



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 554 (Cy. 66)

2014 No. 554 (W. 66)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Tribiwnlys Prasio
Cymru (Cymru) (Diwygio) 2014**

**The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations
2014**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Tribiwnlys Prasio Cymru 2010 ("Rheoliadau 2010") sy'n sefydlu Tribiwnlys Prasio Cymru ("y Tribiwnlys") ac yn gwneud darpariaeth ynghylch ei aelodaeth, ei weinyddiaeth a'i weithdrefnau.

Mae'r diwygiadau hyn yn cymryd i ystyriaeth cynlluniau gostyngiadau'r dreth gyngor lleol a gyflwynir gan awdurdodau bilio yn unol â Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 ("Rheoliadau 2013") neu sy'n gymwys yn ddiodyn yn rhinwedd paragraff 6(1)(e) o Atodlen 1B i Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992").

O dan adran 16 o Ddeddf 1992, caiff person apelio i'r Tribiwnlys os yw'r person hwnnw wedi ei dramgwyddo gan benderfyniad a wnaed gan awdurdod bilio ynghylch swm y dreth gyngor sy'n daladwy ac mae Rheoliadau 2010 yn galluogi'r Tribiwnlys i ymdrin ag apelau mewn perthynas â chynlluniau gostyngiadau'r dreth gyngor.

Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio Rheoliadau 2010 i adlewyrchu'r ffaith bod Rheoliadau 2013 yn disodli Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012.

Mae rheoliad 2 o'r Rheoliadau hyn hefyd yn diwygio'r terfynau amser yn Rheoliadau 2010 fel bod penderfyniadau sy'n effeithio ar hawl person i gael gostyngiad o dan gynllun gostyngiadau'r dreth gyngor sydd ar waith ar 1 Ebrill 2013, neu sy'n effeithio ar swm unrhyw ostyngiad o dan y cynllun hwnnw, yn

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Valuation Tribunal for Wales Regulations 2010 ("the 2010 Regulations") that establish the Valuation Tribunal for Wales ("the Tribunal") and make provision for its membership, administration and procedures.

The amendments take account of the introduction of local council tax reduction schemes made by billing authorities in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 ("the 2013 Regulations") or that apply in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992 ("the 1992 Act").

Under section 16 of the 1992 Act, a person may appeal to the Tribunal if that person is aggrieved by a decision made by a billing authority about the amount of council tax that is payable and the 2010 Regulations enable the Tribunal to deal with appeals relating to council tax reduction schemes.

Regulation 2 of these Regulations amends the 2010 Regulations to reflect the replacement of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 with the 2013 Regulations.

Regulation 2 of these Regulations also amends the time limits in the 2010 Regulations so that decisions which affect a person's entitlement to a reduction under a council tax reduction scheme which is in place on 1 April 2013 or the amount of any reduction under such a scheme will be dismissed unless the notice

cael eu gwrthod oni bai bod yr hysbysiad a gyflwynir o dan adran 16(4) o Ddeddf 1992 yn cael ei gyflwyno yn unol â'r terfynau amser cymwys o dan Reoliadau 2013 neu'r cynllun perthnasol sy'n gymwys yn ddiodyn yn rhinwedd paragraff 6(1)(e) o Ddeddf 1992.

Mae Rheoliad 4 yn ddarpariaeth arbed sy'n darparu nad yw'r diwygiadau a wneir gan reoliad 2 yn cael effaith mewn perthynas ag unrhyw apelau a wneir i'r Tribiwnlys mewn perthynas ag unrhyw geisiadau a wneir neu ostyngiadau a ddyfernir o dan ddarpariaethau cynllun a wneir o dan Reoliadau 2013 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.

served under section 16(4) of the 1992 Act is served in accordance with the applicable time limits under the 2013 Regulations or the relevant scheme that applies in default by virtue of paragraph 6(1)(e) of the 1992 Act.

Regulation 4 is a savings provision which provides that the amendments made by regulation 2 do not have effect in relation to any appeals made to the Tribunal in relation to any applications made or reductions awarded under the provisions of a scheme made under the 2013 Regulations 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.

