



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2009 Rhif 54 (Cy.18)

2009 No. 54 (W.18)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Treuliau Teithio a
Pheidio â Chodi Tâl) (Cymru)
(Diwygio) 2009

The National Health Service
(Travelling Expenses and
Remission of Charges) (Wales)
(Amendment) Regulations 2009

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) 2007 ("y prif Reoliadau").

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 ("the principal Regulations").

Mae'r prif Reoliadau yn gwneud darpariaeth fel bod pobl sydd naill ai'n cael budd-daliadau penodol oddi wrth y wladwriaeth neu sydd ar incwm isel yn cael peidio â thalu taliadau penodol neu gael ad-daliad ohonynt, a'r taliadau hynny fel arall yn daladwy o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 ("taliadau GIG") a chael taliad am dreuliau teithio a dynnwyd wrth gael gwasanaeth GIG penodol ("treuliau teithio GIG").

The principal Regulations make provision so that people who are either in receipt of certain state benefits or who are on a low income are able to obtain the remission or repayment of certain charges which would otherwise be payable under the National Health Service (Wales) Act 2006 ("NHS charges") and the payment of travelling expenses incurred in obtaining certain NHS services ("NHS travelling expenses").

Wrth gyfrifo adnoddau a gofynion person o dan y prif Reoliadau er mwyn canfod a oes gan berson hawl i beidio â thalu taliadau GIG a chael taliad am dreuliau teithio GIG, defnyddir fersiwn addasedig o Reoliadau Cymhorthdal Incwm (Cyffredinol) 1987 ("y Rheoliadau Cymhorthdal Incwm").

In calculating a person's resources and requirements under the principal Regulations in order to establish whether a person can claim entitlement to the remission of NHS charges and the payment of NHS travelling expenses, a modified version of the Income Support (General) Regulations 1987 is applied.

Mae rheoliad 2 yn gwneud darpariaeth ar gyfer cyfrifo adnoddau a gofynion aelodau o briodasau amlgyrmar.

Regulation 2 makes provision for the calculation of the resources and requirements of members of polygamous marriages.

Mae rheoliad 3 yn darparu, pan fo person sy'n cael lwfans cyflogaeth a chymorth a bod sancsiwn yn ei erbyn o dan reoliad 63 o Reoliadau Lwfans Cyflogaeth a Chymorth 2008, bod hawl y person hwnnw i beidio â thalu taliadau GIG ac i gael taliad am dreuliau GIG yn cael ei chyfrifo fel na bai'r sancsiwn yn ei erbyn. Mae

Regulation 3 provides that where a person who is in receipt of employment and support allowance has a sanction applied under regulation 63 of the Employment and Support Allowance Regulations 2008, that person's entitlement to remission of NHS charges and payment of NHS travelling expenses will

rheoliad 3 hefyd yn darparu ar gyfer diystyriadau penodol i bobl sy'n ymgymryd â gwaith esempt o dan reoliad 45 o Reoliadau Lwfans Cyflogaeth a Chymorth 2008.

Mae rheoliad 4 yn darparu ar gyfer pobl o dan 25 oed gael eu cynnwys wrth gyfrifo eu hawl i beidio â thalu taliadau GIG a chael taliad am dreuliau teithio GIG a lwfans personol o swm sydd gymaint â'r swm ar gyfer person sy'n 25 oed neu'n hyn. Bydd hyn yn gymwys i bobl sydd naill ai yn cael lwfans cyflogaeth a chymorth ac y dyfamwyd cydran lwfans cyflogaeth a chymorth iddynt, neu sy'n analluog i weithio am gyfnod parhaus o 28 wythnos ers 27 Hydref 2008. Mae rheoliad 3 hefyd yn darparu ar gyfer cynnwys amryw o bremiymau wrth gyfrifo ar gyfer hawl i gael peidio â thalu taliadau GIG ac i gael taliad am dreuliau teithio GIG ac i'r bobl hynny sy'n cael lwfans cyflogaeth a chymorth.

be calculated as if the sanction had not been applied. Regulation 3 also provides for specific disregards for those who undertake exempt work under regulation 45 of the Employment and Support Allowance Regulations 2008.

