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WELSH STATUTORY INSTRUMENTS

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**1999 No. 3470 (W.56)**

**HOUSING, WALES**

**The Housing Renewal Grants (Prescribed Form and Particulars) and (Welsh Form and Particulars) (Amendment) (Wales) Regulations 1999**

Made - - - - 22nd December 1999  
Coming into force - - 23rd December 1999

The National Assembly for Wales makes the following Regulations in exercise of the powers given to the Secretary of State by sections 2(2) and (4) and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996<sup>(1)</sup> as extended by section 26(3) of the Welsh Language Act 1993<sup>(2)</sup>, which are now vested in it<sup>(3)</sup>:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Housing Renewal Grants (Prescribed Form and Particulars) and (Welsh Form and Particulars) (Amendment) (Wales) Regulations 1999 and shall come into force on 23rd December 1999.

(2) These Regulations apply to Wales only.

**Amendments**

2.—(1) The form set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996<sup>(4)</sup> is amended as set out in Schedule 1 to these Regulations;

(2) The form set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) (Welsh Form and Particulars) Regulations 1998<sup>(5)</sup> is amended as set out in Schedule 2 to these Regulations.

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(1) 1996 c. 53. For the definition of “prescribed” see section 101 of the Housing Grants, Construction and Regeneration Act 1996.  
(2) 1993 c. 38.  
(3) See article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).  
(4) S.I. 1996/2891; amended by S.I. 1997/978, 1998/809 and 1999/1607.  
(5) S.I. 1998/1113; amended by S.I. 1999/2316.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(6)

22nd December 1999

*Dafydd Elis Thomas*  
The Presiding Officer of the National Assembly

**SCHEDULE 1**

**Regulation 2**

**AMENDMENTS TO THE FORM ENTITLED “OWNER-OCCUPIER’S AND TENANT’S APPLICATIONS FOR HOUSING RENEWAL GRANTS”**

1. In question 3.9, in the entry relating to disability working allowance, for “Disability working allowance” substitute “Disabled person’s tax credit (previously known as disability working allowance)” and, at the end of that entry, insert “**Note 54A**”.

2. At the end of question 3.23, omit “(if less than 16 hours per week).”.

3. In question 3.29 —

(a) in the entry relating to disability working allowance, for “Disability working allowance” substitute “Disabled person’s tax credit (previously known as disability working allowance)” and, at the end of that entry, insert “**Note 54A**”;

(b) in the entry relating to family credit, for “Family credit” substitute “Working families' tax credit (previously known as family credit)” and, at the end of that entry, insert “**Note 84B**”.

4. For question 3.37, substitute —

“**3.37** Do you pay, or have you during the last 12 months paid, for the care of any child named in question **3.15** who is not disabled and who is either under the age of 15 years or has (or had) not reached the first Monday in September following his 15th birthday?”

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**Notes 93 & 93A**

Yes

No

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**3.37A** Do you pay, or have you during the last 12 months paid, for the care of any child named in question **3.15** who is disabled and who is either under the age of 16 years or has (or had) not reached the first Monday in September following his 16th birthday?”

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**Notes 93 & 93A**

Yes

No

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If you have answered “Yes” to either question **3.37** or **3.37A**, please go to question **3.38**.

If you have answered “No” to both questions **3.37** and **3.37A**, please go to the **Declaration** at the end of this **Part**.”

5. In question 3.38 —

(a) for the sub-paragraph commencing with the words “The care is provided out of school hours”, substitute —

“The care is provided out of school hours by a school on school premises or by a local authority, and the charge relates to a period beginning on the child’s 8th birthday and ending in the case of a child who is not disabled on the day before the first Monday in September, following his 15th birthday;”;

(b) after that sub-paragraph, insert —

“The care is provided out of school hours by a school on school premises or by a local authority, and the charge relates to a period beginning on the child’s 8th birthday and

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ending in the case of a child who is disabled on the day before the first Monday in September following his 16th birthday;”

6. After note 54, insert —

“**54A.** Include any payment in accordance with an award of disability working allowance which was awarded with effect from a date falling before 5th October 1999. From 5th October 1999 disability working allowance is to be known as disabled person’s tax credit.”

7. After note 84A, insert —

“**84B.** Include any payment in accordance with an award of family credit which was awarded with effect from a date falling before 5th October 1999. From 5th October 1999 family credit is to be known as working families' tax credit.”

8. After note 93, insert —

“**93A.** A child is disabled for the purposes of questions **3.37**, **3.37A** and **3.38** if he is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a local authority in Scotland or he ceased to be registered as blind in such a register within the 28 weeks immediately preceding the date of claim. A child is also disabled for the purposes of these questions if he is paid disability living allowance, or he was paid disability living allowance until he became a patient.”

9. In note 95(1)(a), for “disability working allowance” substitute “disabled person’s tax credit (previously known as disability working allowance)”.

## SCHEDULE 2

## Regulation 2

### AMENDMENTS TO THE FORM ENTITLED “CEISIADAU PERCHEN-FEDDIANNYDD A THENANT AM GRANTIAU ADNEWYDDU TAI”

1. In question 3.9, in the entry relating to disability working allowance, for “Lwfans gweithio i'r anabl” substitute “Credyd treth i berson anabl (a elwid gynt yn lwfans gweithio i'r anabl)” and, at the end of that entry, insert “**Nodyn 54A**”.

