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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2009 Rhif 1087 (Cy.95)**

**2009 No. 1087 (W.95)**

**TAI, CYMRU**

**HOUSING, WALES**

Rheoliadau Grantiau Adnewyddu  
Tai (Diwygio) (Cymru)  
2009

The Housing Renewal Grants  
(Amendment) (Wales) Regulations  
2009

**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 diwygio ymhellach (o ran Cymru) Reoliadau Grantiau Adnewyddu Tai 1996 (O.S. 1996/2890) ("Rheoliadau 1996"), a osododd y prawf modd i benderfynu swm y grant y caniateir ei dalu gan awdurdodau tai lleol o dan Bennod 1 o Ran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996.

These Regulations further amend (in relation to Wales) the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890) ("the 1996 Regulations"), which set out the means test for determining the amount of grant which may be paid by local housing authorities under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996.

Mae Atodlen 3 i Reoliadau 1996 yn rhestru'r symiau sydd i'w diystyru wrth benderfynu incwm ac eithrio enillion, ac mae Atodlen 4 yn rhestru'r cyfalaf sydd i'w ddiystyru wrth benderfynu cyfalaf.

Schedule 3 to the 1996 Regulations lists sums to be disregarded in the determination of income other than earnings, and Schedule 4 lists the capital to be disregarded in the determination of capital.

Mae Atodlenni 3 a 4 i Reoliadau 1996 wedi'u diwygio gan reoliadau 2 a 3(1)(a) a 3(2)(a) o'r Rheoliadau hyn fel bod unrhyw daliadau credyd treth gwaith neu daliadau credyd treth plant i'w diystyru wrth benderfynu incwm ac eithrio enillion neu gyfalaf.

Schedules 3 and 4 to the 1996 Regulations are amended by regulations 2 and 3(1)(a) and 3(2)(a) of these Regulations so that any payments of working tax credit or child tax credit are to be disregarded in the determination of income other than earnings or capital.

Mae rheoliadau 2 a 3(1)(b) yn diwygio Atodlen 3 i Reoliadau 1996 drwy fewnosod paragraff 50A newydd, a'i effaith, pan fo aelod o'r lluoedd arfog yn cael tâl ymddeol penodedig neu bensiwn o dan Orchymyn Pensiynau Lluoedd Arfog y Llynges, y Fyddin a'r Llu Awyr etc. (Anabledd a Marwolaeth) 2006 a lwfans gweini cyson, yw bod y symiau a geir felly yn cael eu diystyru wrth benderfynu incwm ac eithrio enillion. Mae rheoliad 3(1)(b) hefyd yn mewnosod paragraff 50B newydd yn Atodlen 3, a'i effaith yw bod unrhyw daliad incwm gwarantedig o dan Orchymyn y Lluoedd Arfog a'r Lluoedd wrth Gefn (Cynllun Iawndal) 2005, sy'n ymwneud ag anaf sy'n dod o fewn unrhyw un o lefelau 1 i 6 o'r tariff a nodir yn unrhyw un o Dablau 1 i 9 yn Atodlen 4 i'r Gorchymyn hwnnw, i'w ddiystyru wrth benderfynu incwm ac eithrio enillion.

Regulations 2 and 3(1)(b) amend Schedule 3 to the 1996 Regulations by inserting a new paragraph 50A, the effect of which is that where a member of the armed forces receives specified retired pay or a pension under the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 and constant attendance allowance, the amounts so received are disregarded in the determination of income other than earnings. Regulation 3(1)(b) also inserts a new paragraph 50B into Schedule 3, the effect of which is that any guaranteed income payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 which relates to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order, is to be disregarded in the determination of income other than earnings.

