OFFERYNNAU STATUDOL CYMRU

2003 Rhif 955 (Cy.129)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003

Wedi'u gwneud - - 31 Mawrth 2003

Yn dod i rym yn unol â rheoliad 1(2) a (3).

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 38, 39, 78, 126 (4) a 127 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977, a pharagraffau 1977 a 2A o Atodlen 12 iddi(**1**) drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, dehongli a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) a (Gwasanaethau Offthalmig Cyffredinol) (Diwygio) (Cymru) 2003.

(2) Yn ddarostyngedig i baragraff (3) daw'r Rheoliadau hyn i rym ar 1 Ebrill 2003.

(3) Daw Rheoliadau 2, 3, 4, 8 a 9 i rym ar 6 Ebrill 2003.

Yn y Rheoliadau hyn, onid yw'r cyd-destun yn mynnu fel arall —

ystyr "Rheoliadau 1997" ("*the 1997 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997(**2**);

(**1**) 1977 p.49; *gweler* adran 128(1), fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i) i gael y diffiniadau o "prescribed" a "regulations".
Diwygiwyd adran 38 gan Ddeddf Gwasanaethau Iechyd 1980 (p.53) ("Deddf 1980"), adran 1 ac Atodlen 1, paragraff 51; gan Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"), adran 1(3); gan O.S.1985/39, erthygl 7(11); gan Ddeddf Iechyd a Meddyginiaethau 1988 (p.49) ("Deddf 1988"), adran 13(1); a chan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995"), Atodlen 1, paragraff 27.
Cafodd adran 39 ei hestyn gan Ddeddf 1988, adran 17; a'i diwygio gan Ddeddf Gwasanaethau Iechyd 1980 (p. 53), adran 1 ac Atodlen 1, paragraff 52, gan Ddeddf 1984, adran 1(4) ac Atodlen 1, paragraff 1 ac Atodlen 8; gan O.S.1985/39, erthygl 7(12); a chan Ddeddf 1995, Atodlen 1, paragraff 28.
Diwygiwyd adran 126(4) gan Ddeddf 1990 adran 65(2) a chan Ddeddf Iechyd 1999 (p.8) ("Deddf 1999"), Atodlen 4, paragraff 37(6).
Amnewidiwyd paragraff 2(1) o Atodlen 12 gan Ddeddf 1988, Atodlen 2, paragraff 8(1). Cafodd paragraff 2A o Atodlen 12 ei fewnosod gan Ddeddf 1984, Atodlen 1, Rhan 1, paragraff 3 a'i ddiwygio gan Ddeddf 1988, aadran 13(2) a (3).
Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 38, 39, 78, 126(4) a 127, a pharagraffau 2 a 2A o Ddeddf 1977 ac Atodlen 12 iddi, 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 adran 66(5) o Ddeddf 1999.

(**2**) O.S. 1997/818; yr offerynnau diwygio perthnasol yw O.S.1997/2488, 1998/499, 1999/609, 2000/978 (Cy.48), 2000/3119 (Cy.198), 2001/1362 (Cy.90), 2001/1423 (Cy.98) a 2002/186 (Cy.25) .

ystyr "Rheoliadau 1986" ("*the 1986 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986(**3**).

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

Diwygio rheoliad 1 o Reoliadau 1997

2.—(1) Diwygir rheoliad 1 o Reoliadau 1997 (enwi, cychwyn a dehongli), yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Hepgorir y diffiniadau o —

"amount withdrawn"

"disabled person's tax credit"

"working families' tax credit".

(3) Yn y mannau priodol yn nhrefn yr wyddor mewnosodir y diffiniadau canlynol—

""child tax credit" means child tax credit under section 8 of the Tax Credits Act 2002(**4**);

"disability element" means the disability element of working tax credit as specified in section 11(3) of the Tax Credits Act 2002;

"gross annual income" means income that is calculated for a tax year for the purposes of Part I of the Tax Credits Act 2002 in accordance with regulations made under section 7 of that Act;

"working tax credit" means working tax credit under section 10 of the Tax Credits Act 2002;".

