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Y Gweinidog dros Fusnes a'r Gyllideb
Minister for Business and Budget



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Ein cyf/Our ref SF/EH/0158/10

Lord Dafydd Elis-Thomas AM
Presiding Officer
National Assembly for Wales

24 March 2010

Dear Dafydd

The NHS (Charges to Overseas Visitors) (Miscellaneous Amendments) (Wales) Regulations 2010

I am writing to inform you that in order to make an urgent amendment to the NHS (Charges to Overseas Visitors) Regulations 1989 ("the Regulations") via the NHS (Charges to Overseas Visitors) (Miscellaneous Amendments) (Wales) Regulations 2010, it has become necessary to breach the 21 day rule. This situation has arisen as a result of the UK Government's decision to firstly end the reciprocal health care agreement with the Isle of Man and to now reinstate it for a temporary period.

The Regulations were amended recently to reflect the removal of the Isle of Man from the list of countries and territories that are covered by a reciprocal health care agreement by the NHS (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2010 which were laid on 11 March to come into force from 1 April 2010. However, as the UK Government recently decided not to end the reciprocal agreement with the Isle of Man we now need to revoke those Regulations, which were recently laid, once they come into force.

It is essential that the NHS (Charges to Overseas Visitors) (Miscellaneous Amendments) (Wales) Regulations 2010 come into force on 1 April 2010 to reinstate the Isle of Man into the list of countries and territories in Schedule 2 to the Regulations with which the UK has a reciprocal health care agreement and to revoke the NHS (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2010. Failure to do this will result in Isle of Man visitors being chargeable for treatment in Wales but not in England. For these reasons it is considered necessary to breach the 21 day rule.

A copy of this letter goes to Janet Ryder, Chair of the Constitutional Affairs Committee and to Stephen George, Clerk to the Constitutional Affairs Committee.

*Yours,
Jane*

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Arglwydd Dafydd Elis-Thomas
AC
Llywydd
Cynulliad Cenedlaethol Cymru

24 Mawrth 2010

Rheoliadau'r GIG (Ffioedd Ymwelwyr Tramor) (Diwygiadau Amrywiol) (Cymru) 2010

Rwy'n ysgrifennu i'ch hysbysu, er mwyn gwneud diwygiad ar frys i Reoliadau'r GIG (Ffioedd Ymwelwyr Tramor) 1989 ("y Rheoliadau") drwy Reoliadau'r GIG (Ffioedd Ymwelwyr Tramor) (Diwygiadau Amrywiol) (Cymru) 2010, bu'n rhaid torri'r rheol 21 diwrnod. Mae'r sefyllfa hon wedi codi yn sgil penderfyniad Llywodraeth y DU yn gyntaf i derfynu'r cytundeb gofal iechyd cyfatebol gydag Ynys Manaw, ac yna'i ailosod am gyfnod dros dro.

Diwygiwyd y Rheoliadau'n ddiweddar i dynnu Ynys Manaw o'r rhestr o wledydd a thiriogaethau sy'n rhan o'r cytundeb gofal iechyd cyfatebol, drwy Reoliadau'r GIG (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2010 a osodwyd ar 11 Mawrth i ddod i rym ar 1 Ebrill 2010. Fodd bynnag, gan i Lywodraeth y DU benderfynu'n ddiweddar peidio â therfynu'r cytundeb cyfatebol gydag Ynys Manaw, mae bellach angen i ni ddirymu'r Rheoliadau hyn, a osodwyd yn ddiweddar, unwaith y byddant mewn grym.

Mae'n hanfodol bod Rheoliadau'r GIG (Ffioedd Ymwelwyr Tramor) (Diwygiadau Amrywiol) (Cymru) 2010 yn dod i rym ar 1 Ebrill 2010 i gynnwys Ynys Manaw unwaith eto yn y rhestr yn Atodlen 2 y Rheoliadau o'r gwledydd a thiriogaethau y mae gan y DU gytundeb gofal iechyd cyfatebol â nhw, a dirymu Rheoliadau'r GIG (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2010. Os na wneir hyn, bydd ymwelwyr o Ynys Manaw yn gorfod talu am driniaeth yng Nghymru, ond nid yn Lloegr. Oherwydd hyn, bernir bod yn rhaid torri'r rheol 21 diwrnod.

Caiff copi o'r llythyr hwn ei anfon at Janet Ryder, Cadeirydd y Pwyllgor Materion Cyfansoddiadol, ac at Stephen George, Clerc y Pwyllgor Materion Cyfansoddiadol.

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