OFFERYNNAU STATUDOL CYMRU

# 2009 Rhif 1915 (Cy.174)

# TAI, CYMRU

## Rheoliadau Tai Amlfeddiannaeth (Rheoli) (Cymru) 2009

### NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gymwys i dai amlfeddiannaeth (fel y'u diffinnir yn adrannau 254 i 259 o Ddeddf Tai 2004) yng Nghymru.

O dan Reoliadau Rheoli Tai Amlfeddiannaeth (Cymru) 2006 ("Rheoliadau 2006"), sy'n gymwys o ran bob tŷ amlfeddiannaeth ac eithrio'r rheini y mae adran 257 (tai amlfeddiannaeth: blociau o fflatiau penodol a droswyd) o Ddeddf Tai 2004 yn gymwys, mae'n ofynnol i reolwr tŷ amlfeddiannaeth gyflawni dyletswyddau penodol o ran rheoli'r tŷ amlfeddiannaeth. Un o'r dyletswyddau hynny yw rhoi i'r awdurdod tai lleol o fewn 7 o ddiwrnodau ar ôl derbyn cais ysgrifenedig oddi wrth yr awdurdod dystysgrif brawf cyfarpar nwy ddiweddaraf y mae'r rheolwr wedi ei chael ynghylch rhoi unrhyw gyfarpar nwy drwy brawf gan "beiriannydd cydnabyddedig" yn y tŷ amlfeddiannaeth. O dan Reoliadau Trwyddedu a Rheoli Tai Amlfeddiannaeth (Darpariaethau Ychwanegol) (Cymru) 2007 ("Rheoliadau 2007") mae'r un ddyletswydd yn gymwys o ran rheolwyr tai amlfeddiannaeth y mae adran 257 o Ddeddf Tai 2004 yn gymwys iddynt.

Mae'r Rheoliadau hyn yn disodli'r diffiniad o "peiriannydd cydnabyddedig" yn Rheoliadau 2006 a Rheoliadau 2007. Mae'r diffiniad newydd yn cyfeirio at beiriannydd a gymeradwywyd o dan reoliad 3 o Reoliadau Diogelwch Nwy (Gosodiadau a Defnydd) 1998.

WELSH STATUTORY INSTRUMENTS

# 2009 No. 1915 (W.174)

# HOUSING, WALES

## The Houses in Multiple Occupation (Management) (Wales) Regulations 2009

### EXPLANATORY NOTE

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

These Regulations apply to houses in multiple occupation (as defined in sections 254 to 259 of the Housing Act 2004) ("HMOs") in Wales.

Under the Management of Houses in Multiple Occupation (Wales) Regulations 2006 ("the 2006 Regulations"), which apply in relation to all HMOs except those to which section 257 (HMOs: certain converted blocks of flats) of the Housing Act 2004 applies, a manager of an HMO is required to carry out certain duties in respect of the management of the HMO. One of those duties is to supply to the local housing authority within 7 days of receiving a request in writing from the authority the latest gas appliance test certificate the manager has received in relation to the testing by a "recognised engineer" of any gas appliance at the HMO. Under the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 ("the 2007 Regulations") the same duty applies in relation to managers of HMOs to which section 257 of the Housing Act 2004 applies.

These Regulations replace the definition of "recognised engineer" in the 2006 Regulations and the 2007 Regulations. The new definition refers to an engineer who is approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

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# TAI, CYMRU

## Rheoliadau Tai Amlfeddiannaeth (Rheoli) (Cymru) 2009

| | |
|---|---|
| *Gwnaed* | *16 Gorffennaf 2009* |
| *Gosodwyd gerbron Cynulliad Cenedlaethol Cymru* | *20 Gorffennaf 2009* |
| *Yn dod i rym* | *10 Awst 2009* |

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 234 o Ddeddf Tai 2004(**1**) ac sydd bellach wedi'u breinio ynddynt(**2**), yn gwneud y Rheoliadau canlynol:

**Enwi, cymhwyso a chychwyn**

**1**. Enw'r Rheoliadau hyn yw Rheoliadau Tai Amlfeddiannaeth (Rheoli) (Cymru) 2009, maent yn gymwys o ran Cymru a deuant i rym ar 10 Awst 2009.