Regulation 4 provides for persons aged under 25 to have included in the calculation of their entitlement to a remission of NHS charges and the payment of NHS travelling expenses a personal allowance of an amount equal to that for a person aged 25 or over. This will apply to those who are either in receipt of employment and support allowance and have been awarded an employment and support allowance component, or who have been incapable of work for a continuous period of 28 weeks since 27 October 2008. Regulation 3 also provides for various premiums to be included in the calculation for entitlement to remission of NHS charges and the payment of NHS travelling expenses, for those who receive employment and support allowance.

2009 Rhif 54 (Cy.18)

2009 No. 54 (W.18)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Treuliau Teithio a
Pheidio â Chodi Tâl) (Cymru)
(Diwygio) 2009

The National Health Service
(Travelling Expenses and
Remission of Charges) (Wales)
(Amendment) Regulations 2009

Gwnaed 19 Ionawr 2009

Made 19 January 2009

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 20 Ionawr 2009

*Laid before the National
Assembly for Wales* 20 January 2009

Yn dod i rym 10 Chwefror 2009

Coming into force 10 February 2009

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 130, 131, 132 a 203 (9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1) drwy hyn yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 130, 131, 132 and 203 (9) and (10) of the National Health Service (Wales) Act 2006(1) hereby make the following Regulations:

Enwi, cychwyn, cymhwyso a dehongli

Title, commencement, application and interpretation

1.—(1)Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) (Diwygio) 2009.

1.—(1) The title of these Regulations is the National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) Regulations 2009.

(2) Daw'r rheoliadau hyn i rym ar 10 Chwefror 2009.

(2) These Regulations come into force on 10 February 2009.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) These Regulations apply in relation to Wales.

(4) Yn y Rheoliadau hyn ystyr "y prif Reoliadau" ("the principal Regulations") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) 2007(2).

(4) In these Regulations "the principal Regulations" ("y prif Reoliadau") means the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007(2).

Diwygio rheoliad 14 o'r Prif Reoliadau

Amendment of regulation 14 of the principal Regulations

2. Ar ddiwedd rheoliad 14 o'r prif Reoliadau ychwaneger y paragraff a ganlyn—

2. At the end of regulation 14 of the principal Regulations add the following paragraph—

(1) 2006 p.42.

(2) O.S. 2007/1104 (Cy.116).

(1) 2006 c.42.

(2) S.I. 2007/1104 (W.116).

"(6) Pan fo ceisydd yn aelod o briodas amlgyrmar, rhaid cyfrifo adnoddau a gofynion aelodau'r briodas honno yn yr un dull â rhai'r ceisydd a rhaid iddynt gael eu hystyried fel petaent yn adnoddau a gofynion y ceisydd, ac eithrio y caiff y swm cymwysadwy ei gyfrifo yn unol â rheoliad 18 o'r Rheoliadau Cymhorthdal Incwm."

Diwygio Atodlen 1 i'r prif Reoliadau, Tabl A

3. Yn Atodlen 1 i'r prif Reoliadau (Addasu Rheoliadau Cymhorthdal Incwm (Cyffredinol) 1987 (1)), Tabl A—

- (a) yng ngholofn (2) o'r cofnod sy'n ymwneud â rheoliad 40 (cyfrifo incwm heblaw enillion), mewnosoder ar y diwedd—

"Yn lle paragraff (6) rhodder y paragraffau a ganlyn—

"(6) Where—

- (a) the claimant is a member of a couple or a polygamous marriage;
- (b) the claimant or the claimant's partner (or either or any of them if the claimant has more than one partner) is receiving a contributory employment and support allowance; and
- (c) that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008(2),

that reduction will not affect the amount of benefit that is to be taken into account.

