



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 814 (Cy. 94)

2002 No. 814 (W.94)

**GWASANAETHAU CYMORTH
GWLADOL, CYMRU**

**NATIONAL ASSISTANCE
SERVICES, WALES**

**Rheoliadau Cymorth Gwladol
(Asesu Adnoddau) (Diwygio)
(Cymru) 2002**

**The National Assistance
(Assessment of Resources)
(Amendment) (Wales) Regulations
2002**

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 ("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 £18,500. Mae'r Rheoliadau hyn yn diwygio'r prif Reoliadau er mwyn cynyddu'r terfyn cyfalaf o £18,500 i £19,000. Mae'r prif Reoliadau yn darparu hefyd ar gyfer cyfrifo incwm preswlydd i gymryd i ystyriaeth gyfalaf sy'n cael ei drin fel swm sy'n cyfateb i incwm. Mae'r Rheoliadau hyn yn diwygio terfynau uchaf ac isaf cyfalaf o'r fath fel bod pob £250 cyflawn rhyngddynt, neu unrhyw ran ohono nad yw'n £250 cyflawn, yn cael ei drin fel swm sy'n cyfateb i incwm wythnosol o £1.

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 £18,500. These Regulations amend the principal Regulations to increase the capital limit from £18,500 to £19,000. The principal Regulations also provide for the calculation of a resident's income to take account of capital which is treated as equivalent to income. These Regulations amend the upper and lower limits of such capital between which each complete £250, or any part which is not a complete £250 is treated as equivalent to a weekly income of £1.

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(Cymru) 2002****The National Assistance
(Assessment of Resources)
(Amendment) (Wales) Regulations
2002***Wedi'u gwneud* 22 Mawrth 2002*Made* 22nd March 2002*Yn dod i rym* 8 Ebrill 2002*Coming into force* 8th April 2002

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) 2002 a deuant i rym ar 8 Ebrill 2002.

1.-(1) These Regulations may be cited as the National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2002 and shall come into force on 8th April 2002.

(2) Yn y Rheoliadau hyn, ystyr "y prif Rheoliadau" (*"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.

(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 gan adran 86 o Ddeddf Nawdd Cymdeithasol 1986 (p.50) a pharagraff 32 o Atodlen 10 iddi.

(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).

(c) O.S. 1992/2977 yr offerynnau diwygio perthnasol yw O.S. 1993/964, 1993/2230, 1994/825, 1994/2386, 1995/858, 1995/3054, 1996/602, 1997/485, 1998/497, 1998/1730, 2001/276 a 2001/1409.

(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) 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) S.I. 1992/2977; relevant amending instruments are 1993/964, 1993/2230, 1994/825, 1994/2386, 1995/858, 1995/3054, 1996/602, 1997/485, 1998/497, 1998/1730, 2001/276 and 2001/1409.

Diwygio'r prif Reoliadau

2.-(1) Diwygir y prif Reoliadau yn unol â pharagraffau canlynol y rheoliad hwn.

(2) Yn rheoliad 20 (terfyn cyfalaf) yn lle'r ffigur "£18,500" rhoddir y ffigur "£19,000".

(3) Yn rheoliad 28 (1) (cyfrifo incwm tariff o gyfalaf) yn lle'r ffigur "£11,500", lle mae'n ymddangos, rhoddir y ffigur "£11,750" ac yn lle'r ffigur "£18,500" rhoddir y ffigur "£19,000".

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

22 Mawrth 2002

Y Gweinidog dros Ddiwylliant, Chwaraeon a'r Gymraeg.

Amendment of the principal Regulations

2.-(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 20 (capital limit) for the figure "£18,500" there shall be substituted the figure "£19,000".

(3) In regulation 28(1) (calculation of tariff income from capital) for the figure "£11,500", where it appears, there shall be substituted the figure "£11,750" and for the figure "£18,500" there shall be substituted the figure "£19,000".

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

22nd March 2002

J.E. Randerson

Minister for Culture, Sport and Welsh Language.

(a) 1998 p.38.

(a) 1998 c.38.

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