



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 1112 (Cy.118) (C.48)

2013 No. 1112 (W.118) (C.48)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Gorchymyn Deddf Iechyd 2006
(Cychwyn Rhif 3) (Cymru)
2013

The Health Act 2006
(Commencement No.3) (Wales)
Order 2013

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Y Gorchymyn hwn yw'r trydydd gorchymyn cychwyn a wnaed gan Weinidogion Cymru o dan Ddeddf Iechyd 2006 ("y Ddeddf").

This Order is the third commencement order made by the Welsh Ministers under the Health Act 2006 ("the Act").

Mae'r Gorchymyn hwn yn dwyn i rym yng Nghymru adran 34 o'r Ddeddf i'r graddau y mae adran 34 yn gymwys o ran Cymru. Mae adran 34 yn gymwys o ran Cymru a Lloegr. Mae'n mewnosod adran 42A (Pŵer i godi tâl: Lloegr) ac adran 42B (Pŵer i godi tâl: Cymru) yn Neddf y Gwasanaeth Iechyd Gwladol 1977 (p.49). Mae adran 34 eisoes wedi ei chychwyn o ran Lloegr drwy O.S. 2006/3125 (a ddarparodd yn benodol na chafodd swyddogaethau'r Cynulliad Cenedlaethol Cymru o dan adran 42B o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 eu dwyn i rym drwy'r Gorchymyn hwnnw).

This Order brings into force in Wales section 34 of the Act insofar as section 34 applies in relation to Wales. Section 34 applies in relation to England and Wales. It inserts section 42A (Power to charge: England) and section 42B (Power to Charge: Wales) into the National Health Service Act 1977 (c. 49). Section 34 has already been commenced in relation to England by S.I. 2006/3125 (which specifically provided that the functions of the National Assembly for Wales under section 42B of the National Health Service Act 1977 were not brought into force by that Order).

Mae adran 34 yn cynnwys pŵer sy'n galluogi taliadau i gael eu gwneud am geisiadau am gynnwys person mewn rhestr fferyllol neu ddiwygio rhestr fferyllol.

Section 34 contains a power enabling charges to be made for applications for inclusion in or amendment to a pharmaceutical list.

Yn unol ag adran 208(4) a (5) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42), effaith cychwyn adran 34 o'r Ddeddf fydd cychwyn adran 85 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (Pŵer i godi tâl).

In accordance with section 208(4) and (5) of the National Health Service (Wales) Act 2006 (c.42), the effect of commencing section 34 of the Act, will be to commence section 85 of the National Health Service (Wales) Act 2006 (Power to charge).

**NODYN YNGHYLCH GORCHMYNION
CYCHWYN CYNHARACH**

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

<i>Darpariaeth</i>	<i>Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
Adrannau 1 i 3 a 5 i 12	2.4.2007 (o ran Cymru)	2007/204 (Cy.18) (C.9)
Adrannau 1 i 12 (ac eithrio adran 5(4))	1.7.2007 (o ran Lloegr)	2007/1375 (C.57)
Adran 5(4)	1.7.2007 (o ran Lloegr, yr Alban a Gogledd Iwerddon)	2007/1375 (C.57)
Adran 13	1.7.2007 (o ran Cymru a Lloegr)	2007/1375 (C.57)
Adrannau 14 i 16	1.10.2006 (C.88)	2006/2603
Adrannau 17 i 25	1.1.2007 (o ran Lloegr) a 1.3.2007 (o ran yr Alban)	2006/3125 (C.108)
Adrannau 17 i 25	13.12.2008 (o ran Cymru i'r graddau nad ydynt eisoes mewn grym)	2008/3171 (W.284) (C.144)
Adran 33	1.10.2006	2006/2603 (C.88)
Adrannau 34 a 35	28.2.2007 (yn rhannol)	2006/3125 (C.108)
Adrannau 37 i 42	1.8.2008	2008/1972 (C.96)
Adran 43	1.5.2008	2008/1147 (C.50)
Adrannau 44 i 55	1.2.2007 (o ran Cymru)	2007/204 (Cy.18) (C.9)
Adrannau 44 i 55	22.4.2008 (o ran Lloegr)	2008/1147 (C.50)
Adran 56	1.10.2006 (yn rhannol)	2006/2603 (C.88)
	1.2.2007 (o ran Cymru)	2007/204 (Cy.18) (C.9)

