

**STATUTORY INSTRUMENTS**

**OFFERYNNAU**

**STATUDOL**

**2000 Rhif (Cy. ) (C. )**

**2000 No. (W. ) (C. )**

**Y GWASANAETH IECHYD GWLADOL,  
CYMRU**

**NATIONAL HEALTH SERVICE, WALES**

**Gorchymyn Deddf Iechyd 1999  
(Cychwyn Rhif 2) (Cymru) 2000**

**The Health Act 1999 (Commencement  
No. 2) (Wales) Order 2000**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn ffurfio rhan o'r  
Gorchymyn)*

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn dod â darpariaethau pellach Deddf Iechyd 1999 i rym mewn perthynas â Chymru.

This Order brings into force further provisions of the Health Act 1999 in relation to Wales.

Mae'r Gorchymyn yn darparu ar gyfer cychwyn y darpariaethau sydd -

The Order provides for the commencement of provisions which -

a. yn dileu'r cronfeydd a ddelir gan YC (adran 1);

a. abolish GP fund-holding (section 1);

b. yn caniatáu ar gyfer diwygio'r gynrychiolaeth ar Bwyllgorau Deintyddol a Meddygol Lleol; ac

c. yn gwneud diwygiadau manwl i ddeddfwriaeth y Gwasanaeth Iechyd Gwladol o ganlyniad i'r uchod, er mwyn cymryd i ystyriaeth bellach y diwygiadau i'r darpariaethau ynghylch sefydlu Ymddiriedolaethau NHS ac i'r pwerau ar gyfer gwneud cyfarwyddiadau a gychwynwyd gan Orchymyn Deddf Iechyd 1999 (Cychwyn Rhif 1) (Cymru) 1999 ac mewn perthynas â thalu am nwyddau a gwasanaethau penodol a gyflawnir heblaw o dan gontract NHS.

## **NODYN AM Y GORCHMYNION CYCHWYN BLAENOROL**

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn.)

Daethpwyd â darpariaethau canlynol Deddf Iechyd 1999 i rym, neu maent i ddod i rym, mewn perthynas â Chymru drwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

Yn ogystal â'r darpariaethau a restrir isod, daethpwyd ag amryw ddarpariaethau eraill i rym mewn perthynas â Lloegr drwy orchymynion cychwyn O.S.1999/2177, 2342, 2540 a 2793 ac mewn perthynas â'r Alban drwy orchymyn cychwyn O.S.A. 1999/90.

b. allow for amendment of representation on Local Dental and Medical Committees; and

c. make detailed amendments to National Health Service legislation in consequence of the above, to take further account of the amendments to NHS Trust establishment provisions and direction-making powers commenced by the Health Act 1999 (Commencement No. 1) (Wales)

Order 1999 and in relation to payment for certain goods and services carried out otherwise than under a NHS contract.

## **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

(This note is not part of the Order.)

The following provisions of the Health Act 1999 have been, or are to be, brought into force in relation to Wales by commencement order made before the date of this Order.

In addition to the provisions listed below, various other provisions of the Act have been brought into force in relation to England by commencement orders S.I.1999/2177, 2342, 2540 and 2793 and in relation to Scotland by commencement order S.S.I. 1999/90.

<b>Darpariaeth</b>	<b>Dyddiad Cychwyn</b>	<b>Rhif yr O.S.</b>
a.12	1.12.99	1999/3184 (W.42) (C.82)
a.13 i 18	1.11.99	1999/3184 (W.42) (C.82)
a.19	1.11.99	1999/2793 (C.69)
a.20 (yn rhannol)	1.11.99	1999/2793 (C.69)
a.23 to 25	1.11.99	1999/2793 (C.69)
a.28 (yn rhannol)	1.11.99	1999/3184 (W.42) (C.82)
a.41	1.4.2000	1999/2793 (C.69)
a.42 to 44	1.10.99	1999/2540 (C.64)
a.65(1) (yn rhannol)	1.11.99	1999/3184 (W.42) (C.82)
(yn rhannol)	1.11.99	1999/2793 (C.69)
(yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
(yn rhannol)	4.1.2000	1999/2342 (C.60)
(yn rhannol)	1.4.2000	1999/2342 (C.60)
(yn rhannol)	1.4.2000	1999/2793 (C.69)
a.65(2) (yn rhannol)	1.11.99	1999/2793 (C.69)
(yn rhannol)	1.4.2000	1999/2793 (C.69)
Atodlen 2	1.11.99	1999/2793 (C.69)
Atodlen 4		

