



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2006 Rhif 2645 (Cy.226)**

**2006 No. 2645 (W.226)**

**TAI, CYMRU**

**HOUSING, WALES**

**Rheoliadau Dyrannu Tai (Cymru)  
(Diwygio) 2006**

**The Allocation of Housing (Wales)  
(Amendment) Regulations 2006**

**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 darpariaeth mewn perthynas â dyrannu llety tai o dan Ran 6 o Ddeddf Tai 1996 ("Deddf 1996").

These Regulations make provision in relation to the allocation of housing accommodation under Part 6 of the Housing Act 1996 ("the 1996 Act").

Mae rheoliad 2 yn diwygio darpariaethau Rheoliadau Dyrannu Tai (Cymru) 2003 sy'n rhagnodi'r dosbarthau o bersonau sy'n ddarostyngedig i reolaeth fewnfudo ac sy'n gymwys i ddyraniad o lety tai. Mae'r Rheoliadau hyn yn mewnosod dosbarth newydd o bersonau sy'n gymwys i ddyraniad o lety tai ac sy'n bersonau o dan ofal dyngarol. Math ar ganiatâd a roddir i bersonau nad ydynt yn gymwys i fod â statws ffoadur ond a fyddai'n wynebu gwir risg o ddioddef niwed difrifol pe baent yn cael eu dychwelyd i'r wladwriaeth y maent yn hanu ohoni (gweler paragraffau 339C-344C o'r Rheolau Mewnfudo (HC 395)) yw gofal dyngarol.

Regulation 2 amends the provisions of the Allocation of Housing (Wales) Regulations 2003 which prescribe the classes of persons who are subject to immigration control who are eligible for an allocation of housing accommodation. These Regulations insert a new class of persons who are eligible for an allocation of housing accommodation who have humanitarian protection. Humanitarian protection is a form of leave granted to persons who do not qualify for refugee status but who would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395)).

Nid yw'r diwygiadau a wnaed gan y Rheoliadau hyn yn effeithio ar geisiadau am ddyraniad o lety tai a wnaed cyn 9 Hydref 2006.

The amendments made by these Regulations do not affect applications for an allocation of housing accommodation made before 9 October 2006.

**2006 Rhif 2645 (Cy.226)****2006 No. 2645 (W.226)****TAI, CYMRU****HOUSING, WALES****Rheoliadau Dyrannu Tai (Cymru)  
(Diwygio) 2006****The Allocation of Housing (Wales)  
(Amendment) Regulations 2006***Wedi'u gwneud* 3 Hydref 2006*Made* 3 October 2006*Yn dod i rym* 9 Hydref 2006*Coming into force* 9 October 2006

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 160A(3) a 172(4) o Ddeddf Tai 1996(1) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(2) yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, in exercise of the powers given to the Secretary of State by sections 160A(3) and 172(4) of the Housing Act 1996(1) and now vested in the National Assembly for Wales(2), makes the following Regulations:

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

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Dyrannu Tai (Cymru) (Diwygio) 2006 a deuant i rym ar 9 Hydref 2006.

1.-(1) The title of these Regulations is The Allocation of Housing (Wales) (Amendment) Regulations 2006 and they come into force on 9 October 2006.

(2) Yn y Rheoliadau hyn-

(2) In these Regulations-

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Tai 1996; ac

"the 1996 Act" ("*Deddf 1996*") means the Housing Act 1996; and

ystyr "y Rheolau Mewnfudo" ("*the Immigration Rules*") yw'r rheolau a osodwyd fel a grybwyllir yn adran 3(2) o Ddeddf Mewnfudo 1971(3) (Darpariaethau cyffredinol ar gyfer rheoleiddio a rheoli).

"the Immigration Rules" ("*y Rheolau Mewnfudo*") means the rules laid down as mentioned in section 3(2) of the Immigration Act 1971(3) (General provisions for regulation and control).

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

(3) These Regulations apply in relation to Wales.

(1) 1996 p. 52.

(1) 1996 c. 52.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672, ac Atodlen 1 iddo.

(2) The functions of the Secretary of State under these sections, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

(3) 1971 p.77.

(3) 1971 c.77.

**Diwygio'r dosbarthau o berson a ragnodir o dan adran 160A(3) ac sy'n bersonau cymwys**

2.-(1) Diwygir Rheoliadau Dyrannu Tai (Cymru) 2003(1) fel a ganlyn.

(2) Yn rheoliad 4 (Dosbarthiadau a ragnodwyd o dan adran 160A(3) ac sy'n bersonau cymwys)-

- (a) ar ddiwedd paragraff (d)(ii), ar ôl "1961", hepgorer "." a rhodder yn ei le ";"; a
- (b) ar ôl paragraff (d), mewnosoder-  
"(e) Dosbarth D1 - "person sydd o dan ofal dyngarol a roddwyd o dan y Rheolau Mewnfudo."

**Darpariaethau trosiannol**

3. Nid oes gan y diwygiad a wneir gan y Rheoliadau hyn effaith mewn perthynas â cheisydd a wnaeth gais cyn 9 Hydref 2006 am ddyraniad o lety tai o dan Ran 6 o Ddeddf 1996.

**Amendment of the classes of persons prescribed under section 160A(3) who are eligible persons**

2.-(1) The Allocation of Housing (Wales) Regulations 2003(1) are amended as follows.

(2) In regulation 4 (Classes prescribed under section 160A(3) who are eligible persons)-

- (a) at the end of paragraph (d)(ii), after "1961", omit "." and substitute ";"; and
- (b) after paragraph (d), insert-  
"(e) Class D1 - a person who has humanitarian protection granted under the Immigration Rules."

**Transitional provisions**

3. The amendment made by these Regulations does not have effect in relation to an applicant whose application for an allocation of housing accommodation under Part 6 of the 1996 Act was made before 9 October 2006.

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

3 Hydref 2006

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

3 October 2006

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

---

(1) O.S. 2003/239 (Cy. 36).

(2) 1998 p.38.

---

(1) S.I. 2003/239 (W. 36).

(2) 1998 c.38.

---

OFFERYNNAU STATUDOL

---

**2006 Rhif 2645 (Cy.226)**

**TAI, CYMRU**

Rheoliadau Dyrannu Tai (Cymru)  
(Diwygio) 2006

---

STATUTORY INSTRUMENTS

---

**2006 No. 2645 (W.226)**

**HOUSING, WALES**

The Allocation of Housing (Wales)  
(Amendment) Regulations 2006

©© Hawlfraint y Goron 2006

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2006

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

**£3.00**

W403/10/06

ON