CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2005 Rhif 1630 (Cy.124)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2005

NODYN ESBONIADOL

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

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

Mae Rheoliadau 1986 yn cynnwys darpariaeth ar gyfer trefnu gwasanaethau offthalmig cyffredinol o dan y Gwasanaeth Iechyd Gwladol. Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio rheoliad 13 o Reoliadau 1986 er mwyn cynyddu'r swm a ddefnyddir fel sail ar gyfer cyfrifo hawl i brawf golwg di-dâl o dan y Rheoliadau hynny.

Mae Rheoliadau 1997 yn darparu ar gyfer cynllun taliadau sydd i'w gwneud drwy gyfrwng system dalebau o ran costau a dynnir gan gategorïau penodol o bersonau mewn cysylltiad â chyflenwi, ailosod a thrwsio teclynnau optegol.

Mae rheoliad 3 yn diwygio rheoliad 1 o Reoliadau 1997 er mwyn cynyddu ffi prawf golwg y GIG.

Mae rheoliad 4 yn diwygio rheoliad 8 o Reoliadau 1997 er mwyn cynyddu'r swm a ddefnyddir fel sail ar gyfer cyfrifo hawl am gyfraniad tuag at gost teclyn optegol o dan y Rheoliadau hynny.

Mae rheoliad 5 yn diwygio rheoliad 19 o Reoliadau 1997 er mwyn cynyddu gwerth adbrynu taleb a ddyroddir tuag at y gost o ailosod un lens gyffwrdd, a

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The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

The 1986 Regulations contain provision for the arrangements for general ophthalmic services under the National Health Service. Regulation 2 of these Regulations amends regulation 13 of the 1986 Regulations to increase the amount used as the basis for calculating entitlement to a free sight test under those Regulations.

The 1997 Regulations provide for payments to be made by means of a voucher system in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances.

Regulation 3 amends regulation 1 of the 1997 Regulations to increase the NHS sight test fee.

Regulation 4 amends regulation 8 of the 1997 Regulations to increase the amount used as the basis for calculating eligibility for a contribution to the cost of an optical appliance under those Regulations.

Regulation 5 amends regulation 19 of the 1997 Regulations to increase the redemption value of a voucher issued towards the cost of replacement of a

chynyddu mwyafswm y cyfraniad drwy daleb at gost trwsio ffrâm sbectol.

Mae rheoliad 6 a'r Atodlen yn diwygio Atodlenni Rheoliadau 1997 er mwyn cynyddu gwerth talebau a ddyroddir tuag at gostau cyflenwi ac ailosod sbectol a lensys cyffwrdd, cynyddu gwerthoedd ychwanegol y talebau ar gyfer prismau, arlliwiau, lensys ffotocromaidd a chategorïau arbennig o declynnau a chynyddu gwerth y talebau a ddyroddir at drwsio ac ailosod teclynnau optegol. Tua 2.5% yw graddfa'r cynnydd yn yr Atodlen i'r Rheoliadau hyn.

single contact lens and to increase the maximum contribution by way of voucher to the cost of repair of a frame.

Regulation 6 and the Schedule amend the Schedules of the 1997 Regulations to increase the value of vouchers issued towards the costs of the supply and replacement of glasses and contact lenses, to increase the additional values for vouchers for prisms, tints, photocromic lenses and special categories of appliances and to increase the value of vouchers issued towards the cost of the repair and replacement of optical appliances. The rate of increase in the Schedule to these Regulations is approximately 2.5%.

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Y GWASANAETH IECHYD GWLADOL, CYMRU

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Wedi'u gwneud	*14 Mehefin 2005*
Yn dod i rym	*24 Mehefin 2005*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adrannau 38, 78(1), 83A and 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 a pharagraffau 2 a 2A o Atodlen 12 iddi(**1**), drwy hyn yn gwneud y Rheoliadau canlynol:

(1) 1977 p.49. Diwygiwyd Adran 38 gan adran 1 o Ddeddf Gwasanaethau Iechyd 1980 (p.53) a pharagraff 51 o Atodlen 1 iddi, adran 1(3) o Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("y Ddeddf Iechyd a Nawdd Cymdeithasol"), erthygl 7(11) o O.S. 1985/39, adran 13(1) o Ddeddf Iechyd a Meddyginiaethau 1988 (p.49) ("y Ddeddf Iechyd a Meddyginiaethau"), paragraff 27 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p.17) ("y Ddeddf Awdurdodau Iechyd").

Diwygiwyd adran 78(1) gan adran 25 o'r Ddeddf Iechyd a Meddyginiaethau ac Atodlen 3 iddi.

