CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

# 2004 Rhif 1605 (Cy.164)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

## Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) (Diwygio) 2004

### NODYN ESBONIADOL

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2001 ("y prif Reoliadau"), sy'n darparu ar gyfer codi a chasglu ffioedd am gyffuriau a chyfarpar sy'n cael eu cyflenwi gan feddygon a fferyllwyr sy'n darparu gwasanaethau fferyllol a gweinyddol, a chan Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG i gleifion allanol.

Mae rheoliad 2 o'r prif Reoliadau yn cael ei ddiwygio fel y bydd cyfeiriadau at "awdurdod iechyd" yn cael eu trin fel cyfeiriadau at "fwrdd iechyd lleol".

Mae'r diwygiadau a wneir gan reoliad 3 a'r Atodlen yn gostwng y ffi am eitemau ar bresgripsiwn a gyflenwir i gleifion allanol o £6.00 i £5.00. Gostyngir y ffi am hosanau elastig o £6.00 i £5.00 (o £12.00 i £10.00 fesul pâr) a'r ffi am deits o £12.00 i £10.00. Gostyngir y symiau a ragnodir i roi tystysgrifau rhagdalu o £31.40 i £26.16 am dystysgrif pedwar mis ac o £86.20 i £71.83 am dystysgrif deuddeg mis.

Mae diwygiadau a wneir gan reoliad 4 yn darparu na fydd ffi yn daladwy gan bersonau o dan 25 oed am gyflenwi cyfarpar a chyffur penodol yn unol â rheoliad 5 o'r prif Reoliadau (cyflenwi cyffuriau a chyfarpar gan Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

# 2004 No. 1605 (W.164)

# NATIONAL HEALTH SERVICE, WALES

## The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001 ("the principal Regulations") which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical and dispensing services, and by Local Health Boards and NHS Trusts to out-patients.

Regulation 2 of the principal Regulations is amended so that references to a "health authority" will be treated as references to a "local health board".

Amendments made by regulation 3 and the Schedule reduce the charge for items on prescription supplied to out-patients from £6.00 to £5.00. The charge for elastic stockings is reduced from £6.00 to £5.00 (from £12.00 to £10.00 per pair) and that for tights from £12.00 to £10.00. The sums prescribed for the grant of pre-payment certificates are reduced from £31.40 to £26.16 for a four month certificate and from £86.20 to £71.83 for a twelve month certificate.

Amendments made by regulation 4 provide that no charge will be payable by persons under the age of 25 years for the supply of certain appliances and drugs in accordance with regulation 5 of the principal Regulations (supply of drugs and appliances by Local Health Boards and NHS Trusts).

# 2004 Rhif 1605 (Cy.164)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

## Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) (Diwygio) 2004

| | |
|---|---|
| *Wedi'u gwneud* | *23 Mehefin 2004* |
| *Yn dod i rym* | *1 Hydref 2004* |

Mae Cynulliad Cenedlaethol Cymru, trwy arfer y pwerau a roddwyd iddo gan adrannau 77 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**a**) 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 am Gyffuriau a Chyfarpar) (Cymru) (Diwygio) 2004 a deuant i rym ar 1 Hydref 2004.

(2) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2001(**b**).

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

(a) 1977 p.49; *gweler* adran 128(1) fel y'i diwygiwyd gan Ddeddf Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i), i gael y diffiniad o "prescribed" a "regulations".

Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2) a Deddf Iechyd 1999 (p.8) ("Deddf 1999"), Atodlen 4, paragraff 37(6).

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 77 a 126(4) 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(4) Deddf Iechyd a Gofal Cymdeithasol 2001 (p.15), adran 68(1), Deddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17), adran 40(1) a Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p.43), adran 197(1) .

(b) O.S.2001/1358 (Cy.86). Yr offerynnau diwygio perthnasol yw O.S.2001/2359 (Cy.196) a 2004/1018 (Cy.115).



# 2004 No. 1605 (W.164)

# NATIONAL HEALTH SERVICE, WALES

## The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004

| | |
|---|---|
| *Made* | *23 June 2004* |
| *Coming into force* | *1 October 2004* |

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 77 and 126(4) of the National Health Service Act 1977(**a**) hereby makes the following Regulations:

**Citation, commencement, interpretation and application**

**1**.-(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004 and come into force on 1 October 2004.

(2) In these Regulations "the principal Regulations" ("*y prif Reoliadau*") means the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001(**b**).

(3) These Regulations apply to Wales only.

(a) 1977 c.49; *see* section 128(1) as amended by the National Health Service and Community Care Act 1990 (c.19)("the 1990 Act"), section 26(2)(g) and (i), for the definitions of "prescribed" and "regulations".

