



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 375 (Cy.35)

2007 No. 375 (W.35)

**ARBED YNNI,
CYMRU**

**ENERGY CONSERVATION,
WALES**

Rheoliadau Cynlluniau
Effeithlonrwydd Ynni Cartref
(Cymru) 2007

The Home Energy Efficiency
Schemes (Wales)
Regulations 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 15(1) o Ddeddf Nawdd Cymdeithasol 1990 (fel y'i diwygiwyd gan adran 142 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996) yn darparu y caiff yr Ysgrifennydd Gwladol ddyfarnu, neu drefnu i ddyfarnu, grantiau tuag at gostau gwaith neu gyngor i wella inswleiddio thermol neu i leihau neu atal fel arall wastraff ynni mewn anheddau.

Section 15(1) of the Social Security Act 1990 (as amended by section 142 of the Housing Grants, Construction and Regeneration Act 1996) provides that the Secretary of State may make, or arrange for the making of, grants towards the cost of work or advice to improve thermal insulation or otherwise to reduce or prevent energy wastage in dwellings.

Mae pŵer yr Ysgrifennydd Gwladol o dan yr adran hon bellach yn arferadwy gan Gynulliad Cenedlaethol Cymru o ran Cymru yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999.

The Secretary of State's power under this section is now exercisable by the National Assembly for Wales in relation to Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999.

Mae Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) 2000 ("Rheoliadau 2000") yn nodi'r cynlluniau ar gyfer darparu grantiau i bersonau ar incwm isel sy'n bersonau y mae ganddynt blant, neu sy'n bobl hŷn, yn bobl anabl neu'n bobl sy'n wael eu hiechyd. Roedd Rheoliadau 2000 yn darparu ar gyfer hawl i dderbyn grant, ar gyfer penderfynu gan y Cynulliad categorïau'r gweithfeydd, y lefelau uchaf o grantiau sydd ar gael, at ba ddibenion y caiff grantiau eu cymeradwyo, a'r dull o wneud cais am grant.

The Home Energy Efficiency Schemes (Wales) Regulations 2000 ("the 2000 Regulations") set out the schemes for providing grants to persons on low incomes who have children, or are elderly, disabled or in poor health. The 2000 Regulations provided for eligibility to receive a grant, determination by the Assembly of the categories of works, the maximum levels of grants available, the purposes for which grants may be approved and the method of applying for a grant.

Mae'r Rheoliadau hyn yn dirymu Rheoliadau 2000 ac yn eu haildeddfu gyda diwygiadau.

These Regulations revoke the 2000 Regulations and re-enact them with amendments.

Mae rheoliad 3 yn cynnwys darpariaethau dirymu a darpariaethau trosiannol. Os yw person wedi gwneud cais o dan Rheoliadau 2000, ac nad yw'r gweithfeydd wedi'u dechrau, caniateir ymdrin â'r cais yn unol â'r Rheoliadau hyn.

Regulation 3 contains revocation and transitional provisions. A person who applied for a grant under the 2000 Regulations may, where the works have not been commenced, have the application dealt with in accordance with these Regulations.

Yn rhinwedd adran 17 o Ddeddf Dehongli 1978, mae penderfyniadau a wneir o dan reoliad 7(2) o Reoliadau 2000 yn parhau i fod yn effeithiol fel pe baent wedi'u gwneud o dan reoliad 7(2) o'r Rheoliadau hyn.

Yn ychwanegol at fân ddiwygiadau a rhai drafftio, gwneir y newidiadau canlynol i sylwedd Rheoliadau 2000.

Mae rheoliad 5(1) yn cynnwys yn y rhestr o bersonau sy'n gymwys i wneud cais am grant Cynllun Effeithlonrwydd Ynni Cartref ("HEES") (a) unrhyw berson sy'n derbyn credyd treth plant a chredyd treth gwaith (y darperir ar eu cyfer gan Ddeddf Credydau Treth 2002) ac y mae ganddo incwm perthnasol sy'n llai na £15,460 a (b) person sy'n derbyn budd-dal, neu sy'n byw gyda phartner sy'n derbyn budd-dal, a hwnnw'n un o blith budd-daliadau penodol a phenodedig, ac sy'n fenyw feichiog, neu sy'n byw gyda phartner sy'n fenyw feichiog, y mae tystysgrif mamolaeth wedi'i rhoi mewn cysylltiad â hi.

Mae rheoliad 5(2) yn darparu bod y rhai sy'n 80 oed neu'n hŷn, neu sydd â phartneriaid sy'n 80 oed neu'n hŷn, yn gymwys i gael cymorth o dan HEES a Mwy.

Mae rheoliad 5(2) hefyd yn newid rhestr y personau sy'n gymwys i wneud cais am Grant HEES a Mwy er mwyn iddi gynnwys y rhai sy'n derbyn Credyd Pensiwn y Wladwriaeth.

Mae'r Rheoliadau'n cyfeirio at "partner" yn lle "priod" ac mae rheoliad 5(7) yn darparu bod "partner" yn cynnwys partner sifil.

Mae rheoliad 6(1)(g) yn ymestyn rhestr y dibenion y caiff grantiau eu cymeradwyo ar eu cyfer er mwyn iddi gynnwys systemau gwres canolog tanwydd solet a systemau sy'n cynhyrchu trydan.

Mae rheoliad 6(1)(i) yn ymestyn rhestr y dibenion y caiff grantiau eu cymeradwyo ar eu cyfer er mwyn iddi gynnwys systemau gwresogi aer a chynhesu dwr sy'n seiliedig ar ffynonellau ynni sy'n rhai adnewyddadwy.

By virtue of section 17 of the Interpretation Act 1978, determinations made under Regulation 7(2) of the 2000 Regulations continue to have effect as if made under Regulation 7(2) of these Regulations.

In addition to minor and drafting amendments, the following changes of substance are made to the 2000 Regulations.

Regulation 5(1) includes in the list of persons eligible to apply for a Home Energy Efficiency Scheme ("HEES") grant (a) any person who is in receipt of child tax credit and working tax credit (provided for by the Tax Credits Act 2002) and who has a relevant income of less than £15,460 and (b) a person who is, or who is living with a partner who is, in receipt of one of certain specified benefits and who is, or who is living with a partner who is, a pregnant woman in respect of whom a maternity certificate has been given.

Regulation 5(2) provides that those who are, or whose partners are, 80 and over, qualify for assistance under HEES Plus.

Regulation 5(2) also alters the list of persons eligible to apply for a HEES Plus Grant to include those in receipt of State Pension Credit.

The Regulations refer to "partner" in place of "spouse" and Regulation 5(7) provides that "partner" includes a civil partner.

