



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2007 Rhif 3235 (Cy.285)

2007 No. 3235 (W.285)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Tai (Asesiad o
Anghenion Llety) (Ystyr Sipsiwn a
Theithwyr) (Cymru)
2007

Housing (Assessment of
Accommodation Needs) (Meaning
of Gypsies and Travellers) (Wales)
Regulations 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 225 o Ddeddf Tai 2004 yn gosod dyletswydd ar awdurdodau tai lleol i gyflawni asesiad o anghenion llety sipsiwn a theithwyr sy'n preswyllo yn eu hardal neu'n cyrchu iddi, pan fyddant yn ymgymryd ag adolygiad o anghenion tai yn eu hardal o dan adran 8 o Ddeddf Tai 1985.

Section 225 of the Housing Act 2004 imposes a duty on local housing authorities to carry out an assessment of the accommodation needs of gypsies and travellers residing in or resorting to their district, when undertaking a review of housing needs in their district under section 8 of the Housing Act 1985.

Mae'r Rheoliadau hyn yn diffinio "sipsiwn a theithwyr" at ddibenion y ddyletswydd honno o ran Cymru.

These Regulations define "gypsies and travellers" for the purposes of that duty in relation to Wales.

Mae Asesiad Effaith Rheoleiddiol wedi'i baratoi mewn cysylltiad â'r Rheoliadau hyn. Gellir cael copi gan y Gyfarwyddiaeth Gymunedau, Llywodraeth Cynulliad Cymru, Swyddfa Merthyr Tudful, Rhyd-y-car, Merthyr Tudful CF48 1UZ, ffôn 01685 729210, neu drwy e-bostio Laura.Evans@cymru.gsi.gov.uk.

A Regulatory Impact Assessment has been prepared in connection with these Regulations. A copy can be obtained from the Communities Directorate, Welsh Assembly Government, Merthyr Tydfil Office, Rhydycar, Merthyr Tydfil, CF48 1UZ, telephone 01685 729210, or email Laura.Evans@wales.gsi.gov.uk.

2007 Rhif 3235 (Cy.285)

TAI, CYMRU

**Rheoliadau Tai (Asesiad o
Anghenion Llety) (Ystyr Sipsiwn a
Theithwyr) (Cymru)
2007**

Gwnaed 12 Tachwedd 2007
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 14 Tachwedd 2007
Yn dod i rym 14 Rhagfyr 2007

Mae Gweinidogion Cymru drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 225(5)(a) o Ddeddf Tai 2004(1) ac sydd bellach wedi'u breinio(2) yng Ngweinidogion Cymru, yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Tai (Asesiad o Anghenion Llety) (Ystyr Sipsiwn a Theithwyr) (Cymru) 2007 a deuant i rym ar y 14 Rhagfyr 2007.

(2) Mae'r Rheoliadau hyn yn gymwys pan fydd awdurdod tai lleol yng Nghymru yn ymgymryd ag adolygiad o anghenion tai yn ei ardal o dan adran 8 o Ddeddf Tai 1985.

Ystyr Sipsiwn a Theithwyr at ddibenion adran 225 o Ddeddf Tai 2004

2. At ddibenion adran 225 o Ddeddf Tai 2004 (dyletswyddau awdurdodau tai lleol: anghenion llety sipsiwn a theithwyr) ystyr "sipsiwn a theithwyr" ("gypsies and travellers") yw -

- (a) personau sydd â thraddodiad diwylliannol o nomadiaeth neu o fyw mewn carafan; a
- (b) pob person arall ag arferion byw nomadaidd, beth bynnag fo eu hil neu eu tarddiad, gan gynnwys—

(1) 2004 p.34. Mae'r pŵer a roddir gan adran 225 yn arferadwy o ran Cymru, gan Gynulliad Cenedlaethol Cymru. *Gweler* y diffiniad o "appropriate national authority" yn adran 261(1) o Ddeddf 2004.

(2) Trosglwyddwyd pŵer Cynulliad Cenedlaethol Cymru o dan adran 225 i Weiniogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

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HOUSING, WALES

**Housing (Assessment of
Accommodation Needs) (Meaning
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Regulations 2007**

Made 12 November 2007
*Laid before the National
Assembly for Wales* 14 November 2007
Coming into force 14 December 2007

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 225(5)(a) of the Housing Act 2004(1) and now vested(2) in the Welsh Ministers, make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (Wales) Regulations 2007 and they come into force on 14 December 2007.

(2) These Regulations apply where a local housing authority in Wales undertakes a review of housing needs in their district under section 8 of the Housing Act 1985.

Meaning of Gypsies and Travellers for the purposes of section 225 of the Housing Act 2004

2. For the purposes of section 225 of the Housing Act 2004 (duties of local housing authorities: accommodation needs of gypsies and travellers) "gypsies and travellers" ("sipswn a theithwyr") means—

- (a) persons with a cultural tradition of nomadism or of living in a caravan; and
- (b) all other persons of a nomadic habit of life, whatever their race or origin, including—

(1) 2004 c.34. The power conferred by section 225 is exercisable as respects Wales, by the National Assembly for Wales. *See* the definition of the "appropriate national authority" in section 261(1) of the 2004 Act.

(2) The power of the National Assembly for Wales under section 225 is transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

- (i) y personau hynny sydd, ddim ond ar sail anghenion addysg neu anghenion iechyd nhw eu hunain, eu teulu neu eu dibynyddion neu oherwydd henaint, wedi rhoi'r gorau i deithio naill ai dros dro neu'n barhaol; a
- (ii) aelodau o grwp trefnedig o bobl sioe neu bobl syrcas sy'n teithio (p'un a ydynt yn teithio gyda'i gilydd felly ai peidio).

- (i) such persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently; and
- (ii) members of an organised group of travelling showpeople or circus people (whether or not travelling together as such).

Jocelyn Davies

O dan awdurdod y Gweinidog dros Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

Under authority of the Minister for the Environment, Sustainability and Housing, one of the Welsh Ministers

12 Tachwedd 2007

12 November 2007

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