



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 154 (Cy. 23)

2023 No. 154 (W. 23)

Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

Rheoliadau'r Dreth Gyngor
(Darpariaethau Ychwanegol ar
gyfer Diystyriadau Disgownt)
(Diwygio) (Cymru) 2023

The Council Tax (Additional
Provisions for Discount Disregards)
(Amendment) (Wales) Regulations
2023

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 yn diwygio Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992 ("Rheoliadau 1992") o ran Cymru.

These Regulations amend the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 ("the 1992 Regulations") in relation to Wales.

Mae adran 11 o Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992") yn darparu bod pobl benodol yn cael eu diystyru wrth benderfynu pa un a yw annedd yn ddarostyngedig i ddisgownt ar swm y dreth gyngor sy'n daladwy. Mae'r dosbarthau o bobl sy'n cael eu diystyru wedi eu nodi yn Atodlen 1 i Ddeddf 1992 a rheoliad 5 o Reoliadau 1992.

Section 11 of the Local Government Finance Act 1992 ("the 1992 Act") provides that certain people are disregarded when determining whether a dwelling is subject to a discount on the amount of council tax which is payable. The classes of people who are disregarded are set out in Schedule 1 to the 1992 Act and regulation 5 of the 1992 Regulations.

Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio rheoliad 5(8) (Dosbarth H) o Reoliadau 1992 i ddarparu nad yw'r diystyriad presennol ond yn gymwys pan fo person sydd wedi cael caniatâd i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi o dan Gynllun Cartrefi i Weraïin Llywodraeth y DU yn preswyllo gyda noddwr o dan y cynllun hwnnw.

Regulation 2 of these Regulations amends regulation 5(8) (Class H) of the 1992 Regulations to provide that the existing disregard only applies where a person who holds permission to enter or to stay in the United Kingdom under the UK Government's Homes for Ukraine Scheme resides with a sponsor under that scheme.

Ystyriwyd cod ymarfer Gweinidogion Cymru ar gynnal asesiadau 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.

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 14 Chwefror 2023
Gosodwyd gerbron *Senedd*
Cymru 16 Chwefror 2023
Yn dod i rym 1 Ebrill 2023

Made 14 February 2023
Laid before Senedd Cymru 16 February 2023
Coming into force 1 April 2023

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adran 116(1)(1) o Ddeddf Cyllid Llywodraeth Leol 1992(2), a pharagraff 11 o Atodlen 1 iddi, ac a freiniwyd bellach ynddynt hwy(3).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by section 116(1)(1) of, and paragraph 11 of Schedule 1 to, the Local Government Finance Act 1992(2), and now vested in them(3).

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) (Diwygio) (Cymru) 2023.

1.—(1) The title of these Regulations is the Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2023.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2023.

(2) These Regulations come into force on 1 April 2023.

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

(3) These Regulations apply in relation to Wales.

(1) *Gweler* y diffiniad o "prescribed".

(2) 1992 p. 14; mae diwygiadau i adran 116 nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddo. Trosglwyddwyd y swyddogaethau hynny wedi hynny i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(1) *See* the definition of "prescribed".

(2) 1992 c. 14; there are amendments to section 116 not relevant to these Regulations.

(3) Functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Diwygiad i Reoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992

2. Yn rheoliad 5(8) (Dosbarth H) o Reoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992(1), ar y diwedd mewnosoder "where and for so long as the person resides with a sponsor under that scheme".

Amendment to the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992

2. In regulation 5(8) (Class H) of the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992(1), at the end insert "where and for so long as the person resides with a sponsor under that scheme".

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
14 Chwefror 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Finance and Local Government, one of
the Welsh Ministers
14 February 2023

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(1) O.S. 1992/552, a ddiwygiwyd gan O.S. 2019/431 (Cy. 100) a 2022/722 (Cy. 160). Mae offerynnau diwygio eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 1992/552, amended by S.I. 2019/431 (W. 100) and 2022/722 (W. 160). There are other amending instruments which are not relevant to these Regulations.

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