



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 1221 (Cy. 292)

2016 No. 1221 (W. 292)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Radiograffydd
Therapiwtig-Ragnodydd
Annibynnol a Deietegydd-
Ragnodydd Atodol) (Diwygiadau
Amrywiol) (Cymru) 2016

The National Health Service
(Therapeutic Radiographer
Independent Prescriber and
Dietitian Supplementary Prescriber)
(Miscellaneous Amendments)
(Wales) 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 (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007 a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013 drwy estyn y diffiniad o ragnodydd drwy fewnosod categori ychwanegol o ragnodydd annibynnol: radiograffydd therapiwtig-ragnodydd annibynnol a thrwy estyn y diffiniad o ragnodydd atodol i gynnwys deietegwyr.

Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau Codi Tâl am Fagiau Siopa Untro (Cymru) 2010 drwy estyn yr esemptiad i'r gofyniad i godi tâl am fagiau siopa untro.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004, the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 and the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 by extending the definition of prescriber through the insertion of an additional category of independent prescriber: therapeutic radiographer independent prescriber and by extending the definition of supplementary prescriber to include dietitians.

These Regulations also amend the Single Use Carrier Bags Charge (Wales) Regulations 2010 by extending the exemption from the requirement to charge for single use carrier bags.

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.

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Amrywiol) (Cymru) 2016

Gwnaed 14 Rhagfyr 2016

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 19 Rhagfyr 2016

Yn dod i rym 9 Ionawr 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 47, 80, 83 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1), ac adrannau 77 a 90 o Ddeddf Newid yn yr Hinsawdd 2008(2), a pharagraff 3 o Atodlen 6 iddi, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Radiograffydd Therapiwtig-Ragnodydd Annibynnol a Deietegydd-Ragnodydd Atodol) (Diwygiadau Amrywiol) (Cymru) 2016 a deuant i rym ar 9 Ionawr 2017.

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

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**NATIONAL HEALTH
SERVICE, WALES**

The National Health Service
(Therapeutic Radiographer
Independent Prescriber and
Dietitian Supplementary Prescriber)
(Miscellaneous Amendments)
(Wales) Regulations 2016

Made 14 December 2016

Laid before the National Assembly for Wales
19 December 2016

Coming into force 9 January 2017

The Welsh Ministers, in exercise of the powers conferred by sections 47, 80, 83 and 203(9) and (10) of the National Health Service (Wales) Act 2006(1), and sections 77 and 90 of, and paragraph 3 of Schedule 6 to, the Climate Change Act 2008(2) make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the National Health Service (Therapeutic Radiographer Independent Prescriber and Dietitian Supplementary Prescriber) (Miscellaneous Amendments) (Wales) Regulations 2016 and they come into force on 9 January 2017.

(2) These Regulations apply in relation to Wales.

(1) 2006 p. 42.
(2) 2008 p. 27.

(1) 2006 c. 42.
(2) 2008 c. 27.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr “Rheoliadau 2004” (“*the 2004 Regulations*”) yw Rheoliadau’r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(1);

ystyr “Rheoliadau 2007” (“*the 2007 Regulations*”) yw Rheoliadau’r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007(2);

ystyr “Rheoliadau 2010” (“*the 2010 Regulations*”) yw Rheoliadau Codi Tâl am Fagiâu Siopa Untro (Cymru) 2010(3); ac

ystyr “Rheoliadau 2013” (“*the 2013 Regulations*”) yw Rheoliadau’r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013(4).

Diwygio Rheoliadau 2004

3.—(1) Mae Rheoliadau 2004 wedi eu diwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2(1), yn y lleoedd priodol yn nhrefn yr wyddor mewnosoder y diffiniadau a ganlyn—

““the Health and Care Professions Council register” means the register established and maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001(5);”;

““registered radiographer” means a person registered in Part 11 of the Health and Care Professions Council register;”;

““therapeutic radiographer independent prescriber” means a person —

- (a) who is a registered radiographer; and
- (b) against whose name is recorded in the relevant register
 - (i) an entitlement to use the title “therapeutic radiographer”; and
 - (ii) an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a

Interpretation

2. In these Regulations—

“the 2004 Regulations” (“*Rheoliadau 2004*”) means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(1);

“the 2007 Regulations” (“*Rheoliadau 2007*”) means the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007(2);

“the 2010 Regulations” (“*Rheoliadau 2010*”) means the Single Use Carrier Bags Charge (Wales) Regulations 2010(3); and

“the 2013 Regulations” (“*Rheoliadau 2013*”) means the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013(4).

