



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

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OFFERYNNAU STATUDOL

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STATUTORY INSTRUMENTS

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**2001 Rhif 4000 (Cy.328)**

**2001 No. 4000 (W.328)**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd  
Gwladol (Gwasanaethau  
Deintyddol Cyffredinol) (Diwygio)  
(Rhif 3) (Cymru) 2001

The National Health Service  
(General Dental Services)  
(Amendment) (No.3) (Wales)  
Regulations 2001

**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 ar Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 (O.S. 1992/661) ("y prif Reoliadau") sy'n rheoleiddio ar ba delerau y mae gwasanaethau deintyddol cyffredinol yn cael eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977

These Regulations further amend the National Health Service (General Dental Services) Regulations (S.I.1992/661) ("the principal Regulations") which regulate the terms upon which general dental services are provided under the National Health Service Act 1977.

Mae'r diwygiadau sy'n cael eu gwneud gan y Rheoliadau hyn yn rhoi diwedd ar ddarparu triniaeth o dan anaesthesia gyffredinol o dan wasanaethau deintyddol cyffredinol.

The amendments made by these Regulations remove the availability of treatment under general anaesthesia from general dental services.

**2001 Rhif 4000 (Cy.328)****2001 No. 4000 (W.328)****Y GWASANAETH IECHYD  
GWLADOL, CYMRU****NATIONAL HEALTH  
SERVICE, WALES****Rheoliadau'r Gwasanaeth Iechyd  
Gwladol (Gwasanaethau  
Deintyddol Cyffredinol) (Diwygio)  
(Rhif 3) (Cymru) 2001****The National Health Service  
(General Dental Services)  
(Amendment) (No.3) (Wales)  
Regulations 2001***Wedi'u gwneud* 13 Rhagfyr 2001*Made* 13th December 2001*Yn dod i rym* 31 Rhagfyr 2001*Coming into force* 31st December 2001

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 15(1), 35(1), 36(1) a (3) a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(a) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 15(1), 35(1), 36(1) and (3) and 126(4) of the National Health Service Act 1977(a) hereby makes the following Regulations:

**Enwi, cychwyn a chymhwyso**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 3) (Cymru) 2001 a deuant i rym ar 31 Rhagfyr 2001.

(2) Bydd y Rheoliadau hyn yn gymwys i Gymru yn unig.

**Citation, commencement and application**

1.-(1) These Regulations may be cited as the National Health Service (General Dental Services) (Amendment) (No.3) (Wales) Regulations 2001 and shall come into force on 31st December 2001.

(2) These Regulations shall apply to Wales only.

(a) 1977 p.49; gweler adran 128(1), fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i) i gael y diffiniadau o "prescribed" a "regulations".

Diwygiwyd adran 15(1) gan adran 5(2) o Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"); gan Ddeddf 1990, adran 12(1) a chan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995") adran 2(1) ac Atodlen 1, paragraff 6(e).

Amnewidiwyd adran 35(1) gan O.S. 1985/39, erthygl 7(9), ac fe'i diwygiwyd gan Ddeddf 1995, Atodlen 1, paragraff 24.

Rhifwyd adran 36(1) felly gan Ddeddf 1984, Atodlen 3, paragraff 5(1) ac fe'i diwygiwyd gan O.S. 1981/432, erthygl 3(3)(a); gan O.S. 1985/39, erthygl 7(10); gan adran 25 o Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), ac Atodlen 2, paragraff 4 iddi; gan Ddeddf 1990, adran 24(2) a chan Ddeddf 1995, adran 2(1) ac Atodlen 1, paragraff 25(a).

Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2); a chan Ddeddf Iechyd 1999 (p.8), ("Deddf 1999"), Atodlen 4, paragraff 37(6).

Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 15(1), 35(1), 36(1) a 126(4) o Ddeddf 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), erthygl 2 ac Atodlen 1, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.

(a) 1977 c.49; see section 128(1), as amended by the National Health Service and Community Care Act 1990 (c.19) ("the 1990 Act") section 26(2)(g) and (i) for the definitions of "prescribed" and "regulations".

