



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2001 Rhif 276 (Cy. 12 )**

**2001 No. 276 (W. 12 )**

**GWASANAETHAU CYMORTH  
GWLADOL, CYMRU**

**NATIONAL ASSISTANCE  
SERVICES, WALES**

**Rheoliadau Cymorth  
Gwladol (Asesu Adnoddau)  
(Diwygio) (Cymru)  
2001**

**The National Assistance  
(Assessment of Resources)  
(Amendment) (Wales) Regulations  
2001**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note does not form part of the Regulations)*

Mae'r Rheoliadau hyn yn gwneud diwygiadau pellach i Reoliadau Cymorth Gwladol (Asesu Adnoddau) 1992 ("y prif Reoliadau").

These Regulations make further amendments to the National Assistance (Assessment of Resources) Regulations 1992 ("the principal Regulations").

Mae'r prif Reoliadau yn ymwneud ag asesu gallu person ("y preswlydd") i dalu am lety sydd wedi'i drefnu gan awdurdodau lleol o dan Ran III o Ddeddf Cymorth Gwladol 1948. Mae llety Rhan III yn cael ei drefnu ar gyfer personau 18 oed neu drosodd y mae arnynt, oherwydd oedran, salwch, anabledd neu unrhyw amgylchiadau eraill, angen gofal a sylw nad ydynt ar gael iddynt fel arall, ac ar gyfer mamau sy'n disgwyl plentyn a mamau sy'n magu ac sydd mewn angen tebyg.

The principal Regulations concern the assessment of the ability of a person ("the resident") to pay for accommodation arranged by local authorities under Part III of the National Assistance Act 1948. Part III accommodation is arranged for persons aged 18 or over who by reason of age, illness, disability or any other circumstances, are in need of care and attention which is not otherwise available to them, and for expectant and nursing mothers in similar need.

Mae'r prif Reoliadau yn darparu bod rhaid peidio ag asesu unrhyw breswlydd fel un sy'n methu â thalu am lety Rhan III yn ôl y gyfradd safonol os yw cyfalaf y preswlydd hwnnw, o'i gyfrifo yn unol â'r prif Reoliadau, yn fwy nag £16,000.

The principal Regulations provide that no resident shall be assessed as unable to pay for Part III accommodation at the standard rate if that resident's capital, calculated in accordance with the principal Regulations, exceeds £16,000.

Mae'r Rheoliadau hyn yn diwygio'r prif Reoliadau fel bod taliad ex-gratia o £10,000 sy'n cael ei wneud gan yr Adran Nawdd Cymdeithasol ar 1 Chwefror 2001 neu wedyn yn cael ei anwybyddu, at ddibenion asesu cyfalaf preswlydd, os yw'r taliad yn cael ei wneud yn sgil carcharu neu gaethiwo unrhyw rai o'r canlynol gan y Japaneaid yn ystod yr Ail Ryfel Byd -

These Regulations amend the principal Regulations so that an ex-gratia payment of £10,000 made by the Department of Social Security on or after 1st February 2001 is disregarded, for the purpose of assessing a resident's capital, where such payment is made in consequence of the imprisonment or internment by the Japanese during the Second World War of -

- (a) y preswlydd;
- (b) partner y preswlydd;
- (c) priod marw y preswlydd; neu
- (ch) priod marw partner y preswlydd.

- (a) the resident;
- (b) the resident's partner;
- (c) the resident's deceased spouse; or
- (d) the resident's partner's deceased spouse.

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(Diwygio) (Cymru)  
2001The National Assistance  
(Assessment of Resources)  
(Amendment) (Wales) Regulations  
2001*Wedi'u gwneud* 30 Ionawr 2001*Made* 30th January 2001*Yn dod i rym* 1 Chwefror 2001*Coming into force* 1st February 2001

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 22(5) o Ddeddf Cymorth Gwladol 1948(a) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(b):

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred upon the Secretary of State by section 22(5) of the National Assistance Act 1948 (a) and now vested in the National Assembly for Wales (b):

**Enwi, cychwyn, dehongli a chymhwyso****Citation, commencement, interpretation and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio) (Cymru) 2001 a deuant i rym ar 1 Chwefror 2001.

1.-(1) These Regulations may be cited as the National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2001 and shall come into force on 1st February 2001.

(2) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("the principal Regulations") yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) 1992(c).

(2) In these Regulations "the principal Regulations" ("y prif Reoliadau") means the National Assistance (Assessment of Resources) Regulations 1992 (c).

(3) Bydd y Rheoliadau hyn yn gymwys i Gymru yn unig.

(3) These Regulations shall apply to Wales only.

**Diwygio Atodlen 4 i'r prif Reoliadau****Amendment of Schedule 4 to the principal Regulations**

2. Ar ddiwedd Atodlen 4 i'r prif Reoliadau (cyfalaf sydd i'w anwybyddu) ychwanegir y paragraff canlynol -

2. At the end of Schedule 4 to the principal Regulations (capital to be disregarded) there shall be added the following paragraph -

"20. Any amount which would be disregarded under paragraph 61 of Schedule 10 to the

"20. Any amount which would be disregarded under paragraph 61 of Schedule 10 to the

(a) 1948 p.29; diwygiwyd adran 22(5) o Ddeddf Cymorth Gwladol 1948 gan adran 39(1) o Ddeddf y Weinyddiaeth Nawdd Cymdeithasol 1966 (p.20) a pharagraff 6 o Atodlen 6 iddi, gan adran 35(2) o Ddeddf Budd-daliadau Atodol 1976 (p.71) a pharagraff 3(b) o Atodlen 7 iddi, gan adran 20 o Ddeddf Nawdd Cymdeithasol 1980 (p.30) a pharagraff 2 o Atodlen 4 iddi, a chan adran 86 o Ddeddf Nawdd Cymdeithasol 1986 (p.50) a pharagraff 32 o Atodlen 10 iddi.

(a) 1948 c.29; section 22(5) of the National Assistance Act 1948 was amended by section 39(1) of and paragraph 6 of Schedule 6 to the Ministry of Social Security Act 1966 (c.20), by section 35(2) of and paragraph 3(b) of Schedule 7 to the Supplementary Benefits Act 1976 (c.71), by section 20 of and paragraph 2 of Schedule 4 to the Social Security Act 1980 (c.30), and by section 86 of and paragraph 32 of Schedule 10 to the Social Security Act 1986 (c.50).

(b) Cafodd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22(5) o Ddeddf Cymorth Gwladol 1948 eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) The functions of the Secretary of State under section 22(5) of the National Assistance Act 1948 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) O.S. 1992/2977; yr offeryn diwygio perthnasol yw O.S. 1993/964.

(c) S.I. 1992/2977; relevant amending instrument is S.I. 1993/964.

Income Support Regulations (ex-gratia payment made by the Secretary of State in consequence of a person's imprisonment or internment by the Japanese during the Second World War)." (a)

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998 (b)

Income Support Regulations (ex-gratia payment made by the Secretary of State in consequence of a person's imprisonment or internment by the Japanese during the Second World War)." (a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b)

*D.Elis Thomas*

30 Ionawr 2001

Llywydd y Cynulliad Cenedlaethol

30th January 2001

The Presiding Officer of the National Assembly

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(a) Ychwanegwyd paragraff 61 gan O.S. 2001/22  
(b) 1998 p.38

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(a) Paragraph 61 was added by S.I. 2001/22  
(b) 1998 c.38

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