Regulation 6(1)(j) extends the list of purposes for which grant may be approved to include solid fuel central heating and systems which generate electricity.

Regulation 6(1)(m) extends the list of purposes for which grant may be approved to include space and water heating systems based on renewable sources of energy.

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CYMRUENERGY CONSERVATION,
WALESRheoliadau Cynlluniau
Effeithlonrwydd Ynni Cartref
(Cymru) 2007The Home Energy Efficiency
Schemes (Wales)
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Wedi'u gwneud 13 Chwefror 2007
Yn dod i rym 14 Chwefror 2007

Made 13 February 2007
Coming into force 14 February 2007

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol gan arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 15 o Ddeddf Nawdd Cymdeithasol 1990(1), ac sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol o ran Cymru(2):

The National Assembly for Wales makes the following Regulations in exercise of the power conferred on the Secretary of State by section 15 of the Social Security Act 1990(1), which is now exercisable by the National Assembly in relation to Wales(2):

Enwi, cychwyn a chymhwysu

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) 2007 a deuant i rym ar 14 Chwefror 2007.

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

Title, commencement and application

1.-(1) The title of these Regulations is the Home Energy Efficiency Schemes (Wales) Regulations 2007 and they come into force on 14 February 2007.

(2) These Regulations apply in relation to Wales.

Dehongli

2. Yn y Rheoliadau hyn-

ystyr "asiantaeth ardal" ("*area agency*"), ac eithrio ym mharagraff (1) o reoliad 4, yw'r person neu'r corff o bersonau a benodir am y tro ac sy'n gyfrifol am yr ardal o dan sylw o dan y rheoliad hwnnw;

ystyr "cais am grant rhannol" ("*partial grant application*") yw cais nad yw ceisydd yn cynnig ynddo y bydd asiantaeth ardal yn trefnu i gyflawni'r gweithfeydd y ceisir am grant mewn cysylltiad â hwy;

Interpretation

2. In these Regulations-

"the 1992 Act" ("*Deddf 1992*") means the Social Security Contributions and Benefits Act 1992(3);

"the 2000 Regulations" ("*Rheoliadau 2000*") means the Home Energy Efficiency Schemes (Wales) Regulations 2000(4);

"area agency" ("*asiantaeth ardal*") means, except in paragraph (1) of Regulation 4, the person or body of persons for the time being appointed and responsible for the area in question under that Regulation;

(1) 1990 p.27; diwygiwyd adran 15 gan adran 142 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 (p.53).

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

(1) 1990 c.27; section 15 was amended by section 142 of the Housing Grants, Construction and Regeneration Act 1996 (c.53).

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

(3) 1992 c.4. Part VII (income related benefits) was amended by the Tax Credits Act 2002 (c. 21) section 60. There are numerous other amendments to this Act.

(4) S.I. 2000/2959 (W. 190).

ystyr "cais gweithfeydd" ("*works application*") yw cais y mae ceisydd yn cynnig ynddo y bydd asiantaeth ardal yn trefnu i gyflawni'r gweithfeydd y ceisir am grant mewn cysylltiad â hwy;

ystyr "cyngor ynni" ("*energy advice*") yw cyngor ar leihau neu atal gwastraff ynni mewn annedd;

ystyr "y Cynulliad" ("*the Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "Deddf 1992" ("*the 1992 Act*") yw Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(1);

ystyr "gweithfeydd" ("*works*") yw unrhyw un neu rai o'r gweithfeydd, y deunyddiau neu'r cyngor ynni a bennir yn rheoliad 6;

ystyr "HEES" ("*HEES*") yw'r categorïau o weithfeydd sydd ar gael o dan y Cynllun Effeithlonrwydd Ynni Cartref fel a benderfynir gan y Cynulliad yn unol â rheoliad 7(2);

ystyr "HEES a Mwy" ("*HEES Plus*") yw'r categorïau o weithfeydd sydd ar gael o dan y Cynllun Effeithlonrwydd Ynni Cartref a Mwy fel a benderfynir gan y Cynulliad yn unol â rheoliad 7(2); ac

ystyr "Rheoliadau 2000" ("*the 2000 Regulations*") yw Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) 2000(2).

"the Assembly" ("*y Cynulliad*") means the National Assembly for Wales;

"energy advice" ("*cyngor ynni*") means advice on reducing or preventing the wastage of energy in a dwelling;

"HEES" ("*HEES*") means the categories of works available under the Home Energy Efficiency Scheme as determined by the Assembly in accordance with Regulation 7(2);

"HEES Plus" ("*HEES a Mwy*") means the categories of works available under the Home Energy Efficiency Plus Scheme as determined by the Assembly in accordance with Regulation 7(2);

"partial grant application" ("*cais am grant rhannol*") means an application in which the applicant does not propose that an area agency will arrange for the carrying out of the works in respect of which a grant is sought;

"works" ("*gweithfeydd*") means any of the works, materials or energy advice specified in Regulation 6; and

"works application" ("*cais gweithfeydd*") means an application in which the applicant proposes that an area agency will arrange for the carrying out of the works in respect of which a grant is sought.

Darpariaethau Dirymu a Darpariaethau Trosiannol

3.-(1) Yn ddarostyngedig i baragraff (2), dirymir Rheoliadau 2000.

(2) Yn ddarostyngedig i baragraff (3), mae Rheoliadau 2000 yn parhau i fod yn gymwys i unrhyw achos pan fo cais am grant wedi'i wneud cyn 14 Chwefror 2007 o dan Rheoliadau hynny.

(3) Os yw person wedi gwneud cais am grant o dan Rheoliadau 2000 ond nad yw'r cais wedi'i gymeradwyo neu ei wrthod cyn i'r Rheoliadau hyn ddod i rym, neu os yw'r cais wedi'i gymeradwyo ond na ddechreuwyd ar yr un o'r gweithfeydd, rhaid i'r asiantaeth ardal, pan fydd y ceisydd yn gofyn am hynny, ymdrin â'r cais fel pe byddai wedi'i wneud o dan y Rheoliadau hyn.

Pwerau'r Cynulliad

4.-(1) Caiff y Cynulliad benodi un person neu fwy, a phob un o'r cyfryw bersonau i'w alw'n asiantaeth ardal, i gyflawni o ran Cymru neu o ran unrhyw ardal o

Revocation and Transitional Provisions

3.-(1) Subject to paragraph (2), the 2000 Regulations are revoked.

(2) Subject to paragraph (3), the 2000 Regulations continue to apply to any case where an application for a grant was made before 14 February 2007 under those Regulations.

(3) Where a person has applied for a grant under the 2000 Regulations but the application has not been approved or refused before these Regulations come into force, or if the application has been approved but none of the works have been commenced, the area agency must, at the request of the applicant, treat the application as having been made under these Regulations.

