
OFFERYNNAU STATUDOL CYMRU

2013 Rhif 552 (Cy.62)

TAI, CYMRU

Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2013

<i>Gwnaed</i>	- - - -	<i>11 Mawrth 2013</i>
<i>Gosodwyd gerbron Cynulliad</i>		
<i>Cenedlaethol Cymru</i>	- -	<i>11 Mawrth 2013</i>
<i>Yn dod i rym</i>	- -	<i>1 Ebrill 2013</i>

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 30 a 146 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(1), a drosglwyddwyd i Gynulliad Cenedlaethol Cymru(2), ac a freiniwyd bellach ynddynt hwy(3), yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2013 a deuant i rym ar 1 Ebrill 2013.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygiadau i Reoliadau Grantiau Adnewyddu Tai 1996

2.—(1) Mae Rheoliadau Grantiau Adnewyddu Tai 1996(4) wedi eu diwygio yn unol â pharagraffau (2) i (9).

(2) Yn rheoliad 2(1)(5) (dehongli)—

(a) hepgorer y diffiniad o “council tax benefit”; a

(b) yn y manau priodol yn nhrefn yr wyddor mewnosoder—

““the 2012 Act” means the Welfare Reform Act 2012;”;

““council tax reduction scheme” means a scheme made by a local authority in accordance with the Council Tax Reduction Scheme and Prescribed Requirements

(1) 1996 p.53.

(2) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol o dan adrannau 30 a 146 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo (O.S. 1999/672).

(3) Trosglwyddwyd pwerau Cynulliad Cenedlaethol Cymru o dan adrannau 30 a 146 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(4) O.S. 1996/2890.

(5) Mae diwygiadau i reoliad 2(1) nad ydynt yn berthnasol i'r Rheoliadau hyn.

(Wales) Regulations 2012 or which applies in default in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992;”; a

““personal independence payment” means a personal independence payment under Part 4 of the 2012 Act;”.

- (3) Yn rheoliad 10 (y swm sy'n gymwys)—
- (a) hepgorer paragraff (3)(a)(i);
 - (b) hepgorer “or” ar ddiwedd paragraff (3)(a)(iv); ac
 - (c) ar ôl paragraff (3)(a)(v) mewnosoder—
 - “or
 - (vi) a reduction in payment of council tax under a council tax reduction scheme.”
- (4) Yn rheoliad 19 (trin taliadau gofal plant)—
- (a) ar ôl paragraff (3)(d)(vii)(6) mewnosoder—
 - “(viii) personal independence payment;”;
 - (b) hepgorer “or” ar ddiwedd paragraff (3)(f);
 - (c) ar ôl paragraff (3)(g) mewnosoder—
 - “; or
 - (h) personal independence payment would be payable but for regulations under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act”;
 - (d) hepgorer “or” ar ddiwedd paragraff (8)(b)(ii); ac
 - (e) ar ôl paragraff (8)(b)(iii) mewnosoder—
 - “; or
 - (iv) in respect of whom personal independence payment is payable, or would be payable but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act”.
- (5) Yn Atodlen 1 (symiau sy'n gymwys)—
- (a) ym mharagraff 12 (amod ychwanegol ar gyfer y premiwm pensiyonwr uwch a'r premiwm anabled), ar ôl is-baragraff (1)(a)(v) mewnosoder—
 - “(vi) is in receipt of personal independence payment or would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act; or”;
 - (b) ym mharagraff 13 (premiwm anabled difrifol)—
 - (i) yn is-baragraff (2)(a)(i) yn lle “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” rhodder “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act”;
 - (ii) yn is-baragraff (2)(b)(i) yn lle “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” rhodder “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily

- living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act”;
- (iii) yn is-baragraff (2)(b)(ii) ar ôl “allowance” mewnosoder “or payment” ym mhob man lle y mae'n ymddangos;
- (iv) ar ôl is-baragraff (4)(b)(7) mewnosoder—
“; or
(c) the daily living component of personal independence payment, if that person would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act”; a
- (v) ar ôl is-baragraff (5)(b) mewnosoder—
“; or
(c) a person receiving the daily living component of personal independence payment”;
- (c) ym mharagraff 13A (uwch bremiwm anabled)(8), ar ôl is-baragraff (b) mewnosoder—
“; or
(c) the daily living component of personal independence payment is payable, or would be payable, at the enhanced rate prescribed under section 78(2) of the 2012 Act but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act”;
- (d) ym mharagraff 14 (premiwm plentyn anabl) ar ôl is-baragraff (1)(c) mewnosoder—
“; or
(d) is a young person who is in receipt of personal independence payment or who would be in so receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act, provided that the young person continues to be a member of the family”; ac
- (e) ym mharagraff 15 (premiwm gofalwr), yn is-baragraff (2)(b)(9) yn lle “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” rhodder “; the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act”.
- (6) Yn Atodlen 1A (symiau sy'n gymwys ar gyfer personau sydd wedi cyrraedd yr oedran sy'n eu gwneud yn gymwys i greddyd pensiwn y wladwriaeth, neu y mae eu partner wedi cyrraedd yr oedran hwnnw)(10)—
- (a) ym mharagraff 7 (premiwm anabled difrifol)—
(i) yn is-baragraff (2)(a)(i) yn lle “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” rhodder “; the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act”;

(7) Mae diwygiad i baragraff 13(4)(b) nad yw'n berthnasol i'r Rheoliadau hyn.

