



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 784 (Cy.95)

2003 No. 784 (W.95)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Gwasanaethau Meddygol
Cyffredinol) (Diwygio) (Rhif 2)
(Cymru) 2003

The National Health Service
(General Medical Services)
(Amendment) (No. 2) (Wales)
Regulations 2003

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) 1992 sy'n rheoleiddio'r telerau ynghylch darparu gwasanaethau meddygol cyffredinol o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977.

These Regulations further amend the National Health Service (General Medical Services) Regulations 1992 which regulate the terms on which general medical services are provided under the National Health Service Act 1977.

Mae Rheoliad 2 yn cynnwys darpariaethau sy'n diwygio'r cyfnod o amser sydd gan feddygon i ymateb i gwynion a wneir gan neu ar ran cleifion neu gleifion blaenorol o dan drefn gwyno'r practis. Caiff yr amser a ganiateir i feddygon gydnabod cwynion ar lafar neu'n ysgrifenedig ei leihau o dri diwrnod i ddau ddiwrnod (gan eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc), tra caiff yr amser a ganiateir i roi i achwynydd grynodedig o ymchwiliadau a chasgliadau ei gynyddu o 10 i 20 diwrnod gwaith (gan eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc).

Regulation 2 contains provisions amending the length of time doctors have to respond to complaints made by or on behalf of patients or former patients under their practice based complaints procedure. The time permitted to doctors to formally acknowledge complaints orally or in writing is reduced from three to two days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays), whereas the time permitted to provide a complainant with a written summary of investigations and conclusions is increased from 10 to 20 working days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays).

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(Cymru) 2003****The National Health Service
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(Amendment) (No. 2) (Wales)
Regulations 2003***Wedi'u gwneud**18 Mawrth 2003**Made**18th March 2003**Yn dod i rym**1 Ebrill 2003**Coming into force**1st April 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 29 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(a) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 29 and 126(4) of the National Health Service Act 1977(a) hereby makes the following Regulations:

Enwi, cychwyn, cymhwyso ac effaith**Citation, commencement, application and effect**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2003, a deuant i rym ar 1 Ebrill 2003.

1.-(1) These Regulations may be cited as the National Health Service (General Medical Services) (Amendment) (No 2) (Wales) Regulations 2003 and shall come into force on 1st April 2003.

(a) 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) a (i), i gael y diffiniadau o "prescribed" a "regulations".

(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".

Diwygiwyd adran 29(1) gan O.S. 1985/39, erthygl 7(3); gan Ddeddf Awdurdodau Iechyd 1995 (p.17), adran 2(1), Atodlen 1, paragraff 18; gan Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17) ("Deddf 2002"), adrannau 2(5) a 37(1), Atodlen 2, Rhan 1, paragraffau 1, 3(1)(2) a 3(a)(b), Atodlen 8, paragraffau 1 a 2; gan Ddeddf y Gwasanaeth Iechyd Gwladol (Gofal Sylfaenol) 1997 (p.46), adran 41(10), (12), Atodlen 2, paragraff 8 ac Atodlen 3, Rhan 1; Deddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983 (p.41), adran 14, Atodlen 6, paragraffau 2(1) a (2); gan Ddeddf y Gwasanaethau Iechyd 1980 (p.53), adran 7; Deddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Deddf 2001"), adran 23(1) a (2); Deddf Feddygol 1983 (p.54) adran 56(1), Atodlen 5, paragraff 16(a), a Deddf Feddygol (Perfformiad Proffesiynol) 1995 (p.51) adran 4, Atodlen 1, paragraff 28(b).

Section 29 was amended by S.I. 1985/39, article 7(3); the Health Authorities Act 1995 (c.17), section 2(1), Schedule 1, paragraph 18; the National Health Service Reform and Health Care Professions Act 2002 (c.17) ("the 2002 Act"), sections 2(5) and 37(1), Schedule 2, Part 1, paragraphs 1, 3(1)(2) and 3(a)(b), Schedule 8, paragraphs 1 and 2; the National Health Service (Primary Care) Act 1997 (c.46), section 41(10), (12), Schedule 2, paragraph 8 and Schedule 3, Part 1; the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 14, Schedule 6, paragraphs 2(1) and (2); the Health Services Act 1980 (c.53) section 7; the Health and Social Care Act 2001 (c.15) ("the 2001 Act"), section 23(1) and (2); the Medical Act 1983 (c.54) section 56(1), Schedule 5, paragraph 16(a), and the Medical (Professional Performance) Act 1995 (c.51) section 4, Schedule 1, paragraph 28(b).

Diwygiwyd Adran 126(4) gan Ddeddf 1990, adran 65(2); gan Ddeddf Iechyd 1999 (p.8), adran 65(1), Atodlen 4, paragraffau 4, 37(1) a 6; gan Ddeddf 2001, adran 67(1), Atodlen 5, Rhan 1, paragraffau 5(1) a 13(b) a chan Ddeddf 2002, adran 6(3)(c).

Section 126(4) was amended by the 1990 Act, section 65(2); by the Health Act 1999 (c.8), section 65(1), Schedule 4, paragraphs 4, 37(1) and (6); the 2001 Act, section 67(1), Schedule 5, Part 1, paragraphs 5(1) and (13)(b) and by the 2002 Act, section 6(3)(c).

O ran Cymru, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 29 a 126(4), o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 i Gynulliad Cenedlaethol Cymru o dan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo, O.S. 1999/672.

As regards Wales, the functions of the Secretary of State under sections 29 and 126(4) of the National Health Service Act 1977 are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

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

(3) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) 1992(a) yn unol â darpariaethau canlynol y Rheoliadau hyn.

Diwygio paragraff 47A yn Atodlen 2

2. Diwygir paragraff 47A o Atodlen 2 (Cwynion) yn unol â'r paragraffau canlynol -

- (a) ym mharagraff 6(b)(ii) yn lle'r gair "three", rhodder y gair "two"; a
- (b) ym mharagraff 6(c) yn lle'r ffigur "10", rhodder y ffigur "20".

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

18 Mawrth 2003

D. Elis-Thomas

Llywydd Cynulliad Cenedlaethol Cymru.

(2) These Regulations apply to Wales only.

(3) The National Health Service (General Medical Services) Regulations 1992(a) shall be amended in accordance with the following provisions of these Regulations.

Amendment of Paragraph 47A of Schedule 2

2. Paragraph 47A of Schedule 2 (Complaints) shall be amended in accordance with the following paragraphs-

- (a) in paragraph (6)(b)(ii) for the word "three", substitute the word "two"; and
- (b) in paragraph (6)(c) for the figure "10", substitute the figure "20".

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

18th March 2003

The Presiding Officer of the National Assembly for Wales.

(a) O.S. 1992/635, yr offeryn diwygio perthnasol yw O.S. 1996/702 sy'n mewnosod paragraffau 47A a B yn Atodlen 2.

(b) 1998 p.38.

(a) S.I. 1992/635, the relevant amending instrument is S.I. 1996/702 which inserts paragraphs 47A and B into Schedule 2.

(b) 1998 c.38.

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