



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 1715 (Cy.183)

2003 No. 1715 (W.183)

**TRETH GYNGOR,
CYMRU**

**COUNCIL TAX,
WALES**

Rheoliadau'r Dreth Gyngor
(Gweinyddu a Gorfodi)
(Diwygio Rhif 2) (Cymru)
2003

The Council Tax
(Administration and Enforcement)
(Amendment No.2) (Wales)
Regulations 2003

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae Rheoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) 1992 (fel y'u diwygiwyd) (y "Rheoliadau") yn rhagnodi'r pwerau y caiff awdurdodau lleol eu defnyddio i gasglu ac adennill treth gyngor. Yn benodol, mae rheoliadau 35(1) a 48(1) o'r Rheoliadau ac Atodlen 2 iddynt yn rhagnodi'r ffurflenni Gorchymyn Dyled a Gwarant Traddodi y mae'n rhaid i Lysoedd Ynadon eu defnyddio yn dilyn ceisiadau iddynt gan awdurdodau lleol ar gyfer gorchymynion neu warantau o'r fath.

The Council Tax (Administration and Enforcement) Regulations 1992 (as amended) ("the Regulations") prescribe the powers by which local authorities may collect and recover council tax. In particular, regulations 35(1) and 48(1) of and Schedule 2 to the Regulations prescribe the forms of Liability Order and Warrant of Commitment which must be used by Magistrates' Courts following applications by local authorities to them for such orders or warrants.

Mae Adran yr Arglwydd Ganghellor yn ddiweddar wedi gwneud arolwg o'r ffurflenni a ddefnyddir mewn Llysoedd Ynadon ac maent yn awr yn dymuno defnyddio set newydd o ffurflenni sydd i gyd i fod yn gyson o ran eu harddull. Fel rhan o'r broses hon, mae'n angenrheidiol anghymhwysu'r ffurf ar Orchymyn Dyled a Gwarant Traddodi a grybwyllir uchod.

The Lord Chancellor's Department have recently conducted a review of the forms used in Magistrates' Courts and now wish to implement a new set of forms which are all to have a consistent style. As part of this process, it is necessary to de-prescribe the forms of Liability Order and of Warrant of Commitment mentioned above.

Mae'r Rheoliadau hyn yn dileu'r gofyniad ei bod yn rhaid i Lysoedd Ynadon ddefnyddio'r ffurf ar Orchymyn Dyled a Gwarant Traddodi penodedig neu ffurf sydd ag effeith tebyg mewn cysylltiad â chasglu ac adennill treth cyngor.

These Regulations remove the requirement that Magistrates' Courts must use the specified forms of Liability Order and Warrant of Commitment or forms to like effect in connection with the collection and recovery of Council Tax.

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Wedi'u gwneud 8 Gorffennaf 2003
Yn dod i rym 10 Gorffennaf 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 14(3) a 113(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1992(a) a pharagraffau 1, 2, 3 ac 8 o Atodiad 4 iddi ac a freinir yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy mewn perthynas â Chymru(b) drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio Rhif 2) (Cymru) 2003 a deuant i rym ar 10 Gorffennaf 2003.

Cymhwyso a Dehongli

2.-(1) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

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Made 8th July 2003
Coming into force 10th July 2003

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 14(3) and 113(1) and (2) of and paragraphs 1, 2, 3 and 8 of Schedule 4 to the Local Government Finance Act 1992(a) which are vested in the National Assembly for Wales so far as exercisable in relation to Wales(b), hereby makes the following Regulations:

Name and commencement

1. These Regulations are called the Council Tax (Administration and Enforcement) (Amendment No.2) (Wales) Regulations 2003 and come into force on 10th July 2003.

Application and Interpretation

2.-(1) These Regulations apply to Wales only.

(a) 1992 (p.14).

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(a) 1992 (c.14).

(b) *See* National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(2) Yn y Rheoliadau hyn ystyr y "Prif Reoliadau" (*"the Principal Regulations"*) yw Rheoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) 1992(a)

3. Diwygio'r Prif Reoliadau

Diwygir y Prif Reoliadau fel a ganlyn -

- (a) yn rheoliad 35(1) hepgorir -
 - (i) "(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect);"; a
 - (ii) "(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)";
- (b) yn rheoliad 48(1) hepgorir ", and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect"; a
- (c) hepgorir Atodlen 2.

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

8 Gorffennaf 2003

Llywydd y Cynulliad Cenedlaethol

(2) In these Regulations "the Principal Regulations" (y "*Prif Reoliadau*") means the Council Tax (Administration and Enforcement) Regulations 1992(a).

