



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 2800 (Cy.239)

2006 No. 2800 (W.239)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Grantiau Adnewyddu
Tai (Ffurflen a Manylion
Rhagnodedig) (Diwygio) (Cymru)
2006

The Housing Renewal Grants
(Prescribed Form and Particulars)
(Amendment) (Wales) Regulations
2006

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 Rheoliadau Grantiau Adnewyddu Tai (Ffurflen a Manylion Rhagnodedig) 1996 (O.S. 1996/2891) ("y prif Reoliadau"), sy'n gosod y ffurflen ragnodedig ar gyfer ceisiadau am grant o dan Bennod 1 o Ran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 ("y Ddeddf"). Mae'r cwestiynau a'r nodiadau sydd wedi'u cynnwys yn y ffurflen ragnodedig yn adlewyrchu'r rheolau prawf moddion ar gyfer ceisiadau am grant sydd wedi'u cynnwys yn Rheoliadau Grantiau Adnewyddu Tai 1996 (O.S. 1996/2890), fel y'i diwygiwyd.

Mae'r diwygiadau sy'n cael eu gwneud gan y Rheoliadau hyn yn gymwys drwy *reoliad 1* i geisiadau am grant sy'n cael eu gwneud i awdurdodau tai lleol yng Nghymru ar y dyddiad pan ddeuant i rym neu ar ôl y dyddiad hwnnw. Mae'r diwygiad a wneir gan *reoliad 3* yn caniatáu i awdurdodau o'r fath ddefnyddio ffurflenni a ddyluniwyd ganddynt eu hunain sy'n cael yr un effaith (ac felly, oherwydd *rheoliad 3* o'r prif reoliadau, sy'n cynnwys yr un manylion) â'r ffurflen ragnodedig a geir yn yr Atodlen i'r prif Reoliadau.

Drwy *reoliad 4* o'r Rheoliadau hyn, diwygir yr Atodlen honno (a) er mwyn adlewyrchu newidiadau a wnaed i'r Ddeddf gan adran 224 o Ddeddf Tai 2004, gan osod yn lle cyfeiriadau at "qualifying park home" yn y prif Reoliadau, gyfeiriadau at "caravan"; a (b) er mwyn gwneud newidiadau o ganlyniad i greu'r berthynas gyfreithiol newydd o bartneriaeth sifil drwy'r Ddeddf Partneriaethau Sifil 2004.

These Regulations amend the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996 (S.I. 1996/2891) ("the principal Regulations"), which set out the prescribed form for applications for grant under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996 ("the Act"). The questions and notes in the prescribed form reflect the means test rules for grant applications contained in the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890, as amended).

The amendments made by these Regulations apply by *regulation 1* to applications for grant made on or after the date on which they come into force to local housing authorities in Wales. The amendment made by *regulation 3* permits such authorities to use forms of their own design which have the same effect (and hence, because of *regulation 3* of the principal Regulations, include all the same particulars) as the prescribed form set out in the Schedule to the principal Regulations.

By *regulation 4* of these Regulations, that Schedule is amended (a) to reflect changes made to the Act by section 224 of the Housing Act 2004, substituting, for references to "qualifying park home" in the principal Regulations, references to "caravan"; and (b) to make changes consequential upon the creation of the new legal relationship of civil partnership by the Civil Partnerships Act 2004.

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TAI, CYMRU

HOUSING, WALES

Rheoliadau Grantiau Adnewyddu
Tai (Ffurflen a Manylion
Rhagnodedig) (Diwygio) (Cymru)
2006The Housing Renewal Grants
(Prescribed Form and Particulars)
(Amendment) (Wales) Regulations
2006

Wedi'u gwneud 17 Hydref 2006
Yn dod i rym 20 Hydref 2006

Made 17 October 2006
Coming into force 20 October 2006

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 2(2) a (4) ac 146(1) a (2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(1) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(2), yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 2(2) and (4) and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996(1) and now vested in the National Assembly for Wales(2), makes the following Regulations:

Enwi, cychwyn a chymhwysio

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Ffurflen a Manylion Rhagnodedig) (Diwygio) (Cymru) 2006, a deuant i rym ar 20 Hydref 2006.

(2) Mae'r Rheoliadau hyn yn gymwys i geisiadau am grant a wneir i awdurdodau tai lleol yng Nghymru ar 20 Hydref 2006 neu ar ôl hynny(3).

Title, commencement and application

1.-(1) The title of these Regulations is the Housing Renewal Grants (Prescribed Form and Particulars) (Amendment) (Wales) Regulations 2006, and they come into force on 20 October 2006.

(2) These Regulations apply to applications for grant made on or after 20 October 2006 to local housing authorities in Wales(3).

Diwygiadau

2. Diwygir Rheoliadau Grantiau Adnewyddu Tai (Ffurflen a Manylion Rhagnodedig) 1996(4) yn unol â'r rheoliadau a ganlyn.

Amendments

2. The Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996(4) are amended in accordance with the following regulations.

(1) 1996 p.53.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cofnod ar gyfer y Ddeddf hon yn Atodlen 1 i'r Ddeddf honno.

(3) I gael ystyr "grant" gweler adran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996, fel y'i diwygiwyd gan baragraff 2 o Atodlen 3 i Orchymyn Diwygio Rheolaethol (Cymorth Tai) (Cymru a Lloegr) 2002 (O.S. 2002/1860).