(8) Mewnosodwyd paragraff 13A mewn perthynas â Chymru gan O.S. 2001/2073.

(9) Diwygiwyd paragraff 15(2) mewn perthynas â Chymru gan O.S. 2004/253.

(10) Mewnosodwyd Atodlen 1A mewn perthynas â Chymru gan O.S. 2006/2801.

- (ii) yn is-baragraff (2)(b)(i) yn lle “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act” rhodder “, the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act”;
 - (iii) yn is-baragraff (2)(b)(ii) ar ôl “allowance” mewnosoder “or payment” ym mhob man lle y mae'n ymddangos; a
 - (iv) ar ôl is-baragraff (5)(b) mewnosoder—
 - “; or
 - (c) a person receiving the daily living component of personal independence payment prescribed in accordance with section 78 of the 2012 Act at the standard or enhanced rate, if that person would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act;”;
- (b) yn lle paragraff 8 (uwch bremiwm anabled) rhodder—
- “8. The condition is that—
- (a) the care component of disability living allowance is, or would be, payable at the highest rate prescribed under section 72(3) of the 1992 Act, but for a suspension of benefit in accordance with regulations under section 113(2) of the 1992 Act or but for an abatement as a consequence of hospitalisation; or
 - (b) the daily living component of personal independence payment is, or would be payable at the enhanced rate under section 78(2) of the 2012 Act, but for regulations under section 85 (care home residents) or section 86(1) (hospital in-patients) of that Act,
- in respect of a child or young person who is a member of the relevant person’s family.”; ac
- (c) ym mharagraff 9 (premiwm plentyn anabl) ar ôl is-baragraff (1)(c) mewnosoder—
 - “; or
 - (d) is a young person who is in receipt of personal independence payment or who would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act, provided that the young person continues to be a member of the family.”
- (7) Ym mharagraff 12(a) o Atodlen 2 (symiau i'w diystyru wrth benderfynu enillion)—
- (a) hepgorer y geiriau “council tax benefit”;
 - (b) hepgorer “or” ar ôl “income-related employment and support allowance”; ac
 - (c) ar ôl “income support” mewnosoder “, or a payment made under a council tax reduction scheme”.
- (8) Yn Atodlen 3 (symiau i'w diystyru wrth benderfynu incwm ac eithrio enillion)—
- (a) ym mharagraff 4(a)—
 - (i) hepgorer y geiriau “council tax benefit”;
 - (ii) hepgorer “or” ar ôl “income-related employment and support allowance”; ac
 - (iii) ar ôl “income support” mewnosoder “, or a payment made under a council tax reduction scheme”;
 - (b) ym mharagraff 5, ar ôl “disability living allowance” mewnosoder “or personal independence payment”; ac

- (c) hepgorer paragraff 49.
- (9) Yn Atodlen 4 (cyfalaf i'w ddiystyru)—
 - (a) ym mharagraff 6(a)—
 - (i) hepgorer y geiriau “council tax benefit”;
 - (ii) hepgorer “or” ar ôl “income-related employment and support allowance”; a
 - (iii) ar ôl “income support” mewnosoder “, or a payment made under a council tax reduction scheme”;
 - (b) hepgorer paragraff 45.

11 Mawrth 2013

Huw Lewis
Y Gweinidog Tai, Adfywio a Threftadaeth, un o
Weinidogion Cymru

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

EXPLANATORY NOTE

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

Mae'r Rheoliadau hyn yn diwygio ymhellach (o ran Cymru) Reoliadau Grantiau Adnewyddu Tai 1996 (O.S. 1996/2890) (“y prif Reoliadau”), a osododd y prawf modd i benderfynu swm y grant y caniateir i awdurdodau tai lleol ei dalu o dan Bennod 1 o Ran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996.

Mae Deddf Diwygio Lles 2012 (“Deddf 2012”) yn gwneud newidiadau sylweddol i'r system budd-daliadau lles gyfredol.

Mae adran 33 o Ddeddf 2012 yn diddymu Budd-dal y Dreth Gyngor, a ddisodlir yng Nghymru gan Gynlluniau Gostyngiadau'r Dreth Gyngor a wneir gan awdurdodau lleol neu, os ydynt yn methu, gan Weinidogion Cymru.

Cyflwyno Rhan 4 o Ddeddf 2012 Daliad Annibyniaeth Bersonol, sy'n disodli'r Lwfans Byw i'r Anabl, mewn perthynas â phersonau rhwng 16 a 64 mlwydd oed.

Mae'r diwygiadau i'r prif Reoliadau yn gweithredu'r newidiadau hyn.