**Diwygio Rheoliadau Rheoli Tai Amlfeddiannaeth (Cymru) 2006**

**2**.—(1) Diwygier Rheoliadau Rheoli Tai Amlfeddiannaeth (Cymru) 2006(**3**) yn unol â pharagraff (2).

(2) Yn rheoliad 6 (dyletswydd rheolwr i gyflenwi a chynnal a chadw nwy a thrydan) yn lle paragraff (2) rhodder—

(**1**) 2004 p.34.

(**2**) Mae'r pwerau a roddir gan adran 234 o Ddeddf 2004 wedi'u breinio o ran Cymru yng Nghynulliad Cenedlaethol Cymru. *Gweler* y diffiniad o "appropriate national authority" yn adran 261(1) o Ddeddf 2004. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru o dan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30 o Atodlen 11 iddi.

(**3**) O.S. 2006/1713 (Cy.175).

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# 2009 No. 1915 (W.174)

# HOUSING, WALES

## The Houses in Multiple Occupation (Management) (Wales) Regulations 2009

| | |
|---|---|
| *Made* | *16 July 2009* |
| *Laid before the National Assembly for Wales* | *20 July 2009* |
| *Coming into force* | *10 August 2009* |

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 234 of the Housing Act 2004(**1**) and now vested(**2**) in them, make the following Regulations:

**Title, application and commencement**

**1**. The title of these Regulations is the Houses in Multiple Occupation (Management) (Wales) Regulations 2009, they apply in relation to Wales and come into force on 10 August 2009.

**Amendment of the Management of Houses in Multiple Occupation (Wales) Regulations 2006**

**2**.—(1) The Management of Houses in Multiple Occupation (Wales) Regulations 2006(**3**) are amended in accordance with paragraph (2).

(2) In regulation 6 (duty of manager to supply and maintain gas and electricity) for paragraph (2) substitute—

(**1**) 2004 c.34.

(**2**) The powers conferred by section 234 of the 2004 Act were vested in relation to Wales in the National Assembly for Wales. *See* the definition of the "appropriate national authority" in section 261(1) of the 2004 Act. Functions of the National Assembly for Wales transferred to the Welsh Ministers under section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

(**3**) S.I. 2006/1713 (W.175).

"(2) Ym mharagraff (1), ystyr "peiriannydd cydnabyddedig" ("*recognised engineer*") yw peiriannydd a gymeradwywyd o dan reoliad 3 o Reoliadau Diogelwch Nwy (Gosodiadau a Defnydd) 1998(**1**).".

"(2) In paragraph (1), "recognised engineer" ("*peiriannydd cydnabyddedig*") means an engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998(**1**).".

**Diwygio Rheoliadau Trwyddedu a Rheoli Tai Amlfeddiannaeth (Darpariaethau Ychwanegol) (Cymru) 2007**

**3**.—(1) Diwygier Rheoliadau Trwyddedu a Rheoli Tai Amlfeddiannaeth (Darpariaethau Ychwanegol) (Cymru) 2007(**2**) yn unol â pharagraff (2).

(2) Yn rheoliad 7 (dyletswydd rheolwr i gyflenwi a chynnal a chadw nwy a thrydan) yn lle paragraff (2) rhodder—

"(2) Ym mharagraff (1), ystyr "peiriannydd cydnabyddedig" ("*recognised engineer*") yw peiriannydd a gymeradwywyd o dan reoliad 3 o Reoliadau Diogelwch Nwy (Gosodiadau a Defnydd) 1998.".

**Amendment of the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007**

**3**.—(1) The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007(**2**) are amended in accordance with paragraph (2).

(2) In regulation 7 (duty of manager to supply and maintain gas and electricity) for paragraph (2) substitute—

"(2) In paragraph (1), "recognised engineer" ("*peiriannydd cydnabyddedig*") means an engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.".

*Jocelyn Davies*

Y Dirprwy Weinidog dros Dai o dan awdurdod y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

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

16 Gorffennaf 2009

16 July 2009

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(**1**) O.S. 1998/2451.

(**2**) O.S. 2007/3229 (Cy.281).

(**1**) S.I. 1998/2451.

(**2**) S.I. 2007/3229 (W.281).

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