



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 837 (Cy.106)

2003 No. 837 (W.106)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Gwasanaethau
Offthalmig Cyffredinol) (Diwygio)
(Cymru) 2003

The National Health Service
(General Ophthalmic Services)
(Amendment)(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 Offthalmig Cyffredinol) 1986 ("y prif Reoliadau") sy'n rheoleiddio'r telerau ynghylch darparu gwasanaethau offthalmig cyffredinol o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977.

These Regulations further amend the National Health Service (General Ophthalmic Services) Regulations 1986 ("the principal Regulations") which regulate the terms on which general ophthalmic 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 gontractwyr, fel y diffinnir hwy yn y prif Reoliadau, i ymateb i gwynion a wneir gan neu ar ran cleifion neu gleifion blaenorol. Caiff yr amser a ganiateir i gontractwyr gydnabod cwynion yn ffurfiol ei leihau o dri diwrnod i ddau ddiwrnod (ac eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc), tra caiff yr amser a ganiateir i roi i achwynydd grynodedb ysgrifenedig o ymchwiliadau a chasgliadau ei gynyddu o 10 i 20 diwrnod gwaith (ac eithrio dydd Sadwrn, dydd Sul, Dydd Nadolig, Dydd Gwener y Groglith a gwyliau banc).

Regulation two contains provisions amending the length of time contractors, as defined in the principal Regulations, have to respond to complaints made by or on behalf of patients or former patients. The time permitted to contractors to formally acknowledge complaints 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 days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays).

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Wedi'u gwneud 18 Mawrth 2003
Yn dod i rym 1 Ebrill 2003

Made 18th March 2003
Coming into force 1st April 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 38, 39 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 38, 39 and 126(4) of the National Health Service Act 1977(a) hereby makes the following Regulations:

Enwi, cychwyn, cymhwyso ac effaith

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

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

Citation, commencement, application and effect

1.-(1) These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003 and shall come into force on 1st April 2003.

(2) These Regulations apply to Wales only.

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

Estynnwyd adran 38 gan Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), adran 13; gan O.S. 1985/39, erthygl 7; Deddf yr Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995"), adran 2(1), Atodlen 1, paragraff 27, a Deddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"), adran 1.

Diwygiwyd adran 39 gan Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Deddf 2001"), adrannau 20(1), (5)(a)(b) a 23(1), (4); gan Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17) ("Deddf 2002"), adran 2(5), Atodlen 2, Rhan 1, paragraffau 1, 12(1) a (4)(b); gan Ddeddf Iechyd 1999 (p.8) ("Deddf 1999"), adran 9(4); gan Ddeddf y Gwasanaethau Iechyd 1980 (p.53), adrannau 1 a 2, Atodlen 1, paragraff 52; gan Ddeddf 1984, adran 1, Atodlen 1, Rhan 1, ac adran 24, Atodlen 8, Rhan 1 a Deddf 1995, adran 2(1), Atodlen 1, paragraff 28.

Diwygiwyd Adran 126(4) gan Ddeddf 1990, adran 65(2); gan Ddeddf 1999, 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).

O ran Cymru, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 38 a 39 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 4 i Gynulliad Cenedlaethol Cymru o dan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo, O.S. 1999/672.

(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 38 was amended by the Health and Medicines Act 1988 (c.49), section 13; by S.I. 1985/39, article 7; the Health Authorities Act 1995 (c.17) ("the 1995 Act"), section 2(1), Schedule 1, paragraph 27, and the Health and Social Security Act 1984 (c.48) ("the 1984 Act"), section 1.

Section 39 was amended by the Health and Social Care Act 2001 (c.15) ("the 2001 Act"), sections 20(1), (5)(a)(b) and 23(1), (4); the National Health Service Reform and Health Care Professions Act 2002 (c.17) ("the 2002 Act"), section 2(5), Schedule 2, Part 1, paragraphs 1, 12(1), (2) and (4)(b); the Health Act 1999 (c.8) ("the 1999 Act"), section 9(4); the Health Services Act 1980 (c.53), sections 1 and 2, Schedule 1, Part 1, paragraph 52; the 1984 Act, section 1, Schedule 1, Part 1, and section 24, Schedule 8, Part 1, and the 1995 Act, section 2(1), Schedule 1, paragraph 28.

Section 126(4) was amended by the 1990 Act, section 65(2); by the 1999 Act, 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).

As regards Wales, the functions of the Secretary of State under sections 38, 39 and 126(4) of the National Health Service Act 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.

(3) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986(a) yn unol â darpariaethau canlynol y Rheoliadau hyn.

Diwygio paragraff 8A yn Atodlen 1

2. Diwygir paragraff 8A yn Atodlen 1 (Cwynion) yn unol â'r paragraffau canlynol -

- (a) ym mharagraff 7(b)(ii) yn lle'r gair "three", rhodder y gair "two"; a
- (b) ym mharagraff (7)(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

Llywydd Cynulliad Cenedlaethol Cymru.

(3) The National Health Service (General Ophthalmic Services) Regulations 1986(a) shall be amended in accordance with the following provisions of these Regulations.

Amendment of paragraph 8A of Schedule 1

2. Paragraph 8A of Schedule 1 (Complaints) shall be amended in accordance with the following paragraphs-

- (a) in paragraph (7)(b)(ii) for the word "three", substitute the word "two"; and
- (b) in paragraph (7)(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

D. Elis-Thomas

The Presiding Officer of the National Assembly for Wales.

(a) O.S. 1986/975, yr offeryn diwygio perthnasol yw O.S.1996/705 sy'n mewnosod paragraffau 8A, B ac C yn Atodlen 1 i'r prif Reoliadau.

(b) 1998 p.38.

(a) S.I. 1986/975, the relevant amending instrument is S.I.1996/705 which inserts paragraphs 8A, B and C into Schedule 1 to the principal Regulations.

(b) 1998 c.38.

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