(6A) Where—

- (a) the claimant is a single claimant or a lone parent;
- (b) the claimant is receiving a contributory employment and support allowance; and
- (c) that benefit has been under regulation 63 of the Employment and Support Allowance Regulations,

that reduction will not affect the amount of the benefit that is to be taken into account.""; a

- (b) yng ngholofn (2) o'r cofnod sy'n ymwneud ag Atodlen 8 (symiau i'w diystyru wrth gyfrifo enillion), ar ôl yr ail gofnod ar gyfer paragraff 4 mewnosoder—

"(6) Where the claimant is a member of a polygamous marriage, the resources and requirements of members of that marriage must be calculated in the same manner as those of the claimant and they must be taken into account as if they were the resources and requirements of the claimant, except that the applicable amount will be calculated in accordance with regulation 18 of the Income Support Regulations."

Amendment of Schedule 1 to the principal Regulations, Table A

3. In Schedule 1 to the principal Regulations (Modifications of the Income Support (General) Regulations 1987(1)), Table A—

- (a) in column (2) of the entry relating to regulation 40 (calculation of income other than earnings), insert at the end—

"For paragraph (6) substitute the following paragraphs—

"(6) Where—

- (a) the claimant is a member of a couple or a polygamous marriage;
- (b) the claimant or the claimant's partner (or either or any of them if the claimant has more than one partner) is receiving a contributory employment and support allowance; and
- (c) that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008(2),

that reduction will not affect the amount of benefit that is to be taken into account.

(6A) Where—

- (a) the claimant is a single claimant or a lone parent;
- (b) the claimant is receiving a contributory employment and support allowance; and
- (c) that benefit has been under regulation 63 of the Employment and Support Allowance Regulations,

that reduction will not affect the amount of the benefit that is to be taken into account.""; and

- (b) in column (2) of the entry relating to Schedule 8 (sums to be disregarded in the calculation of earnings), after the second entry for paragraph 4 insert—

(1) O.S. 1987/1967; gwnaed diwygiadau perthnasol gan O.S. 2008/1554 a 2586 (Cy.226).

(2) *Gweler* y diffiniad o "Reoliadau Lwfans Cyflogaeth a Chymorth yn rheoliad 2(1) o O.S. 1987/1967 fel y'i mewnosodwyd gan O.S. 2008/1554.

(1) S.I. 1987/1967; relevant amendments made by S.I. 2008/1554 and 2586 (W.226).

(2) *See* the definition of "the Employment and Support Allowance Regulations" in regulation 2(1) of S.I. 1987/1967 as inserted by S.I. 2008/1554.

"Ar ôl paragraff 4 rhodder—

"4A.—(1) Income is disregarded under this sub-paragraph where—

- (a) the claimant is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations;
- (b) the partner of a claimant is in receipt of employment and support allowance and is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations but paragraph (c) is not applicable; or
- (c) both a claimant and the partner of the claimant are in receipt of employment and support allowance and both are undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations.

(2) Where sub-paragraph (1)(a) or (b) applies, income is disregarded to the same extent as it would be disregarded under regulations 5 and 6 of Schedule 7 to the Employment and Support Allowance Regulations.

(3) Where sub-paragraph (1)(c) applies, the aggregate income of the claimant and the partner is disregarded to the same extent as it would be disregarded under paragraphs 5 and 6 of that Schedule in the case of an individual.

(4) The other disregards in paragraphs 4 to 9 are not applicable where income is disregarded under this paragraph.

(5) In this paragraph "employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act.""

Diwygio Atodlen 1 i'r prif Reoliadau, Tabl B

4. Yn Atodlen 1 i'r prif Reoliadau (Addasu Rheoliadau Cymhorthdal Incwm (Cyffredinol) 1987, yn Nhabl B—

- (a) yng ngholofn (2) ar ôl y cofnod cyntaf sy'n ymwneud â rheoliad 18(1) , mewnosoder y cofnod a ganlyn—

"Yn lle rheoliad 18(1)(a) a (b) rhodder—

- "(a) where each member of the marriage is less than 60—
 - (i) the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with sub-paragraph (5) of paragraph 1 of Schedule 2; and

"After paragraph 4 insert—

"4A.—(1) Income is disregarded under this sub-paragraph where—

- (a) the claimant is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations;
- (b) the partner of a claimant is in receipt of employment and support allowance and is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations but paragraph (c) is not applicable; or
- (c) both a claimant and the partner of the claimant are in receipt of employment and support allowance and both are undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations.

