
OFFERYNNAU STATUDOL CYMRU

2001 Rhif 4007 (Cy.333)

TAI, CYMRU

**Rheoliadau Grantiau Adnewyddu
Tai (Diwygiad Rhif 2) (Cymru) 2001**

Wedi'u gwneud - - - *13 Rhagfyr 2001*
Yn dod i rym - - - *11 Ionawr 2002*

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd iddo gan adran 30 a 146(1) a (2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(1) yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygiad Rhif 2) (Cymru) 2001 a deuant i rym ar 11 Ionawr 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig ac ni fyddant yn effeithiol mewn perthynas â cheisiadau am grant sy'n cael eu gwneud cyn y dyddiad y daw'r Rheoliadau hyn i rym.

Diwygio

2. Mae Rheoliadau Grantiau Adnewyddu Tai 1996 (2) yn cael eu diwygio drwy ychwanegu'r paragraff canlynol ar ddiwedd Atodlen 4 (cyfalaf i'w ddiystyru)—

“63.—(1) Subject to sub-paragraph (2), the amount of any trust payment made to the relevant person or a member of the relevant person's family who is—

- (a) a diagnosed person;
- (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (c) a parent of a diagnosed person, a person acting in the place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or

(1) 1996 p.53; gweler erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen I iddo.
(2) O.S. 1996/2890, a ddiwygiwyd gan O.S. 1996/3119, 1997/977, 1998/808, 1999/1523, 1999/3468 (Cy.54), 2000/973 (Cy.43) a 2001/2073 (Cy.145).

- (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.
- (2) Where a trust payment is made to—
- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph 1(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;
 - (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 19, whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to the relevant person or a member of a relevant person's family who is—
- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (b) a parent of a diagnosed person, a person acting in the place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,
- but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to—
- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date;
 - (c) a person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 19, whichever is the latest.
- (5) In this paragraph, a reference to a person—
- (a) being the diagnosed person's partner;

(b) being a member of the diagnosed person's family; or

(c) acting in the place of the diagnosed person's parents,

at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person being in residential accommodation, a residential care home or a nursing home on that date.

(6) In this paragraph—

“diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

“relevant trust” means a trust established out of funds provided by the Secretary of state in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

“residential accommodation”, “residential care home” and “nursing home” shall have the same meanings as for the purposes of the Income Support (General) regulations 1987;

“trust payment” means a payment under a relevant trust.”

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(3)

13 Rhagfyr 2001

D. Elis-Thomas
Llywydd y Cynulliad Cenedlaethol

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

EXPLANATORY NOTE

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Grantiau Adnewyddu Tai 1996 sy'n nodi'r prawf moddion ar gyfer penderfynu swm y grant adnewyddu a'r grant cyfleusterau i'r anabl y gall awdurdodau tai lleol ei dalu i geiswyr sy'n berchen-feddianwyr neu'n denantiaid o dan Bennod I o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996.

Mae'r diwygiadau yn dilyn newidiadau i Reoliadau Budd-dâl Tai (Cyffredinol) 1987 ([O.S. 1987/1971](#)) y seilir y prawf moddion arnynt.

Ceir ychwanegiad at y rhestr o symiau y gellir eu diystyru fel cyfalaf. Mae'n ymwneud â thaliadau arbennig i ddioddefwyr amrywiolyn clefyd Creutzfeldt-Jakob a'u teuluoedd agos.