



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2015 Rhif 1321 (Cy. 119)**

**2015 No. 1321 (W. 119)**

**TAI, CYMRU**

**HOUSING, WALES**

**Gorchymyn Deddf Ymddygiad  
Gwrthgymdeithasol, Troseddu a  
Phlisma 2014 (Diwygiadau  
Canlyniadol) (Cymru) 2015**

**The Anti-social Behaviour, Crime  
and Policing Act 2014  
(Consequential Amendments)  
(Wales) Order 2015**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae erthygl 2 o'r Gorchymyn hwn yn diwygio adran 160A(8) o Ddeddf Tai 1996 ("Deddf 1996") drwy fewnosod cyfeiriad at adran 84A newydd o Ddeddf Tai 1985 ("Deddf 1985").

Article 2 of this Order amends section 160A(8) of the Housing Act 1996 ("the 1996 Act") by inserting a reference to a new section 84A of the Housing Act 1985 ("the 1985 Act").

Mae adran 160A o Ddeddf 1996 yn darparu na chaiff awdurdod lleol ddyrannu llety tai o dan Ran 6 o'r Ddeddf honno i bersonau anghymwys. Mae adran 160A(7) yn darparu y caiff awdurdod lleol benderfynu bod ymgeisydd i'w drin fel ymgeisydd sy'n anghymwys i gael dyraniad os yw ymddygiad yr ymgeisydd (neu ymddygiad aelod o'r aelwyd) yn ei wneud yn anaddas i fod yn denant. Mae adran 160A(8) yn darparu bod ymddygiad o'r fath yn annerbyniol pe bai'n rhoi'r hawl i'r awdurdod lleol (pe bai'r ymgeisydd yn denant diogel) roi gorchymyn ildio meddiant o dan adran 84 o Ddeddf 1985.

Section 160A of the 1996 Act provides that a local authority must not allocate housing accommodation under Part 6 of that Act to ineligible persons. Section 160A(7) provides that a local authority may decide that an applicant is to be treated as ineligible for an allocation if the applicant's behaviour (or that of a household member) makes him or her unsuitable to be a tenant. Section 160A(8) provides that such behaviour is unacceptable if it would entitle the local authority (if the applicant were a secure tenant) to a possession order under section 84 of the 1985 Act.

Mewnosododd adran 94 o Ddeddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 ("Deddf 2014") adran 84A i Ddeddf 1985, gan ddarparu sail absoliwt newydd ar gyfer meddiannu annedd, mewn cysylltiad â thenantiaethau diogel ar sail ymddygiad gwrthgymdeithasol.

Section 94 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the 2014 Act") inserted section 84A into the 1985 Act, providing a new absolute ground for possession of a dwelling, in respect of secure tenancies on the grounds of anti-social behaviour.

Effaith y Gorchymyn hwn yw diwygio adran 160A(8) o Ddeddf 1996 fel bod cyfeiriad yn cael ei wneud at y sail absoliwt newydd ar gyfer meddiannu. Mae'r diwygiad hwn, felly, yn ganlyniadol i'r darpariaethau yn adrannau 94 i 96 o Ddeddf 2014, ac Atodlen 3 iddi.

The effect of this Order is to amend section 160A(8) of the 1996 Act so that reference is made to the new absolute ground for possession. This amendment is therefore consequential upon the provisions in sections 94 to 96 of, and Schedule 3 to, the 2014 Act.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad

The Welsh Ministers' Code of Practice in the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory

effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r offeryn hwn. Mae'r Gorchymyn hwn yn ymwneud â gweithredu Rhan 5 o Ddeddf 2014. Cynhaliodd y Swyddfa Gartref asesiad effaith mewn perthynas â'r Rhan honno, ac fe'i gyhoeddir ar wefan y Swyddfa Gartref.

<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>.

impact assessment as to the likely costs and benefits of complying with this instrument. This Order relates to the implementation of Part 5 of the 2014 Act. An impact assessment relating to that Part has been carried out by the Home Office and is published on the Home Office's website.

<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>.

**2015 Rhif 1321 (Cy. 119)**

**TAI, CYMRU**

**Gorchymyn Deddf Ymddygiad  
Gwrthgymdeithasol, Troseddu a  
Phlisma 2014 (Diwygiadau  
Canlyniadol) (Cymru) 2015**

*Gwnaed* 12 Mai 2015

*Yn dod i rym* 19 Mai 2015

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adran 181(4)(a) o Ddeddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014(1).

Gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru, ac fe'i cymeradwywyd drwy benderfyniad ganddo, yn unol ag adran 182(3) o'r Ddeddf honno.

**Enwi a chychwyn**

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 (Diwygiadau Canlyniadol) (Cymru) 2015 a daw i rym ar 19 Mai 2015.

**Diwygio Deddf Tai 1996**

2.—(1) Mae Deddf Tai 1996(2) wedi ei diwygio fel a ganlyn.

(2) Yn adran 160A(8) (Dyrannu i bersonau cymwys yn unig: Cymru)—

(a) ar ôl paragraff (a) mewnosoder—

“(aa) behaviour of the person concerned which would (if he were a secure tenant of the authority) entitle the

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(1) 2014 p. 12  
(2) 1996 p. 52

**2015 No. 1321 (W. 119)**

**HOUSING, WALES**

**The Anti-social Behaviour, Crime  
and Policing Act 2014  
(Consequential Amendments)  
(Wales) Order 2015**

*Made* 12 May 2015

*Coming into force* 19 May 2015

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 181(4)(a) of the Anti-social Behaviour, Crime and Policing Act 2014(1).

A draft of this instrument was laid before and approved by resolution of the National Assembly for Wales in accordance with section 182(3) of that Act.

**Title and commencement**

1. The title of this Order is the Anti-social Behaviour, Crime and Policing Act 2014 (Consequential Amendments) (Wales) Order 2015 and it comes into force on 19 May 2015.

**Amendment to the Housing Act 1996**

2.—(1) The Housing Act 1996(2) is amended as follows.

(2) In section 160A(8) (Allocation only to eligible persons: Wales)—

(a) after paragraph (a) insert—

“(aa) behaviour of the person concerned which would (if he were a secure tenant of the authority) entitle the

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(1) 2014 c. 12  
(2) 1996 c. 52

authority to a possession order under section 84A of the Housing Act 1985; or”; a

- (b) yn is-adran (b) yn lle “such a possession order” rhodder “a possession order of the type referred to in paragraph (a) or (aa)”.

authority to a possession order under section 84A of the Housing Act 1985; or”; and

- (b) in subsection (b) for “such a possession order” substitute “a possession order of the type referred to in paragraph (a) or (aa)”.

*Lesley Griffiths*

Y Gweinidog Cymunedau a Threchu Tlodi, un o  
Weinidogion Cymru  
12 Mai 2015

Minister for Communities and Tackling Poverty, one  
of the Welsh Ministers  
12 May 2015

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