(2) Where sub-paragraph (1)(a) or (b) applies, income is disregarded to the same extent as it would be disregarded under regulations 5 and 6 of Schedule 7 to the Employment and Support Allowance Regulations.

(3) Where sub-paragraph (1)(c) applies, the aggregate income of the claimant and the partner is disregarded to the same extent as it would be disregarded under paragraphs 5 and 6 of that Schedule in the case of an individual.

(4) The other disregards in paragraphs 4 to 9 are not applicable where income is disregarded under this paragraph.

(5) In this paragraph "employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act.""

Amendment of Schedule 1 to the principal Regulations, Table B

4. In Schedule 1 to the principal Regulations (modifications of the Income Support (General) Regulations 1987), in Table B—

- (a) in column (2) after the first entry relating to regulation 18(1) insert the following entry—

"For regulation 18(1)(a) and (b) substitute—

- "(a) where each member of the marriage is less than 60—
 - (i) the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with sub-paragraph (5) of paragraph 1 of Schedule 2; and

- (ii) an amount equal to the difference between the amounts specified in subparagraphs (5) and (1) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken into account in determining the amount under (i) above;
- (b) where any member of the marriage is aged 60 or more—
- (i) the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with subparagraph (6) of paragraph 1 of Schedule 2; and
 - (ii) an amount equal to the difference between the amounts specified in subparagraphs (6) and (2) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken into account in determining the amount under (i) above;"".

(b) yng ngholofn (2) o'r cofnod sy'n ymwneud ag Atodlen 2—

- (i) ar ôl yr ail gofnod rhodder—

"Ar ôl paragraff 1 (lwfansau personol) rhodder—

"1ZA.—(1) A single claimant or lone parent aged less than 25 who—

- (a) is entitled to an ESA component; or
- (b) is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which begins no earlier than 27 October 2008,

has a personal allowance equal to the amount of the personal allowance which would apply if that person were not less than 25 years old.

(2) In sub-paragraph (1) "ESA component" means a support component or a work-related activity component within the meaning of section 4 of the Welfare Reform Act."";

- (ii) yn lle'r cofnod sy'n ymwneud â pharagraff 11 (premiwm anabled), rhodder—

"Yn lle paragraff 11(1) rhodder y cofnodion a ganlyn—

"11.—(1) Subject to sub-paragraph (2), the condition is that—

- (a) where the claimant is a person aged less than 60 who is a single claimant or a lone parent, an additional condition specified in paragraph 12 is satisfied; or
- (b) where the claimant has a partner and both the claimant and the partner are aged less than 60, an additional condition specified in paragraph 11A(1) or 12 is satisfied by at least one of them; or

- (ii) an amount equal to the difference between the amounts specified in subparagraphs (5) and (1) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken into account in determining the amount under (i) above;

(b) where any member of the marriage is aged 60 or more—

- (i) the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with subparagraph (6) of paragraph 1 of Schedule 2; and
- (ii) an amount equal to the difference between the amounts specified in subparagraphs (6) and (2) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken into account in determining the amount under (i) above;"".

(b) in column (2) of the entry relating to Schedule 2—

- (i) after the second entry insert—

"After paragraph 1 (personal allowances) insert—

"1ZA.—(1) A single claimant or lone parent aged less than 25 who—

- (a) is entitled to an ESA component; or
- (b) is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which begins no earlier than 27 October 2008,

has a personal allowance equal to the amount of the personal allowance which would apply if that person were not less than 25 years old.