**NOTE AS TO EARLIER
COMMENCEMENT ORDERS**

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Sections 1 to 3 and 5 to 12	2.4.2007 (in relation to Wales)	2007/204 (W.18) (C.9)
Sections 1 to 12 (other than section 5(4))	1.7.2007 (in relation to England)	2007/1375 (C.57)
Section 5(4)	1.7.2007 (in relation to England, Scotland and Northern Ireland)	2007/1375 (C.57)
Section 13	1.7.2007 (in relation to England and Wales)	2007/1375 (C.57)
Sections 14 to 16	1.10.2006	2006/2603 (C.88)
Sections 17 to 25	1.1.2007 (in relation to England) and 1.3.2007 (in relation to Scotland)	2006/3125 (C.108)
Sections 17 to 25	13.12.2008 (in relation to Wales in so far as they are not already in force).	2008/3171 (W.284) (C.144)
Section 33 (C.88)	1.10.2006	2006/2603
Sections 34 and 35	28.2.2007 (partially)	2006/3125 (C.108)
Sections 37 to 42	1.8.2008	2008/1972 (C.96)
Section 43	1.5.2008	2008/1147 (C.50)
Sections 44 to 55	1.2.2007 (in relation to Wales)	2007/204 (W.18) (C.9)
Sections 44 to 55	22.4.2008 (in relation to England)	2008/1147 (C.50)
Section 56	1.10.2006 (partially)	2006/2603 (C.88)
	1.2.2007 (in relation to Wales)	2007/204 (W.18) (C.9)

Adran 57	1.10.2006	2006/2603 (C.88)
Adrannau 58 i 62	28.9.2006 (yn rhannol) a 1.10.2006 (y gweddill)	2006/2603 (C.88)
Adrannau 63 i 69	1.10.2006	2006/2603 (C.88)
Adran 70	28.9.2006 (yn rhannol) a 1.10.2006 (y gweddill)	2006/2603 (C.88)
Adran 71	28.9.2006 (yn rhannol) a 1.10.2006 (y gweddill)	2006/2603 (C.88)
Adran 72	28.4.2008	2008/1147 (C.50)
Adran 73	29.1.2007 (ac eithrio i'r graddau y mae'n rhychwantu'r Alban)	2006/3125 (C.108)
Adran 73	29.1.2007 (o ran yr Alban)	OSA 2007/9 (C.1)
Adrannau 76 i 78	2.4.2007 (o ran Cymru i'r graddau y maent yn ymwneud â throseddau o dan Bennod 1 o Ran 1)	2007/204 (Cy. 18) (C.9)
Adrannau 76, 77 a 78	13.12.2008 (o ran Cymru i'r graddau y maent yn ymwneud â throseddau o dan Bennod 1 o Ran 3)	2008/3171 (Cy.284) (C.144)
Adrannau 76 a 77	1.7.2007 (o ran Lloegr i'r graddau y maent yn ymwneud â throseddau o dan Ran 1)	2007/1375 (C.57)
Adrannau 76 a 77	22.4.2008 (o ran Lloegr a'r Alban i'r graddau y maent yn ymwneud â throseddau o dan Bennod 1 o Ran 3)	2008/1147 (C.50)

Section 57	1.10.2006	2006/2603 (C.88)
Sections 58 to 62	28.9.2006 (partially) and 1.10.2006 (remainder)	2006/2603 (C.88)
Sections 63 to 69	1.10.2006	2006/2603 (C.88)
Section 70	28.9.2006 (partially) and 1.10.2006 (remainder)	2006/2603 (C.88)
Section 71	28.9.2006 (partially) and 1.10.2006 (remainder)	2006/2603 (C.88)
Section 72	28.4.2008	2008/1147 (C.50)
Section 73	29.1.2007 (except in so far as it extends to Scotland)	2006/3125 (C.108)
Section 73	29.1.2007 (in relation to Scotland)	SSI 2007/9 (C.1)
Sections 76 to 78	2.4.2007 (in relation to Wales so far as they relate to offences under Chapter 1 of Part 1)	2007/204 (W.18)(C.9)
Sections 76, 77 and 78	13.12.2008 (in relation to Wales so far as they relate to offences under Chapter 1 of Part 3)	2008/3171 (W.284) (C.144)
Sections 76 and 77	1.7.2007 (in relation to England so far as they relate to offences under Part 1)	2007/1375 (C.57)
Sections 76 and 77	22.4.2008 (in relation to England and Scotland, so far as they relate to offences under Chapter 1 of Part 3)	2008/1147 (C.50)

