



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 783 (Cy.94)

2003 No. 783 (W.94)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Gwasanaethau Fferyllol)
(Diwygio) (Cymru)
2003

The National Health Service
(Pharmaceutical Services)
(Amendment) (Wales) Regulations
2003

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol Cyffredinol) 1992 sy'n rheoleiddio'r telerau ynghylch darparu gwasanaethau fferyllol cyffredinol o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977.

These Regulations further amend the National Health Service (Pharmaceutical Services) Regulations 1992 which regulate the terms on which pharmaceutical services are provided under the National Health Service Act 1977.

Mae Rheoliad 2 yn cynnwys darpariaethau sy'n diwygio'r cyfnod o amser sydd gan fferyllwyr i ymateb i gwynion a wneir gan neu ar ran unrhyw berson y maent wedi rhoi gwasanaeth fferyllol iddo. Caiff yr amser a ganiateir i fferyllwyr gydnabod cwynion yn ffurfiol ei leihau o dri diwrnod i ddau ddiwrnod (ac eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc), tra caiff yr amser a ganiateir i roi i achwynydd grynodedb ysgrifenedig o ymchwiliadau a chasgliadau ei gynyddu o 10 i 20 diwrnod gwaith (ac eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc).

Regulation 2 contains provisions amending the length of time chemists have to respond to complaints made by or on behalf of any person to whom they have provided pharmaceutical services. The time permitted to chemists to formally acknowledge complaints is reduced from three to two days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays), whereas the time permitted to provide a complainant with a written summary of investigations and conclusions is increased from 10 to 20 days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays).

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GWLADOL, CYMRUNATIONAL HEALTH
SERVICE, WALESRheoliadau'r Gwasanaeth Iechyd
Gwladol (Gwasanaethau Fferyllol)
(Diwygio) (Cymru)
2003The National Health Service
(Pharmaceutical Services)
(Amendment) (Wales) Regulations
2003*Wedi'u gwneud* 18 Mawrth 2003
Yn dod i rym 1 Ebrill 2003*Made* 18th March 2003
Coming into force 1st April 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 41, 42 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(a) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 41, 42 and 126(4) of the National Health Service Act 1977(a) hereby makes the following Regulations:

Enwi, cychwyn, cymhwyso ac effaith**Citation, commencement, application and effect**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol Cyffredinol) (Diwygio) (Cymru) 2003, a deuant i rym ar 1 Ebrill 2003.

1.-(1) These Regulations may be cited as the National Health Service (Pharmaceutical Services) (Amendment) (Wales) Regulations 2003 and shall come into force on 1st April 2003.

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

(2) These Regulations apply to Wales only.

(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".

(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".

Diwygiwyd adran 41 gan Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Deddf 2001"), adran 42(1).

Section 41 was amended by the Health and Social Care Act 2001 (c.15) ("the 2001 Act"), section 42(1).

Diwygiwyd adran 42 gan Ddeddf y Gwasanaeth Iechyd Gwladol (Diwygio) 1986 (p.66), adran 3(1); gan Ddeddf yr Awdurdodau Iechyd 1995 (p.17), adran 2(1), Atodlen 1, paragraff 30(a)(i), (b)(i), (iii) a (c)(i), (iii) a (iv); Deddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Deddf 2001"), adrannau 43(2), (3) a (4), 20(1) a (6)(a)(b)(c), 23(1) a (5)(a)(b), 67(2), Atodlen 6, Rhan 1; gan Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17) ("Deddf 2002"), adran 2(5), Atodlen 2, Rhan 1, paragraffau 1, 16(1), (3)(b) a (4)(b); O.S. 1987/2202, erthygl 4, a chan Ddeddf 1990, adran 12(3).

Section 42 was amended by the National Health Service (Amendment) Act 1986 (c.66), section 3(1); the Health Authorities Act 1995 (c.17), section 2(1), Schedule 1, paragraph 30(a)(i), (b)(i), (iii) and (c)(i), (iii) and (iv); the Health and Social Care Act 2001 (c.15) ("the 2001 Act"), sections 43(2), (3) and (4), 20(1) and (6)(a)(b)(c), 23(1) and (5)(a)(b), 67(2), Schedule 6, Part 1; the National Health Service Reform and Health Care Professions Act 2002 (c.17) ("the 2002 Act"), section 2(5), Schedule 2, Part 1, paragraphs 1, 16(1), (3)(b) and (4)(b); S.I. 1987/2202, article 4, and the 1990 Act, section 12(3).

Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2); gan Ddeddf Iechyd 1999 (p.8), adran 65(1), Atodlen 4, paragraffau 4, 37(1) a 6; gan Ddeddf 2001, adran 67(1), Atodlen 5, Rhan 1, paragraffau 5(1) a 13(b) a chan Ddeddf 2002, adran 6(3)(c).

Section 126(4) was amended by the 1990 Act, section 65(2); by the Health Act 1999 (c.8), section 65(1), Schedule 4, paragraphs 4, 37(1) and (6); the 2001 Act, section 67(1), Schedule 5, Part 1, paragraphs 5(1) and 13(b), and by the 2002 Act, section 6(3)(c).

O ran Cymru, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 41 a 42 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 i Gynulliad Cenedlaethol Cymru o dan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo, O.S. 1999/672.

As regards Wales, the functions of the Secretary of State under sections 41, 42 and 126(4) of the National Health Service Act 1977 are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I.1999/672.

(3) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol Cyffredinol) 1992(a) yn unol â darpariaethau canlynol y Rheoliadau hyn.

Diwygio paragraff 10A yn Atodlen 2

2. Diwygir paragraff 10A i Atodlen 2 (Cwynion) yn unol â'r paragraffau canlynol -

- (a) ym mharagraff 7(b)(ii) yn lle'r gair "three", rhodder y gair "two"; a
- (b) ym mharagraff (7)(c) yn lle'r ffigur "10", rhodder y ffigur "20".

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

18 Mawrth 2003

D.Elis-Thomas

Llywydd Cynulliad Cenedlaethol Cymru.

(3) The National Health Service (Pharmaceutical Services) Regulations 1992(a) shall be amended in accordance with the following provisions of these Regulations.

Amendment of paragraph 10A of Schedule 2

2. Paragraph 10A of Schedule 2 (Complaints) shall be amended in accordance with the following paragraphs-

- (a) in paragraph (7)(b)(ii) for the word "three", substitute the word "two"; and
- (b) in paragraph (7)(c) for the figure "10", substitute the figure "20".

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

18th March 2003

The Presiding Officer of the National Assembly for Wales.

(a) O.S. 1992/662, yr offeryn diwygio perthnasol yw O.S. 1996/698, sy'n mewnosod paragraffau 10A a B yn Atodlen 2 ac O.S. 1999/696 sy'n diwygio paragraff 10A.

(b) 1998 p.38.

(a) S.I. 1992/662, the relevant amending instrument is S.I. 1996/698 which inserts paragraphs 10A and B into Schedule 2 and S.I. 1999/696 which amends paragraph 10A.

(b) 1998 c.38.

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£1.75

W80/03/03

ON

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ISBN 0-11-090692-6



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