OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 955 (Cy. 213)

2020 No. 955 (W. 213)

Y GWASANAETH IECHYD GWLADOL, CYMRU

NATIONAL HEALTH SERVICE, WALES

Rheoliadau'r Cynllun Cychwyn Iach (Disgrifio Bwyd Cychwyn Iach) (Cymru) (Diwygiadau Amrywiol) 2020

The Healthy Start Scheme (Description of Healthy Start Food) (Wales) (Miscellaneous Amendments) Regulations 2020

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Cynllun Cychwyn Iach (Disgrifio Bwyd Cychwyn Iach) (Cymru) 2006 ("y prif Reoliadau"). Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004.

Mae rheoliad 2 o'r prif Reoliadau yn darparu bod bwyd Cychwyn Iach, mewn perthynas â gweithredu'r cynllun Cychwyn Iach yng Nghymru, fel y'i nodir yn yr Atodlen i'r Rheoliadau hynny. Mae rheoliad 2(3) o'r Rheoliadau hyn yn ehangu'r diffiniad o fwyd Cychwyn Iach i gynnwys ffrwythau a llysiau a chodlysiau mewn tun.

Mae rheoliad 3 o'r prif Reoliadau yn darparu'r disgrifiad o fitaminau Cychwyn Iach a fydd yn gymwys mewn perthynas â gweithredu'r cynllun Cychwyn Iach yng Nghymru. Mae rheoliad 2(2) o'r Rheoliadau hyn yn gwneud diwygiadau i ddileu'r cyfyngiad bod rhaid i fitaminau Cychwyn Iach gael eu darparu ar ffurf tabledi neu ddiferion yn unig, gyda'r effaith y caniateir iddynt gael eu cynhyrchu ar unrhyw ffurf.

Mae rheoliad 3 o'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004 i ddileu'r gofyniad i gyflwyno tystysgrif sy'n cadarnhau beichiogrwydd at ddibenion cael bwyd lles.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006 ("the principal Regulations"). These Regulations also amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004.

Regulation 2 of the principal Regulations provides that Healthy Start food, in relation to the operation of the Healthy Start scheme in Wales, is as set out in the Schedule to those Regulations. Regulation 2(3) of these Regulations expands the definition of Healthy Start food to include canned fruit and vegetables and pulses.

Regulation 3 of the principal Regulations provides the description of Healthy Start vitamins that will apply in relation to the operation of the Healthy Start scheme in Wales. Regulation 2(2) of these Regulations makes amendments to remove the restriction that Healthy Start vitamins must be provided in tablet or drop form only, with the effect that they may be produced in any form.

Regulation 3 of these Regulations amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 to remove the requirement to produce a certificate confirming pregnancy for the purposes of obtaining welfare food.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 955 (Cy. 213)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Cynllun Cychwyn Iach (Disgrifio Bwyd Cychwyn Iach) (Cymru) (Diwygiadau Amrywiol) 2020

Gwnaed	*7 Medi 2020*
Gosodwyd gerbron Senedd Cymru	*8 Medi 2020*
Yn dod i rym	*1 Hydref 2020*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adran 13(1) a (6) o Ddeddf Nawdd Cymdeithasol 1988(**1**) ac adrannau 47(1) a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**2**).

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Cynllun Cychwyn Iach (Disgrifio Bwyd Cychwyn Iach) (Cymru) (Diwygiadau Amrywiol) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 1 Hydref 2020.

(**1**) 1988 p. 7. Amnewidiwyd adran 13 o Ddeddf Nawdd Cymdeithasol 1988 gan adran 185(1) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43). Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau a roddir i Gynulliad Cenedlaethol Cymru gan adran 13(1) a (6) o Ddeddf Nawdd Cymdeithasol 1988 yn arferadwy gan Weinidogion Cymru.

(**2**) 2006 p. 42. *Gweler* adran 206 am y diffiniad o "regulations".

WELSH STATUTORY INSTRUMENTS

2020 No. 955 (W. 213)

NATIONAL HEALTH SERVICE, WALES

The Healthy Start Scheme (Description of Healthy Start Food) (Wales) (Miscellaneous Amendments) Regulations 2020

Made	*7 September 2020*
Laid before Senedd Cymru	*8 September 2020*
Coming into force	*1 October 2020*

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 13(1) and (6) of the Social Security Act 1988(**1**) and sections 47(1) and 203(9) and (10) of the National Health Service (Wales) Act 2006(**2**).

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Healthy Start Scheme (Description of Healthy Start Food) (Wales) (Miscellaneous Amendments) Regulations 2020.

(2) These Regulations come into force on 1 October 2020.