Diwygio rheoliad 8 o Reoliadau 1997

3.—(1) Diwygir rheoliad 8 o Reoliadau 1997 (cymhwyster — cyflenwi teclynnau optegol) yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff (3) —

(a) ar ôl is-baragraff (k) mewnosodir yr is-baragraff canlynol—

"(l) he is a member of a family—

(i) that has a gross annual income of £14,200 or less, and

(ii) one member of which is receiving—

(aa) working tax credit and child tax credit, or

(bb) working tax credit which includes a disability element; or

(cc) child tax credit, but is not eligible to receive working tax credit.".

(b) hepgorir is-baragraffau (c), (d), (g) ac (h).

(3) Yn lle paragraff (4) rhoddir y paragraff canlynol—

"(4) In paragraph (3), "family" has the meaning assigned to it by section 137(1) of the Social Security Contributions and Benefits Act 1992(**5**) as it applies to income support except that —

(a) in sub-paragraph (j) it has the meaning assigned to it by section 35 of the Jobseekers Act 1995(**6**); and

(**3**) O.S. 1986/975; yr offerynnau diwygio perthnasol yw O.S.1988/486, 1989/395, a 1175, 1990/1051, 1991/583, 1992/404, 1995/558, 1996/705 a 2320, 1999/693, 1999/2481 (Cy.21) a 2001/1362 (Cy.90).
(**4**) 2002 p.21.
(**5**) 1992 p.4.
(**6**) 1995 p.18.

(b) in sub-paragraph (l) it has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**7**).".

Mewnosod rheoliad 12A yn Rheoliadau 1997

4. Ar ôl rheoliad 12 o Reoliadau 1997 (defnyddio talebau i gyflenwi cyfarpar optegol) mewnosodir y rheoliad canlynol—

"**Notices of entitlement**

12A.—(1) If a person is entitled to the payment of, or contribution towards, the cost incurred for the supply of an optical appliance because he or she is a member of a family described in regulation 8(3)(l), the National Assembly for Wales will issue a notice of entitlement;

(2) A notice of entitlement issued in accordance with paragraph (1) will apply to —

(a) the person to whom it is issued and who is named on the notice of entitlement, and

(b) any other members of his or her family.

(3) A notice of entitlement issued in accordance with paragraph (1) will be effective—

(a) from such date; and

(b) for such period,

as the National Assembly for Wales may determine.

(4) Any change in the financial or other circumstances of a person who is a member of a family in respect of which a notice has been issued in accordance with paragraph (1), during the period for which the notice of entitlement has been issued, will not affect the validity of the notice of entitlement in respect of that period.".

Diwygio rheoliad 19 o Reoliadau 1997

5. Yn rheoliad 19 o Reoliadau 1997 (gwerth adbrynu taleb ar gyfer ailosod neu drwsio)—

(a) ym mharagraff 1(b), yn lle "£44.60", rhoddir "£45.70"; a

(b) ym mharagraph (3)(c) yn lle "£11.50", rhoddir "£11.80".

Diwygio'r Atodlenni i Reoliadau 1997

6.—(1) Yn Atodlen 1 Reoliadau 1997 (codau llythrennau taleb a gwerthoedd ar yr wyneb — cyflenwi ac ailosod) yng ngholofn (3) (gwerth taleb ar yr wyneb), am bob swm a bennir yng ngholofn 1 o'r tabl isod amnewidier y swm a bennir mewn perthynas ag ef yng ngholofn 2 o'r tabl hwnnw.

TABL

(1) *Swm blaenorol*	(2) *Swm newydd*
£ 30.50	£ 31.30
£ 46.40	£ 47.60
£ 63.20	£ 64.80
£ 142.70	£ 146.30

(**7**) O.S. 2002/2006.