OFFERYNNAU STATUDOL CYMRU

2008 Rhif 2552 (Cy.222)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) a (Ffioedd a Thaliadau Optegol) (Diwygio) (Cymru) 2008

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986 ("Rheoliadau 1986") a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997 ("Rheoliadau 1997").

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

Mae Rheoliadau 1997 yn darparu ar gyfer cynllun taliadau sydd i'w gwneud gan Fyrddau Iechyd Lleol ac Ymddiriedolaethau'r Gwasanaeth Iechyd Gwladol trwy gyfrwng system dalebau mewn perthynas â chostau a dynnir gan gategorïau penodol o bersonau mewn cysylltiad â phrofion golwg, ac â chyflenwi, ailosod a thrwsio teclynnau optegol.

Mae Rheoliad 2 o'r Rheoliadau hyn yn mewnosod diffiniad newydd yn Rheoliad 2(1) i Reoliadau 1986 (dehongli) ac yn diwygio rheoliad 13 (cymhwystra ar gyfer profion golwg) i ddarparu y bydd person sy'n cael lwfans cyflogi a chefnogi sy'n gysylltiedig ag incwm (neu aelod o deulu'r person hwnnw) yn gymwys i gael prawf golwg y GIG.

Mae Rheoliad 3 yn mewnosod diffiniad newydd yn rheoliad 1 (enwi, cychwyn a dehongli) i Reoliadau 1997 ac yn diwygio rheoliad 8 (cymhwystra - cyflenwi teclynnau optegol) i ddarparu y bydd person sy'n cael lwfans cyflogi a chefnogi sy'n gysylltiedig ag incwm

WELSH STATUTORY INSTRUMENTS

2008 No. 2552 (W.222)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Ophthalmic Services) and (Optical Charges and Payments) (Amendment) (Wales) Regulations 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) Regulations 1986 ("the 1986 Regulations") and the National Health Service (Optical Charges and Payments) Regulations 1997 ("the 1997 Regulations").

The 1986 Regulations contain provision for the arrangements for general ophthalmic services under the National Health Service.

The 1997 Regulations provide for a scheme of payments to be made by Local Health Boards and National Health Service Trusts by means of a voucher system in respect of the costs incurred by certain categories of persons in connection with sight tests and the supply, replacement and repair of optical appliances.

Regulation 2 of these Regulations inserts a new definition into regulation 2(1) of the 1986 Regulations (interpretation) and amends regulation 13 (sight tests - eligibility) to provide that a person who is receiving income-related employment and support allowance (or a member of that person's family) will be entitled to receive an NHS sight test.

Regulation 3 inserts a new definition into regulation 1 (citation, commencement and interpretation) of the 1997 Regulations and amends regulation 8 (eligibility - supply of optical appliances) to provide that a person who is receiving income-related employment and

(neu aelod o deulu'r person hwnnw) yn gymwys i gael taleb mewn perthynas â theclyn optegol.

support allowance (or a member of that person's family) will be entitled to receive a voucher in respect of an optical appliance.

OFFERYNNAU STATUDOL CYMRU

2008 Rhif 2552 (Cy.222)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) a (Ffioedd a Thaliadau Optegol) (Diwygio) (Cymru) 2008

Gwnaed	*29 Medi 2008*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*30 Medi 2008*
Yn dod i rym	*27 Hydref 2008*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddwyd gan adrannau 71, 128, 129 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**) drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) a (Ffioedd a Thaliadau Optegol) (Diwygio) (Cymru) 2008 a deuant i rym ar 27 Hydref 2008.

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

(3) Yn y Rheoliadau hyn—

ystyr "Rheoliadau 1986" ("*the 1986 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986 (**2**); ac ystyr

(**1**) 2006 p.42.

(**2**) O.S. 1986/975; yr offerynnau diwygio perthnasol yw 1989/395, 1992/404, 1995/558, 1996/2320, 1999/693 a 2841 (Cy.21), 2001/1362 (Cy.90) a 1423 (Cy.98) a 3323 (Cy.276) a 2003/301 (Cy.43) a 955 (Cy.129).

WELSH STATUTORY INSTRUMENTS

2008 No. 2552 (W.222)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Ophthalmic Services) and (Optical Charges and Payments) (Amendment) (Wales) Regulations 2008

Made	*29 September 2008*
Laid before the National Assembly for Wales	*30 September 2008*
Coming into force	*27 October 2008*

The Welsh Ministers in exercise of the powers conferred by sections 71, 128, 129 and 203(9) and (10) of the National Health Service (Wales) Act 2006 (**1**) hereby make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the National Health Service (General Ophthalmic Services) and (Optical Charges and Payments) (Amendment) (Wales) Regulations 2008 and they come into force on 27 October 2008.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

"the 1986 Regulations" ("*Rheoliadau 1986*") means the National Health Service (General Ophthalmic Services) Regulations 1986(**2**); and

(**1**) 2006 c.42.

(**2**) S.I. 1986/975; the relevant amending instruments are 1989/395, 1992/404, 1995/558, 1996/2320, 1999/693 and 2841 (W.21), 2001/1362 (W.90) and 1423 (W.98) and 3323 (W.276) and 2003/301 (W.43) and 955 (W.129).

"Rheoliadau 1997" ("*the 1997 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997(**1**).

Diwygiadau i Reoliadau 1986

2.—(1) Diwygir Rheoliadau 1986 yn unol â'r paragraffau a ganlyn o'r rheoliad hwn.