(**1**) 1988 c. 7. Section 13 of the Social Security Act 1988 was substituted by section 185(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43). By virtue of section 162 of and paragraph 30 of Schedule 11 of the Government of Wales Act 2006 (c. 32), functions conferred on the National Assembly for Wales by section 13(1) and (6) of the Social Security Act 1988 are exercisable by the Welsh Ministers.

(**2**) 2006 c. 42. *See* section 206 for the definition of "regulations".

(3) Yn y Rheoliadau hyn:

ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau'r Cynllun Cychwyn Iach (Disgrifio Bwyd Cychwyn Iach) (Cymru) 2006(**1**);

ystyr "Rheoliadau 2004" ("*the 2004 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(**2**).

Diwygio'r prif Reoliadau

2.—(1) Mae'r prif Reoliadau wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3—

(a) yn lle "Tabledi neu ddiferion fitamin" rhodder "Cynhyrchion";

(b) ar ôl "sy'n cynnwys fitaminau" mewnosoder "ar ffurf ac mewn swm".

(3) Yn yr Atodlen—

(a) yng ngholofn 1 (categori o fwyd) o'r tabl, yn y trydydd cofnod, yn lle "ffres neu wedi'u rhewi" rhodder "ffres, wedi'u rhewi neu mewn tun";

(b) yng ngholofn 2 (goleddfiad) o'r tabl, yn lle'r trydydd cofnod rhodder—

"Ffrwythau a llysiau ffres, wedi'u rhewi neu mewn tun gan gynnwys, ond heb fod yn gyfyngedig i, ffrwythau neu lysiau rhydd, wedi'u rhagbacio, cyfain, wedi'u tafellu, wedi'u torri, neu wedi'u cymysgu, ffrwythau mewn sudd ffrwythau, neu ffrwythau neu lysiau mewn dŵr, ond nid ffrwythau na llysiau yr ychwanegwyd braster, halen, siwgr, cyflasyn neu unrhyw gynhwysion eraill atynt.";

(3) In these Regulations:

"the principal Regulations" ("*y prif Reoliadau*") means the Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006(**1**);

"the 2004 Regulations" ("*Rheoliadau 2004*") means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(**2**).

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 3—

(a) for "tablets or vitamin drops" substitute "products"; and

(b) after "containing vitamins" insert "of a form and quantity".

(3) In the Schedule—

(a) in column 1 (category of food) of the table, in the third entry, for "Fresh or frozen" substitute "Fresh, frozen or canned";

(b) in column 2 (qualification) of the table, for the third entry, substitute—

"Fresh, frozen or canned fruit and vegetables including but not limited to loose, pre-packed, whole, sliced, chopped, or mixed fruit or vegetables, fruit in fruit juice, or fruit or vegetables in water, but not fruit or vegetables to which fat, salt, sugar, flavouring or any other ingredients have been added."; and

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(**1**) O.S. 2006/3108 (Cy. 287) fel y'i diwygiwyd gan O.S. 2011/415 (Cy. 58).

(**2**) O.S. 2004/478 (Cy. 48); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**1**) S.I. 2006/3108 (W. 287) as amended by S.I. 2011/415 (W. 58).

(**2**) S.I. 2004/478 (W. 48); there are other amending instruments but none is relevant to these Regulations.

(c) ar ddiwedd y tabl mewnosoder—

“*Codlysiau*	Codlysiau ffres, wedi’u sychu neu mewn tun, gan gynnwys, ond heb fod yn gyfyngedig i, gorbys, ffa, pys a ffacbys ond nid codlysiau yr ychwanegwyd braster, halen, siwgr, cyflasyn neu unrhyw gynhwysion eraill atynt.”

Diwygio Rheoliadau 2004

3. Yn Atodlen 4 i Reoliadau 2004 (rhestr o dystysgrifau meddygol rhagnodedig)—

(a) yng ngholofn 1 (disgrifiad o’r dystysgrif feddygol) o’r tabl, hepgorer yr ail gofnod;

(b) yng ngholofn 2 (deddfiad y mae’r dystysgrif yn ofynnol odano neu at ei ddiben) o’r tabl, hepgorer “Section 13 of the Social Security Act 1988 (Schemes for distribution etc of welfare foods)”.

(c) at the end of the table insert—

“*Pulses*	Fresh, dried or canned pulses, including but not limited to lentils, beans, peas and chickpeas but not pulses to which fat, salt, sugar, flavouring or any other ingredients have been added.”

Amendment to the 2004 Regulations

3. In Schedule 4 to the 2004 Regulations (list of prescribed medical certificates)—

(a) in column 1 (description of medical certificate) of the table, omit the second entry;

(b) in column 2 (enactment under or for the purpose of which certificate required) of the table, omit “Section 13 of the Social Security Act 1988 (Schemes for distribution etc of welfare foods)”.

Vaughan Gething

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
7 Medi 2020

Minister for Health and Social Services, one of the Welsh Ministers
7 September 2020

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