OFFERYNNAU STATUDOL CYMRU

# 2004 Rhif 1433 (Cy.146)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

## Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2004

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| *Wedi'u gwneud - -* | *25 Mai 2004* |
| *Yn dod i rym - -* | *31 Mai 2004* |

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 121 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**1**) a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw, drwy hyn yn gwneud y Rheoliadau canlynol:

**Enwi, cychwyn, cymhwyso a dehongli**

**1.**—(1) Enw'r rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2004 a deuant i rym ar 31 Mai 2004.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989(**2**).

**Diwygio rheoliad 1 o'r prif Reoliadau**

**2.** Yn rheoliad 1(2) o'r prif Reoliadau (enwi, cychwyn a dehongli) mewnosoder y canlynol yn ôl trefn yr wyddor —

> ""authorised child" means a child who has either been granted leave to enter the United Kingdom with his parent for the purpose of the parent obtaining a course of treatment in respect of which no charges are payable under regulation 6A or is the child of an authorised companion;

(**1**) 1977 p.49; *gweler* adran 128(1) fel y'i diwygiwyd gan adran 26(2)(g) ac (i) o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), i gael y diffiniad o "prescribed" a "regulations". Diwygiwyd adran 126(4) gan baragraff 37(6) o Atodlen 4 i Ddeddf Iechyd 1999 (p.8) ("Deddf 1999"); adran 65(2) o Ddeddf 1990, adran 65(1) o Ddeddf 1999, a paragraffau 4 a 37(1) a (6) o Atodlen 4 iddi, adran 67(1) o Ddeddf Iechyd a Gofal Cymdeithasol 2001 a pharagraff 5(1) a (13)(b) o Atodlen 5 iddi (p.15), ac adrannau 6(3)(c) a 37(1) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 a pharagraffau 1 a 10(a) o Atodlen 8 iddi (p.17) ac adran 184 o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 a pharagraff 38 o Atodlen 11 a rhan 4 o Atodlen 14 iddi (p.43). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru, 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**) O.S.1989/306.

"authorised companion" means a person who has been granted leave to enter the United Kingdom to accompany a person who is obtaining a course of treatment in respect of which no charges are payable under regulation 6A;

"the United Kingdom Government" as referred to in regulation 4(1)(a)(iii) includes the National Assembly for Wales.".

**Diwygio rheoliad 4 o'r prif Reoliadau**

**3.**—(1) Yn rheoliad 4 o'r prif Reoliadau (ymwelwyr tramor sy'n esempt rhag ffioedd) —

(a) ar y dechrau yn lle rhif y rheoliad "**4**." rhodder "**4**.—(1)";

(b) yn y geiriau agoriadol dileer y geiriau "being a person, or the spouse or child of a person";

(c) ym mharagraff (a) —

(i) dileer y geiriau ", if his employer has his principal place of business in the United Kingdom";

(ii) yn lle is-baragraff (i) rhodder —

"(zi) engaging in employment with an employer which has its principal place of business in the United Kingdom or which is registered in the United Kingdom as a branch of an overseas company, or

(i) being a self employed person whose principal place of business is in the United Kingdom;";

(iii) dileer is-baragraff (iii) ac yn ei le rhodder —

"(iii) pursuing a full time course of study which is substantially funded by the United Kingdom Government or is of at least six months duration;";

(ch) yn lle paragraff (b) rhodder y paragraff canlynol —

"(b) who has resided lawfully in the United Kingdom for a period of not less than one year immediately preceding the time when the services are provided unless this period of residence followed the grant of leave to enter the United Kingdom for the purpose of undergoing private medical treatment or a determination under regulation 6A;";

(d) ym mharagraff (c) ar ôl y geiriau "United Kingdom" lle maent yn digwydd am yr ail waith mewnosoder "which has not yet been determined";

(dd) ym mharagraff (k) —

(i) ar ôl y geiriau "ten years continuous" mewnosoder y gair "lawful",

(ii) ar ôl y geiriau "United Kingdom" lle maent yn digwydd am yr ail waith dileer y geiriau hyd at y diwedd a rhodder "that has lasted for a period of no more than five years.".

(2) Ar ddiwedd rheoliad 4 ychwaneger y paragraffau canlynol —

"(2) Where a person meets the residence qualification in paragraph (1)(b) on a date during a course of treatment for which charges could have been made prior to that date no charge shall be made in respect of services received subsequently;

(3) Where it is established that a person does not meet the residence qualification in paragraph (1)(b) and that person has already received services as part of a course of treatment on the basis that no charges would be made, no charges may be made for the remainder of that course of treatment.