Mewnosodwyd adran 83A gan adran 14(1) o Ddeddf Iechyd a Nawdd Cymdeithasol 1988 (p.7) ac fe'i diwygiwyd gan baragraff 6 o Atodlen 2 i'r Ddeddf Iechyd a Meddyginiaethau, gan baragraff 18(5) o Atodlen 9 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p.19) ("Deddf 1990") a chan baragraff 40 o Atodlen 1 i'r Ddeddf Awdurdodau Iechyd.

Diwygiwyd adran 126(4) gan adran 65(2) o Ddeddf 1990, a chan adran 65(1) o Ddeddf Iechyd 1999 (p.8) a paragraffau 37(1) a (6) o Atodlen 4 iddi ("Deddf 1999"), gan adran 67(1) o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15) a paragraffau 5 a 13 o Atodlen 5 iddi, gan adran 6(3)(c) a 37(1) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17), a chan adrannau 184 a 196 o Ddeddf lechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p.43) a pharagraffau 7 a 38 o Atodlen 11 iddi a Rhan 4 o Atodlen 14 iddi.

Amnewidiwyd paragraff 2(1) o Atodlen 12 gan baragraff 8 o Atodlen 2 i'r Ddeddf Iechyd a Meddyginiaethau.

Mewnosodwyd paragraff 2A o Atodlen 12 gan Atodlen 1, paragraff 3 o'r Ddeddf Iechyd a Nawdd Cymdeithasol a'i ddiwygio gan adran 13(2) a (3) o'r Ddeddf Iechyd a Meddyginiaethau.

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan y pwerau a grybwyllir uchod i Gynulliad Cenedlaethol Cymru o dan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo (O.S. 1999/672), fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.

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2005 No. 1630 (W.124)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2005

Made	*14 June 2005*
Coming into force	*24 June 2005*

The National Assembly for Wales, in exercise of the powers conferred by sections 38, 78(1), 83A and 126(4) of, and paragraphs 2 and 2A of Schedule 12 to, the National Health Service Act 1977(**1**) hereby makes the following Regulations:

(1) 1977 c.49. Section 38 was amended by section 1 of, and paragraph 51 of Schedule 1 to, the Health Services Act 1980 (c.53), section 1(3) of the Health and Social Security Act 1984 (c.48) ("the Health and Social Security Act"), article 7(11) of S.I. 1985/39, section 13(1) of the Health and Medicines Act 1988 (c.49) ("the Health and Medicines Act"), paragraph 27 of Schedule 1 to the Health Authorities Act 1995 (c.17) ("the Health Authorities Act").

Section 78(1) was amended by section 25 of, and Schedule 3 to, the Health and Medicines Act.

Section 83A was inserted by section 14(1) of the Social Security Act 1988 (c.7) and amended by paragraph 6 of Schedule 2 to, the Health and Medicines Act, by paragraph 18(5) of Schedule 9 to the National Health Service and Community Care Act 1990 (c.19) ("the 1990 Act") and by paragraph 40 of Schedule 1 to the Health Authorities Act.

Section 126(4) was amended by section 65(2) of the 1990 Act, by section 65(1) of, and paragraphs 37(1) and (6) of Schedule 4 to the Health Act 1999 (c.8) ("the 1999 Act"), by section 67(1) of, and paragraphs 5 and 13 of Schedule 5 to the Health and Social Care Act 2001 (c.15), by section 6(3)(c) and 37(1) of the National Health Service Reform and Health Care Professions Act 2002 (c.17) and by sections 184, 196 and paragraphs 7 and 38 of Schedule 11 to, and part 4 of Schedule 14 to, the Health and Social Care (Community Health and Standards) Act 2003 (c.43).

Paragraph 2(1) of Schedule 12 was substituted by paragraph 8 of Schedule 2 to the Health and Medicines Act.

Paragraph 2A of Schedule 12 was inserted by Schedule 1, paragraph 3 of the Health and Social Security Act and amended by section 13(2) and (3) of the Health and Medicines Act.

The functions of the Secretary of State under the above mentioned powers 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), as amended by section 66(5) of the 1999 Act.

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2005.

(2) Daw'r Rheoliadau hyn i rym ar 24 Mehefin 2005.

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

(4) Yn y Rheoliadau hyn-

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

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

Diwygio rheoliad 13 o Reoliadau 1986

2. Yn rheoliad 13(2)(l)(ii) o Reoliadau 1986 (profion llygaid - cymhwyster) yn lle "£14,600" rhodder "£15,050".

Diwygio rheoliad 1 o Reoliadau 1997

3. Yn rheoliad 1(2) o Reoliadau 1997 (enwi, cychwyn a dehongli) yn y diffiniad o "NHS sight test fee"-

(a) yn lle "£49.19" rhodder "£50.77"; a

(b) yn lle "£17.82" rhodder "£18.39".

