



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**2007 Rhif 1041 (Cy.101)**

**2007 No. 1041 (W.101)**

**GWASANAETHAU CYMORTH  
GWLADOL, CYMRU**

**NATIONAL ASSISTANCE  
SERVICES, WALES**

Rheoliadau Cymorth Gwladol  
(Asesu Adnoddau a Symiau at  
Anghenion Personol)  
(Diwygio) (Cymru)  
2007

The National Assistance  
(Assessment of Resources and  
Sums for Personal Requirements)  
(Amendment) (Wales) Regulations  
2007

**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 pennu'r swm wythnosol y mae awdurdodau lleol i ragdybio, yn niffyg amgylchiadau arbennig, y bydd ar breswylwyr, sydd mewn llety a drefnwyd o dan Ran 3 o Ddeddf Cymorth Gwladol 1948 ("y Ddeddf"), ei angen at eu hanghenion personol. O 9 Ebrill 2007 ymlaen, rhagdybir y bydd ar bob preswilydd o'r fath angen £20.88 yr wythnos.

These Regulations set the weekly sum which local authorities are to assume, in the absence of special circumstances, that residents who are in accommodation arranged under Part 3 of the National Assistance Act 1948 ("the Act"), will need for their personal requirements. From 9 April 2007 all such residents will be assumed to need £20.88 per week.

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

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

Mae'r Prif Reoliadau'n penderfynu'r ffordd y mae awdurdodau lleol yn asesu gallu person i dalu am y llety a drefnwyd ar ei gyfer o dan y Ddeddf.

The Principal Regulations determine the way that local authorities assess the ability of a person to pay for accommodation arranged for him or her under the Act.

Mae'r diwygiadau yn darparu ar gyfer cynnydd yn y terfynau cyfalaf, cynnydd yn y swm o gredyd cynilion sydd i'w ddiystyru ac ar gyfer diwygiad i'r esemptiad sy'n gymwys o ran budd-dal plant.

The amendments provide for an increase in the capital limits, an increase in the amount of savings credit to be disregarded and for an amendment to the exemption which applies in relation to child benefit.

**2007 Rhif 1041 (Cy.101)****2007 No. 1041 (W.101)****GWASANAETHAU CYMORTH  
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Rheoliadau Cymorth Gwladol  
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2007

The National Assistance  
(Assessment of Resources and  
Sums for Personal Requirements)  
(Amendments) (Wales)  
Regulations 2007

*Wedi'u gwneud* 27 Mawrth 2007

*Made* 27 March 2007

*Yn dod i rym* 9 Ebrill 2007

*Coming into force* 9 April 2007

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 22(4) a (5) o Ddeddf Cymorth Gwladol 1948(1) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(2) drwy hyn yn gwneud y Rheoliadau a ganlyn.

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 22(4) and (5) of the National Assistance Act 1948(1) and now vested in the National Assembly for Wales (2) hereby makes the following regulations.

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

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau a Symiau at Anghenion Personol) (Diwygio) (Cymru) 2007.

1.-(1) The name of these Regulations is The National Assistance (Assessment of Resources and Sums for Personal Requirements) (Amendment) (Wales) Regulations 2007.

(2) Daw'r Rheoliadau hyn i rym ar 9 Ebrill 2007.

(2) These Regulations come into force on 9 April 2007.

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

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

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

(4) These Regulations apply in relation to Wales.

(1) 1948 p.29. *Gweler* adrannau 35(1) a 64(1) o Ddeddf Cymorth Gwladol 1948 i gael y diffiniadau o "the minister" a "prescribed" yn y drefn honno ac erthygl 2 o Orchymyn yr Ysgrifennydd Gwladol dros Wasanaethau Cymdeithasol 1968 (O.S. 1968/1699) a drosglwyddodd holl swyddogaethau'r Gweinidog Iechyd i'r Ysgrifennydd Gwladol.

(1) 1948 c.29. *See* sections 35(1) and 64(1) of the National Assistance Act 1948 for the definitions of "the minister" and "prescribed" respectively and article 2 of the Secretary of State for Social Services Order 1968 (S.I. 1968/1699) which transferred all functions of the Minister of Health to the Secretary of State.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22(4) a (5) o Ddeddf Cymorth Gwladol 1948 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(2) The functions of the Secretary of State under sections 22(4) and (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) O.S. 1992/2977 fel y'i diwygiwyd gan gyfres o offerynnau dilynol.

