minister

(a) 1998 p.38.

(a) 1998 c.38.

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	*9.50*	*17.45*	*25.85*	*65.60*	*20.60*	*27.75*	*34.75*	*72.75*
Repair or replacement of two lenses	*19.00*	*34.90*	*51.70*	*131.20*	*41.20*	*55.50*	*69.50*	*145.50*
Repair or replacement of the front of a frame	*9.75*	*9.75*	*9.75*	*9.75*	*9.75*	*9.75*	*9.75*	*9.75*
the side of a frame	*5.80*	*5.80*	*5.80*	*5.80*	*5.80*	*5.80*	*5.80*	*5.80*
the whole frame	*11.50*	*11.50*	*11.50*	*11.50*	*11.50*	*11.50*	*11.50*	*11.50*

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2002 Rhif 917 (Cy. 105)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2002

STATUTORY INSTRUMENTS

2002 No. 917 (W. 105)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002

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