

OFFERYNNAU STATUDOL CYMRU

**2022 Rhif 402 (Cy. 99)**

**Y GWASANAETH IECHYD GWLADOL, CYMRU**

**Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd  
Ymwelwyr Tramor) (Diwygio) (Rhif 2) (Cymru) 2022**

<i>Gwnaed</i>	- - - -	28 Mawrth 2022
<i>Gosodwyd gerbron Senedd</i>		
<i>Cymru</i>	- - - -	30 Mawrth 2022
<i>Yn dod i rym</i>	- -	31 Mawrth 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 124 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1).

**Enwi, cychwyn a dehongli**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Rhif 2) (Cymru) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 31 Mawrth 2022.

(3) Yn y Rheoliadau hyn, ystyr “y prif Reoliadau” yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989(2).

**Diwygio'r prif Reoliadau**

2.—(1) Mae'r prif Reoliadau wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 1(2) (enwi, cychwyn a dehongli), yn lle'r diffiniad o “authorised companion” rhodder—

““authorised companion” means a person who has been granted leave to enter the United Kingdom to accompany a person who is—

(a) obtaining a course of treatment in respect of which no charges are payable under regulation 6A; or

(b) ordinarily resident in Ukraine and is obtaining a course of treatment;”.

(1) 2006 p. 42.

(2) O.S. 1989/306, a ddiwygiwyd gan O.S. 1991/438; O.S. 1994/1535; O.S. 2004/614; O.S. 2004/696; O.S. 2004/1433 (Cy. 146); O.S. 2008/2364 (Cy. 203); O.S. 2009/1175 (Cy. 102); O.S. 2009/1512 (Cy. 148); O.S. 2009/1824 (Cy. 165); O.S. 2009/3005 (Cy. 264); O.S. 2010/730 (Cy. 71); O.S. 2010/927 (Cy. 94); O.S. 2011/1043; O.S. 2011/2906 (Cy. 310); O.S. 2012/1809; O.S. 2014/1622 (Cy. 166); O.S. 2020/113 (Cy. 20); O.S. 2020/1607 (Cy. 334); O.S. 2021/221 (Cy. 55); O.S. 2022/89 (Cy. 30); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(3) Ar ôl rheoliad 4H (plant ymwelwyr tramor sy'n esempt rhag ffioedd yn rhinwedd rheoliadau 4F a 4G) mewnosoder—

**“Overseas Visitors from Ukraine**

**4I.**—(1) No charge may be made or recovered in respect of any relevant services provided to an overseas visitor who—

- (a) is lawfully present in the United Kingdom; and
- (b) is ordinarily resident in Ukraine.

(2) No charge may be made or recovered in respect of any relevant services provided to an overseas visitor who is lawfully present in the United Kingdom and is—

- (a) the spouse or civil partner of another overseas visitor who is exempt from charges under paragraph (1); or
- (b) a child in respect of whom another overseas visitor, who is exempt from charges under paragraph (1), has responsibility.

(3) No charge may be made or recovered in respect of any relevant services provided to an overseas visitor who is a child who—

- (a) is born in the United Kingdom to a parent who is exempt from charges by virtue of paragraph (1);
- (b) is aged 3 months or less; and
- (c) has not left the United Kingdom since birth.

(4) This paragraph applies to an overseas visitor who, during the relevant period—

- (a) received relevant services from a Local Health Board or NHS trust and who is exempt from charges for those services by virtue of—
  - (i) paragraph (1);
  - (ii) paragraph (2); or
  - (iii) paragraph (3); or
- (b) received relevant services consisting of treatment the need for which arose during the visit from a Local Health Board or NHS trust and who is exempt from charges for those services by virtue of being—
  - (i) an authorised companion; or
  - (ii) an authorised child,

who has been granted leave to enter the United Kingdom to accompany a person who is exempt from charges under paragraph (1).

(5) An overseas visitor to whom paragraph (4) applies is to be treated for the purposes of these Regulations as if, at the time that the relevant services were provided, the overseas visitor was an overseas visitor in respect of whom no charge may be made or recovered for those relevant services.

(6) A Local Health Board or NHS trust which, in respect of an overseas visitor to whom paragraph (5) applies, has—

- (a) yet to make charges under regulation 2 (making and recovery of charges), must not make the charges;
- (b) made charges under regulation 2 but has yet to recover the charges, must not recover the charges; or

(c) made charges under regulation 2 and received payment in respect of the charges, must repay any sum paid in respect of the charges in accordance with regulation 8 (repayments).

(7) In this regulation, “the relevant period” means the period from 24 February 2022 to the coming into force of this regulation.”

### **Adolygu**

3. Cyn 1 Hydref 2022, rhaid i Weinidogion Cymru gynnal adolygiad o'r diwygiadau a wneir gan y Rheoliadau hyn.

28 Mawrth 2022

*Eluned Morgan*  
Y Gweinidog Iechyd a Gwasanaethau  
Cymdeithasol, un o Weinidogion Cymru

---

## NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989 (O.S. 1989/306) ("y prif Reoliadau"), sy'n darparu ar gyfer codi ac adennill ffioedd am wasanaethau perthnasol a ddarperir o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42) i ymwelwyr tramor.

Mae rheoliad 2 yn diwygio'r prif Reoliadau i ddarparu esemptiadau rhag codi ffioedd mewn perthynas ag ymwelwyr tramor sy'n bresennol yn gyfreithlon yn y Deyrnas Unedig ond sy'n preswyllo fel arfer yn Wcráin, yn ogystal ag esemptiadau ar gyfer aelodau o'u teulu, cymdeithion awdurdodedig (ac mae'r diffiniad o gymdeithion awdurdodedig ("authorised companions") wedi ei ddiwygio gan reoliad 2(2) i gynnwys personau sy'n hebrwng ymwelwyr tramor o Wcráin sy'n cael cwrs o driniaeth) a phlant awdurdodedig.

Mae rheoliad 2 hefyd yn darparu, o ran ffioedd yr aed iddynt ers 24 Chwefror 2022 hyd nes y daw'r Rheoliadau hyn i rym mewn cysylltiad â'r ymwelwyr tramor hynny—

- os nad ydynt wedi eu codi eto, na chaniateir eu codi,
- os ydynt wedi eu codi, na chaniateir eu hadennill, neu
- os ydynt wedi eu talu, fod rhaid eu had-dalu.

Mae rheoliad 3 yn darparu i Weinidogion Cymru gynnal adolygiad cyn 1 Hydref 2022.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.