(3) S.I. 1992/2977 as amended by a series of subsequent instruments.

## Symiau y mae eu hangen at anghenion personol

2. Y swm y mae awdurdod lleol yn rhagdybio y bydd ei angen ar berson at ei anghenion personol o dan adran 22(4) o Ddeddf Cymorth Gwladol 1948(1) yw £20.88 yr wythnos.

## Dirymu

3. Mae rheoliadau 2 a 3 o Reoliadau Cymorth Gwladol (Asesu Adnoddau a Symiau at Anghenion Personol) (Diwygio) (Cymru) 2006(2) drwy hyn wedi'u dirymu.

## Diwygio rheoliad 20A o'r Prif Reoliadau

4. Ym mharagraff (2) o reoliad 20A o'r Prif Reoliadau (Terfyn Cyfalaf - Cymru) yn lle'r ffigur "£21,500" rhodder y ffigur "£22,000".

## Diwygio rheoliad 28A o'r Prif Reoliadau

5. Ym mharagraff (2) o reoliad 28A o'r Prif Reoliadau (cyfrifo incwm tariff o gyfalaf - Cymru)-

- (a) yn lle'r ffigur "£16,000" rhodder y ffigur "£17,250" yn y ddau le y mae'n ymddangos; a
- (b) yn lle'r ffigur "£21,500" rhodder y ffigur "£22,000".

## Diwygio Atodlen 3 i'r Prif Reoliadau

6.-(1) Yn lle paragraff 28A o Atodlen 3 i'r Prif Reoliadau rhodder y canlynol-

"28A.-(1) Any child benefit, except in circumstances where a resident is accompanied by the child or qualifying young person in respect of whom the child benefit is payable and accommodation is provided for that child or qualifying young person under Part 3 of the Act.

(2) In this paragraph, "child" and "qualifying young person" have the same meaning as in section 142 of the Contributions and Benefits Act."

(2) Ym mharagraff 28H-

- (a) yn is-baragraffau (1) a (2) yn lle'r ffigur "£5.05" rhodder y ffigur "£5.25" ym mhob lle y mae'n ymddangos; a
- (b) yn is-baragraffau (3) a (4) yn lle'r ffigur "£7.50" rhodder y ffigur "£7.85" ym mhob lle y mae'n ymddangos.

## Sums needed for personal requirements

2. The sum which a local authority assumes a person to need for his or her personal requirements under section 22(4) of the National Assistance Act 1948(1) is £20.88 per week.

## Revocation

3. Regulations 2 and 3 of the National Assistance (Assessment of Resources and Sums for Personal Requirements) (Amendment) (Wales) Regulations 2006(2) are hereby revoked.

## Amendment of Regulation 20A of the Principal Regulations

4. In paragraph (2) of regulation 20A of the Principal Regulations (Capital limit - Wales) replace the figure "£21,500" with the figure "£22,000".

## Amendment of regulation 28A of the Principal Regulations

5. In paragraph (2) of regulation 28A of the Principal Regulations (Calculation of tariff income from capital - Wales) -

- (a) replace the figure "£16,000" with the figure "£17,250" in both places where it appears; and
- (b) replace the figure "£21,500" with the figure "£22,000".

## Amendment of Schedule 3 to the Principal Regulations

6.-(1) For paragraph 28A of Schedule 3 to the Principal Regulations substitute the following -

"28A.-(1) Any child benefit, except in circumstances where a resident is accompanied by the child or qualifying young person in respect of whom the child benefit is payable and accommodation is provided for that child or qualifying young person under Part 3 of the Act.

(2) In this paragraph, "child" and "qualifying young person" have the same meaning as in section 142 of the Contributions and Benefits Act."

(2) In paragraph 28H-

- (a) in sub-paragraphs (1) and (2) replace the figure "£5.05" with the figure "£5.25" at each place where it appears; and
- (b) in sub-paragraphs (3) and (4) replace the figure of "£7.50" with the figure "£7.85" in each place where it appears.

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(1) 1948 p.29.

(2) O.S. 2006/1051.

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(1) 1948 c.29.

(2) S.I. 2006/1051

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

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

27 Mawrth 2007

27 March 2007

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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(1) 1998 p. 38.

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(1) 1998 c.38.

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