Adran 78	22.4.2008 (o ran Lloegr i'r graddau y mae'n ymwneud â throseddau o dan Bennod 1 o Ran 3)	2008/1147 (C.50)	Section 78	22.4.2008 (in relation to England, so far as it relates to offences under Chapter 1 of Part 3)	2008/1147 (C.50)
Adran 80(1)	1.10.2006 (yn rhannol) 29.1.2007 (o ran yr Alban - yn rhannol) 1.2.2007 (o ran Cymru - yn rhannol) 1.8.2008 (yn rhannol)	2006/2603 (C.88) OSA 2007/9 (C.1) 2007/204 (Cy 18) (C.9) 2008/1972 (C.96)	Section 80(1)	1.10.2006 (partially) 29.1.2007 (in relation to Scotland - partially) 1.2.2007 (in relation to Wales - partially) 1.8.2008 (partially)	2006/2603 (C.88) SSI 2007/9 (C.1) 2007/204 (W.18) (C.9) 2008/1972 (C.96)
Adran 80(2)	1.10.2006 (yn rhannol) 1.2.2007 (o ran Cymru - yn rhannol) 1.8.2008 (yn rhannol)	2006/2603 (C.88) 2007/204 (Cy.18) (C.9) 2008/1972 (C.96)	Section 80(2)	1.10.2006 (partially) 1.2.2007 (in relation to Wales - partially) 1.8.2008 (partially)	2006/2603 (C.88) 2007/204 (W.18) (C.9) 2008/1972 (C.96)
Atodlenni 1 a 2	2.4.2007 (o ran Cymru) 1.7.2007 (o ran Lloegr)	2007/204 (Cy.18) (C.9) 2007/1375 (C.57)	Schedules 1 and 2	2.4.2007 (in relation to Wales) 1.7.2007 (in relation to England)	2007/204 (W.18) (C.9) 2007/1375 (C.57)
Atodlen 3	1.10.2006 (yn rhannol) 1.2.2007 (o ran Cymru)	2006/2603 (C.88) 2007/204 (Cy.18) (C.9)	Schedule 3	1.10.2006 (partially) 1.2.2007 (in relation to Wales)	2006/2603 (C.88) 2007/204 (W.18) (C.9)
Atodlen 4	1.10.2006	2006/2603 (C.88)	Schedule 4	1.10.2006	2006/2603 (C.88)
Atodlenni 5 a 6	28.9.2006 (yn rhannol) a 1.10.2006 (y gweddill)	2006/2603 (C.88) 2006/2603 (C.88)	Schedules 5 and 6	28.9.2006 (partially) and 1.10.2006 (remainder)	2006/2603 (C.88) 2006/2603 (C.88)
Atodlen 7	1.10.2006		Schedule 7	1.10.2006	
Atodlen 8			Schedule 8		
paragraffau 1 i 5	1.10.2006	2006/2603 (C.88)	paragraphs 1 to 5	1.10.2006	2006/2603 (C.88)
paragraffau 6 i 23	1.8.2008	2008/1972 (C.96)	paragraphs 6 to 23	1.8.2008	2008/1972 (C.96)
paragraff 24	1.10.2006 (yn rhannol) 1.2.2007 (o ran Cymru - yn rhannol)	2006/2603 (C.88) 2007/204 (Cy.18) (C.9)	paragraph 24	1.10.2006 (partially) 1.2.2007 (in relation to Wales - partially)	2006/2603 (C.88) 2007/204 (W.18) (C.9)

	1.8.2008 (y gweddill)	2008/1972 (C.96)
paragraff 25	1.8.2008	2008/1972 (C.96)
paragraffau 26 i 28	1.10.2006	2006/2603 (C.88)
paragraff 29	1.8.2008	2008/1972 (C.56)
paragraff 31	1.10.2006	2006/2603 (C.88)
paragraffau 32 i 34	1.8.2008	2008/1972 (C.96)
paragraff 35	1.10.2006	2006/2603 (C.88)
paragraffau 39 i 42	1.10.2006 (yn rhannol)	2006/2603 (C.88)
paragraff 43	1.2.2007 (o ran Cymru - yn rhannol)	2007/204 (Cy.18) (C.9)
paragraff 44	1.10.2006 (yn rhannol) 1.2.2007 (o ran Cymru - yn rhannol)	2006/2603 (C.88) 2007/204 (Cy.18) (C.9)
paragraff 45(1) a (2)	1.10.2006 (yn rhannol) 1.8.2008 (y gweddill)	2006/2603 (C.88) 2008/1972 (C.96)
paragraff 45(3)	1.10.2006	2006/2603 (C.88)
paragraff 46	1.8.2008	2008/1972 (C.96)
paragraffau 47 ac 48	1.10.2006	2006/2603 (C.88)
paragraff 49	1.10.2006 (yn rhannol)	2006/2603 (C.88)
paragraff 50	1.8.2008	2008/1972 (C.96)
paragraffau 51 a 52	1.10.2006	2006/2603 (C.88)
paragraff 55	29.1.2007 (o ran yr Alban)	OSA 2007/9 (C.1)
paragraffau 56 i 61	1.10.2006	2006/2603 (C.88)
paragraff 62	1.2.2007 (o ran Cymru - yn rhannol)	2007/204 (Cy.18) (C.9)