(2) In sub-paragraph (1) "ESA component" means a support component or a work-related activity component within the meaning of section 4 of the Welfare Reform Act."";

- (ii) for the entry relating to paragraph 11 (disability premium), substitute—

"For paragraph 11(1) substitute the following entries—

"11.—(1) Subject to sub-paragraph (2), the condition is that—

- (a) where the claimant is a person aged less than 60 who is a single claimant or a lone parent, an additional condition specified in paragraph 12 is satisfied; or
- (b) where the claimant has a partner and both the claimant and the partner are aged less than 60, an additional condition specified in paragraph 11A(1) or 12 is satisfied by at least one of them; or

- (c) where the claimant is a person aged less than 60 who is a single claimant or a lone parent, an additional condition specified in paragraph 11A(2) is satisfied.";

Ar ôl paragraff 11 mewnosoder—

"11A.—(1) The additional conditions referred to in paragraph 11(1)(b) are—

- (a) the claimant is a member of a couple and a member of that couple has been awarded employment and support allowance which includes an ESA component; or
- (b) the claimant is a member of a couple and a member of that couple has been in receipt of employment and support allowance for 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008.

(2) The additional conditions referred to in paragraph 11(1)(c) are—

- (a) the claimant is a single claimant or a lone parent who is in receipt of an employment and support allowance which includes a support component;
- (b) the claimant is a single claimant or lone parent who is in receipt of an employment and support allowance which includes a work-related activity component;
- (c) the claimant is a single claimant or lone parent who has been in receipt of employment and support allowance for a period of 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008;
- (d) the claimant is a—
 - (i) single claimant or lone parent;
 - (ii) severely disabled person within the meaning of paragraph 13(2)(a)(i); and
 - (iii) person who has been in receipt of employment and support allowance for a period of not less than 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008.

(3) In this paragraph—

"employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act;

- (c) where the claimant is a person aged less than 60 who is a single claimant or a lone parent, an additional condition specified in paragraph 11A(2) is satisfied.";

After paragraff 11 insert—

"11A.—(1) The additional conditions referred to in paragraph 11(1)(b) are—

- (a) the claimant is a member of a couple and a member of that couple has been awarded employment and support allowance which includes an ESA component; or
- (b) the claimant is a member of a couple and a member of that couple has been in receipt of employment and support allowance for 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008.

(2) The additional conditions referred to in paragraph 11(1)(c) are—

- (a) the claimant is a single claimant or a lone parent who is in receipt of an employment and support allowance which includes a support component;
- (b) the claimant is a single claimant or lone parent who is in receipt of an employment and support allowance which includes a work-related activity component;
- (c) the claimant is a single claimant or lone parent who has been in receipt of employment and support allowance for a period of 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008;
- (d) the claimant is a—
 - (i) single claimant or lone parent;
 - (ii) severely disabled person within the meaning of paragraph 13(2)(a)(i); and
 - (iii) person who has been in receipt of employment and support allowance for a period of not less than 28 weeks, or is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which starts no earlier than 27 October 2008.

(3) In this paragraph—

"employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act;

"ESA component" means either a support component or a work-related activity component; and

"support component" and "work-related activity component" have the same meanings as in section 4 of that Act.""; a

- (iii) ar ôl y cofnod sy'n ymwneud â pharagraff 13 (2)(a)(ii) a (b)(iii) mewnosoder—

"Yn lle paragraff 13A(1) (Uwch Breimiwm Anabledd)(1) rhodder—

"13A.—(1) Subject to sub-paragraph (2), the conditions are that—

- (a) the claimant is aged less than 60 and, where the claimant is a member of a couple, the claimant's partner is aged less than 60; and
- (b) the claimant or, as the case may be, the claimant's partner is—
 - (i) in receipt of employment and support allowance which includes a support component; or
 - (ii) in receipt of the care component of disability living allowance at the highest rate prescribed under section 72(3) of the Contributions and Benefits Act or would be in receipt of that component at that rate but for either a suspension of benefit in accordance with regulations made under section 113(2) of that Act or an abatement as a consequence of hospitalisation."

