CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2005 Rhif 3288 (Cy.251)

GWASANAETHAU CYMORTH GWLADOL, CYMRU

Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio Rhif 2) (Cymru) 2005

NODYN ESBONIADOL

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

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

Mae'r Prif Reoliadau yn penderfynu'r modd y mae awdurdodau lleol yn asesu gallu person i dalu am y llety y mae awdurdodau lleol yn ei drefnu o dan Ran III o Ddeddf Cymorth Gwladol 1948.

Mae rheoliad 2 yn diwygio'r Prif Reoliadau i ganiatáu i daliadau penodol ar sail oedran a wneir o dan adran 7 o Ddeddf Taliadau ar Sail Oed 2004 gael eu diystyru fel cyfalaf gan awdurdodau lleol.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2005 No. 3288 (W.251)

NATIONAL ASSISTANCE SERVICES, WALES

The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2005

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

The Principal Regulations determine the way that local authorities assess the ability of a person to pay for the accommodation which local authorities arrange under Part III of the National Assistance Act 1948.

Regulation 2 amends the Principal Regulations to allow for certain age-related payments made under section 7 of the Age-Related Payments Act 2004 to be disregarded as capital by local authorities.

OFFERYNNAU STATUDOL

2005 Rhif 3288 (Cy.251)

GWASANAETHAU CYMORTH GWLADOL, CYMRU

Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio Rhif 2) (Cymru) 2005

Wedi'u gwneud	*29 Tachwedd 2005*
Yn dod i rym	*6 Rhagfyr 2005*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 22(5) o Ddeddf Cymorth Gwladol 1948(**1**) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(**2**).

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio Rhif 2) (Cymru) 2005.

(2) Daw'r Rheoliadau hyn i rym ar 6 Rhagfyr 2005.

(3) Yn y Rheoliadau hyn, ystyr "y Prif Reoliadau" ("*the Principal Regulations*") yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) 1992(**3**).

(4) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(**1**) 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.

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

(**3**) O.S. 1992/2977; ac O.S. 1996/602, O.S. 2002/814 (Cy.94) ac O.S. 2003/897 (Cy. 117) yw'r offerynnau diwygio perthnasol.

STATUTORY INSTRUMENTS

2005 No. 3288 (W.251)

NATIONAL ASSISTANCE SERVICES, WALES

The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2005

Made	*29 November 2005*
Coming into force	*6 December 2005*

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(**1**) and now vested in the National Assembly for Wales(**2**).

Citation, commencement, interpretation and application

1.-(1) These Regulations may be cited as the National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2005.

(2) These Regulations come into force on 6 December 2005.

(3) In these Regulations, "the Principal Regulations" ("*y Prif Reoliadau*") means the National Assistance (Assessment of Resources) Regulations 1992(**3**).

(4) These Regulations apply to Wales.

(**1**) 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).

(**2**) 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).

(**3**) S.I. 1992/2977; relevant amending instruments are S.I. 1996/602, S.I. 2002/ 814(W.94) and S.I. 2003/897 (W. 117).

Diwygio Atodlen 4 i'r Prif Reoliadau (Cyfalaf sydd i'w ddiystyru)

2. Yn Atodlen 4 i'r Prif Reoliadau, ar ôl paragraff 27, ychwaneger y paragraff a ganlyn-

"**28**. Any payment made to the resident under regulations made under section 7 of the Age-Related Payments Act 2004(**1**) (power to provide future payments)."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**2**)

29 Tachwedd 2005

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(**1**) 2004 p.10.

(**2**) 1998 p.38.

Amendments to Schedule 4 of the Principal Regulations (Capital to be disregarded)

2. In Schedule 4 of the Principal Regulations, after paragraph 27, add the following paragraph-

"**28**. Any payment made to the resident under regulations made under section 7 of the Age-Related Payments Act 2004(**1**) (power to provide future payments)."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**2**)

29 November 2005

The Presiding Officer of the National Assembly

(**1**) 2004 c.10.

(**2**) 1998 c.38.

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The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2005

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