	1.8.2008 (remainder)	2008/1972 (C.96)
paragraph 25	1.8.2008	2008/1972 (C.96)
paragraphs 26 to 28	1.10.2006	2006/2603 (C.88)
paragraph 29	1.8.2008	2008/1972 (C.96)
paragraph 31	1.10.2006	2006/2603 (C.88)
paragraphs 32 to 34	1.8.2008	2008/1972 (C.96)
paragraph 35	1.10.2006	2006/2603 (C.88)
paragraphs 39 to 42	1.10.2006 (partially)	2006/2603 (C.88)
paragraph 43	1.2.2007 (in relation to Wales - partially)	2007/204 (W.18) (C.9)
paragraph 44	1.10.2006 (partially) 1.2.2007 (in relation to Wales - partially)	2006/2603 (C.88) 2007/204 (W.18) (C.9)
paragraph 45(1) and (2)	1.10.2006 (partially) 1.8.2008 (remainder)	2006/2603 (C.88) 2008/1972 (C.96)
paragraph 45(3)	1.10.2006	2006/2603 (C.88)
paragraph 46	1.8.2008	2008/1972 (C.96)
paragraphs 47 and 48	1.10.2006	2006/2603 (C.88)
paragraph 49	1.10.2006 (partially)	2006/2603 (C.88)
paragraph 50	1.8.2008	2008/1972 (C.96)
paragraphs 51 and 52	1.10.2006	2006/2603 (C.88)
paragraph 55	29.1.2007 (in relation to Scotland)	SSI 2007/9 (C.1)
paragraphs 56 to 61	1.10.2006	2006/2603 (C.88)
paragraph 62	1.2.2007 (in relation to Wales - partially)	2007/204 (W.18) (C.9)

Atodlen 9	1.10.2006 (yn rhannol)	2006/2603 (C.88)
	1.2.2007 (o ran Cymru - yn rhannol)	2007/204 (Cy.18) (C.9)
	1.8.2008 (yn rhannol)	2008/1972 (C.96)

Schedule 9	1.10.2006 (partially)	2006/2603 (C.88)
	1.2.2007 (in relation to Wales - partially)	2007/204 (W.18)(C.9)
	1.8.2008 (partially)	2008/1972 (C.96)

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**Y GWASANAETH IECHYD
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SERVICE, WALES**

**Gorchymyn Deddf Iechyd 2006
(Cychwyn Rhif 3) (Cymru)
2013**

**The Health Act 2006
(Commencement No. 3) (Wales)
Order 2013**

Gwnaed

7 Mai 2013

Made

7 May 2013

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau yn adran 83(5)(b) o Ddeddf Iechyd 2006(1).

The Welsh Ministers make the following Order in exercise of the powers contained in section 83(5)(b) of the Health Act 2006(1).

Enwi, cymhwyso a dehongli

Title, application and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd 2006 (Cychwyn Rhif 3) (Cymru) 2013.

1.—(1) The title of this Order is the Health Act 2006 (Commencement No. 3) (Wales) Order 2013.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

(3) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd 2006.

(3) In this Order, "the Act" ("*y Ddeddf*") means the Health Act 2006.

Y diwrnod penodedig ar gyfer darpariaethau sy'n ymwneud â'r pŵer i godi tâl

Appointed day for provisions relating to power to charge

2. 9 Mai 2013 yw'r diwrnod penodedig ar gyfer dwyn i rym adran 34 o'r Ddeddf i'r graddau y mae'n gymwys o ran Cymru.

2. 9 May 2013 is the appointed day for the coming into force of section 34 of the Act in so far as it applies in relation to Wales.

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru.

Minister for Health and Social Services, one of the
Welsh Ministers.

7 Mai 2013

7 May 2013

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