Section 15(1) was amended by section 5(2) of the Health and Social Security Act 1984 (c.48) ("the 1984 Act"); by the 1990 Act section 12(1) and by the Health Authorities Act 1995 (c.17) ("the 1995 Act") section 2(1) and Schedule 1, paragraph 6(e).

Section 35(1) was substituted by S.I.1985/39, article 7(9), and amended by the 1995 Act, Schedule 1, paragraph 24.

Section 36(1) was so numbered by the 1984 Act, Schedule 3, paragraph 5(1) and amended by S.I.1981/432, article 3(3)(a); by S.I.1985/39, article 7(10); by section 25 of and Schedule 2, paragraph 4 to the Health and Medicines Act 1988 (c.49), by the 1990 Act, section 24(2) and by the 1995 Act, section 2(1) and.

Schedule 1, paragraph 25(a).

Section 126(4) was amended by the 1990 Act, section 65(2); and by the Health Act 1999 (c.8) ("the 1999 Act"), Schedule 4, paragraph 37(6).

The functions of the Secretary of State under sections 15(1), 35(1), 36(1) and 126(4) of the 1977 Act are transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 S.I.1999/672, article 2 and Schedule 1, as amended by section 66(5) of the 1999 Act.

## **Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992**

2. Mae Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 ("y prif Reoliadau")(a) yn cael eu diwygio yn unol â'r darpariaethau canlynol yn y Rheoliadau hyn.

### **Diwygio rheoliad 2 o'r prif Reoliadau**

3. Mae rheoliad 2(1) o'r prif Reoliadau (dehongli) yn cael ei ddiwygio fel a ganlyn-

- (a) mae'r diffiniad o "general anaesthesia list" yn cael ei hepgor;
- (b) yn y diffiniad o "treatment" mae'r geiriau "general anaesthesia and" yn cael eu dileu.

### **Diwygio rheoliad 4 o'r prif Reoliadau**

4. Mae rheoliad 4 o'r prif Reoliadau (rhestr ddeintyddol) yn cael ei ddiwygio fel a ganlyn -

- (a) ar ddiwedd paragraff 2(b)(ii) mae'r gair "and" yn cael ei fewnosod;
- (b) ar ddiwedd paragraff 2(b)(iii) mae'r gair "and" yn cael ei ddileu;
- (c) mae paragraff 2(b)(iv) yn cael ei hepgor.

### **Diwygio rheoliad 5D o'r prif Reoliadau**

5. Mae rheoliad 5D o'r prif Reoliadau (rhestr anaesthesia gyffredinol) yn cael ei hepgor.

### **Diwygio rheoliad 5E o'r prif Reoliadau**

6. Mae rheoliad 5E o'r prif Reoliadau (dileu cofnodion o'r rhestr anaesthesia gyffredinol neu ei diwygio) yn cael ei hepgor.

### **Diwygio Atodlen 1 i'r prif Reoliadau**

7.-(1) Mae Atodlen 1 i'r prif Reoliadau (telerau gwasanaeth deintyddion) yn cael ei diwygio yn unol â'r darpariaethau canlynol yn y rheoliad hwn.

(2) Ym mharagraff 4(3)(g) (trefniant gofal parhaus) mae'r geiriau "general anaesthesia or" yn cael eu dileu.

## **Amendment of the National Health Service (General Dental Services) Regulations 1992**

2. The National Health Service (General Dental Services) Regulations 1992 ("the principal Regulations")(a) are amended in accordance with the following provisions of these Regulations.

### **Amendment of regulation 2 of the principal Regulations**

3. Regulation 2(1) of the principal Regulations (interpretation) is amended as follows-

- (a) the definition of "general anaesthesia list" is omitted;
- (b) in the definition of "treatment" the words "general anaesthesia and" are deleted.