paragraff 4 (yn rhannol)	1.11.99	1999/3184 (W.42) (C.82)
(yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
(yn rhannol)	1.4.2000	1999/2793 (C.69)
paragraff 5	1.12.99	1999/3184 (W.42) (C.82)
paragraff 6	1.12.99	1999/3184 (W.42) (C.82)
paragraff 9 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 12 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 15 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 26	1.12.99	1999/3184 (W.42) (C.82)
paragraff 27(b)	1.4.2000	1999/2793 (C.69)
paragraff 30 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 31 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 32	1.12.99	1999/3184 (W.42) (C.82)
paragraff 34(b)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 37 (yn rhannol)	1.11.99	1999/3184 (W.42) (C.82)
(yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 38 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
(yn rhannol)	1.4.2000	1999/2793 (C.69)
paragraff 39	1.12.99	1999/3184 (W.42) (C.82)
paragraffau 65 to 69	1.4.2000	1999/2793 (C.69)
paragraff 73	1.4.2000	1999/2342 (C.60)
paragraff 74 (yn rhannol)	1.11.99	1999/2793 (C.69)
(yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
(yn rhannol)	4.1.2000	1999/2342 (C.60)

(yn rhannol)	1.4.2000	1999/2342 (C.60)
paragraff 75	1.12.99	1999/3184 (W.42) (C.82)
paragraff 76(a) (yn rhannol)	1.11.99	1999/2793 (C.69)
(yn rhannol)	4.1.2000	1999/2342 (C.60)
paragraff 76(b)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 79	1.11.99	1999/3184 (W.42) (C.82)
paragraff 81 (yn rhannol)	1.11.99	1999/2793 (C.69)
paragraff 82	1.4.2000	1999/2342 (C.60)
paragraff 83 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
paragraff 85 (yn rhannol)	4.1.2000	1999/2342 (C.60)
paragraff 86	1.4.2000	1999/2342 (C.60)
paragraff 88 (yn rhannol)	1.12.99	1999/3184 (W.42) (C.82)
Atodlen 5 (yn rhannol)	1.11.99	1999/2793 (C.69)
(yn rhannol)	1.4.2000	1999/2793 (C.69)

<b>Provision</b>	<b>Date of Commencement</b>	<b>S.I. No.</b>
s.12	1.12.99	1999/3184(W.42) (C.82)
ss.13 to 18	1.11.99	1999/3184 (W.42) (C.82)
s.19	1.11.99	1999/2793 (C.69)
s.20 (partially)	1.11.99	1999/2793 (C.69)
ss.23 to 25	1.11.99	1999/2793 (C.69)

s.28 (partially)	1.11.99	1999/3184 (W.42) (C.82)
s.41	1.4.2000	1999/2793 (C.69)
ss.42 to 44	1.10.99	1999/2540 (C.64)
s.65(1) (partially)	1.11.99	1999/3184 (W.42) (C.82)
(partially)	1.11.99	1999/2793 (C.69)
(partially)	1.12.99	1999/3184 (W.42) (C.82)
(partially)	4.1.2000	1999/2342 (C.60)
(partially)	1.4.2000	1999/2342 (C.60)
(partially)	1.4.2000	1999/2793 (C.69)
s.65(2) (partially)	1.11.99	1999/2793 (C.69)
(partially)	1.4.2000	1999/2793 (C.69)
Schedule 2	1.11.99	1999/2793 (C.69)
Schedule 4		
paragraph 4 (partially)	1.11.99	1999/3184 (W.42) (C.82)
(partially)	1.12.99	1999/3184 (W.42) (C.82)
(partially)	1.4.2000	1999/2793 (C.69)
paragraph 5	1.12.99	1999/3184 (W.42) (C.82)
paragraph 6	1.12.99	1999/3184 (W.42) (C.82)
paragraph 9 (partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 12 (partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 15 (partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 26	1.12.99	1999/3184 (W.42) (C.82)
paragraph 27(b)	1.4.2000	1999/2793 (C.69)
paragraph 30 (partially)	1.12.99	1999/3184 (W.42) (C.82)

