



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 122 (Cy. 12)

2014 No. 122 (W. 12)

Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

**Rheoliadau'r Dreth Gyngor
(Hysbysiadau Galw am Dalu)
(Cymru) (Diwygio) 2014**

**The Council Tax (Demand Notices)
(Wales) (Amendment) Regulations
2014**

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

Mae Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) 1993 ("Rheoliadau 1993") yn gwneud darpariaeth ynghylch materion i'w cynnwys, a gwybodaeth i'w darparu, gyda hysbysiadau galw am dalu'r dreth gyngor a gyflwynir gan awdurdodau bilio Cymru neu ar eu rhan. Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1993 er mwyn cymryd i ystyriaeth gyflwyniad cynlluniau gostyngiadau'r dreth gyngor lleol yn unol â gofynion Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 neu sy'n gymwys yn ddiodyn yn rhinwedd paragraff 6(1)(e) o Atodlen 1B i Ddeddf Cyllid Llywodraeth Leol 1992. Mae'r diwygiadau a wneir i Reoliadau 1993 yn galluogi cymryd y gostyngiadau a wneir yn unol â Rheoliadau 2013 i ystyriaeth wrth filio a gofodi'r dreth gyngor.

Mae Rheoliad 3 yn rhoi cyfeiriadau at Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2012 a Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012 yn lle'r cyfeiriadau yn Rheoliadau 1993 at Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013 a Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013.

The Council Tax (Demand Notices) (Wales) Regulations 1993 ("the 1993 Regulations") make provision about matters to be contained in, and information to be supplied with, council tax demand notices served by or on behalf of Welsh billing authorities. These Regulations amend the 1993 Regulations to take into account the introduction of local council tax reduction schemes in accordance with the requirements of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 or which apply in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992. The amendments made to the 1993 Regulations enable reductions made in accordance with the 2013 Regulations to be taken into account in the billing and enforcement of council tax.

Regulation 3 substitutes references within the 1993 Regulations to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2012 and the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012, with references to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 and the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013.

Darpariaethau arbed yw rheoliadau 4 a 5 sy'n darparu nad yw'r diwygiadau a wneir i reoliadau 1993 yn cael effaith mewn perthynas ag unrhyw geisiadau a wneir neu ostyngiadau a ddyfernir yn unol â Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012 neu gynllun sy'n gymwys yn ddiodyn ar 1 Ebrill 2013.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

Regulations 4 and 5 are savings provisions which provide that the amendments made to the 1993 regulations do not have effect in respect of any applications made or deductions awarded in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 or a scheme which applies in default on 1 April 2013.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Council Tax (Demand Notices)
(Wales)(Amendment) Regulations
2014**

Gwnaed 22 Ionawr 2014
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 24 Ionawr 2014
Yn dod i rym 14 Chwefror 2014

Made 22 January 2014
Laid before the National Assembly for Wales
24 January 2014
Coming into force 14 February 2014

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 113(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1992(1), a pharagraffau 1(1) a 2(4)(e) o Atodlen 2 i'r Ddeddf honno, ac a freiniwyd bellach ynddynt hwy(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State by section 113(1) and (2) of, and paragraphs 1(1) and 2(4)(e) of Schedule 2 to, the Local Government Finance Act 1992(1), and now vested in them(2).

RHAN 1

PART 1

Cyffredinol

General

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) (Diwygio) 2014.

1.—(1) The title of these Regulations is the Council Tax (Demand Notices) (Wales) (Amendment) Regulations 2014.

(1) 1992 p.14. Diwygiwyd adran 113(1) a (2) gan baragraffau 40 a 52 o Atodlen 7 i Ddeddf Llywodraeth Leol 2003 (p.26), ac adran 80(4) i (6) o Ddeddf Lleoliaeth 2011 (p. 20). Cafodd diwygiadau perthnasol pellach eu gwneud i Atodlen 2 gan adrannau 10 (cynlluniau gostyngiadau'r dreth gyngor) ac 16 (darparu gwybodaeth am y dreth gyngor) o Ddeddf Cyllid Llywodraeth Leol 2012 (p.17), ac Atodlen 1 iddi.

(2) Mae'r pwerau hyn bellach wedi eu breinio yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru. Cawsant eu trosglwyddo'n flaenorol i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cofnodion yn Atodlen 1 ar gyfer Deddf Cyllid Llywodraeth Leol 1992.

Yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32), trosglwyddwyd hwy i Weiniogion Cymru.