Amendment of the 2004 Regulations

3.—(1) The 2004 Regulations are amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1), in the appropriate places in the alphabetical order insert the following definitions—

““the Health and Care Professions Council register” means the register established and maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001(5);”;

““registered radiographer” means a person registered in Part 11 of the Health and Care Professions Council register;”;

““therapeutic radiographer independent prescriber” means a person —

- (a) who is a registered radiographer; and
- (b) against whose name is recorded in the relevant register—
 - (i) an entitlement to use the title “therapeutic radiographer”; and
 - (ii) an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a

(1) O.S. 2004/478 (Cy. 48). Yr offeryn diwygio perthnasol yw O.S. 2007/205 (Cy. 19) ac O.S. 2014/2291 (Cy. 226).
(2) O.S. 2007/121 (Cy. 11). Yr offeryn diwygio perthnasol yw O.S. 2014/2291 (Cy. 226).
(3) O.S. 2010/2880 (Cy. 238). Yr offeryn diwygio perthnasol yw O.S. 2014/2291 (Cy. 226).
(4) O.S. 2013/898 (Cy. 102). Yr offeryn diwygio perthnasol yw O.S. 2014/2291 (Cy. 226).
(5) O.S. 2002/254.

(1) S.I. 2004/478 (W. 48). Relevant amending instrument is S.I. 2007/205 (W. 19) and S.I. 2014/2291 (W. 226).
(2) S.I. 2007/121 (W. 11). Relevant amending instrument is S.I. 2014/2291 (W. 226).
(3) S.I. 2010/2880 (W. 238). Relevant amending instrument is S.I. 2014/2291 (W. 226).
(4) S.I. 2013/898 (W. 102). Relevant amending instrument is S.I. 2014/2291 (W. 226).
(5) S.I. 2002/254.

therapeutic radiographer
independent prescriber;”.

(3) Yn rheoliad 2(1) —

- (a) yn y diffiniad o “prescriber”—
 - (i) yn is-baragraff (f) hepgorer “and”;
 - (ii) yn is-baragraff (g) ar ôl “prescriber;” mewnosoder “and”;
 - (iii) ar ôl is-baragraff (g) mewnosoder—
“(h) a therapeutic radiographer independent prescriber;”;
- (b) yn y diffiniad o “supplementary prescriber” ar ôl is-baragraff (b)(iv)(cc) mewnosoder —
“(dd) dietitians, or”; ac
- (c) yn y diffiniad o “relevant register” ar ôl is-baragraff (c)(i) mewnosoder —
“(ia) dietitians;”.

(4) Ym mharagraff 49(3) a (4) o Atodlen 6 (telerau sy’n berthnasol i ddarparu gwasanaethau gweinyddu) ar ôl “chiropodist independent prescriber” ym mhob lle y mae’n digwydd mewnosoder “, a therapeutic radiographer independent prescriber”.

(5) Ym mharagraff 64(1) a (2) o Atodlen 6 (sy’n ymwneud â nyrsys sy’n rhagnodi’n annibynnol, nyrsys-ragnodwyr annibynnol, fferyllwyr-ragnodwyr annibynnol, ffisiotherapyddion-ragnodwyr annibynnol, podiatryddion-ragnodwyr neu giropodyddion-ragnodwyr annibynnol a rhagnodwyr atodol) ar ôl “chiropodist independent prescriber” ym mhob lle y mae’n digwydd mewnosoder “, a therapeutic radiographer independent prescriber”.

(6) Ym mhennawd paragraff 64 o Atodlen 6, ar ôl “chiropodist independent prescriber” mewnosoder “, therapeutic radiographer independent prescriber”.

Diwygio Rheoliadau 2007

4.—(1) Mae Rheoliadau 2007 wedi eu diwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2(1), yn y lleoedd priodol yn nhrefn yr wyddor mewnosoder y diffiniadau a ganlyn—

“ystyr “cofrestr y Cyngor Proffesiynau Iechyd a Gofal” (“*the Health and Care Professions Council register*”) yw’r gofrestr a sefydlwyd ac a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001;”;

therapeutic radiographer
independent prescriber;”.