paragraph 31 (partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 32	1.12.99	1999/3184 (W.42) (C.82)
paragraph 34(b)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 37 (partially)	1.11.99	1999/3184 (W.42) (C.82)
(partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 38 (partially)	1.12.99	1999/3184 (W.42) (C.82)
(partially)	1.4.2000	1999/2793 (C.69)
paragraph 39	1.12.99	1999/3184 (W.42) (C.82)
paragraphs 65 to 69	1.4.2000	1999/2793 (C.69)
paragraph 73	1.4.2000	1999/2342 (C.60)
paragraph 74 (partially)	1.11.99	1999/2793 (C.69)
(partially)	1.12.99	1999/3184 (W.42) (C.82)
(partially)	4.1.2000	1999/2342 (C.60)
(partially)	1.4.2000	1999/2342 (C.60)
paragraph 75	1.12.99	1999/3184 (W.42) (C.82)
paragraph 76(a) (partially)	1.11.99	1999/2793 (C.69)
(partially)	4.1.2000	1999/2342 (C.60)
paragraph 76(b)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 79	1.11.99	1999/3184 (W.42) (C.82)
paragraph 81 (partially)	1.11.99	1999/2793 (C.69)
paragraph 82	1.4.2000	1999/2342 (C.60)
paragraph 83 (partially)	1.12.99	1999/3184 (W.42) (C.82)
paragraph 85 (partially)	4.1.2000	1999/2342 (C.60)
paragraph 86	1.4.2000	1999/2342 (C.60)

paragraph 88 (partially)	1.12.99	1999/3184 (W.42) (C.82)
Schedule 5 (partially)	1.11.99	1999/2793 (C.69)
(partially)	1.4.2000	1999/2793 (C.69)

## STATUTORY INSTRUMENTS

### OFFERYNNAU STATUDOL

2000 Rhif (Cy. )

**Y GWASANAETH IECHYD GWLADOL,  
CYMRU**

**Gorchymyn Deddf Iechyd 1999  
(Cychwyn Rhif 2) (Cymru) 2000**

Wedi'i wneud 2000

Mae Cynulliad Cenedlaethol Cymru'n gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adran 63(1) a 66(2) o Ddeddf Iechyd 1999(a):

**Enwi, cychwyn a chymhwyso**

2000 No. [ ] (W. [ ]) (C. [ ])

**NATIONAL HEALTH SERVICE, WALES**

**The Health Act 1999 (Commencement  
No. 2) (Wales) Order 2000**

Made 2000

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 63(1) and 66(2) of the Health Act 1999(a):

**Citation, interpretation and application**



1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd 1999 (Cychwyn Rhif 2) (Cymru) 2000.

(2) Yn y Gorchymyn hwn -

ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd 1999;

ystyr "Deddf 1977" ("*the 1977 Act*") yw Deddf y Gwasanaeth Iechyd Gwladol 1977<sup>(b)</sup>

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru.

### **Diwrnod penodedig**

2. -(1) 1 Ebrill 2000 yw'r diwrnod penodedig y daw darpariaethau'r Ddeddf a bennir yn yr Atodlen i'r Gorchymyn hwn i rym i'r graddau a bennir yno.

