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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2010 Rhif 297 (Cy.39)**

**2010 No. 297 (W.39)**

**TAI, CYMRU**

**HOUSING, WALES**

Rheoliadau Grantiau Adnewyddu  
Tai (Diwygio) (Cymru)  
2010

The Housing Renewal Grants  
(Amendment) (Wales) Regulations  
2010

**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) ("y prif Reoliadau"), sy'n nodi'r prawf modd i bennu swm y grant y caniateir i'r awdurdodau tai lleol ei dalu o dan Bennod 1 o Ran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996. Mae'r prif Reoliadau'n cael eu diwygio fel a ganlyn:

These Regulations further amend (in relation to Wales) the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890) ("the principal 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. The principal Regulations are amended as follows:

Mae rheoliad 3(2) yn diwygio rheoliad 10, i beri mai £1 yw'r swm cymwys o ran person sy'n cael lwfans cyflogaeth a chymorth cysylltiedig â gwaith.

Regulation 3(2) amends regulation 10, so that the applicable amount as regards a person receiving income-related employment and support allowance is £1.

Mae rheoliad 3(3) yn diwygio rheoliad 19, i beri y bydd y ffioedd gofal plant perthnasol sy'n cael eu hysgwyddo gan berson sy'n cael enillion ar sail analluedd i weithio neu alluedd cyfyngedig i weithio, neu sy'n cael taliadau lwfans cyflogaeth a chymorth, yn cael eu pennu wrth gyfrifo modd yr ymgeisydd er mwyn pennu swm y grant y caniateir ei dalu.

Regulation 3(3) amends regulation 19, so that where a person is in receipt of earnings on the grounds of incapacity for work or limited capability for work, or is paid employment and support allowance, the relevant child care charges incurred by that person will be determined when calculating an applicant's means for the purpose of determining the amount of grant which may be paid.

Mae rheoliad 3(4) yn diwygio rheoliad 41 ac yn gwneud darpariaeth ganlyniadol o ran newidiadau i'r system ariannu myfyrwyr o Loegr a wnaed gan Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

Regulation 3(4) amends regulation 41 and makes consequential provision for changes to the system for funding English students, made by the Apprenticeships, Skills, Children and Learning Act 2009.

Mae Atodlen 1 i'r prif Reoliadau yn rhestru'r symiau sy'n gymwys i berson perthnasol (a ddiffinnir yn rheoliad 5 o'r prif Reoliadau) fel rhan o'r cyfrifiad sy'n cael ei wneud er mwyn pennu'r swm cymwys (a ddiffinnir yn rheoliad 10 o'r prif Reoliadau). Mae'r symiau hyn yn cael eu defnyddio wedyn wrth gyfrifo'r grant y caniateir ei dalu. Mae Atodlen 2 yn rhestru

Schedule 1 to the principal Regulations lists the amounts that apply to a relevant person (defined in regulation 5 of the principal Regulations) as part of the calculation made to determine the applicable amount (defined in regulation 10 of the principal Regulations). These amounts are then used in the calculation of grant which may be paid. Schedule 2 lists sums to be

symiau sydd i'w hanwybyddu wrth bennu incwm, mae Atodlen 3 yn rhestru symiau sydd i'w hanwybyddu wrth bennu incwm heblaw enillion, ac mae Atodlen 4 yn rhestru'r cyfalaf sydd i'w anwybyddu wrth bennu cyfalaf.

Mae rheoliad 2(4) yn diwygio Atodlen 1 i gynnwys lwfansau cyflogaeth a chymorth yn y symiau sy'n gymwys. Mae rheoliad 2(5) i (7) yn diwygio Atodlenni 2, 3 a 4 i beri bod lwfans cyflogaeth a chymorth cysylltiedig â gwaith yn cael ei anwybyddu wrth bennu enillion, incwm heblaw enillion a chyfalaf.

disregarded in the determination of income, Schedule 3 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.

Regulation 2(4) amends Schedule 1 to include employment and support allowances in the amounts that apply. Regulation 2(5) to (7) amends Schedules 2, 3 and 4 so that income-related employment and support allowance is disregarded in the determination of earnings, income other than earnings and capital.