Powers of the Assembly

4.-(1) The Assembly may appoint one or more person or persons, each such person to be known as an area agency, to perform in relation to Wales or any area

(1) 1992 p.4. Diwygiwyd Rhan VII (budd-daliadau cysylltiedig ag incwm) gan Ddeddf Credydau Treth 2002 (p. 21) adran 60. Mae diwygiadau niferus eraill i'r Ddeddf hon.

(2) O.S. 2000/2959 (Cy. 190).

Gymru y cyfryw swyddogaethau ag y byddo'r Cynulliad yn eu pennu at ddiben dyfarnu grantiau a threfnu i gyflawni'r gweithfeydd o dan HEES a HEES Plus a Mwy neu mewn cysylltiad mewn ffordd arall â hynny.

(2) Caiff y Cynulliad ddwyn i ben benodiad o dan baragraff (1).

(3) Wrth ddyfarnu grant neu drefnu ar gyfer ei ddyfarnu, caiff y Cynulliad osod y cyfryw amodau ag y gwêl yn dda.

(4) Pan fydd y Cynulliad wedi gwneud trefniant gyda pherson heblaw'r ceisydd, ar gyfer ariannu gweithfeydd y mae grant yn daladwy mewn cysylltiad â hwy, caiff dalu'r cyfan neu ran o unrhyw grant i'r person arall hwnnw.

Personau a gaiff wneud cais am grant

5.-(1) Caniateir i gais gweithfeydd am grant o dan HEES mewn cysylltiad ag annedd gael ei ystyried os y person y daw'r cais oddi wrtho yw deiliad yr annedd a'i fod yn meddiannu'r annedd fel ei unig breswylfa neu ei brif breswylfa ac os yw ar yr adeg y gwneir y cais-

- (a) yn derbyn budd-dâl, neu'n byw gyda phartner sy'n derbyn budd-dâl, a hwnnw'n fudd-dal y mae paragraff (3) yn gymwys iddo, ac yn derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992), neu'n byw gyda phartner sy'n derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992), a hynny mewn perthynas â phlentyn o dan 16 oed; neu
- (b) yn derbyn budd-dal, neu'n byw gyda phartner sy'n derbyn budd-dal, a hwnnw'n fudd-dal y mae paragraff (3) yn gymwys iddo, ac yn fenyw feichiog, neu'n byw gyda phartner sy'n fenyw feichiog, y rhoddwyd tystysgrif mamolaeth ar ei chyfer mewn perthynas â'r beichiogrwydd dan sylw (tystysgrif y darperir ar ei chyfer yn rheoliad 2(3) o Reoliadau Nawdd Cymdeithasol (Tystiolaeth Feddygol) 1976(1) a rheoliad 2 o Reoliadau Tâl Mamolaeth Statudol (Tystiolaeth Feddygol) 1987(2)); neu
- (c) yn berson ag incwm perthnasol sy'n llai na £15,460 ac yn derbyn credyd treth plant neu greddyd treth gwaith (y naill a'r llall fel y darperir ar eu cyfer yn Neddf Credydau Treth 2002(3)); neu

of Wales such functions as the Assembly may specify for the purpose of, or otherwise in connection with, the making of grants and arranging for the carrying out of works under HEES and HEES Plus.

(2) An appointment under paragraph (1) may be terminated by the Assembly.

(3) In making or arranging for the making of any grant, the Assembly may impose such conditions as it sees fit.

(4) Where the Assembly has made an arrangement with a person other than the applicant, for financing works in respect of which a grant is payable, it may pay all or part of any grant to that other person.

Persons who may apply for a grant

5.-(1) A works application for a grant under HEES in respect of a dwelling may be entertained from a person who is the householder of the dwelling and occupies the dwelling as that person's only or main residence and who, at the time the application is made-

- (a) is, or is living with a partner who is, in receipt of a benefit to which paragraph (3) applies, and who is, or is living with a partner who is, in receipt of child benefit (under section 141 of the 1992 Act) in relation to a child under 16 years of age; or
- (b) is, or is living with a partner who is, in receipt of a benefit to which paragraph (3) applies and who is, or is living with a partner who is, a pregnant woman in respect of whom a maternity certificate (which certificate is provided for in regulation 2(3) of the Social Security (Medical Evidence) Regulations 1976(1) and regulation 2 of the Statutory Maternity Pay (Medical Evidence) Regulations 1987(2)) has been given in relation to the pregnancy concerned; or
- (c) is a person who has a relevant income of less than £15,460 and who is in receipt of child tax credit or working tax credit (each as provided for in the Tax Credits Act 2002(3)); or

(1) O.S.1976/615; diwygiwyd rheoliad 2(3) gan O.S. 1987/409 a 2001/2931.

(2) O.S.1987/235; diwygiwyd rheoliad 2 gan O.S. 2001/2931.

(3) 2002 p.21; mae adran 1 yn gwneud darpariaeth ar gyfer credyd treth plant a chredyd treth gwaith, ac mae adran 11 a rheoliad 9 o O.S. 2002/2005 fel y'u hamnewidir gan reoliad 8 o O.S. 2003/701 yn gwneud darpariaeth ar gyfer yr elfen anabled. Diwygiwyd y Ddeddf ddiwethaf gan Ran 1 o Atodlen 2 i Ddeddf Budd-dal Plant 2005 (p.6).

(1) S.I. 1976/615; regulation 2(3) has been amended by S.I. 1987/409 and 2001/2931.

(2) S.I. 1987/235; regulation 2 was amended by S.I. 2001/2931.

(3) 2002 c.21; section 1 makes provision for child tax credit and working tax credit, and section 11 and regulation 9 of S.I. 2002/2005 as substituted by regulation 8 of S.I. 2003/701 makes provision for the disability element. The Act was last amended by Part 1 of Schedule 2 to the Child Benefit Act 2005 (c.6).

(ch) yn berson ag incwm perthnasol sy'n llai na £15,460 ac yn derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992) neu'n byw gyda phartner sy'n derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992), a hynny mewn perthynas â phlentyn o dan 16 mlwydd oed.