(2) Er bod paragraff (1) yn dod â diddymiad paragraffau 19 a 20 o Atodlen 2 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990<sup>(c)</sup> i rym, bydd y darpariaethau hynny yn parhau i gael effaith mewn perthynas â nwyddau neu wasanaethau a ddarparwyd cyn y diddymu.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998<sup>(ch)</sup>

2000 Llywydd

1.-(1) This Order may be cited as the Health Act 1999 (Commencement No.2) (Wales) Order 2000.

(2) In this Order –

"the Act" ("*y Ddeddf*") means the Health Act 1999;

"the 1977 Act" ("*Deddf 1977*") means the National Health Service Act 1977<sup>(b)</sup>;

(3) This Order applies to Wales.

### **Appointed day**

2. -(1) 1<sup>st</sup> April 2000 is the day appointed for the coming into force, to the extent there specified, of each provision of the Act specified in the Schedule to this Order.

(2) Notwithstanding the bringing into force by paragraph (1) of the repeal of paragraphs 19 and 20 of Schedule 2 to the National Health Service and Community Care Act 1990<sup>(c)</sup>, those provisions shall continue to have effect in relation to goods or services provided prior to the repeal.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(d)</sup>

2000 Presiding Officer

## **ATODLEN Erthygl 2(1)**

### **Darpariaethau'r Ddeddf sy'n dod i rym ar 1 Ebrill 2000**

Adran 1 (Diddymu'r gyfraith ynglŷn â phractisiau sy'n dal cronfeydd)

Adran 11 (Pwyllgorau Cynrychioliadol Lleol) (ac eithrio bod y cyfeiriadau yn is-adran (3) o adran 44 o Ddeddf 1977 a fewnosodwyd gan is-adran (4), at drefniadau a wnaed o dan adran 28C o Ddeddf 1977 yn cael eu dwyn i rym at ddibenion cynlluniau peilot yn unig o dan Ran I o Ddeddf y Gwasanaeth Iechyd Gwladol (Gofal Sylfaenol) 1997

Adran 65(1) (Diwygio deddfiadau) (i'r graddau y mae'n ymwneud â darpariaethau Atodlen 4 i'r Ddeddf a bennir isod)

Atodlen 4 -

paragraff 4 (i'r graddau y mae'n ymwneud â pharagraffau 8, 24 a 27(a) isod)

## **SCHEDULE Article 2(1)**

### **Provisions of the Act coming into force on 1 April 2000**

Section 1 (Repeal of law about fund-holding practices)

Section 11 (Local Representative Committees) (except that the references in subsection (3) of section 44 of the 1977 Act inserted by subsection (4), to arrangements made under section 28C of the 1977 Act are brought into force for the purposes only of pilot schemes under Part I of the National Health Service (Primary Care) Act 1997

Section 65(1) (Amendments of enactments) (in so far as it relates to the provisions of Schedule 4 to the Act specified below)

Schedule 4 –

paragraph 4 (in so far as it relates to paragraphs 8, 24 and 27(a) below)

paragraff 8 (i'r graddau y mae'n ymwneud â phractisiau deiliad-cronfa)

paragraph 8 (in so far as it relates to fund-holding practices)

paragraff 24

paragraph 24

paragraff 27(a) (i'r graddau y mae'n golygu amnewid paragraffau (b) i (d) o adran 91(3) o Ddeddf 1977 ac eithrio i'r graddau y mae'r paragraffau hynny'n ymwneud ag Ymddiriedolaethau Gofal Sylfaenol)

paragraph 27(a) (to the extent that it effects the substitution of paragraphs (b) to (d) of section 91 (3) of the 1977 Act except in so far as those paragraphs relate to Primary Care Trusts)

paragraff 71(a) a (b)

paragraph 71(a) and (b)

paragraff 74 (i'r graddau y mae'n ymwneud â pharagraffau 83(6) ac 84 isod)

paragraph 74 (in so far as it relates to paragraphs 83(6) and 84 below)

paragraff 83(6)

paragraph 83(6)

paragraff 84

paragraph 84

paragraff 85(4)

paragraph 85(4)

paragraff 90

paragraph 90