(2) Yn rheoliad 2 (dehongli) mewnosoder y diffiniad canlynol yn y man priodol yn nhrefn yr wyddor—

""income-related employment and support allowance" means an employment and support allowance, entitlement to which is based on section 1(2)(b) of the Welfare Reform Act 2007 (income-related employment and support allowance)(**2**)."

(3) Yn rheoliad 13(2) (cymhwystra ar gyfer profion llygad))—

(a) hepgorer "or" ar ddiwedd is-baragraff (i); a

(b) ar ôl is-baragraff (n), mewnosoder yr is-baragraffau a ganlyn—

"(o) he is in receipt of income-related employment and support allowance; or

(p) he is a member of the same family as a person in receipt of income-related employment and support allowance.".

(4) Yn rheoliad 13(3)—

(a) hepgorer "and" ar ddiwedd is-baragraff (b); a

(b) ar ôl is-baragraff (c), mewnosoder y canlynol—

"and

(d) in sub-paragraph (p) "family" has the meaning given to it by regulation 2 of the Employment and Support Allowance Regulations 2008(**3**).".

Diwygiadau i Reoliadau 1997

3.—(1) Diwygir Rheoliadau 1997 yn unol â'r paragraffau a ganlyn o'r rheoliad hwn.

(2) Yn rheoliad 1(2) (Enwi, cychwyn a dehongli) mewnosoder y diffiniad canlynol yn y man priodol yn nhrefn yr wyddor—

(**1**) O.S. 1997/818; yr offerynnau diwygio perthnasol yw 1999/609, 2000/978 (Cy.48), 2001/1362 (Cy.90) a 1423 (Cy.98), 2003/301 (Cy.43) a 955 (Cy.129).

(**2**) 2007 p.5.

(**3**) O.S. 2008/794.

"the 1997 Regulations" ("*Rheoliadau 1997*") means the National Health Service (Optical Charges and Payments) Regulations 1997(**1**).

Amendments to the 1986 Regulations

2.—(1) The 1986 Regulations are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2 (interpretation) insert, in the appropriate place in the alphabetical order, the following definition—

""income-related employment and support allowance" means an employment and support allowance, entitlement to which is based on section 1(2)(b) of the Welfare Reform Act 2007 (income-related employment and support allowance)(**2**)."

(3) In regulation 13(2) (sight tests - eligibility)—

(a) omit "or" at the end of sub-paragraph (i); and

(b) after sub-paragraph (n) insert the following sub-paragraphs—

"(o) he is in receipt of income-related employment and support allowance; or

(p) he is a member of the same family as a person in receipt of income-related employment and support allowance.".

(4) In regulation 13(3)—

(a) omit "and" at the end of sub-paragraph (b); and

(b) after sub-paragraph (c) insert the following—

"and

(d) in sub-paragraph (p) "family" has the meaning given to it by regulation 2 of the Employment and Support Allowance Regulations 2008(**3**).".

Amendments to the 1997 Regulations

3.—(1) The 1997 Regulations are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(2) (citation, commencement and interpretation), insert, in the appropriate place in the alphabetical order, the following definition—

(**1**) S.I. 1997/818; the relevant amending instruments are 1999/609, 2000/978 (W.48), 2001/1362 (W.90) and 1423 (W.98), 2003/301 (W.43) and 955 (W.129).

(**2**) 2007 c.5.

(**3**) S.I. 2008/794.

""income-related employment and support allowance" means an employment and support allowance, entitlement to which is based on section 1(2)(b) of the Welfare Reform Act 2007 (income-related employment and support allowance)(**1**).".

(3) Yn rheoliad 8(3) (cymhwyster - cyflenwi teclynnau optegol)—

(a) hepgorer "or" ar ddiwedd is-baragraff (l); a

(b) ar ôl is-baragraff (n), mewnosoder y canlynol—

"(o) he is in receipt of income-related employment and support allowance; or

(p) he is a member of the same family as a person in receipt of income-related employment and support allowance.".

(4) Yn rheoliad 8(4)—

(a) hepgorer "and" ar ddiwedd is-baragraff (b); a

(b) ar ôl is-baragraff (c), mewnosoder y canlynol—

"and

(d) in sub-paragraph (p) "family" has the meaning given to it in regulation 2 of the Employment and Support Allowance Regulations 2008(**2**).".

""income-related employment and support allowance" means an employment and support allowance, entitlement to which is based on section 1(2)(b) of the Welfare Reform Act 2007 (income-related employment and support allowance)(**1**).".

(3) In regulation 8(3) (eligibility - supply of optical appliances)—

(a) omit "or" at the end of sub-paragraph (l); and

(b) after sub-paragraph (n) insert the following—

"(o) he is in receipt of income-related employment and support allowance; or

(p) he is a member of the same family as a person in receipt of income-related employment and support allowance.".

(4) In regulation 8(4)—

(a) omit "and" at the end of sub-paragraph (b); and

(b) after sub-paragraph (c) insert the following—

"and

(d) in sub-paragraph (p) "family" has the meaning given to it in regulation 2 of the Employment and Support Allowance Regulations 2008(**2**).".

Edwina Hart

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

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

29 Medi 2008

29 September 2008

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(**1**) 2007 p.5.

(**2**) O.S. 2008/794.

(**1**) 2007 c.5.

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2008 No. 2552 (W.222)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Ophthalmic Services) and (Optical Charges and Payments) (Amendment) (Wales) Regulations 2008

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