2014 Rhif 554 (Cy. 66)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Tribiwnlys Prisio
Cymru (Cymru) (Diwygio) 2014**

Gwnaed 7 Mawrth 2014
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 10 Mawrth 2014
Yn dod i rym 31 Mawrth 2014

2014 No. 554 (W. 66)

**LOCAL GOVERNMENT,
WALES**

**The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations
2014**

Made 7 March 2014
Laid before the National Assembly for Wales
10 March 2014
Coming into force 31 March 2014

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 140(4) a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988(1), a pharagraffau 1 ac 8 o Atodlen 11 iddi, ac a freiniwyd bellach ynddynt hwy(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 140(4) and 143(1) and (2) of, and paragraphs 1 and 8 of Schedule 11 to, the Local Government Finance Act 1988(1) and now vested in them(2).

**RHAN 1
Cyffredinol**

**PART 1
General**

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Tribiwnlys Prisio Cymru (Cymru) (Diwygio) 2014.

Title, commencement and application

1.—(1) The title of these Regulations is the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2014.

(1) 1988 p.41. Cafodd diwygiadau perthnasol eu gwneud i baragraff 1 o Atodlen 11 i'r Ddeddf honno gan baragraffau 3 a 4(a) i (c) o Atodlen 15 i Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (p.28). Mae paragraff 8 o Atodlen 11 i Ddeddf Cyllid Llywodraeth Leol 1988 wedi cael ei ddiwygio ond nid yw'r diwygiadau yn berthnasol i'r Rheoliadau hyn.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 140(4) a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988, a pharagraffau 1 ac 8 o Atodlen 11 iddi, i'r graddau eu bod yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32), mae'r swyddogaethau hynny bellach wedi eu breinio yng Ngweinidogion Cymru.

(1) 1988 c.41. Relevant amendments were made to paragraph 1 of Schedule 11 to that Act by paragraphs 3 and 4(a) to (c) of Schedule 15 to the Local Government and Public Involvement in Health Act 2007 (c.28). Paragraph 8 of Schedule 11 to the Local Government Finance Act 1988 has been amended but the amendments are not relevant to these Regulations.

(2) The functions of the Secretary of State under sections 140(4) and 143(1) and (2) of, and paragraphs 1 and 8 of Schedule 11 to, the Local Government Finance Act 1988 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32) those functions are now vested in the Welsh Ministers.

(2) Daw'r Rheoliadau hyn i rym ar 31 Mawrth 2014 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 31 March 2014 and apply in relation to Wales.

RHAN 2

Diwygio

Diwygio'r Rheoliadau

2.—(1) Mae Rheoliadau Tribiwnlys Prasio Cymru 2010(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 27 (dehongli), yn y diffiniad o “cynllun gostyngiadau'r dreth gyngor” (“*council tax reduction scheme*”), yn lle “Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012”(2) rhodder “Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013”(3).

(3) Yn rheoliad 29 (terfynau amser)—

(a) ym mharagraff (2) yn lle “Pan” rhodder “Yn ddarostyngedig i baragraff (2A), pan”;

(b) ar ôl paragraff (2) mewnosoder—

“(2A) Pan fodlonir yr amod a grybwyllir yn adran 16(7)(c) a bod yr apêl gan y person a dramgwyddir yn ymwneud â phenderfyniad awdurdod bilio i ddyfarnu gostyngiad o dan ei gynllun gostyngiadau'r dreth gyngor, gwrthodir yr apêl oni bai bod yr hysbysiad sy'n ofynnol gan adran 16(4)(4) wedi ei gyflwyno i'r awdurdod bilio yn unol â pharagraff 8(2) o Atodlen 12 i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 neu baragraff 8(2) o Atodlen 1 o'r cynllun a ragnodir yn Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013(5), yn ôl y digwydd.”

