OFFERYNNAU STATUDOL CYMRU

2005 Rhif 3039 (Cy.227)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Penodi Ymgynghorwyr) (Cymru) (Diwygio) 2005

Wedi'u gwneud - -	*1 Tachwedd 2005*
Yn dod i rym - -	*2 Tachwedd 2005*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adran 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 ("Deddf 1977")(**1**) a pharagraffau 10(1) a 12(b) o Atodlen 5 iddi a pharagraffau 6(1)(d), 9(2) a (3) o Atodlen 5B iddi, ac adran 5(7)(f) o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 ("Deddf 1990")(**2**) a pharagraffau 16(4) a 16(5) o Atodlen 2 iddi, ac ar ôl ymgynghori yn unol â pharagraff 11(1) o Atodlen 5, a pharagraff 9(4) o Atodlen 5B, i Ddeddf 1977 a pharagraff 16(6) o Atodlen 2 i Ddeddf 1990, â chyrff y mae'n eu cydnabod fel rhai sy'n cynrychioli personau y mae'n debyg yr effeithir arnynt, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Penodi Ymgynghorwyr) (Cymru) (Diwygio) 2005 ac maent yn dod i rym ar 2 Tachwedd 2005.

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

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Penodi Ymgynghorwyr) (Cymru) 1996(**3**).

(**1**) 1977 (p.49). Diwygiwyd adran 126(4) gan adran 65(2) o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 65(1) o Ddeddf Iechyd 1999 (p.8) ("Deddf 1999") a pharagraffau 4 a 37 o Atodlen 4 iddi, adran 67(1) o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Deddf 2001") a pharagraffau 5 a 13 o Ran 1 o Atodlen 5 iddi, ac adran 6(3)(c) a 37(1) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17) ("Deddf 2002"). Diwygiwyd paragraff 10(1) o Atodlen 5 gan adran 14 o Ddeddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983 (p.41) a pharagraff 3 o Atodlen 6 iddi, adrannau 5 a 24 o Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) a Rhan I o Atodlen 8 iddi, adran 2(1) o Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995") a pharagraff 60(c) o Atodlen 1 iddi, ac adrannau 6(1)(a) a (b) o Ddeddf 2001. Diwygiwyd paragraff 12(b) o Atodlen 5 gan adran 1 o Ddeddf 1990, a pharagraff 9 o Ran III o Atodlen 1 iddi, adrannau 2(1) a 5(1) o Ddeddf 1995 a pharagraff 60(e) o Atodlen 1 iddi, ac Atodlen 3 iddi, ac adran 65(1) o Ddeddf 1999, a pharagraffau 4, 39(1) a (4)(b) o Atodlen 4 iddi. Mewnosodwyd Atodlen 5B gan adran 6(2) o Ddeddf 2002 ac Atodlen 4 iddi. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan y darpariaethau hyn, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2(a) o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999).

(**2**) 1990 (p.19). Diwygiwyd adran 5(7) gan adran 2(1) o Ddeddf Awdurdodau Iechyd 1995 (p.17) a pharagraff 69(d) o Atodlen 1 iddi. Mewnosodwyd paragraffau 16(4)-(6) o Atodlen 2 gan adran 6(3)(b) o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15).

(**3**) O.S. 1996/1313 fel y'i diwygiwyd gan O.S. 2003/1250.

Diwygio rheoliad 2 o'r prif Reoliadau

2.—(1) Mae rheoliad 2 o'r prif Reoliadau (dehongli) wedi'i ddiwygio fel a ganlyn.

(2) O flaen y diffiniad o "application" mewnosoder y diffiniad canlynol—

""accredited as a consultant" means—

(a) a person whose name is included in the register of specialists maintained by the General Medical Council pursuant to article 8 of the European Specialist Medical Qualifications Order 1995 (the specialist register); or

(b) a person whose name is included in the register of specialists maintained by the General Medical Council pursuant to article 13 of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (the specialist register),

where that person has either been appointed as a consultant by an Armed Services Consultant Appointment Board or appointed to a consultant post with an Authority;".

(3) Yn y diffiniad o "Authority", ar ôl "Special Health Authority," mewnosoder "an NHS trust, a Local Health Board".

(4) Ar ôl y diffiniad o "core members" mewnosoder y diffiniad canlynol—

""Defence Medical Services" means the medical services of the air force, army and navy of the United Kingdom, whose function is to provide primary and secondary healthcare to service personnel and entitled civilians;".

(5) Yn y diffiniad o "lay member" dileer "or NHS trust".

(6) Mae'r diffiniad o "relevant college" wedi'i ddiwygio fel a ganlyn—

(a) ar ôl paragraff (e) mewnosoder "(ee) the Royal College of Paediatrics and Child Health,";

(b) ar ôl paragraff (f) mewnosoder "(ff) the Royal College of Physicians and Surgeons of Glasgow,";

(c) ym mharagraff (g) dileer y gair "or";

(ch) ym mharagraff (h) ar ôl y gair "Radiologists," mewnosoder y gair "or"; a

(d) ar ôl paragraff (h) mewnosoder "(i) the Royal College of Surgeons of Edinburgh,".

(7) Yn lle'r diffiniad o "relevant University" rhodder y canlynol—

""relevant University" means—

(a) for an appointment to a Local Health Board any University associated with the provision of health services to that Board;

(b) for an appointment to an NHS trust,

(i) in the case where a University is specified in the Establishment Order for the NHS trust in question, that University; or

(ii) in all other cases, any University with a department which teaches the relevant specialty;".

Diwygio rheoliad 5 o'r prif Reoliadau

3.—(1) Mae rheoliad 5 o'r prif Reoliadau (penodiadau esempt) wedi'i ddiwygio fel a ganlyn.

(2) Ym mharagraff (1), is-baragraff (d), dileer "an NHS trust,".

(3) Ym mharagraff (1), is-baragraff (e)(ii) yn lle "NHS trust" rhodder "Authority".

(4) Ym mharagraff (1), is-baragraff (g)—