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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2013 Rhif 634 (Cy.70)**

**2013 No. 634 (W.70)**

**GWASANAETHAU CYMORTH  
GWLADOL, CYMRU**

**NATIONAL ASSISTANCE  
SERVICES, WALES**

Rheoliadau Cymorth Gwladol  
(Asesu Adnoddau) (Diwygiadau  
Amrywiol) (Cymru)  
2013

The National Assistance  
(Assessment of Resources)  
(Miscellaneous Amendments)  
(Wales) Regulations 2013

**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 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 i dalu am lety a drefnir gan awdurdodau lleol o dan Ran 3 o Ddeddf Cymorth Gwladol 1948.

The Principal Regulations concern the assessment of the ability of a person to pay for accommodation arranged by local authorities under Part 3 of the National Assistance Act 1948.

Mae rheoliad 2 yn diwygio'r Prif Reoliadau i ddiystyru taliadau annibyniaeth bersonol a thaliadau a wneir o dan gynlluniau gostyngiadau'r dreth gyngor wrth gyfrifo incwm ac eithrio enillion yn Atodlen 3 at ddiben asesu gallu person i dalu am lety a drefnir gan awdurdodau lleol o dan Ran 3 o'r Ddeddf. Mae taliad annibyniaeth bersonol yn daliad a wneir o dan Ran 4 o Ddeddf Diwygio Lles 2012.

Regulation 2 amends the Principal Regulations to disregard personal independence payments and payments made under council tax reduction schemes from the calculation of income other than earnings in Schedule 3 for the purpose of assessing a person's ability to pay for accommodation arranged by local authorities under Part 3 of the Act. A personal independence payment is a payment made under Part 4 of the Welfare Reform Act 2012.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r buddiannau sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Is-adran Polisi a Strategaethau Gwasanaethau Cymdeithasol, Yr Adran Iechyd, Gwasanaethau Cymdeithasol a Phlant, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Social Services Policy and Strategies Division, the Department for Health, Social Services and Children, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

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(Wales) Regulations 2013**

*Gwnaed* 15 Mawrth 2013

*Made* 15 March 2013

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 18 Mawrth 2013

*Laid before the National  
Assembly for Wales* 18 March 2013

*Yn dod i rym* 8 Ebrill 2013

*Coming into force* 8 April 2013

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 22(4) a (5) o Ddeddf Cymorth Gwladol 1948(1), ac sydd bellach wedi eu breinio ynddynt hwy(2) yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 22(4) and (5) of the National Assistance Act 1948(1), and now vested in them(2) make the following Regulations.

**Enwi, cychwyn, dehongli a chymhwyso**

**Title, commencement, interpretation and application**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygiadau Amrywiol) (Cymru) 2013.

1.—(1) The title of these Regulations is the National Assistance (Assessment of Resources) (Miscellaneous Amendments) (Wales) Regulations 2013.

(2) Daw'r Rheoliadau hyn i rym ar 8 Ebrill 2013.

(2) These Regulations come into force on 8 April 2013.

(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.

**Diwygio'r Prif Reoliadau**

**Amendment of the Principal Regulations**

2.—(1) Mae'r Prif Reoliadau wedi eu diwygio fel a ganlyn.

2.—(1) The Principal Regulations are amended as follows.

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(1) 1948 p. 29.

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(1) 1948 c.29.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22(4) a (5) o'r Ddeddf Cymorth Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weiniogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(2) The functions of the Secretary of State under section 22(4) and (5) of the National Assistance Act were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and transferred to the Welsh Ministers by paragraph 30 of Schedule 11 of the Government of Wales Act 2006 (c. 32).

(3) O.S. 1992/2977.

(3) S.I.1992/2977.

(2) Ym mharagraff (1) o reoliad 2 ar ôl y diffiniad o "permanent resident" mewnosoder—

"personal independence payment" means personal independence payment under Part 4 of the Welfare Reform Act 2012;"(1).

(3) Yn Atodlen 3 (symiau sydd i'w diystyru wrth gyfrifo incwm ac eithrio enillion)—

(a) ym mharagraff 4 ar ôl "disability living allowance" mewnosoder—

"or the mobility component of any personal independence payment.";

(b) ym mharagraff 6—

(i) hepgorer "or" ar ddiwedd paragraff (a); a

(ii) ar ôl paragraff (b) mewnosoder—

"; or

(c) the daily living component of any personal independence payment."; a

(c) Yn lle paragraff 28 rhodder y canlynol—

"(1) Any council tax benefit or any payment made under a council tax reduction scheme.

(2) In this paragraph "council tax reduction scheme" means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012(2) or which applies in default in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992(3)."

(2) In paragraph (1) of regulation 2, after the definition of "permanent resident" insert—

"personal independence payment" means personal independence payment under Part 4 of the Welfare Reform Act 2012;"(1).

(3) In Schedule 3 (sums to be disregarded in the calculation of income other than earnings)—

(a) in paragraph 4 after "disability living allowance" insert—

"or the mobility component of any personal independence payment.";

(b) in paragraph 6—

(i) omit "or" at the end of paragraph (a); and

(ii) after paragraph (b) insert—

"; or

(c) the daily living component of any personal independence payment."; and

(c) For paragraph 28 substitute the following—

"(1) Any council tax benefit or any payment made under a council tax reduction scheme.

(2) In this paragraph "council tax reduction scheme" means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012(2) or which applies in default in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992(3)."

*Gwenda Thomas*

Y Dirprwy Weinidog Gwasanaethau Cymdeithasol o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

Deputy Minister for Social Services under the Authority of the Minister for Health and Social Services, one of the Welsh Ministers

15 Mawrth 2013

15 March 2013

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(1) 2012 p. 5.

(2) O.S. 2012/3144 (Cy. 316).

(3) 1992 p. 14.

(1) 2012 c.5.

(2) S.I. 2012/3144(W. 316).

(3) 1992 c. 14.

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