RHAN 3

Arbedion

Dehongli

3. Yn y rhan hon o'r Rheoliadau—

-
- (1) O.S. 2010/713 (Cy.69), fel y'i diwygiwyd gan O.S. 2013/547 (Cy. 59).
(2) O.S. 2012/3144 (Cy.316) fel y'i diwygiwyd gan O.S. 2013/112 (Cy. 17).
(3) O.S. 2013/3029 (Cy. 301).
(4) Deddf Cyllid Llywodraeth Leol 1992 (p.14).
(5) O.S. 2013/3035 (Cy. 303), fel y'i diwygiwyd gan O.S. 2014/66 (Cy. 6).

PART 2

Amendment

Amendment of Regulations

2.—(1) The Valuation Tribunal for Wales Regulations 2010(1) are amended as follows.

(2) In regulation 27 (interpretation), in the definition of “council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gyngor*”), for “the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012”(2) substitute “the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013”(3).

(3) In regulation 29 (time limits)—

(a) in paragraph (2) for “When” substitute “Subject to paragraph (2A), when”;

(b) after paragraph (2) insert—

“(2A) When the condition mentioned in section 16(7)(c) is fulfilled and the appeal by the aggrieved person relates to a billing authority's decision to award a reduction under its council tax reduction scheme, the appeal will be dismissed unless the notice required by section 16(4)(4) was served on the billing authority in accordance with paragraph 8(2) of Schedule 12 to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 or paragraph 8(2) of Schedule 1 of the scheme prescribed in the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(5), as the case may be.”

PART 3

Savings

Interpretation

3. In this part of the Regulations—

-
- (1) S.I. 2010/713 (W. 69) as amended by S.I. 2013/547 (W. 59).
(2) S.I. 2012/3144 (W. 316) as amended by S.I. 2013/112 (W. 17).
(3) S.I. 2013/3029 (W. 301).
(4) The Local Government Finance Act 1992 (c.14).
(5) S.I. 2013/3035 (W. 303) as amended by S.I. 2014/66 (W. 6).

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

ystyr “Rheoliadau 2010” (“*2010 Regulations*”) yw Rheoliadau Tribiwnlys Prasio Cymru 2010;

ystyr “Rheoliadau 2012” (“*2012 Regulations*”) yw Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2012; ac

ystyr “Tribiwnlys Prasio” (“*Valuation Tribunal*”) yw Tribiwnlys Prasio Cymru a sefydlwyd o dan reoliad 4 o Reoliadau 2010.

“2010 Regulations” (“*Rheoliadau 2010*”) means the Valuation Tribunal for Wales Regulations 2010;

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

“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 Schedule 1B to the Local Government Finance Act 1992(1); and

“Valuation Tribunal” (“*Tribiwnlys Prasio*”) means the Valuation Tribunal for Wales established under regulation 4 of the 2010 Regulations.

Darpariaethau arbed

4. Nid yw'r diwygiadau a wneir i Reoliadau 2010 gan reoliad 2 yn cael effaith mewn perthynas ag unrhyw apelau a wneir i'r Tribiwnlys Prasio mewn perthynas ag unrhyw geisiadau a wneir neu ostyngiadau a ddyfernir o dan ddarpariaethau cynllun 2013.

Saving provisions

4. The amendments made to the 2010 Regulations by regulation 2 do not have effect in relation to any appeals made to the Valuation Tribunal in relation to any applications made or reductions awarded under the provisions of a 2013 scheme.

Lesley Griffiths

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

7 Mawrth 2014

© 2014 Hawlfraint y Goron 2014

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

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

7 March 2014

© Crown copyright 2014

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(1) 1992 p.14. Mewnosodwyd Atodlen 1B i'r Ddeddf honno gan baragraff 1 o Ran 1 o Atodlen 4 i Ddeddf Cyllid Llywodraeth Leol 2012 (p.17).

(1) 1992 c.14. Schedule 1B to that Act was inserted by paragraph 1 of Part 1 of Schedule 4 to the Local Government Finance Act 2012 (c.17).

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 554 (Cy. 66)

2014 No. 554 (W. 66)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

Rheoliadau Tribiwnlys Prisio
Cymru (Cymru) (Diwygio) 2014

The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations
2014

£4.00

W1893/03/14

ON

ISBN 978-0-348-10921-4



9 780348 109214