Ar ôl 13A(2) rhodder—

"(3) In this paragraph "employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act and "support component" has the same meaning as in section 4 of that Act."

Ym mharagraff 15(4)(a) (swm wythnosol o breimiwm anabledd) yn lle'r cofnod yn y golofn chwith rhodder—

- "(a) where the condition in paragraph 11(1)(a) is satisfied or the condition in paragraph 11(1)(c) and an additional condition in paragraph 11(2)(b) or (c) are satisfied;"

Ar ôl paragraff 15(4)(a) rhodder y cofnod a ganlyn—

- "(aa) where the (aa) an amount condition in equal to the paragraph 11(1)(c) component in and an additional paragraph 13 of condition in Schedule 4 to the paragraph 11A(2) Employment and

"ESA component" means either a support component or a work-related activity component; and

"support component" and "work-related activity component" have the same meanings as in section 4 of that Act.""; and

- (iii) after the entry relating to paragraph 13(2)(a)(ii) and (b)(iii) insert—

"For paragraph 13A(1) (enhanced disability premium)(1) substitute—

"13A.—(1) Subject to sub-paragraph (2), the conditions are that—

- (a) the claimant is aged less than 60 and, where the claimant is a member of a couple, the claimant's partner is aged less than 60; and
- (b) the claimant or, as the case may be, the claimant's partner is—
 - (i) in receipt of employment and support allowance which includes a support component; or
 - (ii) in receipt of the care component of disability living allowance at the highest rate prescribed under section 72(3) of the Contributions and Benefits Act or would be in receipt of that component at that rate but for either a suspension of benefit in accordance with regulations made under section 113(2) of that Act or an abatement as a consequence of hospitalisation."

After 13A(2) insert—

"(3) In this paragraph "employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act and "support component" has the same meaning as in section 4 of that Act."

In paragraph 15(4)(a) (weekly amount of disability premium) for the entry in the left column substitute—

- "(a) where the condition in paragraph 11(1)(a) is satisfied or the condition in paragraph 11(1)(c) and an additional condition in paragraph 11A(2)(b) or (c) are satisfied;"

After paragraph 15(4)(a) insert the following entry—

- "(aa) where the (aa) an amount condition in equal to the paragraph 11(1)(c) component in and an additional paragraph 13 of condition in Schedule 4 to the paragraph 11A(2) Employment and

(1) Mewnosodwyd paragraff 13A i Reoliadau Cymhorthdal Incwm (Cyffredinol) gan O.S. 2000/2629.

(1) Paragraph 13A was inserted into the Income Support (General) Regulations by S.I. 2000/2629.

(a) or (d) are Support Allowance satisfied; Regulations."

(a) or (d) are Support Allowance satisfied; Regulations."

Ym mharagraff 15(4)(b) (swm wythnosol o breimiwm anabled) yn lle'r cofnod yn y golofn chwith rhodder —

In paragraph 15(4)(b) (weekly amount of premium) for the entry in the left hand column substitute—

"(b) where the condition in paragraph 11(1)(b) and an additional condition in paragraph 11A(1) or paragraph 12 are satisfied.""

"(b) where the condition in paragraph 11(1)(b) and an additional condition in paragraph 11A(1) or paragraph 12 are satisfied.""

Edwina Hart

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

Minister for Health and Social Services, one of the Welsh Ministers

19 Ionawr 2009

19 January 2009

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OFFERYNNAU STATUDOL
CYMRU

2009 Rhif 54 (Cy.18)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Treuliau Teithio a
Pheidio â Chodi Tâl) (Cymru)
(Diwygio) 2009

WELSH STATUTORY
INSTRUMENTS

2009 No. 54 (W.18)

**NATIONAL HEALTH
SERVICE, WALES**

The National Health Service
(Travelling Expenses and
Remission of Charges) (Wales)
(Amendment) Regulations 2009

£5.00

W418/02/09

ON