Section 126(4) was amended by the 1990 Act, section 65(2) and the Health Act 1999 (c.8) ("the 1999 Act"), Schedule 4, paragraph 37(6).

The functions of the Secretary of State under sections 77 and 126(4) were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), article 2 and Schedule 1, as amended by the 1999 Act, section 66(4), the Health and Social Care Act 2001 (c.15), section 68(1), the national Health Service Reform and Health Care Professions Act 2002 (c.17), section 40(1) and the Health and Social Care (Community Health and Standards) Act 2003 (c.43), section 197(1).

(b) S.I.2001/1358 (W.86). Relevant amending instruments are S.I.2001/2359 (W.196) and 2004/1018 (W.115).

**Diwygio rheoliad 2 o'r prif Reoliadau**

**2**.-(1) Mae Rheoliad 2 o'r prif Reoliadau (dehongli) yn cael ei ddiwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff (1) mewnosoder y diffiniad canlynol yn y lle priodol yn nhrefn yr wyddor-

"mae i "Bwrdd Iechyd Lleol" yr ystyr a roddir i "*Local Health Board*" gan adran 16BA o'r Ddeddf;".

(3) Ar ôl paragraff (1), mewnosoder y paragraff canlynol-

"(1A) Bydd y geiriau "Awdurdod Iechyd", ym mhob man lle maent yn digwydd, yn effeithiol fel pe rhoddwyd yn eu lle'r geiriau "Bwrdd Iechyd Lleol".".

**Amendment of regulation 2 of the principal Regulations**

**2**.-(1) Regulation 2 of the principal Regulations (interpretation) is amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) insert the following definition in the appropriate place in the alphabetical order-

""Local Health Board" ("*Bwrdd Iechyd Lleol*") has the meaning assigned to it by section 16BA of the Act;".

(3) After paragraph (1), insert the following paragraph-

"(1A) The words "Health Authority" shall, in each place they occur, have effect as if there were substituted the words "Local Health Board".".

**Diwygio symiau a bennir yn y prif Reoliadau**

**3**. Am bob swm a bennir yng ngholofn (3) o'r Atodlen i'r Rheoliadau hyn, lle mae'n ymddangos yn narpariaeth y prif Reoliadau a bennir mewn perthynas ag ef yng ngholofn (1) (y dangosir y pwnc amdano yng ngholofn (2)), rhodder y swm a bennir mewn perthynas ag ef yng ngholofn (4) yn ei le.

**Amendment of amounts specified in the principal Regulations**

**3**. For each amount specified in the column (3) of the Schedule to these Regulations, where it appears in the provision of the principal Regulations specified in relation to it in column (1) (the subject matter of which is indicated in column (2)), substitute the amount specified in relation to it in column (4).

**Diwygio rheoliad 8 o'r prif Reoliadau**

**4**. Yn rheoliad 8(2)(b) yn lle "is-baragraff (b)" rhodder "is-baragraff (a)".

**Amendment of regulation 8 of the principal Regulations**

**4**. In regulation 8(2)(b), for "sub-paragraph (b)" substitute "sub-paragraph (a)".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**a**)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**)

23 Mehefin 2004

23 June 2004

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

YR ATODLEN

Rheoliad 3

SYMIAU A AMNEWIDIR YN Y PRIF REOLIADAU

| *(1)*<br>*Y ddarpariaeth yn y prif Reoliadau* | *(2)*<br>*Y pwnc* | *(3)*<br>*yr hen swm* | *(4)*<br>*y swm newydd* |
|---|---|---|---|
| Rheoliad 3 - | Cyflenwi cyffuriau a chyfarpar gan fferyllwyr - | | |
| paragraff (1)(a) | ffi am hosanau elastig -<br>fesul eitem<br>fesul pâr | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraff (1)(b) | ac am gyfarpar na phennir ym mharagraff (1)(a) | £ 6.00 | £ 5.00 |
| paragraff (1A)(a) | ffi am hosanau elastig -<br>fesul eitem<br>fesul pâr | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraff (1A)(b) | ffi am gyffuriau, ac am gyfarpar na phennir ym mharagraff (1A)(b) | £ 6.00 | £ 5.00 |
| paragraff (4) | ffi am gyffuriau, a gyflenwir fesul tipyn | £ 6.00 | £ 5.00 |
| Rheoliad 4 - | Cyflenwi cyffuriau a chyfarpar gan feddygon - | | |
| paragraff (1)(a) | ffi am hosanau elastig<br>fesul eitem<br>fesul pâr | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraff (1)(b) | ffi am gyffuriau, ac am gyfarpar na phennir ym mharagraff (1)(a) | £ 6.00 | £ 5.00 |
| Rheoliad 5 - | Cyflenwi cyffuriau a chyfarpar i gleifion allanol gan Fyrddau Iechyd Lleol ac Ymddiriedolaethau GIG - | | |