(4) O.S. 1996/2891, a ddiwygiwyd gan O.S. 1996/3119, O.S. 1997/978, O.S. 1998/809, O.S. 1999/1607, O.S. 1999/3470 (Cy. 56), O.S. 2000/1735 (Cy. 119), O.S. 2001/2071 (Cy. 143), O.S. 2001/4006 (Cy. 332), O.S. 2002/2799 (Cy. 267) ac O.S. 2004/254 (Cy. 29).

(1) 1996 c.53.

(2) The functions of the Secretary of State under these sections were transferred, so far as exercisable in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry for this Act in Schedule 1 to that Order.

(3) For the definition of "grant", see section 1 of the Housing Grants, Construction and Regeneration Act 1996, as amended by paragraph 2 of Schedule 3 to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860).

(4) S.I. 1996/2891, amended by S.I. 1996/3119, S.I. 1997/978, S.I. 1998/809, S.I. 1999/1607, S.I. 1999/3470 (W. 56), S.I. 2000/1735 (W. 119), S.I. 2001/2071 (W. 143), S.I. 2001/4006 (W. 332), S.I. 2002/2799 (W. 267) and S.I. 2004/254 (W. 29).

Rheoliad 2

3. Yn rheoliad 2 (ffurflenni cais am grant)(1), ym mharagraff (1) ar ôl "Schedule" rhodder "or a form to the like effect".

Yr Atodlen

4. Mae'r ffurflen a welir yn yr Atodlen yn cael ei diwygio yn y modd a welir yn yr Atodlen i'r Rheoliadau hyn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2)

17 Hydref 2006

Llywydd y Cynulliad Cenedlaethol

Regulation 2

3. In regulation 2 (forms of application for grant)(1), in paragraph (1) after "Schedule" insert "or a form to the like effect".

The Schedule

4. The form set out in the Schedule is amended as set out in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

17 October 2006

The Presiding Officer of the National Assembly

D. Elis-Thomas

YR ATODLEN

Rheoliad 4

1. Yn y testun sy'n rhagflaenu Rhan 1, yn lle'r geiriau "qualifying park home" ym mhob man lle digwyddant, rhodder "caravan".

2. Yng nghwestiwn 1.7, yn lle'r geiriau "a qualifying park home" rhodder "a caravan".

3. Yn y tabl sy'n dilyn cwestiwn 2.1, yn lle'r geiriau "*Disabled adaptations to a qualifying houseboat or qualifying park home*" rhodder "*Disabled adaptations to a qualifying houseboat or caravan*".

4. Yn y tabl cyntaf sy'n dilyn cwestiwn 2.2, yn lle'r geiriau "*Adaptations to a house, flat, qualifying houseboat or qualifying park home*" rhodder "*Adaptations to a house, flat, qualifying houseboat or caravan*".

5. Yn lle Nodyn 5B, rhodder-

(1) Amnewidiwyd Rheoliad 2, o ran Cymru, gan Reoliadau Grantiau Adnewyddu Tai (Ffurflen a Manylion Rhagnodedig) (Diwygio) (Cymru) 2004 (O.S. 2004/254).

(2) 1998 p.38.

SCHEDULE

Regulation 4

1. In the text preceding Part 1, for the words "qualifying park home" in each place in which they occur, substitute "caravan".

2. In question 1.7, for the words "a qualifying park home" substitute "a caravan".

3. In the table following question 2.1, for the words "*Disabled adaptations to a qualifying houseboat or qualifying park home*" substitute "*Disabled adaptations to a qualifying houseboat or caravan*".

4. In the first table following question 2.2, for the words "*Adaptations to a house, flat, qualifying houseboat or qualifying park home*" substitute "*Adaptations to a house, flat, qualifying houseboat or caravan*".

5. For note 5B, substitute-

(1) Regulation 2 was substituted, in relation to Wales, by the Housing Renewal Grants (Prescribed Form and Particulars) (Amendment) (Wales) Regulations 2004 (S.I. 2004/254).

(2) 1998 c.38.

"5B. A "caravan" is defined in section 58. This expression-

- (a) means a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968); and
- (b) includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it."

6. Yn nodyn 10, yn lle brawddeg olaf yr ail baragraff, rhodder-

"The definition includes spouses and civil partners; persons who live together as husband and wife or as if they were civil partners; parents; grandparents; children; grandchildren; brothers; sisters; uncles; aunts; nephews; and nieces."

7. Yn nodiadau 19, 36A a 36B, yn lle'r geiriau "qualifying park home" ym mhob man lle digwyddant, rhodder "caravan".

8. Yn nodyn 49, yn lle'r frawddeg gyntaf, rhodder-

"A partner is a person who lives with you as husband, wife, or civil partner, whether or not you are married to or a civil partner of that person."

9. Yn nodyn 90E, hepgorer y geiriau "married or unmarried" ym mhob man lle digwyddant, ac ym mharagraff (b) yn lle "them" rhodder "the couple".

"5B. A "caravan" is defined in section 58. This expression-

- (a) means a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968); and
- (b) includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it."

6. In note 10, for the final sentence of the second paragraph, substitute-

"The definition includes spouses and civil partners; persons who live together as husband and wife or as if they were civil partners; parents; grandparents; children; grandchildren; brothers; sisters; uncles; aunts; nephews; and nieces."

7. In notes 19, 36A and 36B, for the words "qualifying park home" in each place in which they occur, substitute "caravan".

8. In note 49, for the first sentence substitute-

"A partner is a person who lives with you as husband, wife, or civil partner, whether or not you are married to or a civil partner of that person."

9. In note 90E, omit the words "married or unmarried" in each place in which they occur, and in paragraph (b) for "them" substitute "the couple".