



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 715 (Cy. 158)

2022 No. 715 (W. 158)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Ffioedd Ymwelwyr
Tramor) (Diwygio) (Rhif 3)
(Cymru) 2022**

**The National Health Service
(Charges to Overseas Visitors)
(Amendment) (No. 3) (Wales)
Regulations 2022**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989 (O.S. 1989/306) ("y prif Rheoliadau"), sy'n darparu ar gyfer codi ac adennill ffioedd am wasanaethau perthnasol a ddarperir o dan Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42) i ymwelwyr tramor.

Mae rheoliad 2 yn diwygio'r prif Rheoliadau i fewnosod "Monkeypox" yn Atodlen 1 (clefydau na chodir ffi am eu trin). Mae rheoliad 2(2)(b) yn darparu, o ran ffioedd yr aed iddynt mewn cysylltiad â gwasanaethau a ddarparwyd i ymwelydd tramor ar gyfer trin brech y mwncïod ar neu ar ôl 23 Mai 2022 ond cyn i'r Rheoliadau hyn ddod i rym—

- os nad ydynt wedi eu codi eto, na chaniateir eu codi,
- os ydynt wedi eu codi, na chaniateir eu hadennill, neu
- os ydynt wedi eu talu, fod rhaid eu had-dalu.

Ni chynhaliwyd asesiad effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn oherwydd bod angen eu rhoi yn eu lle ar frys i ymateb i'r achosion presennol o frech y mwncïod yn y Deyrnas Unedig.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 (S.I. 1989/306) ("the principal Regulations"), which provide for the making and recovery of charges for relevant services provided under the National Health Service (Wales) Act 2006 (c. 42) to overseas visitors.

Regulation 2 amends the principal Regulations to insert "Monkeypox" into Schedule 1 (diseases for the treatment of which no charge is to be made). Regulation 2(2)(b) provides that charges incurred in respect of services provided to an overseas visitor for the treatment of monkeypox on or after 23 May 2022 but before these Regulations came into force—

- if not yet made, must not be made,
- if made, must not be recovered, or
- if paid, must be repaid.

There has been no regulatory impact assessment in relation to these Regulations due to the need to put them in place urgently to respond to the current outbreak of monkeypox in the United Kingdom.

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Gwnaed 28 Mehefin 2022
Gosodwyd gerbron Senedd Cymru 29 Mehefin 2022
Yn dod i rym 1 Gorffennaf 2022

Made 28 June 2022
Laid before Senedd Cymru 29 June 2022
Coming into force 1 July 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 124 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1).

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 124 and 203(9) and (10) of the National Health Service (Wales) Act 2006(1).

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Rhif 3) (Cymru) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 1 Gorffennaf 2022.

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) 1989(2).

Title, commencement and interpretation

1.—(1) The title of these Regulations is the National Health Service (Charges to Overseas Visitors) (Amendment) (No. 3) (Wales) Regulations 2022.

(2) These Regulations come into force on 1 July 2022.

(3) In these Regulations, "the principal Regulations" means the National Health Service (Charges to Overseas Visitors) Regulations 1989(2).

(1) 2006 p. 42.

(2) O.S. 1989/306, a ddiwygiwyd gan O.S. 1991/438; O.S. 1994/1535; O.S. 2004/614; O.S. 2004/696; O.S. 2004/1433 (Cy. 146); O.S. 2008/2364 (Cy. 203); O.S. 2009/1175 (Cy. 102); O.S. 2009/1512 (Cy. 148); O.S. 2009/1824 (Cy. 165); O.S. 2009/3005 (Cy. 264); O.S. 2010/730 (Cy. 71); O.S. 2010/927 (Cy. 94); O.S. 2011/1043; O.S. 2011/2906 (Cy. 310); O.S. 2012/1809; O.S. 2014/1622 (Cy. 166); O.S. 2020/113 (Cy. 20); O.S. 2020/1607 (Cy. 334); O.S. 2021/221 (Cy. 55); O.S. 2022/89 (Cy. 30); O.S. 2022/402 (Cy. 99); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(1) 2006 c. 42.

(2) S.I. 1989/306, amended by S.I. 1991/438; S.I. 1994/1535; S.I. 2004/614; S.I. 2004/696; S.I. 2004/1433 (W. 146); S.I. 2008/2364 (W. 203); S.I. 2009/1175 (W. 102); S.I. 2009/1512 (W. 148); S.I. 2009/1824 (W. 165); S.I. 2009/3005 (W. 264); S.I. 2010/730 (W. 71); S.I. 2010/927 (W. 94); S.I. 2011/1043; S.I. 2011/2906 (W. 310); S.I. 2012/1809; S.I. 2014/1622 (W. 166); S.I. 2020/113 (W. 20); S.I. 2020/1607 (W. 334); S.I. 2021/221 (W. 55); S.I. 2022/89 (W. 30); S.I. 2022/402 (W. 99); there are other amending instruments but none are relevant to these Regulations.

Diwygio'r prif Reoliadau

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

(2) Yn rheoliad 3 (gwasanaethau sydd wedi eu hesemtio rhag ffioedd)—

- (a) daw'r testun presennol yn baragraff (1);
- (b) ar ôl y paragraff newydd (1), mewnosoder—

“(2) Services provided to an overseas visitor for the treatment of monkeypox on or after 23 May 2022 but before this paragraph came into force are to be treated for the purposes of these Regulations as if, at the time that the services were provided, they were relevant services in respect of which no charge may be made or recovered.

(3) Where paragraph (2) applies, a Local Health Board or NHS Trust—

- (a) yet to make charges under regulation 2 (making and recovery of charges) must not make the charges;
- (b) that made charges under regulation 2 but has yet to recover the charges, must not recover the charges; or
- (c) that made charges under regulation 2 and received payment in respect of the charges, must repay any sum paid in respect of the charges in accordance with regulation 8 (repayments).”.

(3) Yn Rhan 4 o Atodlen 1 (clefydau na chodir ffi am eu trin), yn y lle priodol yn nhrefn yr wyddor, mewnosoder “Monkeypox”.

Amendment of the principal Regulations

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

(2) In regulation 3 (services exempted from charges)—

- (a) the existing text becomes paragraph (1);
- (b) after the new paragraph (1), insert—

“(2) Services provided to an overseas visitor for the treatment of monkeypox on or after 23 May 2022 but before this paragraph came into force are to be treated for the purposes of these Regulations as if, at the time that the services were provided, they were relevant services in respect of which no charge may be made or recovered.

(3) Where paragraph (2) applies, a Local Health Board or NHS Trust—

- (a) yet to make charges under regulation 2 (making and recovery of charges) must not make the charges;
- (b) that made charges under regulation 2 but has yet to recover the charges, must not recover the charges; or
- (c) that made charges under regulation 2 and received payment in respect of the charges, must repay any sum paid in respect of the charges in accordance with regulation 8 (repayments).”.

(3) In Part 4 of Schedule 1 (diseases for the treatment of which no charge is to be made), in the appropriate alphabetical position, insert “Monkeypox”.

Eluned Morgan

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru
28 Mehefin 2022

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Minister for Health and Social Services, one of the
Welsh Ministers
28 June 2022

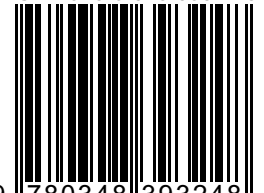
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