(2) Caniateir i gais gweithfeydd am grant o dan HEES a Mwy mewn cysylltiad ag annedd gael ei ystyried os y person y daw'r cais oddi wrtho yw deiliad yr annedd a'i fod yn meddiannu'r annedd fel ei unig breswylfa neu ei brif breswylfa ac os yw ar yr adeg y gwneir y cais-

- (a) yn 80 oed neu'n hŷn, neu'n byw gyda phartner sy'n 80 oed neu'n hŷn; neu
- (b) yn derbyn budd-dal, neu'n byw gyda phartner sy'n derbyn budd-dal, a hwnnw'n fudd-dal y mae paragraff (4) yn gymwys iddo; neu
- (c) yn derbyn budd-dal neu'n byw gyda phartner sy'n derbyn budd-dal, a hwnnw'n fudd-dal y mae paragraff (3) yn gymwys iddo, ac wedi cyrraedd ei 60 oed, neu'n byw gyda phartner sydd wedi cyrraedd ei 60 oed; neu
- (ch) yn derbyn credyd pensiwn y wladwriaeth neu'n byw gyda phartner sy'n derbyn credyd pensiwn y wladwriaeth (a hwnnw'n gredyd pensiwn fel a ddarperir yn Neddf Credyd Pensiynau'r Wladwriaeth 2002(1)); neu
- (d) yn rhiant unigol ac yn derbyn budd-dal y mae paragraff (3) yn gymwys iddo; neu
- (dd) yn derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992) neu'n byw gyda phartner sy'n derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992) a hynny mewn perthynas â phlentyn o dan 16 mlwydd oed, a bod budd-dal y mae paragraff (4) yn gymwys iddo'n cael ei dalu i'r plentyn hwnnw neu mewn cysylltiad ag ef.

(3) Mae'r paragraff hwn yn gymwys i fudd-dal y dreth gyngor, budd-dal tai a chymhorthdal incwm (bob un ohonynt fel y darperir ar eu cyfer yn Rhan VII o Ddeddf 1992) ac i lwfans ceiswyr gwaith ar sail incwm (o fewn yr ystyr yn Neddf Ceiswyr Gwaith 1995(2)).

(4) Mae'r paragraff hwn yn gymwys i'r canlynol-

- (a) credyd treth gwaith sy'n cynnwys elfen anabledd;
- (b) lwfans gweini, sef-
 - (i) lwfans gweini o dan adran 64 o Ddeddf 1992; neu

(d) is a person who has a relevant income of less than £15,460 and who is, or is living with a partner who is, in receipt of child benefit (under section 141 of the 1992 Act) in relation to a child who is under 16 years of age.

(2) A works application for a grant under HEES Plus in respect of a dwelling may be entertained from a person who is the householder of the dwelling and occupies the dwelling as that person's only or main residence and who, at the time the application is made-

- (a) is, or is living with a partner who is, aged 80 years or over; or
- (b) is, or is living with a partner who is, in receipt of a benefit to which paragraph (4) applies; or
- (c) is, or is living with a partner who is, in receipt of a benefit to which paragraph (3) applies and who has attained, or is living with a partner who has attained, the age of 60; or
- (d) is, or is living with a partner who is, in receipt of state pension credit (as provided in the State Pensions Credit Act 2002(1)); or
- (e) is a lone parent and who is in receipt of a benefit to which paragraph (3) applies; or
- (f) is, or is living with a partner who is, in receipt of child benefit (under section 141 of the 1992 Act) in relation to a child under 16 years of age and a benefit to which paragraph (4) applies is being paid to or in respect of that child.

(3) This paragraph applies to council tax benefit, housing benefit and income support (each as provided for in Part VII of the 1992 Act) and an income-based jobseeker's allowance (within the meaning of the Jobseekers Act 1995(2)).

(4) This paragraph applies to-

- (a) a working tax credit which includes a disability element;
- (b) an attendance allowance, that is to say-
 - (i) an attendance allowance under section 64 of the 1992 Act; or

(1) 2002 p.16. Diwygiwyd y Ddeddf ddiwethaf gan O.S. 2006/343.

(2) 1995 p.18 fel y'i diwygiwyd gan adran 254 o Ddeddf Partneriaeth Sifil 2004, a Rhan 7 o Atodlen 24 iddi.

(1) 2002 c.16. The Act was last amended by S.I. 2006/343.

(2) 1995 c.18 as amended by section 254 of, and Part 7 of Schedule 24 to, the Civil Partnership Act 2004.

- (ii) codiad mewn lwfans sy'n daladwy mewn cysylltiad â gweini cyson o dan gynllun o dan baragraff 4 o Ran I o Atodlen 8 i Ddeddf 1992(1) neu sy'n cael effaith o dan y paragraff hwnnw; neu
 - (iii) taliad a wneir o dan erthygl 14, 15, 16, 43 neu 44 o Gynllun Anafiadau Personol (Dinasyddion Preifat) 1983(2) neu unrhyw daliad tebyg; neu
 - (iv) unrhyw daliad sydd wedi'i seilio ar yr angen am rywun i weini ac a delir gan bensiwn anabledd rhyfel; neu
 - (v) unrhyw daliad a fwriedir fel iawndal am fethiant i dalu taliad, lwfans neu bensiwn a grybwyllir yn unrhyw un o is-baragraffau (i) i (iv) o'r diffiniad hwn;
- (c) lwfans byw i'r anabl (o dan adran 71 o Ddeddf 1992(3));
- (ch) pensiwn anabledd rhyfel o fewn yr ystyr yn adran 139(11) o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992(4) neu o dan erthygl 10 o Orchymyn Pensiynau Lluoedd Arfog y Llynges, y Fyddin a'r Llu Awyr etc. (Anabledd a Marwolaeth) 1983(5) i'r graddau y gwneir y Gorchymyn hwnnw ac eithrio o dan Ddeddf y Llu Awyr (Cyfansoddiad) 1917(6) ynghyd ag-
- (i) tâl atodol o ran symudedd o dan erthygl 26A o Orchymyn Pensiynau Lluoedd Arfog y Llynges, y Fyddin a'r Llu Awyr etc. (Anabledd a Marwolaeth) 1983(7) (gan gynnwys y cyfryw dâl atodol sy'n daladwy yn rhinwedd cymhwyso'r erthygl honno gan unrhyw gynllun neu orchymyn arall) neu o dan Erthygl 25A o Gynllun Anafiadau Personol (Dinasyddion Preifat) 1983 (gan gynnwys yr erthygl honno fel y'i cymhwysir gan erthygl 48A o'r cynllun hwnnw)(8), neu daliad a fwriedir fel iawndal am fethiant i dalu tâl atodol o'r fath; neu
- (ii) an increase of an allowance which is payable in respect of constant attendance under a scheme under, or having effect under, paragraph 4 of Part I of Schedule 8 to the 1992 Act(1); or
 - (iii) a payment made under article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983(2) or any analogous payment; or
 - (iv) any payment based on need for attendance which is paid with a war disablement pension; or
 - (v) any payment intended to compensate for the non-payment of a payment, allowance or pension mentioned in any of sub-paragraphs (i) to (iv) of this definition;
- (c) disability living allowance (under section 71 of the 1992 Act(3));
- (d) war disablement pension within the meaning of section 139(11) of the Social Security Administration Act 1992(4) or under article 10 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(5) so far as that Order is made otherwise than under the Air Force (Constitution) Act 1917(6) together with-
- (i) a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(7) (including such a supplement payable by virtue of the application of that article by any other scheme or order) or under Article 25A of the Personal Injuries (Civilians) Scheme 1983 (including that article as applied by article 48A of that scheme)(8), or a payment intended to compensate for the non-payment of such a supplement; or

(1) *Gweler* adran 5 o Ddeddf Anafiadau a Chlefydau Diwydiannol (Hen Achosion) 1975 (p.16) a ddiddymwyd, gydag arbedion, gan Ddeddf Nawdd Cymdeithasol (Darpariaethau Canlyniadol) 1992 (p.6).