Mae rheoliadau 2 a 3(2)(b) yn diwygio Atodlen 4 i Reoliadau 1996 fel bod unrhyw gyfandaliad, unrhyw gyfandaliad ychwanegol ar gyfer anafiadau niferus neu unrhyw gyfandaliad ychwanegol a delir o dan Orchymyn y Lluoedd Arfog a'r Lluoedd wrth Gefn (Cynllun Iawndal) 2005, y gellir ei briodoli i anaf sy'n dod o fewn unrhyw un o lefelau 1 i 6 o'r tariff a nodir yn unrhyw un o Dablau 1 i 9 yn Atodlen 4 i'r Gorchymyn hwnnw, i'w ddiystyru wrth benderfynu cyfalaf.

Regulations 2 and 3(2)(b) amend Schedule 4 to the 1996 Regulations so that any lump sum, additional multiple injury lump sum or additional lump sum paid under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005, which is attributable to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order, is to be disregarded in the determination of capital.

**2009 Rhif 1087 (Cy.95)**

**TAI, CYMRU**

**Rheoliadau Grantiau Adnewyddu  
Tai (Diwygio) (Cymru)  
2009**

<i>Gwnaed</i>	27 Ebrill 2009
<i>Gosodwyd gerbron Cynulliad Cenedlaethol Cymru</i>	28 Ebrill 2009
<i>Yn dod i rym</i>	20 Mai 2009

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 30 a 146 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(1), ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Rheoliadau a ganlyn:

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2009 a deuant i rym ar 20 Mai 2009.

(2) Mae'r Rheoliadau hyn yn gymwys i geisiadau am grantiau sydd i'w cymeradwyo ar 20 Mai 2009 neu ar ôl hynny gan awdurdodau tai lleol yng Nghymru.

**Diwygio Rheoliadau Grantiau Adnewyddu Tai  
1996**

2. Mae Rheoliadau Grantiau Adnewyddu Tai 1996(3) wedi eu diwygio yn unol â rheoliad 3.

3.—(1) Mae Atodlen 3 wedi ei diwygio fel a ganlyn—

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(1) 1996 p.53.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 30 a 146 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672; gweler y cofnod yn Atodlen 1 ar gyfer Deddf Grantiau Tai, Adeiladu ac Adfywio 1996). Yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32) mae'r swyddogaethau a oedd gynt yn arferadwy gan Gynulliad Cenedlaethol Cymru yn arferadwy bellach gan Weinidogion Cymru.

(3) O.S. 1996/2890. Yr offerynnau diwygio perthnasol yw O.S. 2004/253 (Cy.28), O.S. 2006/2801 (Cy.240) ac O.S. 2008/2377 (Cy.206).

**2009 No. 1087 (W.95)**

**HOUSING, WALES**

**The Housing Renewal Grants  
(Amendment) (Wales) Regulations  
2009**

<i>Made</i>	27 April 2009
<i>Laid before the National Assembly for Wales</i>	28 April 2009
<i>Coming into force</i>	20 May 2009

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 30 and 146 of the Housing Grants, Construction and Regeneration Act 1996(1), and now vested in them(2), make the following Regulations:

**Title, commencement and application**

1.—(1) The title of these Regulations is The Housing Renewal Grants (Amendment) (Wales) Regulations 2009 and they come into force on 20 May 2009.

(2) These Regulations apply to applications for grants which fall to be approved on or after 20 May 2009 by local housing authorities in Wales.

**Amendment of the Housing Renewal Grants  
Regulations 1996**

2. The Housing Renewal Grants Regulations 1996(3) are amended in accordance with regulation 3.

3.—(1) Schedule 3 is amended as follows—

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(1) 1996 c. 53.

(2) The functions of the Secretary of State under sections 30 and 146 of the Housing Grants, Construction and Regeneration Act 1996 were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672; see the entry in Schedule 1 for the Housing Grants, Construction and Regeneration Act 1996). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) the functions formerly exercisable by the National Assembly for Wales are now exercisable by the Welsh Ministers.

