CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 1976 (Cy.215)

GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2003

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 (O.S. 1992/611) ("y prif Reoliadau"). Mae'r Rheoliadau hynny yn rheoleiddio'r telerau y mae gwasanaethau deintyddol cyffredinol yn cael eu darparu odanynt o dan Ddeddf Gwasanaeth Iechyd Gwladol 1977.

Caiff rheoliad 2 o'r prif Reoliadau ei ddiwygio er mwyn ychwanegu'r diffiniad "bwrdd iechyd lleol" ac mae'n cynnwys darpariaethau fel bod cyfeiriadau at "FHSA" ac "Awdurdod Iechyd" yn cael eu trin fel cyfeiriadau at fwrdd iechyd lleol.

Mae'r Rheoliadau hyn yn diwygio rheoliad 19(1) o'r prif Reoliadau er mwyn ychwanegu'r ddau benderfyniad newydd, XI ac XII at y tabl sy'n rhestru'r penderfyniadau. Pwnc penderfyniad XI yw "Taliadau Tadolaeth" a phwnc penderfyniad XII yw "Taliadau Seibiant Mabwysiadu".

Maent hefyd yn diwygio Atodlen 4 i'r prif reoliadau er mwyn codi (o £375 i £390) y swm a bennir ynddi fel cost uchaf, neu gost debygol, y gofal a'r driniaeth y caiff deintydd ymgymryd a hwy heb ofyn am gymeradwyaeth ymlaen llaw oddi wrth y Bwrdd Ymarfer Deintyddol.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 1976 (W.215)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services) (Amendment)(No.2) (Wales) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (General Dental Services) Regulations 1992 (S.I.1992/661) ("the principal Regulations") which regulate the terms upon which general dental services are provided under the National Health Service Act 1977.

Regulation 2 of the principal Regulations is amended to add a definition of "local health board" and contains provisions so that references to "FHSA" and "Health Authority" are treated as references to a local health board.

These Regulations amend regulation 19(1) of the principal Regulations so that two new determinations, XI and XII, are added to the table listing the determinations. The subject matter of determination XI is "Paternity Payments" and of determination XII is "Adoptive Leave Payments".

They also amend Schedule 4 to the principal Regulations to increase (from £375 to £390) the amount specified therein as the maximum cost, or likely cost, of care and treatment which a dentist may undertake without seeking the prior approval of the Dental Practice Board.

OFFERYNNAU STATUDOL

2003 Rhif 1976 (Cy.215)

GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2003

Wedi'u gwneud	*31 Gorffennaf 2003*
Yn dod i rym	*1 Awst 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 15(1), 35(1), 36(1) a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**a**) yn gwneud y Rheoliadau canlynol:

(a) 1977 p.49; *gweler* adran 128(1) fel y'i diwygiwyd gan Ddeddf 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 15(1) gan adran 5(2) o Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"); gan Ddeddf 1990 adran 12(1) a chan Ddeddf yr Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995") adran 2(1) ac Atodlen 1, paragraff 6(e).

Disodlwyd adran 35(1) gan O.S. 1985/39, erthygl 7(9), ac fe'i diwygiwyd gan Ddeddf 1995, Atodlen 1, paragraff 24.

Rhifwyd adran 36(1) felly gan Ddeddf 1984, Atodlen 3, paragraff 5(1) ac fe'i diwygiwyd gan O.S. 1981/432, erthygl 3(3)(a); gan O.S. 1985/39, erthygl 7(10); gan adran 25 o Ddeddf Iechyd a Meddyginiaethau 1988 (p.49) ac Atodlen 2, paragraff 4 iddi, gan Ddeddf 1990, adran 24(2) a chan Ddeddf 1995, adran 2(1) ac Atodlen 1, paragraff 25(a).

Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2); a chan Ddeddf Iechyd 1999 (p.8) ("Deddf 1999"), Atodlen 4, paragraff 37(6).

Trosglwyddwyd swyddogaethau Ysgrifennydd Gwladol Cymru o dan adrannau 15(1), 35(1), 36(1) a 126(4) o Ddeddf 1977 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

2003 No. 1976 (W.215)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services) (Amendment)(No.2) (Wales) Regulations 2003

Made	*31st July 2003*
Coming into force	*1st August 2003*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 15(1), 35(1), 36(1) and 126(4) of 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 15(1) was amended by section 5(2) of the Health and Social Security Act 1984 (c.48) ("the 1984 Act"); by the 1990 Act section 12(1) and by the Health Authorities Act 1995 (c.17) ("the 1995 Act") section 2(1) and Schedule 1, paragraph 6(e).