(2) O.S. 1983/686; diwygiwyd erthyglau 14, 15 ac 16 gan O.S. 2001/420 ac erthygl 16 gan O.S. 1984/1675.

(3) Diwygiwyd adran 71(3) gan adran 67(1) o Ddeddf Diwygio Lles a Phensiynau 1999 (p.30).

(4) 1992 (p.5); diwygiwyd adran 139(11) gan adran 722 o Ddeddf Treth Incwm (Enillion a Phensiynau) 2003 (p.1) ac Atodlen 6 iddi, a chan adran 254 o Ddeddf Partneriaeth Sifil 2004 a pharagraff 65 o Ran 4 o Atodlen 24 iddi.

(5) O.S. 1983/883; diwygiwyd erthygl 10 gan O.S. 2005/851, 1996/1638 ac 1993/598.

(6) 1917 p.51, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(7) O.S. 1983/883; ychwanegwyd erthygl 26A gan O.S. 1983/1116 ac fe'i diwygiwyd gan O.S. 1983/1521, 1986/592, 1990/1308, 1991/766, 1992/710, 1995/766, 1997/286 a 2001/409.

(8) O.S. 1983/686; ychwanegwyd erthygl 25A gan O.S. 1983/1164 ac fe'i diwygiwyd gan O.S. 1983/1540, 1986/628, 1990/1300, 1991/708, 1992/702, 1995/455, 1997/812 a 2001/420.

(1) *See* section 5 of the Industrial Injuries and Diseases (Old Cases) Act 1975 (c.16) which was repealed, with savings, by the Social Security (Consequential Provisions) Act 1992 (c.6).

(2) S.I. 1983/686; articles 14, 15 and 16 were amended by S.I. 2001/420 and article 16 by S.I. 1984/1675.

(3) Section 71(3) was amended by section 67(1) of the Welfare Reform and Pensions Act 1999 (c.30).

(4) 1992 (c.5); section 139(11) was amended by section 722 of, and Schedule 6 to, the Income Tax (Earnings and Pensions) Act 2003 (c.1), and by section 254 of, and paragraph 65 of Part 4 of Schedule 24 to, the Civil Partnership Act 2004.

(5) S.I. 1983/883; article 10 was amended S.I. 2005/851, 1996/1638 and 1993/598.

(6) 1917 c.51, to which there are amendments not relevant to these Regulations.

(7) S.I. 1983/883; article 26A was added by S.I. 1983/1116 and amended by S.I. 1983/1521, 1986/592, 1990/1308, 1991/766, 1992/710, 1995/766, 1997/286 and 2001/409.

(8) SI 1983/686; article 25A was added by S.I. 1983/1164 and amended by S.I. 1983/1540, 1986/628, 1990/1300, 1991/708, 1992/702, 1995/455, 1997/812 and 2001/420.

- (ii) taliad o dan reoliadau a wnaed o dan baragraff 7(2)(b) o Atodlen 8 i Ddeddf 1992 (lwfans gweini cyson);
- (d) budd-dal y dreth gyngor, budd-dal tai a chymhorthdal incwm (ym mhob achos pan fydd taliad yn cynnwys premiwm anabledd fel y darperir ar ei gyfer yn Rheoliadau Budd-dal Tai 2006(1), Rheoliadau Budd-dal Tai (Personau sydd wedi cyrraedd oedran sy'n eu gwneud yn gymwys i gredyd pensiwn y wladwriaeth) 2006(2), Rheoliadau Budd-dal y Dreth Gyngor 2006(3), Rheoliadau Budd-dal y Dreth Gyngor (Personau sydd wedi cyrraedd oedran sy'n eu gwneud yn gymwys i gredyd pensiwn y wladwriaeth) 2006(4), a Rheoliadau Atodiad Incwm (Cyffredinol) 1987(5) yn eu trefn) a budd-dal anabledd anafiadau diwydiannol o dan adrannau 103 i 105 o Ddeddf 1992 (pan yw'n cynnwys lwfans gweini cyson).

(5) Caniateir ystyried cais am grant rhannol oddi wrth berson sydd wedi cyrraedd ei drigain oed neu sy'n byw gyda phartner sydd wedi cyrraedd ei drigain oed, a'r person neu'r partner hwnnw'n meddiannu'r annedd fel ei unig breswylfa neu ei brif breswylfa ac naill ai'n berchen ar rydd?ddaliad yr annedd neu â buddiant lesddaliadol ynddi o ddim llai nag 21 o flynyddoedd.

(6) Yn achos anheddau amlfeddiannaeth, mae'r asiantaeth ardal i benderfynu nifer y deiliaid cymwys yn yr annedd sy'n destun cais. Os bydd nifer y deiliaid cymwys yn fwy na 50% o gyfanswm nifer y deiliaid yn yr annedd, caniateir i gais mewn cysylltiad â'r annedd gael ei ystyried.

(7) At ddibenion y rheoliad hwn-

ystyr "deiliad" ("*householder*") yw person sydd, ar ei ben ei hun neu ar y cyd ag eraill, yn rhydd-ddeiliad neu'n denant;

mae i "incwm perthnasol" yr ystyr sydd i "*relevant income*" yn Rhan 1 o Ddeddf Credydau Treth 2002;

ystyr "partner" ("*partner*") yw priod, partner sifil neu berson y mae'r ceisydd yn cyd-fyw ag ef fel gwr neu wraig neu fel partner sifil;

ystyr "rhiant unigol" ("*lone parent*") yw rhiant neu berson arall nad yw'n cyd-fyw â phartner, ac sy'n derbyn budd-dal plant (o dan adran 141 o Ddeddf 1992) mewn perthynas â phlentyn o dan 16 oed ac sy'n gyfrifol am y plentyn hwnnw ac yn aelod o'r un aelwyd â'r plentyn hwnnw; ac

- (ii) a payment under regulations made under paragraph 7(2)(b) of Schedule 8 to the 1992 Act (constant attendance allowance);
- (e) council tax benefit, housing benefit and income support (in each case where payment includes a disability premium as provided for in the Housing Benefit Regulations 2006(1), the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(2), the Council Tax Benefit Regulations 2006(3), the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(4), and the Income Support (General) Regulations 1987(5) respectively) and industrial injuries disablement benefit under sections 103 to 105 of the 1992 Act (where it includes constant attendance allowance).

