OFFERYNNAU STATUDOL CYMRU

# 2003 Rhif 301 (Cy.43)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

## Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) (Diwygio) (Cymru) 2003

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| *Wedi'u gwneud - -* | *13 Chwefror 2003* |
| *Yn dod i rym - -* | *1 Mawrth 2003* |

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 38, 39, 78(1), 126(4), 127 a 128(1) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977, a pharagraffau 2 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) (Diwygio) (Cymru) 2003, a deuant i rym ar 1 Mawrth 2003.

(2) Yn y Rheoliadau hyn ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd a Thaliadau Optegol) 1997(**2**).

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

(**1**) 1977 p.49 ("Deddf 1977"); *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 1980, 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 Iechyd a Meddyginiaethau 1988, Atodlen 2, paragraff 8(1).
Cafodd paragraff 2A o Atodlen 12 ei fewnosod gan Ddeddf 1984, Atodlen 1, paragraff 3 a'i ddiwygio gan adran 13(2) a (3) o Ddeddf 1988.
Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 38, 39, 78(1), 126(4), 127 a 128(1) o Ddeddf 1977, a pharagraffau 2 a 2A o 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.

**Diwygio rheoliad 9 o'r prif Reoliadau**

**2.** Yn rheoliad 9 o'r prif Reoliadau (dyroddi talebau gan ymarferwyr meddygol offthalmig neu optegwyr ) —

(a) ar ôl paragraff (1B), mewnosodwch y paragraff canlynol—

"(1C) Where a patient has indicated—

(a) that he is an eligible person by virtue of regulation 8(2)(a) or (b); and

(b) that he requires an additional optical appliance of the same prescription because either—

(i) he is suffering from illness and as a consequence of that illness requires such an appliance, or

(ii) the issue of such an appliance is required as a result of his exceptional circumstances,

the ophthalmic medical practitioner or optician may issue to the patient, in accordance with paragraph (2) but subject to paragraph (5), a voucher relating to the optical appliance prescribed by the prescription.";

(b) yn lle paragraff (5) rhowch y paragraff canlynol—

"(5) No voucher shall be issued as provided for by paragraph (1C) unless the responsible authority is satisfied, after making such enquiries as it considers relevant, that the patient's requirement for an additional optical appliance of the same prescription arose as a consequence of the patient's illness, or for such other reason that it accepts as being exceptional in the circumstances of the patient's case."

(c) ar ôl paragraff (5) mewnosodwch y paragraff canlynol—

"(6) Unless paragraph (1A), (1C) or regulation 11 applies, not more than one voucher shall be issued to a patient in respect of any one optical appliance prescribed.".

**Diwygio rheoliad 12 o'r prif Reoliadau**

**3.** Diwygir rheoliad 12 o'r prif Reoliadau (defnyddio talebau i gyflenwi cyfarpar optegol)—

(a) ar ôl is-baragraff (b) o baragraff (4), mewnosodwch yr is-baragraff canlynol—

"(c) in a case where regulation 9(1C) applies, a declaration that an additional optical appliance of the same prescription is required either as a consequence of his illness, or as a result of his exceptional circumstances.";

(b) ar ôl paragraff (5) mewnosodwch y paragraff canlynol—

"(6) In a case where regulation 9(1C) applies, a supplier intending to use a voucher in accordance with paragraph (2) shall first submit it to the responsible authority so that it may be satisfied as to the requirement of an additional optical appliance and give its approval to the use of the voucher.".

**Diwygio rheoliad 13 o'r prif Reoliadau**

**4.** Yn rheoliad 13 o'r prif Reoliadau (taliadau i gyflenwyr), ar ôl paragraff (2)(c)(iv) mewnosodwch yr is-baragraff canlynol—

"(v) where the claim relates to a voucher issued in accordance with regulation 9(1C), obtained any prior approval required by regulation 12(6).".