(3) In regulation 2(1) —

- (a) in the definition of “prescriber” —
 - (i) in subparagraph (f) omit “and”;
 - (ii) in subparagraph (g) after “prescriber;” insert “and”;
 - (iii) after sub-paragraph (g) insert —
“(h) a therapeutic radiographer independent prescriber;”;
- (b) in the definition of “supplementary prescriber” after sub-paragraph (b)(iv)(cc) insert —
“(dd) dietitians, or”; and
- (c) in the definition of “relevant register” after sub-paragraph (c)(i) insert —
“(ia) dietitians;”.

(4) In paragraph 49(3) and (4) of Schedule 6 (terms relating to the provision of dispensing services) after “chiropodist independent prescriber” at each place where it occurs insert “, a therapeutic radiographer independent prescriber”.

(5) In paragraph 64(1) and (2) of Schedule 6 (which relate to independent nurse prescribers, nurse independent prescribers, pharmacist independent prescribers, physiotherapist independent prescriber, podiatrist or chiropodist independent prescriber and supplementary prescribers) after “chiropodist independent prescriber” at each place where it occurs insert “, a therapeutic radiographer independent prescriber”.

(6) In the heading for paragraph 64 of Schedule 6, after “chiropodist independent prescriber” insert “, therapeutic radiographer independent prescriber”.

Amendment of the 2007 Regulations

4.—(1) The 2007 Regulations are amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1), in the appropriate places in the alphabetical order insert the following definitions—

““the Health and Care Professions Council register” (“*cofrestr y Cyngor Proffesiynau Iechyd a Gofal*”) means the register established and maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”;

“ystyr “radiograffydd cofrestredig” (“*registered radiographer*”) yw person sydd wedi ei gofrestru yn Rhan 11 o gofrestr y Cyngor Proffesiynau Iechyd a Gofal;”;

“ystyr “radiograffydd therapiwtig-ragnodydd annibynnol” (“*therapeutic radiographer independent prescriber*”) yw person—

- (a) sy'n radiograffydd cofrestredig, a
- (b) y cofnodir yn erbyn ei enw yn y gofrestr berthnasol—
 - (i) hawl i ddefnyddio'r teitl “radiograffydd therapiwtig”; a
 - (ii) nodyn yn dynodi ei fod yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel radiograffydd therapiwtig-ragnodydd annibynnol;”.

(3) Yn rheoliad 2(1)—

- (a) yn y diffiniad o “rhagnodydd” (“*prescriber*”)—
 - (i) yn is-baragraff (dd) hepgorer “ac”;
 - (ii) yn is-baragraff (e) yn lle “rhagnodydd annibynnol.” mewnosoder “rhagnodydd annibynnol; ac”;
 - (iii) ar ôl is-baragraff (e) mewnosoder—
 - “(h) radiograffydd therapiwtig-ragnodydd annibynnol;”;
- (b) yn y diffiniad o “cofrestr berthnasol” (“*relevant register*”) ar ôl is-baragraff (c)(i) mewnosoder—
 - “(ia) deietegwyr;”;
- (c) yn y diffiniad o “rhagnodydd atodol” (“*supplementary prescriber*”)—
 - (i) ar ôl “diagnostig neu therapiwtig,” hepgorer “neu”; a
 - (ii) ar ôl is-baragraff (a)(iv)(cc) mewnosoder—
 - “(chch) deietegwyr, neu”.

Diwygio Rheoliadau 2010

5.—(1) Mae Rheoliadau 2010 wedi eu diwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff 1(2)(a) o Atodlen 1 (Esemptiadau), ar ôl “podiatrydd-ragnodydd neu giropodydd-ragnodydd annibynnol” mewnosoder “, radiograffydd therapiwtig-ragnodydd annibynnol”.

““registered radiographer” (“*radiograffydd cofrestredig*”) means a person registered in Part 11 of the Health and Care Professions Council register;”;

““therapeutic radiographer independent prescriber” (“*radiograffydd therapiwtig-ragnodydd annibynnol*”) means a person—

- (a) who is a registered radiographer, and
- (b) against whose name is recorded in the relevant register—
 - (i) an entitlement to use the title “therapeutic radiographer”; and
 - (ii) an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a therapeutic radiographer independent prescriber;”.

(3) In regulation 2(1)—

- (a) in the definition of “prescriber” (“*rhagnodydd*”) —
 - (i) in subparagraph (f) omit “and”;
 - (ii) in subparagraph (g) for “prescriber.” insert “prescriber; and”;
 - (iii) after sub-paragraph (g) insert—
 - “(h) a therapeutic radiographer independent prescriber;”;
- (b) in the definition of “relevant register” (“*cofrestr berthnasol*”) after sub-paragraph (c)(i) insert—
 - “(ia) dietitians;”;
- (c) in the definition of “supplementary prescriber” (“*rhagnodydd atodol*”)—
 - (i) after “diagnostic or therapeutic,” omit “or”; and
 - (ii) after sub-paragraph (a)(iv)(cc) insert—
 - “(dd) dietitians, or”.