(5) A partial grant application may be entertained from a person who has attained, or who is living with a partner who has attained, the age of sixty and who occupies the dwelling as that person's only or main residence and who either owns the freehold of it or has a leasehold interest in it of not less than 21 years.

(6) In the case of dwellings in multiple occupation, the area agency is to determine the number of eligible householders in the dwelling which is the subject of an application. If the number of eligible householders exceeds 50% of the total number of householders in the dwelling, an application in respect of the dwelling may be entertained.

(7) For the purposes of this Regulation-

"householder" ("*deiliad*") means a person who, alone or jointly with others, is a freeholder or tenant;

"lone parent" ("*rhiant unigol*") means a parent or other person who is not living with a partner, and who is in receipt of child benefit (under section 141 of the 1992 Act) in relation to a child under 16 years of age and who is responsible for and a member of the same household as that child;

"partner" ("*partner*") means the spouse, civil partner or person with whom the applicant lives as husband or wife or as civil partner;

"relevant income" ("*incwm perthnasol*") has the same meaning as in Part 1 of the Tax Credits Act 2002; and

(1) O.S. 2006/213.

(2) O.S. 2006/214.

(3) O.S. 2006/215.

(4) O.S. 2006/216.

(5) O.S. 1987/1967 fel y'i diwygiwyd ddiwethaf gan O.S 2005/337.

(1) S.I. 2006/213.

(2) S.I. 2006/214.

(3) S.I. 2006/215.

(4) S.I. 2006/216.

(5) S.I. 1987/1967 as last amended by S.I 2005/337.

mae "tenant" ("*tenant*") yn cynnwys is-denant a pherson â-

- (a) meddiannaeth warchoddedig neu denantiaeth statudol o dan Ddeddf Rhenti (Amaethyddiaeth) 1976(1);
- (b) tenantiaeth statudol o dan Ddeddf Rhenti 1977(2);
- (c) tenantiaeth ddiogel o dan Ran IV o Ddeddf Tai 1985(3) neu denantiaeth ragarweiniol o dan Bennod I o Ran V i Ddeddf Tai 1996(4);
- (ch) trwydded i feddiannu a honno'n drwydded sy'n bodloni'r amodau ym mharagraff 12(a) a (b) (Elusendai) o Atodlen 1 i Ddeddf Tai 1985(5); neu
- (d) meddiannaeth amaethyddol sicr o dan Ran I o Ddeddf Tai 1988(6).

Y dibenion y caniateir cymeradwyo grant ar eu cyfer

6.-(1) Caniateir cymeradwyo cais am grant at un neu fwy o'r dibenion a ganlyn-

- (a) darparu inswleiddiad mewn unrhyw wagle to hygyrch yn yr annedd, gan gynnwys inswleiddio unrhyw danc dŵr oer ac unrhyw bibellau dŵr mewn gwagle o'r fath;
- (b) darparu inswleiddiad rhwng dalennau mewnol ac allanol waliau dwbl yr annedd;
- (c) darparu defnydd gwrth-ddrafft i'r annedd neu ynddi ynghyd ag unrhyw gyfrwng awyru ychwanegol ar gyfer unrhyw ystafelloedd na fyddent fel arall yn cael eu hawyru'n ddigonol ar ôl darpariaeth o'r fath;
- (ch) darparu inswleiddiad i unrhyw system twymo dwr neu bibellau dwr poeth hygyrch sy'n gysylltiedig â'r system dwymo;
- (d) darparu gwresogyddion ystafell sy'n wresogyddion darfudol nwy â rheolaeth thermostat;

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- (1) 1976 p.80; mae adrannau 2 a 3 yn gwneud darpariaeth ar gyfer meddiannaeth warchoddedig, ac adrannau 4 a 5 ar gyfer tenantiaeth statudol. Diwygiwyd adran 3 gan adran 76(3) o Ddeddf Tai 1980 (p.51) ac adran 81 o Ddeddf Partneriaeth Sifil 2004 ac Atodlen 8 iddi, adran 4 gan y darpariaethau hynny ac adran 155, a pharagraff 72 o Atodlen 23, i'r Ddeddf Rhenti 1977 (p. 42) ac adrannau 39 a 140 o Ddeddf Tai 1988 (p. 50) ac Atodlen 4 (Rhan II) ac Atodlen 18 iddi, a diwygiwyd adran 5 ddiwethaf gan adrannau 128 a 137 o Ddeddf Cyfiawnder Troseddol a'r Heddlu 2001 (p.16), ac Atodlen 6 iddi. Gwnaed diwygiadau eraill i Ddeddf 1976 nad ydynt yn berthnasol i'r Rheoliadau hyn.
 - (2) 1977 p.42, fel y'i diwygiwyd ddiwethaf gan baragraff 94 o Ran 1 o Atodlen 4 i Ddeddf Diwygio Cyfraith Gyfansoddiadol 2005 (p.4).
 - (3) 1985 p.68, fel y'i diwygiwyd ddiwethaf gan O.S. 2005/1379.
 - (4) 1996 p.52, fel y'i diwygiad ddiwethaf gan adran 179 o Ddeddf Tai 2004 (p.34).
 - (5) 1985 p.68; amnewidiwyd paragraff 12 o Atodlen 1 gan baragraff 12 o Atodlen 6 i Ddeddf Elusennau 1992 (p.41).
 - (6) 1988 p.50, fel y'i diwygiwyd ddiwethaf gan O.S 2005/1379.

"tenant" ("*tenant*") includes a sub-tenant and a person who has-

- (a) a protected occupancy or a statutory tenancy under the Rent (Agriculture) Act 1976(1);
- (b) a statutory tenancy under the Rent Act 1977(2);
- (c) a secure tenancy under Part IV of the Housing Act 1985(3) or an introductory tenancy under Chapter I of Part V of the Housing Act 1996(4);
- (d) a licence to occupy which meets the conditions in paragraph 12(a) and (b) (Almshouses) of Schedule 1 to the Housing Act 1985(5); or
- (e) an assured agricultural occupancy under Part I of the Housing Act 1988(6).