(3) S.I. 1996/2890. Relevant amending instruments are S.I. 2004/253 (W. 28), S.I. 2006/2801 (W. 240) and S.I. 2008/2377 (W. 206).

(a) ar ôl paragraff 4A mewnosoder—

"**4B** Any amount of working tax credit or child tax credit paid to a relevant person.";

(b) ar ôl paragraff 50 mewnosoder—

"**50A** Where a member of the armed forces is—

(a) in receipt of retired pay or a pension under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 2006(1) and the retired pay or pension is in respect of disablement the degree of which is not less than eighty per cent(2); and

(b) in receipt of constant attendance allowance payable under article 8 of that Order,

any such retired pay, pension or constant attendance allowance paid to that member pursuant to that Order.

**50B** Any guaranteed income payment payable under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(3) where the guaranteed income payment relates to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order."

(2) Mae Atodlen 4 wedi ei diwygio fel a ganlyn—

(a) ym mharagraff 9, yn lle is-baragraff (f), rhodder—

"(f) any working tax credit or child tax credit.";

(b) ar ôl paragraff 66 mewnosoder—

"**67.** Any lump sum, additional multiple injury lump sum or additional lump sum paid pursuant to the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 where the payment relates to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order."

(a) after paragraph 4A insert—

"**4B** Any amount of working tax credit or child tax credit paid to a relevant person.";

(b) after paragraph 50 insert—

"**50A** Where a member of the armed forces is—

(a) in receipt of retired pay or a pension under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 2006(1) and the retired pay or pension is in respect of disablement the degree of which is not less than eighty per cent(2); and

(b) in receipt of constant attendance allowance payable under article 8 of that Order,

any such retired pay, pension or constant attendance allowance paid to that member pursuant to that Order.

**50B** Any guaranteed income payment payable under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(3) where the guaranteed income payment relates to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order."

(2) Schedule 4 is amended as follows—

(a) in paragraph 9 for sub-paragraph (f) substitute—

"(f) any working tax credit or child tax credit.";

(b) after paragraph 66 insert—

"**67.** Any lump sum, additional multiple injury lump sum or additional lump sum paid pursuant to the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 where the payment relates to an injury that falls within any of levels 1 to 6 of the tariff set out in any of Tables 1 to 9 in Schedule 4 to that Order."

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(1) O.S. 2006/606, a ddiwygiwyd gan O.S. 2006/1455, O.S. 2007/909 ac O.S. 2008/679.

(2) Mae erthygl 42 o Orchymyn Pensiynau Lluedd Arfog y Llynges, y Fyddin a'r Llu Awyr etc. (Anabledd a Marwolaeth) 2006, a Rhan 5 o Atodlen 1 a pharagraff 6 o Ran 1 o Atodlen 4 iddi, yn diffinio graddau'r anabledd drwy gyfeirio at yr anaf neu'r anabledd a gafwyd.

(3) O.S. 2005/439. Yr offerynnau diwygio perthnasol yw O.S. 2006/1438, O.S. 2008/39, O.S. 2008/2160 ac O.S. 2008/2942.

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(1) S.I. 2006/606, amended by S.I. 2006/1455, S.I. 2007/909 and S.I. 2008/679.

(2) Article 42 of, and Part 5 of Schedule 1 and paragraph 6 of Part 1 of Schedule 4 to, the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 2006 defines the degree of disablement by reference to the injury or disablement sustained.

(3) S.I. 2005/439. Relevant amending instruments are S.I. 2006/1438, S.I. 2008/39, S.I. 2008/2160 and S.I. 2008/2942.

*Jocelyn Davies*

Y Dirprwy Weinidog dros Dai o dan awdurdod y  
Gweinidog dros yr Amgylchedd, Cynaliadwyedd a  
Thai, un o Weinidogion Cymru

Deputy Minister for Housing under authority of the  
Minister for Environment, Sustainability and Housing,  
one of the Welsh Ministers

27 Ebrill 2009

27 April 2009

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