(1) 1992 c. 14. Section 113(1) and (2) was amended by paragraphs 40 and 52 of Schedule 7 to the Local Government Act 2003 (c. 26), and section 80(4) to (6) of the Localism Act 2011 (c. 20). Further relevant amendments were made to Schedule 2 by sections 10 (council tax reduction schemes) and 16 (provision of information of council tax) of, and Schedule 1 to, the Local Government Finance Act 2012 (c. 17).

(2) These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions Order 1999 (S.I. 1999/672); see entries in Schedule 1 for the Local Government Finance Act 1992.

By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

(2) Daw'r Rheoliadau hyn i rym ar 14 Chwefror 2014 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 14 February 2014 and apply in relation to Wales.

RHAN 2

Diwygio

Diwygio Rheoliadau

2. Diwygir Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) 1993(1) yn unol â rheoliad 3.

3. Yn Atodlen 1 (materion i'w cynnwys mewn hysbysiadau galw am dalu) ym mharagraff 8A—

(a) yn lle is-baragraff (a) rhodder—

“(a) the reasons for the reduction and its amount;”;

(b) yn lle is-baragraff (b)(i) rhodder—

“(i) informing the person affected of the duty imposed by paragraph 113(1) of the scheme prescribed by the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(2) or contained in the authority's scheme by virtue of paragraph 7(1) of Schedule 13 to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(3), as the case may be;”.

RHAN 3

Arbed

Dehongli

4. Yn y rhan hon o'r Rheoliadau—

ystyr “cynllun 2013” (“*2013 scheme*”) yw cynllun a wneir gan awdurdod bilio yn unol â Rheoliadau 2012 neu sy'n gymwys yn ddiodyfyn ar 1 Ebrill 2013 yn unol â pharagraff 6(1)(e) o Atodlen 1B i Ddeddf Cyllid Llywodraeth Leol 1992;

ystyr “Rheoliadau 1993” (“*2013 Regulations*”) yw Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) 1993;

ystyr “Rheoliadau 2012” (“*2012 Regulations*”) yw Rheoliadau Cynlluniau Gostyngiadau'r Dreth

PART 2

Amendments

Amendment of Regulations

2. The Council Tax (Demand Notices) (Wales) Regulations 1993(1) are amended in accordance with regulation 3.

3. In Schedule 1 (matters to be contained in demand notices) in paragraph 8A—

(a) for sub-paragraph (a) substitute—

“(a) the reasons for the reduction and its amount;”;

(b) for sub-paragraph (b)(i) substitute—

“(i) informing the person affected of the duty imposed by paragraph 113(1) of the scheme prescribed by the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(2) or contained in the authority's scheme by virtue of paragraph 7(1) of Schedule 13 to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(3), as the case may be;”.

PART 3

Savings

Interpretation

4. In this part of the Regulations—

“1993 Regulations” (“*Rheoliadau 1993*”) means the Council Tax (Demand Notices) (Wales) 1993;

“2012 Regulations” (“*Rheoliadau 2012*”) means the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 (4);

“2013 scheme” (“*cynllun 2013*”) means a scheme made by a billing authority in accordance with the 2012 Regulations or which applies in default on 1 April 2013 in accordance with paragraph 6(1)(e) of

(1) O.S. 1993/255. Cafodd diwygiadau perthnasol eu gwneud gan O.S. 2004/460 (Cy.45), O.S. 2006/217 ac O.S. 2013/63 (Cy.14).

(2) O.S. 2013/3035 (Cy.303).

(3) O.S. 2013/3029 (Cy.301).

(1) S.I. 1993/255. Relevant amendments were made by S.I. 2004/460 (W.45), S.I. 2006/217 and S.I. 2013/63 (W.14).

(2) S.I. 2013/3035 (W.303).

(3) S.I. 2013/3029 (W.301).

(4) S.I. 2012/3144 (W.316) as amended by S.I. 2013/112 (W.17).

Darpariaeth Arbed

5. Nid yw'r diwygiadau a wneir i Reoliadau 1993 gan reoliad 3 yn cael effaith mewn perthynas ag unrhyw geisiadau a wneir neu ostyngiadau a ddyfernir yn unol â darpariaethau un neu ragor o gynlluniau 2013.

Saving Provision

5. The amendments made to the 1993 Regulations by regulation 3 do not have effect in relation to any applications made or reductions awarded in accordance with the provisions of a 2013 scheme.

Lesley Griffiths

Y Gweinidog Llywodraeth Leol a Busnes y
Llywodraeth, un o Weinidogion Cymru

Minister for Local Government and Government
Business, one of the Welsh Ministers

22 Ionawr 2014

22 January 2014

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(1) O.S. 2012/3144 (Cy.316) fel y'i diwygiwyd gan O.S. 2013/112 (Cy.17).

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