Diwygio rheoliad 8 o Reoliadau 1997

4. Yn rheoliad 8(3)(l)(ii) o Reoliadau 1997 (cymhwyster - cyflenwi teclynnau optegol) yn lle "£14,600" rhodder "£15,050".

Diwygio rheoliad 19 o Reoliadau 1997

5. Yn rheoliad 19 o Reoliadau 1997 (gwerth adbrynu taleb ar gyfer ailosod neu drwsio) -

(1) O.S. 1997/818; fel y'i diwygiwyd gan O.S. 1998/499, 1999/609 a 2841 (Cy.21), 2000/978 (Cy.48), 2001/1362 (Cy.90), 1423 (Cy.98) a 3323 (Cy.276), 2003/301 (Cy.43) a 955 (Cy.129), 2004/1014 (Cy.111), 1659 (Cy.171) a 1042 (Cy.124).

(2) O.S. 1986/975; fel y'i diwygiwyd gan O.S. 1999/693 a 2841 (Cy.21), 2001/1362 (Cy.90), 1423 (Cy.98) a 3323 (Cy.276), 2002/1883 (Cy.192), 2003/955 (Cy.129) a 837 (Cy.106), 2004/1014 (Cy.111) a 1042 (Cy.124).

Title, commencement, interpretation and application

1.-(1) The title of these Regulations is the National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2005.

(2) These Regulations come into force on 24 June 2005.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations -

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

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

Amendment of regulation 13 of the 1986 Regulations

2. In regulation 13(2)(l)(ii) of the 1986 Regulations (sight tests - eligibility) for "£14,600" substitute "£15,050".

Amendment of regulation 1 of the 1997 Regulations

3. In regulation 1(2) of the 1997 Regulations (citation, commencement and interpretation), in the definition of "NHS sight test fee" -

(a) for "£49.19" substitute "£50.77"; and

(b) for "£17.82" substitute "£18.39".

Amendment of regulation 8 of the 1997 Regulations

4. In regulation 8(3)(l)(ii) of the 1997 Regulations (eligibility - supply of optical appliances) for "£14,600" substitute "£15,050".

Amendment of regulation 19 of the 1997 Regulations

5. In regulation 19 of the 1997 Regulations (redemption value of voucher for replacement or repair) -

(1) S.I. 1997/818; as amended by S.I. 1998/499, 1999/609 and 2841 (W.21), 2000/978 (W.48), 2001/1362 (W.90), 1423 (W.98) and 3323 (W.276), 2003/301 (W.43) and 955 (W.129), 2004/1014 (W.111), 1659 (W.171) and 1042 (W.124).

(2) S.I. 1986/975; as amended by S.I. 1999/693 and 2841 (W.21), 2001/1362 (W.90), 1423 (W.98) and 3323 (W.276), 2002/1883 (W.192), 2003/955 (W.129) and 837 (W.106), 2004/1014 (W.111) and 1042 (W.124).

(a) ym mharagraff (1)(b), yn lle "£46.80" rhodder "£48.00"; a

(b) ym mharagraff (3), yn lle "£12.10" rhodder "£12.40".

Diwygio'r Atodlenni i Reoliadau 1997

6.-(1) Yn Atodlen 1 i Reoliadau 1997 (codau llythrennau taleb a gwerthoedd ar yr wyneb - cyflenwi ac ailosod) yng ngholofn (3) o'r tabl (gwerth taleb ar yr wyneb), yn lle pob swm a bennir yng ngholofn (1) o'r tabl isod rhodder y swm a bennir mewn perthynas ag ef yng ngholofn (2) o'r tabl isod.

(1)	*(2)*
Swm blaenorol	*Swm newydd*
£32.10	£32.90
£48.80	£50.00
£71.30	£73.10
£161.00	£165.00
£55.40	£56.80
£70.40	£72.20
£91.30	£93.60
£177.00	£181.40
£164.90	£169.00
£46.80	£48.00

(2) Yn Atodlen 2 i Reoliadau 1997 (prismau, arlliwiau, lensys ffotocromaidd, sbectol fach a sbectol arbennig, a theclynnau cymhleth) -

(a) ym mharagraff 1(1)(a), yn lle "£10.40" rhodder "£10.70";

(b) ym mharagraff 1(1)(b) yn lle "£12.50" rhodder "£12.80";

(c) ym mharagraff 1(1)(c), yn lle "£3.50" rhodder "£3.60";

(ch) ym mharagraff 1(1)(d), yn lle "£4.00" rhodder "£4.10";

(d) ym mharagraff 1(1)(e), yn lle "£52.80", "£46.80" a "£25.40" rhodder "£54.10", "£48.00" a "£26.00" yn eu trefn;

(dd) ym mharagraff 1(1)(g), yn lle "£52.80" rhodder "£54.10";

(e) ym mharagraff 2(a), yn lle "£12.10" rhodder "£12.40"; ac

(f) ym mharagraff 2(b), yn lle "£30.50" rhodder "£31.30".

