OFFERYNNAU STATUDOL CYMRU

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Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Diwygio) (Cymru) 2005

Wedi'u gwneud - -	*28 Mehefin 2005*
Yn dod i rym - -	*15 Gorffennaf 2005*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adrannau 83A, 126(4) a 128(1) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**1**), drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, dehongli a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Diwygio) (Cymru) 2005 a deuant i rym ar 15 Gorffennaf 2005.

(2) Yn y rheoliadau hyn ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) 1988(**2**).

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

Diwygio rheoliad 2 o'r prif Reoliadau

2. Diwygier rheoliad 2 o'r prif Reoliadau (dehongliad) fel a ganlyn—

(a) ar ôl y diffiniad o "the Act" mewnosoder—

(**1**) 1977 p.49 ("Deddf 1977"); 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 Ddeddf Iechyd a Meddyginiaethau 1988 (p.49); gan baragraff 18(5) o Atodlen 9 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990") a chan baragraff 40 o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p.17).
Diwygiwyd Adran 126(4) gan adran 65(2) o Ddeddf 1990 a chan baragraff 37(6) o Atodlen 4 i Ddeddf Iechyd 1999 (p.17) ("Deddf 199").
Gweler adran 128(1), fel y'i diwygiwyd gan adran 26(2)(g) ac (i) o Ddeddf 1990 ar gyfer y diffiniadau o "prescribed" a "regulations".
Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 83A, 126(4) a 128(1) o Ddeddf 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S.1999/672, erthygl 2 ac Atodlen 1, fel y'i diwygiwyd gan Ddeddf 1999, adran 66(5); gan Ddeddf Iechyd a Gofal Cymdeithasol (p.15), adran 68(1); gan Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17), adran 40(1) a chan Ddeddf y Gwasanaeth Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p.43), adran197(1).

(**2**) O.S. 1988/551

""annuity contract" means a contract that provides for periodic payments starting from a stated or contingent date and continuing for a fixed period or for the life of the annuity;";

(b) ar ôl y diffiniad o "care home" mewnosoder—

""child" means a person under the age of 16 years;";

(c) yn y man priodol yn nhrefn yr wyddor mewnosoder—

""couple" has the meaning given in section 137 of the Social Security Contributions and Benefits Act 1992(**3**);";

(ch) ar ôl y diffiniad o "date of claim" mewnosoder—

""dependent child or young person" means any child or young person who is treated as the responsibility of the claimant or the claimant's partner, where that child or young person is a member of the claimant's household;";

(d) ar ôl y diffiniad o "disability element" mewnosoder—

""earnings" has the meaning given in regulations 35 and 37 of the Income Support Regulations;";

(dd) ar ôl y diffiniad o "full rate" mewnosoder—

""full time student" has the meaning given in regulation 61 of the Income Support Regulations;";

(e) yn y man priodol yn nhrefn yr wyddor mewnosoder—

""household" means—

(a) a group of people who have a common address as their only or main residence and who either share one meal a day or share the living accommodation at that residence; or

(b) the only or main residence of a single person who does not share either one meal a day or the living accommodation at that residence with another person;";

(f) ar ôl y diffiniad o "income support" mewnosoder—

""the Income Support Regulations" means the Income Support (General Regulations) 1987(**4**);";

(ff) ar ôl y diffiniad o "NHS trust" mewnosoder—

""occupational pension scheme" has the meaning given by section 1 of the Pension Schemes Act 1993(**5**);";

(g) ar ôl y diffiniad o "pension credit savings credit" mewnosoder—

""personal pension scheme" means a personal pension scheme—

(a) as defined in section 1 of the Pension Schemes Act 1993; or

(b) as defined in section 1 of the Pension Schemes (Northern Ireland) Act 1993(**6**);";

(ng) ar ôl y diffiniad o "severe disability element" mewnosoder—

(**3**) 1992 p.4.
(**4**) O.S. 1987/1967
(**5**) 1993 p.48
(**6**) 1993 p.49

""single person" means a person who does not have a partner and is not responsible for, and is not a member of the same household as, a child or young person;";

(h) ar ôl y diffiniad o "standard rate" mewnosoder—

""State Pension Credit Regulations" means the State Pension Credit Regulations 2002(**7**);";

(i) yn y diffiniad o "trade dispute" yn lle'r geiriau "the Social Security Act 1975" rhodder "section 35(1) of the Jobseekers Act 1995(**8**);"; a

(j) ar ôl y diffiniad o "working tax credit" mewnosoder—

""young person" has the meaning prescribed in regulation 14 of the Income Support Regulations;".

Diwygio rheoliad 4 o'r prif Reoliadau

3. Yn rheoliad 4(2)(e) o'r prif Reoliadau (personau â hawl i beidio â thalu dim a thaliad llawn) yn lle "£14,600" rhodder "£15,050".

Diwygio rheoliad 6 o'r prif Reoliadau

4. Yn rheoliad 6(2)(b) o'r prif Reoliadau (cyfrifo adnoddau a gofynion) yn lle'r geiriau "at the date when he paid the relevant charge or travelling expenses" rhodder "at the date when the relevant charges or travelling expenses are paid in full".

Diwygio rheoliad 7 o'r prif Reoliadau

5.—(1) Diwygier rheoliad 7 o'r prif Reoliadau (hawliadau am beidio â thalu neu am daliad) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ar ôl paragraff (6)(d) mewnosoder—

"(e) in the case of a notice issued to a person described in paragraph (6B) it is valid for the length of time prescribed in that paragraph.".

(3) Ar ôl paragraff (6) mewnosoder—

"(6B) A notice of entitlement issued under paragraph (4) is valid for 5 years beginning on the date when the claimant is—

(a) a single person aged not less than 65 years; or

(b) one of a couple where one partner is aged not less than 60 years and one partner is aged not less than 65 years,

who does not receive any—

(i) earnings;

(ii) payments from an occupational pension scheme;

(iii) payments from any personal pension scheme; or

(iv) payments from an annuity contract.

(6C) Paragraph (6B) does not apply to a person who has a dependent child or a young person as a member of his or her household.".

(**7**) O.S. 2002/1792
(**8**) 1995 p.18