Section 35(1) was substituted by S.I.1985/39, article 7(9), and amended by the 1995 Act, Schedule 1, paragraph 24.

Section 36(1) was so numbered by the 1984 Act, Schedule 3, paragraph 5(1) and amended by S.I.1981/432, article 3(3)(a); by S.I.1985/39, article 7(10); by section 25 of and Schedule 2, paragraph 4 to the Health and Medicines Act 1988 (c.49), by the 1990 Act, section 24(2) and by the 1995 Act , section 2(1) and Schedule 1, paragraph 25(a).

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).

The functions of the Secretary of State under sections 15(1), 35(1), 36(1) and 126(4) of 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 a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2003 a deuant i rym ar 1 Awst 2003.

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

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) 1992

2. Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 ("y prif Reoliadau")(**a**) yn unol â darpariaethau canlynol y Rheoliadau hyn.

Diwygio rheoliad 2 o'r prif Reoliadau

3. Yn rheoliad 2 o'r prif Reoliadau (dehongli) -

(a) ym mharagraff (1) rhodder y diffiniad canlynol yn y lle priodol yn ôl trefn yr wyddor -

""local health board" has the meaning assigned to it by section 16BA of the Act(**b**);";

(b) ym mharagraff (1A) yn lle "health authority" rhodder "local health board"."

(c) Ar ôl paragraff (1A) mewnosoder y paragraff canlynol -

""(1B) In the application of these Regulations in relation to Wales "Health Authority" shall, in each place where these words occur, have effect as if there were substituted the words "local health board".".

Diwygio rheoliad 19 o'r prif Reoliadau

4. Yn rheoliad 19 o'r prif Reoliadau (Datganiad o Daliadau Deintyddol) ar ddiwedd y Tabl o dan baragraff (1) rhodder -

(a) yng ngholofn (1) y rhifolion Rhufeinig "XI" ac "XII", a

(b) yng ngholofn (2) "Paternity Payments" ac "Adoptive Leave Payments".

(a) O.S. 1992/661; yr offerynnau diwygio perthnasol yw O.S.1993/2209, 1995/3092, 1996/704, 1998/1648, 2000/3118 (Cy. 226) a 2001/2706 (Cy.226).

(b) Mewnosodwyd adran 16BA gan Ddeddf Diwygio'r Gwasanaeth Iechyd a Phroffesiynau Gofal Iechyd 2002.

Citation, commencement and application

1.-(1) These Regulations may be cited as the National Health Service (General Dental Services) (Amendment) (No.2) (Wales) Regulations 2003 and will come into force on 1st August 2003.

(2) These Regulations apply to Wales only.

Amendment of the National Health Service (General Dental Services) Regulations 1992

2. The National Health Service (General Dental Services) Regulations 1992 ("the principal Regulations")(**a**) are amended in accordance with the following provisions of these Regulations.

Amendment of regulation 2 of the principal Regulations

3. In regulation 2 of the principal Regulations (interpretation)-

(a) in paragraph (1)insert the following definition in the appropriate place in the alphabetical order-

""local health board" has the meaning assigned to it by section 16BA of the Act(**b**);";

(b) in paragraph (1A) for "health authority" substitute " local health board";

(c) after paragraph (1A) insert the following paragraph -

""(1B) In the application of these Regulations in relation to Wales "Health Authority" shall, in each place where these words occur, have effect as if there were substituted the words "local health board".".

Amendment of regulation 19 of the principal Regulations

4. In regulation 19 of the principal Regulations (Statement of Dental Remuneration) at the end of the Table set out below paragraph (1), insert -

(a) in column (1) the Roman numerals "XI" and "XII", and

(b) in column (2) "Paternity Payments" and "Adoptive Leave Payments".

(a) S.I.1992/661; relevant amending instruments are S.I.1993/2209 1995/3092, 1996/704, 1998/1648, 2000/3118 (W.226) and 2001/2706 (W.226).

(b) Section 16BA was inserted into the National Health Service Act 1977 by the Health Service Reform and Health Care Professions Act 2002.

Diwygio Atodlen 4 i'r prif Reoliadau

5. Yn Rhan II o Atodlen 4 i'r prif Reoliadau (triniaeth cymeradwyaeth ymlaen llaw), ym mhob un o baragraffau 1 a 2, yn lle "£375" rhodder "£390".

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

31 Gorffennaf 2003

Amendment of Schedule 4 to the principal Regulations

5. In Part II of Schedule 4 to the principal Regulations (prior approval treatment), in each of paragraphs 1 and 2, for "£375" substitute "£390".

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

31st July 2003

Rhodri Morgan

Prif Weinidog Cymru

First Minister

(a) 1998 p.38.

(a) 1998 c.38.

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