2. At the end of question 3.23, omit “(os yw'n llai na 16 awr yr wythnos).”.

3. In question 3.29 —

(a) in the entry relating to disability working allowance, for “Lwfans gweithio i'r anabl” substitute “Credyd treth i berson anabl (a elwid gynt yn lwfans gweithio i'r anabl)” and, at the end of that entry, insert “**Nodyn 54A**”;

(b) in the entry relating to family credit, for “Credyd teulu” substitute “Credyd treth i deuluoedd mewn gwaith (a elwid gynt yn gredyd teulu)” and, at the end of that entry, insert “**Nodyn 84B**”.

4. For question 3.37, substitute —

“**3.37** Ydych chi'n talu, neu ydych chi wedi talu yn ystod y 12 mis diwethaf, am ofal unrhyw blentyn a enwir yng nghwestiwn **3.15** nad yw'n anabl ac sydd naill ai o dan 15 oed neu sydd (neu oedd) heb gyrraedd y dydd Llun cyntaf ym Medi yn dilyn ei ben-blwydd yn 15 oed?”

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**Nodiadau 93 a 93A**

Ydw

Nac ydw

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**3.37A** Ydych chi'n talu, neu ydych chi wedi talu yn ystod y 12 mis diwethaf, am ofal unrhyw blentyn a enwir yng nghwestiwn **3.15** sy'n anabl ac sydd naill ai o dan 16 oed neu sydd (neu oedd) heb gyrraedd y dydd Llun cyntaf ym Medi yn dilyn ei ben-blwydd yn 16 oed?

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**Nodiadau 93 a 93A**

Ydw

Nac ydw

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Os ydych wedi ateb “Ydw” naill ai i gwestiwn **3.37** neu **3.37A**, ewch at gwestiwn **3.38**.  
Os ydych wedi ateb “Nac ydw” i'r ddau gwestiwn **3.37** a **3.37A**, ewch at y **Datganiad** ar ddiwedd y **Rhan** hon.”

5. In question 3.38 —

(a) for the sub-paragraph commencing with the words “Mae'r gofal yn cael ei ddarparu y tu allan i oriau ysgol”, substitute —

“Mae'r gofal yn cael ei ddarparu y tu allan i oriau ysgol gan ysgol ar safle ysgol neu gan awdurdod lleol, ac mae'r tâl ar gyfer cyfnod sy'n cychwyn ar wythfed penblwydd y plentyn ac yn gorffen mewn achos plentyn nad yw'n anabl ar y dydd cyn y dydd Llun cyntaf ym Medi, yn dilyn penblwydd y plentyn yn 15 oed;”.

(b) after that sub-paragraph, insert —

“Mae'r gofal yn cael ei ddarparu y tu allan i oriau ysgol gan ysgol ar safle'r ysgol neu gan awdurdod lleol, ac mae'r tâl ar gyfer cyfnod sy'n cychwyn ar wythfed penblwydd y plentyn ac yn gorffen mewn achos plentyn sy'n anabl ar y dydd cyn y dydd Llun cyntaf ym Medi, yn dilyn penblwydd y plentyn yn 16 oed;”.

6. After note 54, insert —

“**54A.** Cynhwyswch unrhyw daliad sy'n unol â dyfarniad lwfans gweithio i'r anabl a ddyfarnwyd gydag effaith o ddyddiad sy'n dod cyn 5 Hydref 1999. O 5 Hydref 1999 ymlaen caiff lwfans gweithio i'r anabl ei adnabod fel credyd treth i berson anabl.”.

7. After note 84A, insert —

“**84B.** Cynhwyswch unrhyw daliad sy'n unol â dyfarniad o gredyd teulu a ddyfarnwyd gydag effaith o ddyddiad sy'n dod cyn 5 Hydref 1999. O 5 Hydref 1999 ymlaen caiff lwfans credyd teulu ei adnabod fel credyd treth i deuluoedd mewn gwaith.”.

8. After note 93, insert —

“**93A.** Mae plentyn yn anabl at ddibenion cwestiynau **3.37**, **3.37A**, **3.38** os yw wedi'i gofrestru'n ddall ar gofrestr a luniwyd o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles) neu, yn yr Alban, os ardystiwyd ei fod yn ddall ac o ganlyniad i hynny mae wedi'i gofrestru'n ddall ar gofrestr a gynheli neu ar ran awdurdod lleol yn yr Alban neu a beidiodd â chael ei gofrestru'n ddall mewn cofrestr o'r fath o fewn 28 wythnos yn union cyn dyddiad y cais. Mae plentyn yn anabl at ddibenion y cwestiynau hyn hefyd os telir lwfans byw i'r anabl iddo, neu os talwyd lwfans byw i'r anabl iddo hyd nes iddo fynd yn glaf.”.

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9. In note 95(1)(a), for “lwfans gweithio i'r anabl” substitute “credyd treth i berson anabl (a adwaenid gynt yn lwfans gweithio i'r anabl)”.

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## EXPLANATORY NOTE

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

These Regulations amend :

- (a) the Form set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996, to be used by owner-occupiers and tenants when applying for housing renewal grants under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996; and
- (b) the equivalent Welsh Form set out in the Schedule to the Housing Renewal Grants (Prescribed Forms and Particulars) (Welsh Forms and Particulars) Regulations 1998.

Most amendments are consequential on those being made by the Housing Renewal Grants (Amendment) (Wales) Regulations 1999 (S.I.1999/3468) to the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890). There are also minor and drafting amendments.