Purposes for which a grant may be approved

6.-(1) An application for a grant may be approved for one or more of the following purposes-

- (a) to provide insulation in any accessible roof space in the dwelling, including the insulation of any cold water tank and any water pipe in such a space;
- (b) to provide insulation between the internal and external leaves of external cavity walls of the dwelling;
- (c) to provide draught proofing to or in the dwelling together with additional means of ventilation for any rooms which would otherwise be inadequately ventilated after such provision;
- (d) to provide insulation to any water heating system or accessible hot water pipes associated with the heating system;
- (e) to provide gas room convector heaters with thermostat control;

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- (1) 1976 c.80; sections 2 and 3 make provision for protected occupancy, and sections 4 and 5 for statutory tenancy. Section 3 has been amended by section 76(3) of the Housing Act 1980 (c.51) and section 81 of, and Schedule 8 to, the Civil Partnership Act 2004, section 4 by those provisions and section 155, and paragraph 72 of Schedule 23, to the Rent Act 1977 (c. 42) and sections 39 and 140 of, and Schedule 4 (Part II) and Schedule 18, to the Housing Act 1988 (c. 50), and section 5 was last amended by sections 128 and 137 of, and Schedule 6 to, the Criminal Justice and Police Act 2001 (c. 16). There are other amendments to the 1976 Act not relevant to these Regulations.
 - (2) 1977 c.42, as last amended by paragraph 94 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005 (c.4).
 - (3) 1985 c.68, as last amended by S.I. 2005/1379.
 - (4) 1996 c.52, as last amended by sections 179 of the Housing Act 2004 (c.34).
 - (5) 1985 c.68; paragraph 12 of Schedule 1 was substituted by paragraph 12 of Schedule 6 to the Charities Act 1992 (c.41).
 - (6) 1988 c.50, as last amended by S.I 2005/1379.

- (dd) darparu stôr-wresogyddion trydan;
- (e) darparu naill ai dwymwr tanddwr ac iddo ddwy elfen ynghyd â thanc wedi'i inswleiddio yn y ffatri neu dwymwr tanddwr trydan neu nwy o fewn silindr dwr poeth presennol;
- (f) darparu rheolyddion amser ar gyfer gwresogyddion aer a thwymwyr dwr sy'n rhai trydan;
- (ff) gwella effeithlonrwydd ynni unrhyw system gwresogi aer neu dwymo dŵr sydd wedi'i gosod yn yr annedd neu roi rhan newydd yn lle hen ran o'r system neu ei thrwsio;
- (g) darparu system gwres canolog nwy, tanwydd solet neu olew (gan gynnwys systemau sy'n cynhyrchu trydan);
- (ng) trawsnewid tanau ystafelloedd sy'n danau tanwydd solet agored yn danau ystafelloedd sy'n rhai tanwydd solet caeedig;
- (h) darparu system gwres canolog wedi'i chysylltu â grid gwresogi y gymuned leol;
- (i) darparu systemau gwresogi aer neu dwymo dwr sy'n defnyddio ynni o ffynonellau adnewyddadwy; ac at y dibenion hyn-

ystyr "ffynonellau adnewyddadwy" ("*renewable sources*") yw ffynonellau ynni ac eithrio mawn, tanwydd ffosil neu danwydd niwclear; ac

ystyr "tanwydd ffosil" ("*fossil fuel*") yw glo, sylweddau a gynhyrchwyd, boed hynny'n uniongyrchol neu'n anuniongyrchol, o lo, coedlo, nwy naturiol, hylif petroliwm crai neu gynhyrchion petroliwm (ac mae i "nwy naturiol" yr ystyr sydd i "*natural gas*" ac i "cynhyrchion petroliwm" yr ystyr sydd i "*petroleum products*" yn Neddf Ynni 1976(1)).

(2) Pan fydd cais wedi'i gymeradwyo at un neu fwy o'r dibenion a nodir ym mharagraff (1) caniateir hefyd gymeradwyo grant ar gyfer darparu unrhyw un neu rai o'r canlynol-

- (a) cyngor ynni;
- (b) lampau ynni-effeithlon.

(3) Nid oes unrhyw gais i'w gymeradwyo onid yw'r annedd a thestun pob categori o weithfeydd a grybwyllir yn y cais yn bodloni'r cyfryw amodau ag a bennir o bryd i'w gilydd gan yr asiantaeth ardal gyda chydysyniad y Cynulliad.

(4) Rhaid i bob gwaith gydymffurfio â'r cyfryw safonau ag a fyddo wedi'u pennu o bryd i'w gilydd gan yr asiantaeth ardal gyda chydysyniad y Cynulliad a hynny o ran deunyddiau, crefftwaith, a pherfformiad testun y gwaith o ran effeithlonrwydd ynni.

- (f) to provide electric storage heaters;
- (g) to provide either an electric dual-element immersion heater and a factory-insulated tank or an electric or gas immersion heater within an existing hot water cylinder;
- (h) to provide timer controls for electric space and water heaters;
- (i) to improve the energy efficiency of, or replace any part of, or repair any space or water heating system installed in the dwelling;
- (j) to provide a gas, solid fuel or oil central heating system (including systems which generate electricity);
- (k) to convert open solid fuel room fires to closed solid fuel room fires;
- (l) to provide a central heating system connected to the local community heating grid;
- (m) to provide space or water heating systems which use energy from renewable sources; and for these purposes-

"renewable sources" ("*ffynonellau adnewyddadwy*") means sources of energy other than peat, fossil fuel or nuclear fuel; and

"fossil fuel" ("*tanwydd ffosil*") means coal, substances produced directly or indirectly from coal, lignite, natural gas, crude liquid petroleum, or petroleum products (and "natural gas" and "petroleum products" have the same meanings as in the Energy Act 1976(1)).

(2) Where an application is approved for one or more of the purposes set out in paragraph (1) a grant may also be approved for the provision of any of the following-

- (a) energy advice;
- (b) energy efficient lamps.

(3) No application is to be approved unless the dwelling and the subject matter of each category of works mentioned in the application meets such conditions as may be specified from time to time by the area agency with the consent of the Assembly.

(4) All works must comply with such standards as to materials, workmanship and energy efficiency performance of the subject matter of the works as may be laid down from time to time by the area agency with the consent of the Assembly.

(5) At ddibenion y rheoliad hwn, ystyr "gwagle to" ("*roof space*") yw gwagle rhwng to annedd a nenfwd unrhyw ystafell a ddefnyddir at ddibenion llety preswyl neu sydd ar gael i'w defnyddio at y diben hwnnw, pan nad yw'r gwagle hwnnw wedi'i wahanu'n gyfan gwbl o'r to gan unrhyw ystafell arall.

