



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif. 2729 (Cy. 263)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**Gorchymyn Ymddiriedolaeth
Gwasanaeth Iechyd Gwladol
Gwasanaethau Ambiwylans Cymru
(Sefydlu) (Diwygio) 2013**

2013 No. 2729 (W. 263)

**NATIONAL HEALTH
SERVICE, WALES**

**The Welsh Ambulance Services
National Health Service Trust
(Establishment) (Amendment)
Order 2013**

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio ymhellach Orchymyn Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwylans Cymru (Sefydlu) 1998 er mwyn diwygio swyddogaethau Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwylans Cymru.

Mae'r swyddogaethau wedi eu diwygio er mwyn rhoi'r swyddogaeth o gyflawni swyddogaethau'r Pwynt Cyswllt Cenedlaethol yng Nghyfarwydddeb 2011/24/EU o Senedd Ewrop a'r Cyngor ddyddiedig 9 Mawrth 2011 ar gymhwyso hawliau cleifion mewn gofal iechyd trawsffiniol ("y Gyfarwydddeb") i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwylans Cymru.

Yn unol â rheoliad 2(2) o Reoliadau'r Gwasanaeth Iechyd Gwladol (Gofal Iechyd Trawsffiniol) 2013 (O.S. 2013/2269) ("Rheoliadau 2013"), mae'n ofynnol i Weinidogion Cymru ddynodi, o ran Cymru, berson neu gorff addas i fod yn bwynt cyswllt cenedlaethol at ddibenion y Gyfarwydddeb. Mae rheoliadau 3 i 6 o Reoliadau 2013 yn gosod dyletswyddau ar y pwyntiau cyswllt cenedlaethol dynodedig yng Nghymru a Lloegr o ran yr wybodaeth y mae'n ofynnol iddynt ei rhoi ar gael i gleifion preswyl (h.y. mewn perthynas â pwynt cyswllt cenedlaethol Cymru, personau sy'n preswyl fel arfer yng Nghymru) a chleifion ar ymweliad (h.y. y cleifion hynny nad oes ganddynt ymlyniad at y DU fel aelod-wladwriaeth) ac yn gosod dyletswyddau ar y pwyntiau cyswllt cenedlaethol dynodedig mewn perthynas â chydweithredu â phwyntiau cyswllt cenedlaethol eraill a'r Comisiwn Ewropeaidd ac ymgynghori â'r sefydliadau sy'n cynrychioli cleifion, darparwyr iechyd ac yswirwyr.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998 in order to amend the functions of the Welsh Ambulance Services National Health Service Trust.

The functions are amended to give the Welsh Ambulance Services National Health Service Trust the function of performing the functions of the National Contact Point in Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare ("the Directive").

In accordance with regulation 2(2) of the National Health Service (Cross-Border Healthcare) Regulations 2013 (S.I. 2013/2269) ("the 2013 Regulations"), Welsh Ministers are required to designate, in relation to Wales, a suitable person or body to be the national contact point for the purposes of the Directive. Regulations 3 to 6 of the 2013 Regulations place duties upon the designated national contact points in England and Wales with regard to the information that they are required to make available to resident patients (ie in relation to the Welsh national contact point persons who are ordinarily resident in Wales) and visiting patients (ie patients for whom the UK is not the member state of affiliation) and place duties upon the designated national contact points relating to cooperation with other national contact points and the European Commission and consultation with organisations representing patients, health providers and insurers.

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(Sefydlu) (Diwygio) 2013**

Gwnaed 22 Hydref 2013

Yn dod i rym 25 Hydref 2013

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 18(1) a 204(1) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1) a pharagraff 5 o Atodlen 3 iddi, ar ôl cwblhau'r ymgynghoriad a ragnodir o dan adran 18(3) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwlans Cymru (Sefydlu) (Diwygio) 2013 a daw i rym ar 25 Hydref 2013.

(2) Yn y Gorchymyn hwn:

ystyr “y prif Orchymyn” (“*the principal Order*”) yw Gorchymyn Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwlans Cymru (Sefydlu) 1998(2).

Diwygio erthygl 1 o'r prif Orchymyn

2.—(1) Ar ôl y diffiniad o “the Act” yn erthygl 1(2) o'r prif Orchymyn mewnosoder—

““Directive 2011/24/EU” means Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the

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Made 22 October 2013

Coming into force 25 October 2013

The Welsh Ministers, in exercise of the powers conferred by sections 18(1) and 204(1) of and paragraph 5 of Schedule 3 to the National Health Service (Wales) Act 2006(1), after completion of the consultation prescribed under section 18(3) of the National Health Service (Wales) Act 2006, make the following Order:

Title, commencement and interpretation

1.—(1) The title of this Order is the Welsh Ambulance Services National Health Service Trust (Establishment) (Amendment) Order 2013 and it comes into force on 25 October 2013.

(2) In this Order:

“the principal Order” (“*y prif Orchymyn*”) means the Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998 (2).

Amendment of article 1 of the principal Order

2.—(1) Following the definition of “the Act” in article 1(2) of the principal Order insert —

““Directive 2011/24/EU” means Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the

(1) 2006 p.42.

(2) O.S. 1998/678, fel y'i diwygiwyd gan O.S. 2009/201 (Cy.26).

(1) 2006 c.42.

(2) S.I. 1998/678, as amended by S.I. 2009/201 (W. 26).

application of patients' rights in cross-border healthcare⁽¹⁾;

"National Contact Point" means the National Contact Point that Member States are required to designate under article 6 of Directive 2011/24/EU⁽²⁾."

Diwygio erthygl 3 o'r prif Orchymyn

3.—(1) Yn erthygl 3(2)(c) o'r prif Orchymyn, ar ôl y geiriau "paragraphs (a) and (b)" dileer yr atalnodi a ganlyn "." a mewnosoder "; and".

(2) Ar ôl erthygl 3(2)(c) o'r prif Orchymyn, mewnosoder—

"(d) to perform the functions of the National Contact Point in Wales for the purposes of Directive 2011/24/EU as set out in regulations 3 to 6 of the National Health Service (Cross-Border Healthcare) Regulations 2013⁽²⁾."

application of patients' rights in cross-border healthcare⁽¹⁾;

"National Contact Point" means the National Contact Point that Member States are required to designate under article 6 of Directive 2011/24/EU⁽²⁾."

Amendment of article 3 of the principal Order

3.—(1) In article 3(2)(c) of the principal Order, following the words "paragraphs (a) and (b)" remove the following punctuation "." and insert "; and".

(2) Following article 3(2)(c) of the principal Order, insert —

"(d) to perform the functions of the National Contact Point in Wales for the purposes of Directive 2011/24/EU as set out in regulations 3 to 6 of the National Health Service (Cross-Border Healthcare) Regulations 2013⁽²⁾."

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru

22 Hydref 2013

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

22 October 2013

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(1) OJ Rhif L.88 4.4.2011 t.45.
(2) O.S. 2013/2269.

(1) OJ No. L.88 4.4.2011 p.45.
(2) S.I. 2013 /2269.

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