LEGISLATION COMMITTEE – SUBORDINATE LEGISLATION RECORD

Legislation Committee numbers:	LC58
Titles:	The National Health (Dental Charges) Amendment (Wales) Regulations 2000
Associated Documents :	
• Report of the Legal Adviser	LC58(R)
Legislation Committee consideration (date)	14 March 2000
Urgency procedures (if applicable)	
Coming into Force:	1 April 2000

Any further comments:

NATIONAL ASSEMBLY FOR WALES

LEGISLATION COMMITTEE REPORT

The National Health Service

(Dental Charges) Amendment (Wales) Regulations 2000

<u>Background</u>

Section 79A of the National Health Service Act 1977 enables the National Assembly to make provisions as to the charges made for general dental services.

These regulations increase the maximum charge for dental treatment or appliances under the terms of any one contract or arrangement from £348 to £354. This is done by amending the National Health Service (Dental Charges) Regulations 1989 ("the principal Regulations").

They apply when the contract is entered into or the arrangement made on or after the 1st April 2000.

Standing Order 11.5

No points have been identified as matters in respect of which the Committee needs to invite the Assembly to pay special attention.

Comments on the Regulations

As these Regulations are amending existing England and Wales Regulations, consideration should be given to whether or not similar provisions are being made in England. If the same amendments are being made then there is no problem, but if not, then to facilitate clarity each textual amendment should incorporate the words "in Wales".

The structure of Regulation 4 could have been improved to assist understanding by the use of paragraphs.

As usual the footnotes will appear in dual column format in the final printed copy.

DYLAN M HUGHES

Assistant Legal Adviser

Legislation Committee

3 March 2000

Our ref: LAD 01-01-085

_ **CYNULLIAD CENEDLAETHOL CYMRU**		LC58 **NATIONAL ASSEMBLY FOR WALES**
OFFERYNNAU **STATUDOL**		**S T A T U T O R Y** **I N S T R U M E N T S**
2000 Rhif (Cy.)		**2000 No. (W.)**
Y GWASANAETH IECHYD GWLADOL, CYMRU		**NATIONAL HEALTH SERVICE, WALES**
Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) Diwygio (Cymru) 2000		**The National Health Service (Dental Charges) Amendment (Wales) Regulations 2000**

NODYN ESBONIADOL		EXPLANATORY NOTE
(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau.)		*(This note does not form part of the Regulations.)*
Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) 1989 i godi o £348 i £354 yr uchafswm sy'n daladwy gan y claf am driniaeth neu offer deintyddol, pan fydd y contract neu'r trefniant sy'n arwain at ddarparu triniaeth neu offer o'r fath yn cael ei wneud ar 1 Ebrill 2000 neu ar ôl hynny.		These Regulations further amend the National Health Service (Dental Charges) Regulations 1989 to increase from £348 to £354 the maximum charge payable by the patient for dental treatment or appliances, where the contract or arrangement leading to the provision of such treatment or appliances is made on or after 1st April 2000.

OFFERYNNAU STATUDOL		**S T A T U T O R Y I N S T R U M E N T S**
2000 Rhif (Cy.)		**2000 No. (W.)**
Y GWASANAETH IECHYD GWLADOL, CYMRU		**NATIONAL HEALTH SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) Diwygio (Cymru) 2000		**The National Health Service (Dental Charges) Amendment (Wales) Regulations 2000**
Wedi'u gwneud 2000 *Yn dod i rym 1 Ebrill 2000*		*Made 2000* *Coming into force 1st April 2000*
Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adran 79A o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 **(a)**, a pharagraff 3(2) a 3(3) o Atodlen 12 iddi a phob per arall sy'n ei alluogi yn y cyswllt hwnnw:-		The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by section 79A of, and paragraph 3(2) and 3(3) of Schedule 12 to, the National Health Service Act 1977**(a)** and all other powers enabling it in that behalf:-
Enwi, cychwyn a chymhwyso		**Citation, commencement and application**
1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) Diwygio (Cymru) 2000 a deuant i rym ar 1 Ebrill 2000.		**1.-**(1) These Regulations may be cited as The National Health Service (Dental Charges) Amendment (Wales) Regulations 2000 and shall come into force on the 1st April 2000.
(2) Bydd y Rheoliadau hyn yn gymwys i Gymru yn unig.		(2) These Regulations shall apply to Wales only.
Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) 1989		**Amendment of The National Health Service (Dental Charges) Regulations 1989**

2. Yn rheoliad 4 o Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) 1989**(b)** (cyfrifo ffioedd), ym mharagraff (5), yn lle "£348" yn y ddau fan lle mae'n digwydd rhoddir "£354".		**2.** In regulation 4 of The National Health Service (Dental Charges) Regulations 1989 **(b)** (calculation of charges), in paragraph (5), for "£348" in both places where it occurs there shall be substituted "£354".
Diddymu		**Revocation**
• Diddymir drwy hyn Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) Diwygio 1999**(c).**		**3.** The National Health Service (Dental Charges) Amendment Regulations 1999**(c)** are hereby revoked.
Darpariaethau Trosiannol		**Transitional Provisions**
• Pan gyflenwir offer ar 1 Ebrill 2000 neu ar ôl hynny, neu pan ddarperir gwasanaethau deintyddol cyffredinol eraill, yn unol â chontract neu drefniant i ddarparu gwasanaethau deintyddol cyffredinol a wnaed cyn y dyddiad hwnnw, bydd rheoliad 4(5) o Reoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) 1989 yn cael effaith mewn perthynas â'r cyflenwad hwnnw neu'r ddarpariaeth arall honno fel pe na bai'r Rheoliadau hyn wedi dod i rym.		**4.** Where, on or after 1st April 2000, appliances are supplied, or other general dental services are provided, in pursuance of a contract or arrangement for the provision of general dental services made before that date, regulation 4(5) of The National Health Service (Dental Charges) Regulations 1989 shall have effect in respect of that supply or other provision as if these Regulations had not come into force.
Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998**(ch)**.		Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998**(d)**.

[ ] 2000		[ ] 2000
Llywydd y Cynulliad Cenedlaethol		The Presiding Officer of the National Assembly

[ENDNOTES – WILL APPEAR IN PRINTED VERSION AS FOOTNOTES]

(a) 1977 p.49; gweler a.128(1) fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19), a.26 (2)(g) ac (i), ar gyfer y diffiniadau o "prescribed" a "regulations". Mewnosodwyd adran 79A gan Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), a.11(3). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 79A, a pharagraff 3(2) a 3(3) o Atodlen 12 i Ddeddf y Gwasanaeth Iechyd Gwladol 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(a) 1977 c.49; see s.128(1) as amended by the National Health Service and Community Care Act 1990 (c.19), s.26(2)(g) and (i), for the definitions of "prescribed" and "regulations". Section 79A was inserted by the Health and Medicines Act 1988 (c.49), s.11(3). The functions of the Secretary of State under section 79A, and paragraph 3(2) and 3(3) of Schedule 12 to The National Health Service Act 1977 were transferred to the National Assembly for Wales by The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) 1989/394; O.S. 1991/581, 1992/369, 1993/419, 1994/530, 1995/444, 1996/389, 1997/558, 1998/490 a 1999/544 yw'r offerynnau diwygio perthnasol.

(b) 1989/394; the relevant amending instruments are S.I.s 1991/581, 1992/369, 1993/419, 1994/530, 1995/444, 1996/389, 1997/558, 1998/490 and 1999/544.

(c) O.S. 1999/544.

(c) S.I. 1999/544.

(ch) 1998 p.38.

(d) 1998 c.38.