Uchafswm y grant

7.-(1) Ni chaiff asiantaeth ardal dalu cyfanswm grant mewn cysylltiad â chais gweithfeydd o dan HEES neu HEES a Mwy sy'n fwy na'r lleiaf o'r canlynol-

- (a) y swm a godir yn briodol am y gweithfeydd a gyflawnir; neu
- (b) uchafswm y grant o dan HEES neu HEES a Mwy fel a benderfynir o bryd i'w gilydd gan y Cynulliad yn unol ag-
 - (i) cost a/neu argaeledd gweithfeydd a deunyddiau o'r mathau sy'n ofynnol gan y dibenion a bennir yn rheoliad 6 neu mewn cysylltiad â hwy; a
 - (ii) polisi a blaenoriaethau cyfredol y Cynulliad mewn perthynas ag arbed ynni.

(2) Caiff y Cynulliad benderfynu gwahanol uchafsymiau o dan baragraff (1)-

- (a) ar gyfer grantiau mewn cysylltiad ag anheddau amlfeddiannaeth;
- (b) trwy gyfeirio at unrhyw gategori neu gyfuniad o gategoriâu o weithfeydd a gynhwysir o fewn y Cynllun HEES neu'r Cynllun HEES a Mwy fel a benderfynir gan y Cynulliad; ac
- (c) trwy gyfeirio at ba un ai cais gweithfeydd neu gais grant rhannol yw'r cais.

(3) Yn ddarostyngedig i baragraffau (1) a (2) o'r rheoliad hwn, caiff asiantaeth ardal, gyda chydysyniad y Cynulliad, bennu-

- (a) uchafswm y grant y caniateir ei dalu; a
- (b) sail cyfrifo grant wedi'i mynegi yn nhermau symiau fesul uned fesur,

ar gyfer unrhyw gategori neu gyfuniad o gategoriâu o weithfeydd a gynhwysir o fewn y Cynllun HEES neu'r Cynllun HEES a Mwy.

(4) Yn achos cais grant rhannol, 25% o'r uchafswm grant a benderfynir gan y Cynulliad mewn cysylltiad â HEES yw'r uchafswm grant y caniateir ei dalu i geisydd.

Ceisiadau am grant

8.-(1) Mae cais am grant i'w wneud i'r asiantaeth ardal ar gyfer yr ardal y mae'r annedd wedi'i lleoli ynddi.

(5) For the purposes of this Regulation, "roof space" ("*gwagle to*") means space between the roof of a dwelling and the ceiling of any room used or available for use for the purpose of living accommodation, that space not being wholly separated from the roof by any other room.

Maximum amount of grant

7.-(1) An area agency may not pay a total amount of grant in respect of a works application under HEES or HEES Plus which exceeds the lower of-

- (a) the amount properly charged for the works carried out; or
- (b) the maximum amount of grant under HEES or HEES Plus as determined from time to time by the Assembly in accordance with-
 - (i) the cost and/or availability of works and materials of the types required by or in connection with the purposes set out in Regulation 6; and
 - (ii) the current policy and priorities of the Assembly in relation to energy conservation.

(2) The Assembly may determine different maximum amounts under paragraph (1)-

- (a) for grants in respect of dwellings in multiple occupation;
- (b) by reference to any category or combination of categories of works contained within the HEES Scheme or the HEES Plus Scheme as determined by the Assembly; and
- (c) by reference as to whether the application is a works application or a partial grant application.

(3) Subject to paragraphs (1) and (2) of this Regulation, an area agency may, with the consent of the Assembly, specify-

- (a) a maximum amount of grant which may be paid; and
- (b) a grant-calculation basis, expressed in terms of amounts per unit of measurement,

for any category or combination of categories of works contained within the HEES Scheme or the HEES Plus Scheme.

(4) In the case of a partial grant application, the maximum grant which may be paid to an applicant is 25% of the maximum grant determined by the Assembly in respect of HEES.

Applications for grant

8.-(1) An application for a grant is to be made to the area agency for the area in which the dwelling is situated.

(2) Rhaid i gais fod yn gais ysgrifenedig, wedi'i lofnodi naill ai gan y ceisydd neu gan berson a bennir neu berson o ddisgrifiad a bennir gan yr asiantaeth ardal a rhaid iddo fod ar y cyfryw ffurf, yn ddarostyngedig i baragraff (3) o'r rheoliad hwn, ag a bennir gan yr asiantaeth ardal.

(3) Rhaid i'r cais gynnwys y cyfryw fanylion ag a fyddo'n cael eu pennu o bryd i'w gilydd gan yr asiantaeth ardal gyda chydysyniad y Cynulliad a rhaid iddo gynnwys-

- (a) manylion yr annedd y ceisir y grant mewn cysylltiad â hi ac os tenant yw'r ceisydd, enw a chyfeiriad y landlord;
- (b) gwybodaeth ynghylch y ceisydd sy'n ddigonol i'r asiantaeth ardal benderfynu p'un a yw'r ceisydd yn bodloni'r meini prawf cymhwysra a bennir yn rheoliad 5;
- (c) datganiad yn dweud y rhoddir mynediad rhesymol i'r annedd y gwneir cais mewn cysylltiad â hi i gynrychiolydd asiantaeth ardal er mwyn archwilio'r annedd a chyflawni'r gweithfeydd; ac
- (ch) datganiad yn dweud p'un a yw'r ceisydd neu p'un a yw unrhyw berson arall, hyd y gwyr y ceisydd, wedi derbyn grant neu gymorth neu wedi gwneud cais am grant neu gymorth o dan y Rheoliadau hyn mewn cysylltiad â'r annedd sy'n destun y cais.

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

13 Chwefror 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(2) An application must be in writing, signed either by the applicant or by a person specified or of a description specified by the area agency and must be in such form, subject to paragraph (3) of this Regulation, as is laid down by the area agency.

(3) The application must contain such particulars as may be specified from time to time by the area agency with the consent of the Assembly and must include-

- (a) particulars of the dwelling in respect of which the grant is sought and if the applicant is a tenant, the name and address of the landlord;
- (b) information about the applicant sufficient for the area agency to determine whether the applicant meets the criteria of eligibility set out in Regulation 5;
- (c) a statement that reasonable access to the dwelling in respect of which an application is made will be given to a representative of the area agency to inspect the dwelling and carry out the works; and
- (d) a statement as to whether the applicant or, to the applicant's knowledge, any other person has received or applied for a grant or assistance under these Regulations in respect of the dwelling which is the subject of the application.

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

13 February 2007

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

2007 Rhif 375 (Cy.35)

**ARBED YNNI,
CYMRU**

Rheoliadau Cynlluniau
Effeithlonrwydd Ynni Cartref
(Cymru) 2007

2007 No. 375 (W.35)

**ENERGY CONSERVATION,
WALES**

The Home Energy Efficiency
Schemes (Wales)
Regulations 2007

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