### **Amendment of regulation 4 of the principal Regulations**

4. Regulation 4 of the principal Regulations (dental list) is amended as follows-

- (a) at the end of paragraph 2(b)(ii) the word "and" is inserted;
- (b) at the end of paragraph 2(b)(iii) the word "and" is deleted;
- (c) paragraph 2(b)(iv) is omitted.

### **Amendment of regulation 5D of the principal Regulations**

5. Regulation 5D of the principal Regulations (general anaesthesia list) is omitted.

### **Amendment of regulation 5E of the principal Regulation**

6. Regulation 5E of the principal Regulations (removal from or amendment of the general anaesthesia list) is omitted.

### **Amendment of Schedule 1 to the principal Regulations**

7.-(1) Schedule 1 to the principal Regulations (terms of service for dentists) is amended in accordance with the following provisions of this regulation.

(2) In paragraph 4(3)(g) (a continuing care arrangement) the words " general anaesthesia or" are deleted.

(a) O.S.1992/661; yr offerynnau diwygio perthnasol yw O.S.1993/2209, 1995/3092, 1996/704, 1998/1648, 2000/3118 (C.197), 2001/1359 (Cy.87), 2133 (Cy.148) a 2706 (Cy.226).

(a) S.I.1992/661; relevant amending instruments are S.I.1993/2209, 1995/3092, 1996/704, 1998/1648, 2000/3118 (W.197), 2001/1359 (W.87), 2133 (W.148) and 2706 (W.226).

(3) Ym mharagraff 16 (3)(c) (cymysgu gwasanaethau deintyddol cyffredinol a thriniaeth gofal preifat) mae'r geiriau " in which case the treatment shall be provided wholly under general dental services or wholly privately" yn cael eu dileu.

(4) Mae paragraff 17 (triniaeth achlysurol) yn cael ei ddiwygio fel a ganlyn -

- (a) yn is-baragraff 2(c) mae'r geiriau "except that, where a general anaesthetic is used, there shall be no limit as to the number of deciduous teeth that may be extracted" yn cael eu dileu;
- (b) mae is-baragraff (2)(p) yn cael ei hepgor.

(5) Yn lle paragraff 21 (anaesthesia gyffredinol a thawelyddu) rhoddir -

### "Sedation

#### 21

(1) Where a dentist undertakes, in the course of providing general dental services, any procedure for which sedation of the patient is necessary he shall remain with the patient, and arrange for another person with suitable training and experience to remain with the patient, throughout the procedure.

(2) In this paragraph "a person with suitable training and experience" means a person who has received such training and experience as to be capable of assisting the dentist in monitoring the clinical condition of the patient and in the event of an emergency."

(6) Mae paragraff 33A (adeiladau: anaesthesia gyffredinol) yn cael ei hepgor.

(7) Mae paragraff 40 (anaesthetigau cyffredinol) yn cael ei hepgor.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

13 Rhagfyr 2001

(3) In paragraph 16 (3)(c) (mixing of general dental services and private care treatment) the words " in which case the treatment shall be provided wholly under general dental services or wholly privately" are deleted.

(4) Paragraph 17 (occasional treatment) is amended as follows-

- (a) in sub-paragraph 2(c) the words " except that, where a general anaesthetic is used, there shall be no limit as to the number of deciduous teeth that may be extracted" are deleted;
- (b) sub-paragraph (2)(p) is omitted.

(5) For paragraph 21 (general anaesthesia and sedation) there is substituted-

### "Sedation

#### 21

(1) Where a dentist undertakes, in the course of providing general dental services, any procedure for which sedation of the patient is necessary he shall remain with the patient, and arrange for another person with suitable training and experience to remain with the patient, throughout the procedure.

(2) In this paragraph "a person with suitable training and experience" means a person who has received such training and experience as to be capable of assisting the dentist in monitoring the clinical condition of the patient and in the event of an emergency.

(6) Paragraph 33A (premises: general anaesthesia) is omitted.

(7) Paragraph 40 (general anaesthetics) is omitted.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

13th December 2001

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the Assembly

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(a) 1998 p.38.

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(a) 1998 c.38.







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