



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 950 (Cy.99)

2006 No. 950 (W.99)

TAI, CYMRU

HOUSING, WALES

Gorchymyn Tai (Hawl i Brynu)
(Blaenoriaeth Arwystlon) (Cymru)
2006

The Housing (Right to Buy)
(Priority of Charges) (Wales) Order
2006

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn pennu Church House Trust plc (Cwmni Rhif 0980698) yn sefydliad benthycy cymeradwy at ddibenion adran 156 o Ddeddf Tai 1985 (blaenoriaeth arwystlon ar warediadau o dan yr hawl i brynu) yn ychwanegol at y cyrff a bennir yn yr adran honno neu mewn Gorchymynion blaenorol o dan yr adran honno.

This Order specifies Church House Trust plc (Company No. 0980698) as an approved lending institution for the purposes of section 156 of the Housing Act 1985 (priority of charges on disposals under the right to buy) in addition to the bodies specified in that section or in previous Orders under that section.

Mae adran 156 yn darparu bod yr ymrwymiad i adalu disgownt a all godi o dan gyfamod gan y tenant sy'n ofynnol gan adran 155 o Ddeddf 1985 yn ffurfio arwystl cyfreithiol ar y tŷ annedd ond bod gan arwystl cyfreithiol sy'n gwarantu swm a fenthycir i'r tenant gan sefydliad benthycy cymeradwy er mwyn i'r tenant allu arfer ei hawl i brynu flaenoriaeth drosto.

Section 156 provides that the liability to repay discount that may arise under a covenant by the tenant which is required by section 155 of the 1985 Act constitutes a legal charge on the dwelling-house but that a legal charge securing an amount advanced to the tenant by an approved lending institution for the purpose of enabling the tenant to exercise the right to buy has priority over it.

Mae cyrff o'r fath hefyd yn dod yn sefydliadau benthycy cymeradwy at ddibenion adran 36 o Ddeddf 1985 (blaenoriaeth arwystlon ar warediadau gwirfoddol gan awdurdodau lleol) ac adran 12 o Ddeddf Tai 1996 (blaenoriaeth arwystlon ar warediadau gwirfoddol gan landlordiaid cymdeithasol cofrestredig).

Such bodies also become approved lending institutions for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposals by local authorities) and section 12 of the Housing Act 1996 (priority of charges on voluntary disposals by registered social landlords).

Yn ychwanegol, gan fod adran 156 o Ddeddf Tai 1985 yn cael ei chymhwyso gan adran 171A o'r Ddeddf honno at achosion lle diogelir hawl tenant i brynu a chan adran 17 o Ddeddf Tai 1996 at achosion lle mae gan denant hawl i gaffael o dan adran 16 o'r Ddeddf honno, daw'r cyrff penodedig yn sefydliadau benthycy cymeradwy at ddibenion yr hawliau hynny.

In addition, as section 156 of the Housing Act 1985 is applied by section 171A of that Act to cases in which a tenant's right to buy is preserved and by section 17 of the Housing Act 1996 to cases in which a tenant has the right to acquire under section 16 of that Act, the specified bodies become approved lending institutions for the purposes of those rights.

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2006****The Housing (Right to Buy)
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2006***Wedi'i wneud* 28 Mawrth 2006*Made* 28 March 2006*Yn dod i rym* 31 Mawrth 2006*Coming into force* 31 March 2006

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan Adran 156(4) o Ddeddf Tai 1985(1) sydd bellach wedi eu breinio yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy o ran Cymru, yn gwneud y Gorchymyn a ganlyn(2):

The National Assembly for Wales makes the following Order in exercise of the powers conferred upon the Secretary of State by section 156(4) of the Housing Act 1985(1) which are now vested in the National Assembly for Wales so far as exercisable in Wales(2):

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

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Tai (Hawl i Brynu) (Blaenoriaeth Arwystlon) (Cymru) 2006 a daw i rym ar 31 Mawrth 2006.

1.-(1) The title of this Order is the Housing (Right to Buy) (Priority of Charges) (Wales) Order 2006 and it comes into force on 31 March 2006.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

Corff penodedig**Specified body**

2. Pennir bod Church House Trust plc (Cwmni Rhif 0980698) yn sefydliad benthycy cymeradwy at ddibenion adran 156 o Ddeddf Tai 1985 (blaenoriaeth arwystlon)(3).

2. Church House Trust plc (Company No. 0980698) is specified as an approved lending institution for the purposes of section 156 of the Housing Act 1985 (priority of charges)(3).

(1) 1985 p.68; cafodd adran 156(4) ei diwygio gan baragraff 106 o Atodlen 17 i Ddeddf Tai 1988 (p.50), gan baragraff 22(1)(c) o Atodlen 18 a Rhan XIII o Atodlen 19 i Ddeddf Tai 1996 (p.52), gan adran 140 o Ddeddf Llywodraeth Cymru 1998 (p.38) a pharagraff 5 o Atodlen 16 iddi a chan Orchymyn Deddf Gwasanaethau Ariannol a Marchnadoedd 2000 (Diwygiadau Canlyniadol a Dirymiadau) 2001 (O.S. 2001/3649).

(2) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(3) Cafodd adran 156 ei diwygio hefyd gan adran 24(1) o Ddeddf Tai a Chynllunio 1986 (p.63) a pharagraffau 1(2) a (5) o Atodlen 5 iddi, gan adran 120(3) a (4) o Ddeddf Diwygio Prydlesoedd, Tai a Datblygiad Trefol 1993 (p.28) a chan adran 135 o Ddeddf Cofrestru Tir 2002 (p.9) ac Atodlen 13 iddi.

(1) 1985 c.68; section 156(4) was amended by paragraph 106 of Schedule 17 to the Housing Act 1988 (c.50), by paragraph 22(1)(c) of Schedule 18 and Part XIII of Schedule 19 to the Housing Act 1996 (c.52), by section 140 of and paragraph 5 of Schedule 16 to the Government of Wales Act 1998 (c.38) and by the Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001 (S.I. 2001/3649).

(2) *See* The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) Section 156 was also amended by section 24(1) of and paragraph 1(2) and (5) of Schedule 5 to the Housing and Planning Act 1986 (c.63), by section 120(3) and (4) of the Leasehold Reform, Housing and Urban Development Act 1993 (c.28) and by section 135 of and Schedule 13 to the Land Registration Act 2002 (c.9).

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)

28 Mawrth 2006

28 March 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

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