(a) in paragraph (1)(b), for "£46.80" substitute "£48.00"; and

(b) in paragraph (3), for "£12.10" substitute "£12.40".

Amendments of the Schedules to the 1997 Regulations

6.-(1) In Schedule 1 to the 1997 Regulations (voucher letter codes and face values - supply and replacement) in column (3) of the table (face value of voucher), for each amount specified in column (1) of the table below substitute the amount specified in relation to it in column (2) of the table below.

(1)	*(2)*
Old amount	*New amount*
£32.10	£32.90
£48.80	£50.00
£71.30	£73.10
£161.00	£165.00
£55.40	£56.80
£70.40	£72.20
£91.30	£93.60
£177.00	£181.40
£164.90	£169.00
£46.80	£48.00

(2) In Schedule 2 to the 1997 Regulations (prisms, tints, photocromic lenses, small and special glasses and complex appliances) -

(a) in paragraph 1(1)(a), for "£10.40" substitute "£10.70";

(b) in paragraph 1(1)(b), for "£12.50" substitute "£12.80";

(c) in paragraph 1(1)(c), for "£3.50" substitute "£3.60";

(d) in paragraph 1(1)(d), for "£4.00" substitute "£4.10";

(e) in paragraph 1(1)(e), for "£52.80", "£46.80" and "£25.40" substitute "£54.10", "£48.00" and "£26.00" respectively;

(f) in paragraph 1(1)(g), for "£52.80" substitute "£54.10";

(g) in paragraph 2(a), for "£12.10" substitute "£12.40"; and

(h) in paragraph 2(b), for "£30.50" substitute "£31.30".

(3) Yn lle Atodlen 3 i Reoliadau 1997 (gwerthoedd talebau - trwsio), rhodder yr Atodlen 3 a nodir yn yr Atodlen i'r Rheoliadau hyn.

Cymhwyso'r Rheoliadau hyn

7. Nid yw'r diwygiadau a wneir gan reoliadau 5 a 6 yn gymwys ond mewn perthynas â thaleb a dderbyniwyd neu a ddefnyddiwyd yn unol â rheoliad 12 neu reoliad 17 o Reoliadau 1997 ar neu ar ôl 24 Mehefin 2005.

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

14 Mehefin 2005

(3) For Schedule 3 to the 1997 Regulations (voucher values - repair), substitute the Schedule 3 set out in the Schedule to these Regulations.

Application of these Regulations

7. The amounts substituted by regulations 5 and 6 apply only in relation to a voucher accepted or used pursuant to regulation 12 or regulation 17 of the 1997 Regulations on or after 24 June 2005.

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

14 June 2005

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

YR ATODLEN

ATODLEN 3 I REOLIADAU 1997 FEL Y'I HAMNEWIDIR GAN Y RHEOLIADAU HYN

Rheoliad 6(3)

SCHEDULE

SCHEDULE 3 TO THE 1997 REGULATIONS AS SUBSTITUTED BY THESE REGULATIONS

Regulation 6(3)

"

SCHEDULE 3

VOUCHER VALUES-REPAIR

Regulation 19(2) and (3)

(1)	*(2)*								
Nature of Repair		Letter of Codes-Values							
	A	B	C	D	E	F	G	H	I
Repair or replacement of one lens	£10.25	£18.80	£30.35	£76.30	£22.20	£29.90	£40.60	£84.50	£78.30
Repair or replacement of two lens	£20.50	£37.60	£60.70	£152.60	£44.40	£59.80	£81.20	£169.00	£156.60

Repair or replacement of:									
The front of a frame	£10.50	£10.50	£10.50	£10.50	£10.50	£10.50	£10.50	£10.50	£10.50
A side of a frame	£6.25	£6.25	£6.25	£6.25	£6.25	£6.25	£6.25	£6.25	£6.25
The whole frame	£12.40	£12.40	£12.40	£12.40	£12.40	£12.40	£12.40	£12.40	£12.40

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2005 Rhif 1630 (Cy.124)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2005

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2005 No. 1630 (W.124)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2005

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