



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 42 (Cy. 18)

2017 No. 42 (W. 18)

Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

Rheoliadau'r Dreth Gyngor
(Dosbarthau Rhagnodedig ar
Anheddau) (Cymru) (Diwygio)
2017

The Council Tax (Prescribed
Classes of Dwellings) (Wales)
(Amendment) Regulations 2017

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn wedi eu gwneud o dan Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992") ac maent yn diwygio Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) 1998 ("Rheoliadau 1998").

These Regulations are made under the Local Government Finance Act 1992 ("the 1992 Act") and amend the Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998 ("the 1998 Regulations").

Mae rheoliadau 4 a 5 o Rheoliadau 1998 yn rhagnodi dosbarthau ar anheddau at ddiben adran 12(4) o Ddeddf 1992. Pan fo dosbarth wedi ei rhagnodi at ddiben adran 12(4), caiff awdurdod bilio yng Nghymru benderfynu nad yw disgownt y dreth gyngor yn gymwys o dan adran 11(2)(a) o Ddeddf 1992 neu benderfynu ei leihau i ganran a bennir gan yr awdurdod bilio.

Regulations 4 and 5 of the 1998 Regulations prescribe classes of dwelling for the purpose of section 12(4) of the 1992 Act. Where a class is prescribed for the purpose of section 12(4), a billing authority in Wales may determine that the council tax discount under section 11(2)(a) of the 1992 Act does not apply or is reduced to a percentage specified by the billing authority.

Mae'r Rheoliadau hyn yn diwygio'r dosbarthau a ragnodir gan reoliad 4 (Dosbarth A) a rheoliad 5 (Dosbarth B). Mae'r diwygiadau'n addasu'r geiriad yn y dosbarthau hynny i egluro eu bod yn cynnwys anheddau lle nad oes preswlydd a bod yr anheddau wedi eu dodrefnu i raddau helaeth. Mae "resident" wedi ei ddiffinio yn adran 6(5) o Ddeddf 1992.

These Regulations amend the classes prescribed by regulation 4 (Class A) and regulation 5 (Class B). The amendments adjust the wording in those classes to clarify that they comprise dwellings of which there is no resident and that are substantially furnished. A "resident" is defined in section 6(5) of the 1992 Act.

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

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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Gwnaed 23 Ionawr 2017
*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 25 Ionawr 2017
Yn dod i rym 15 Chwefror 2017

Made 23 January 2017
Laid before the National Assembly for Wales
25 January 2017
Coming into force 15 February 2017

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 12(4), 113(1) ac 116(1) o Ddeddf Cyllid Llywodraeth Leol 1992(1) ac a freinir bellach ynddynt hwy(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 12(4), 113(1) and 116(1) of the Local Government Finance Act 1992(1) and now vested in them(2).

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) (Diwygio) 2017 ac maent yn dod i rym ar 15 Chwefror 2017.

Title and commencement

1. The title of these Regulations is the Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2017 and they come into force on 15 February 2017.

Diwygio'r Rheoliadau

2.—(1) Mae Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) 1998(3) wedi eu diwygio fel a ganlyn.

- (2) Yn rheoliad 4 (Dosbarth A)—
(a) yn lle paragraff (a) rhodder—

Amendment of Regulations

2.—(1) The Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998(3) are amended as follows.

- (2) In regulation 4 (Class A)—
(a) for paragraph (a) substitute—

(1) 1992 p. 14.
(2) Trosglwyddwyd y swyddogaethau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac fe'u breinir bellach yng Ngweinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).
(3) O.S. 1998/105.

(1) 1992 c. 14.
(2) These functions were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now vested in the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(3) S.I. 1998/105.

- “(a) of which there is no resident(1);”;
- (b) ym mharagraff (b), ar ôl “is” mewnosoder “substantially”.
- (3) Yn rheoliad 5 (Dosbarth B)—
- (a) yn lle paragraff (a) rhodder—
- “(a) of which there is no resident;”;
- (b) ym mharagraff (b), ar ôl “is” mewnosoder “substantially”.

- “(a) of which there is no resident(1);”;
- (b) in paragraph (b), after “is” insert “substantially”.
- (3) In regulation 5 (Class B)—
- (a) for paragraph (a) substitute—
- “(a) of which there is no resident;”;
- (b) in paragraph (b), after “is” insert “substantially”.

Mark Drakeford

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth
Leol, un o Weinidogion Cymru
23 Ionawr 2017

Cabinet Secretary for Finance and Local Government,
one of the Welsh Ministers
23 January 2017

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(1) Ystyr “resident” mewn perthynas ag unrhyw annedd yw unigolyn sydd wedi cyrraedd 18 oed ac y mae'r annedd yn unig neu'n brif breswylfa iddo (gweler adran 6(5) o Ddeddf Cyllid Llywodraeth Leol 1992).

(1) “Resident” in relation to any dwelling, means an individual who has attained the age of 18 years and has his sole or main residence in the dwelling (see section 6(5) of the Local Government Finance Act 1992).

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