3. Amendment of Principal Regulations

The Principal Regulations are amended as follows -

- (a) in regulation 35(1) omit -
 - (i) "(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect);"; and
 - (ii) "(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)";
- (b) in regulation 48(1) omit ", and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect"; and
- (c) omit Schedule 2.

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

8th July 2003

D.Elis-Thomas

The Presiding Officer of the National Assembly

(a) O.S. 1992/613, fel y'i diwygiwyd gan Ddeddf Cyfraith Statud (Diddymu) 1995 (p.44); rheoliad 3 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Gorchymyn Atafaelu Enillion) (Cymru) 1992 (O.S. 1992/1741) a'r Atodlen iddynt; rheoliadau 3 i 12 a 15 i 20 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1992 (O.S. 1992/3008); rheoliad 2 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1993 (O.S. 1993/196); rheoliadau 3 i 8 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) (Rhif 2) 1993 (O.S. 1993/773) a'r Atodlen iddynt; rheoliadau 3 i 9 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1994 (O.S. 1994/505); rheoliadau 3 i 6 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1995 (O.S. 1995/22); erthygl 2 o Orchymyn Llysoedd Ynadon (Cymru) (Canlyniadau Newidiadau i Lywodraeth Leol) 1996 (O.S. 1996/675) a pharagraff 10 o'r Atodlen iddo; erthygl 30 o Orchymyn Awdurdodau Lleol (Contractio Allan Swyddogaethau Bilio, Casglu a Gorfodi'r Dreth) 1996 (O.S. 1996/1880); rheoliad 2 o Reoliadau Tâl Cymunedol a'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) (Lwfans Ceisio Gwaith) 1996 (O.S. 1996/2405); rheoliadau 3 a 4 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1997 (O.S. 1997/393); rheoliadau 3 i 8 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1998 (O.S. 1998/295) a'r Atodlen iddynt; rheoliadau 2 i 4 o Reoliadau'r Dreth Gyngor (Gweinyddu a Gorfodi) (Diwygio) 1999 (O.S. 1999/534); rheoliadau 2 a 3 o Reoliadau Taliadau Cymunedol, Y Dreth Gyngor ac Ardrethu Annomestig (Gorfodi) (Llysoedd Ynadon) (Cymru) 2001 (O.S. 2001/1076 (Cy.52)); ac erthyglau 2(s) a 38 o Orchymyn Awdurdodau Lleol (Trefniadau Gweithredol a Threfniadau Amgen) (Addasu Deddfiadau a Darpariaethau Eraill) (Cymru) 2002 (O.S. 2002/808 (Cy.89)). Mae yna ddiwygiadau eraill nad ydynt yn berthnasol i Gymru.

(b) 1998 (p.38).

(a) S.I. 1992/613 as amended by the Statute Law (Repeals) Act 1995 (c.44); regulation 3 of and the Schedule to Council Tax (Administration and Enforcement) (Attachment of Earnings Order) (Wales) Regulations 1992 (S.I. 1992/1741); regulations 3 to 12 and 15 to 20 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1992 (S.I. 1992/3008); regulation 2 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1993 (S.I. 1993/196); regulations 3 to 8 of and the Schedule to the Council Tax (Administration and Enforcement) (Amendment) (No 2) Regulations 1993 (S.I. 1993/773); regulations 3 to 9 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1994 (S.I. 1994/505); regulations 3 to 6 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1995 (S.I. 1995/22); article 2 of and paragraph 10 of the Schedule to Magistrates' Courts (Wales) (Consequences of Local Government Changes) Order 1996 (S.I. 1996/675); article 30 of Local Authorities (Contracting Out of Tax Billing, Collection and Enforcement Functions) Order 1996 (S.I. 1996/1880); regulation 2 of Community Charge and Council Tax (Administration and Enforcement) (Amendment) (Jobseeker's Allowance) Regulations 1996 (S.I. 1996/2405); regulations 3 and 4 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1997 (S.I. 1997/393); regulations 3 to 8 of and the Schedule to Council Tax (Administration and Enforcement) (Amendment) Regulations 1998 (S.I. 1998/295); regulations 2 to 4 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1999 (S.I. 1999/534); regulations 2 and 3 of Community Charges, Council Tax and Non-Domestic Rating (Enforcement) (Magistrates' Courts) (Wales) Regulations 2001 (S.I. 2001/1076 (W.52)); and articles 2(x) and 38 of Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 (S.I. 2002/808 (W.89)). There are other amendments not relevant to Wales.

(b) 1998 (c.38).

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