SCHEDULE

Regulation 3

AMOUNTS SUBSTITUTED IN THE PRINCIPAL REGULATIONS

| *(1)*<br>*Provision in the principal Regulations* | *(2)*<br>*Subject matter* | *(3)*<br>*old amount* | *(4)*<br>*new amount* |
|---|---|---|---|
| Regulation 3 - | Supply of drugs and appliances by chemists - | | |
| paragraph (1)(a) | charge for elastic hosiery -<br>per item<br>per pair | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraph (1)(b) | charge for drugs, and for appliances not specified in paragraph (1)(a) | £ 6.00 | £ 5.00 |
| paragraph (1A)(a) | charge for elastic hosiery -<br>per item<br>per pair | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraph (1A)(b) | charge for drugs, and for appliances not specified in paragraph (1A)(b) | £ 6.00 | £ 5.00 |
| paragraph (4) | charge for drugs supplied by instalments | £ 6.00 | £ 5.00 |
| Regulation 4 - | Supply of drugs and appliances by doctors - | | |
| paragraph (1)(a) | charge for elastic hosiery<br>per item<br>per pair | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraph (1)(b) | charge for drugs and appliances not specified in paragraph (1)(a) | £ 6.00 | £ 5.00 |
| Regulation 5 - | Supply of drugs and appliances to out-patients by Local Health Boards and NHS Trusts - | | |

| | | | |
|---|---|---|---|
| paragraff (1)(a) | ffi am hosanau elastig-<br>fesul eitem<br>fesul pâr | <br><br>£ 6.00<br>£ 12.00 | <br><br>£ 5.00<br>£ 10.00 |
| paragraff (1)(c) | ffi am deits | £ 12.00 | £ 10.00 |
| paragraff (1)(d) | ffi am gyffuriau, ac am gyfarpar na phennir ym mharagraff (1)(a) neu (1)(c), neu Atodlen 1 | £ 6.00 | £ 5.00 |
| paragraff (5) | ffi am gyffuriau a gyflenwir fesul tipyn | £ 6.00 | £ 5.00 |
| Rheoliad 6 - | Cyflenwi cyffuriau a chyfarpar mewn Canolfannau cerdded i mewn | | |
| paragraff (1)(a) | ffi am hosanau elastig -<br>fesul eitem<br>fesul pâr | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| Paragraff (1)(b) | ffi am gyffuriau, ac am gyfarpar na phennir ym mharagraff (1)(a) | £ 6.00 | £ 5.00 |
| paragraff (4) | ffi am gyffuriau a gyflenwir fesul tipyn | £ 6.00 | £ 5.00 |
| Rheoliad 7(1) | Cyflenwi cyffuriau o dan Gyfarwyddyd Grŵp Cleifion<br>ffi am gyffuriau | <br>£ 6.00 | <br>£ 5.00 |
| Rheoliad 10(5) | Tystysgrif ragdalu -<br>4 mis<br>12 mis | <br>£ 31.40<br>£ 84.60 | <br>£ 26.16<br>£ 71.83 |

| | | | |
|---|---|---|---|
| paragraph (1)(a) | charge for elastic hosiery-<br>per item<br>per pair | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| paragraph (1)(c) | charge for tights | £ 12.00 | £ 10.00 |
| paragraph (1)(d) | charge for drugs and appliances not specified in paragraph (1)(a) or (1)(c), or in Schedule 1 | £ 6.00 | £ 5.00 |
| paragraph (5) | charge for drugs supplied by instalments | £ 6.00 | £ 5.00 |
| Regulation 6 - | Supply of drugs and appliances at Walk-in centres | | |
| paragraph (1)(a) | charge for elastic hosiery -<br>per item<br>per pair | <br>£ 6.00<br>£ 12.00 | <br>£ 5.00<br>£ 10.00 |
| Paragraph (1)(b) | charge for drugs and for appliances not specified in paragraph (1)(a) | £ 6.00 | £ 5.00 |
| paragraph (4) | charge for drugs supplied by instalments | £ 6.00 | £ 5.00 |
| Regulation 7(1) | Supply of drugs under Patient Group Directions<br>charge for drugs | <br>£ 6.00 | <br>£ 5.00 |
| Regulation 10(5) | Pre-payment certificate -<br>4 months<br>12 months | <br>£ 31.40<br>£ 84.60 | <br>£ 26.16<br>£ 71.83 |

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

# 2004 Rhif 1605 (Cy.164)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) (Diwygio) 2004

# 2004 No. 1605 (W.164)

# NATIONAL HEALTH SERVICE, WALES

The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004

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ISBN 0-11-090959-3

9 780110 909592

**£3.00**

W110/6/04 ON