Amendment of the 2010 Regulations

5.—(1) The 2010 Regulations are amended in accordance with the following provisions of this regulation.

(2) In paragraph 1(2)(a) of Schedule 1 (Exemptions), after “a podiatrist or a chiropodist independent prescriber insert “, a therapeutic radiographer independent prescriber”.

(3) Ym mharagraff 1(3) o Atodlen 1 yn y lle priodol yn nhrefn yr wyddor mewnosoder—

“mae i “radiograffydd therapiwtig-ragnodydd annibynnol” (“*therapeutic radiographer independent prescriber*”) yr ystyr a roddir yn rheoliad 2(1) o Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013;”

Diwygio Rheoliadau 2013

6.—(1) Mae Rheoliadau 2013 wedi eu diwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2(1), yn y lle priodol yn nhrefn yr wyddor mewnosoder y diffiniadau a ganlyn—

“ystyr “cofrestr y Cyngor Proffesiynau Iechyd a Gofal” (“*the Health and Care Professions Council register*”) yw'r gofrestr a sefydlir ac a gynhelir gan y Cyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001;”;

“ystyr “radiograffydd cofrestredig” (“*registered radiographer*”) yw person sydd wedi ei gofrestru yn Rhan 11 o gofrestr y Cyngor Proffesiynau Iechyd a Gofal;”;

“ystyr “radiograffydd therapiwtig-ragnodydd annibynnol” (“*therapeutic radiographer independent prescriber*”) yw person—

- (a) sy'n radiograffydd cofrestredig, a
- (b) y cofnodir yn erbyn ei enw yn Rhan 11 o gofrestr y Cyngor Proffesiynau Iechyd a Gofal —
 - (i) hawl i ddefnyddio'r teitl “radiograffydd therapiwtig”; a
 - (ii) nodyn yn dynodi ei fod yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel radiograffydd therapiwtig-ragnodydd annibynnol;”.

(3) Yn rheoliad 2(1) —

- (a) yn y diffiniad o “rhagnodydd” (“*prescriber*”) ar ôl “ciropodydd-ragnodydd annibynnol” mewnosoder “, radiograffydd therapiwtig-ragnodydd annibynnol”; a
- (b) yn is-baragraff (c)(i) o ddiffiniad “rhagnodydd atodol” (“*supplementary prescriber*”) ar ôl “chiropodyddion a phodiatriyddion,” mewnosoder “ dietegwyr.”

(3) In paragraph 1(3) of Schedule 1 in the appropriate place in the alphabetical order insert—

““therapeutic radiographer independent prescriber” (“*radiograffydd therapiwtig-ragnodydd annibynnol*”) has the meaning given in regulation 2(1) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013;”.

Amendment of the 2013 Regulations

6.—(1) The 2013 Regulations are amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1), in the appropriate place in the alphabetical order insert the following definitions—

““the Health and Care Professions Council register” (“*cofrestr y Cyngor Proffesiynau Iechyd a Gofal*”) means the register established and maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”;

““registered radiographer” (“*radiograffydd cofrestredig*”) means a person registered in Part 11 of the Health and Care Professions Council register;”;

““therapeutic radiographer independent prescriber” (“*radiograffydd therapiwtig-ragnodydd annibynnol*”) means a person—

- (a) who is a registered radiographer, and
- (b) against whose name is recorded in Part 11 of the Health and Care Professions Council register —
 - (i) an entitlement to use the title “therapeutic radiographer”; and
 - (ii) an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a therapeutic radiographer independent prescriber;”.

(3) In regulation 2(1) —

- (a) in the definition of “prescriber” (“*rhagnodydd*”) after “chiropract independent prescriber” insert “, therapeutic radiographer independent prescriber”; and
- (b) in sub-paragraph (c)(i) of the definition of “supplementary prescriber” (“*rhagnodydd atodol*”) after “chiropractists and podiatrists,” insert “ dietitians.”

Vaughan Gething

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a
Chwaraeon, un o Weinidogion Cymru.
14 Rhagfyr 2016

Cabinet Secretary for Health, Well-being and Sport,
one of the Welsh Ministers.
14 December 2016

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