**2010 Rhif 297 (Cy.39)**

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**TAI, CYMRU**

**HOUSING, WALES**

**Rheoliadau Grantiau Adnewyddu  
Tai (Diwygio) (Cymru)  
2010**

**The Housing Renewal Grants  
(Amendment) (Wales) Regulations  
2010**

*Gwnaed* 10 Chwefror 2010  
*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 11 Chwefror 2010  
*Yn dod i rym* 4 Mawrth 2010

*Made* 10 February 2010  
*Laid before the National  
Assembly for Wales* 11 February 2010  
*Coming into force* 4 March 2010

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 sydd bellach wedi'u breinio ynddynt hwy yn gwneud y Rheoliadau canlynol:

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 make the following Regulations:

**Enwi, cychwyn a chymhwyso**

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2010 a deuant i rym ar 4 Mawrth 2010.

(2) Mae'r Rheoliadau hyn yn gymwys i geisiadau am grantiau sydd i'w cymeradwyo ar neu ar ôl 4 Mawrth 2010 gan awdurdodau tai lleol yng Nghymru.

**Title, commencement and application**

1.–(1) The title of these Regulations is the Housing Renewal Grants (Amendment) (Wales) Regulations 2010 and they come into force on 4 March 2010.

(2) These Regulations apply to applications for grants which fall to be approved on or after 4 March 2010 by local housing authorities in Wales.

**Diwygio Rheoliadau Grantiau Adnewyddu Tai  
1996**

2. Diwygir Rheoliadau Grantiau Adnewyddu Tai 1996(2) yn unol â rheoliad 3.

3.–(1) Yn rheoliad 2 (dehongli)–

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

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

3.–(1) In regulation 2 (interpretation)–

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(1) 1996 p.53. 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.

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

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(1) 1996 c. 53. 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.

(2) 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 y diffiniad o "community charge benefits" mewnosoder—  
 ""contributory employment and support allowance" means an employment and support allowance entitlement to which depends on satisfying the basic conditions set out in subsection (3) of section 1 of the Welfare Reform Act 2007(1), and the requirements of subsection (2)(a) of that section;"
- (b) ar ôl y diffiniad o "employed earner" mewnosoder—  
 ""employment and support allowance" means an employment and support allowance payable under Part 1 of the Welfare Reform Act 2007;"
- (c) ar ôl y diffiniad o "income-related benefit" mewnosoder—  
 ""income-related employment and support allowance" means an employment and support allowance entitlement to which depends on satisfying the basic conditions set out in subsection (3) of section 1 of the Welfare Reform Act 2007, and the requirements of subsection (2)(b) of that section;"
- (ch) ar ôl y diffiniad o "invalid carriage or other vehicle" mewnosoder—  
 ""jobseeker's allowance" means an allowance payable under the Jobseekers Act 1995(2)";
- (d) ar ôl y diffiniad o "the MacFarlane Trusts" mewnosoder—  
 ""main phase contributory employment and support allowance" means contributory employment and support allowance where the calculation of the amount payable in respect of the claimant includes an addition under section 2(1)(b) of the Welfare Reform Act 2007;  
 "main phase employment and support allowance" means an employment and support allowance where the calculation of the amount payable in respect of the claimant includes an addition under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007;" ac
- (dd) yn lle'r diffiniad o "young person" rhodder—  
 ""young person" means a person who is—  
 "(a) a qualifying young person within the meaning of section 142(2)(a) of the 1992 Act; and

- (a) After the definition of "community charge benefits" insert—  
 ""contributory employment and support allowance" means an employment and support allowance entitlement to which depends on satisfying the basic conditions set out in subsection (3) of section 1 of the Welfare Reform Act 2007(1), and the requirements of subsection (2)(a) of that section;"
- (b) after the definition of "employed earner" insert—  
 ""employment and support allowance" means an employment and support allowance payable under Part 1 of the Welfare Reform Act 2007;"
- (c) after the definition of "income-related benefit" insert—  
 ""income-related employment and support allowance" means an employment and support allowance entitlement to which depends on satisfying the basic conditions set out in subsection (3) of section 1 of the Welfare Reform Act 2007, and the requirements of subsection (2)(b) of that section;"
- (d) after the definition of "invalid carriage or other vehicle" insert—  
 ""jobseeker's allowance" means an allowance payable under the Jobseekers Act 1995(2)";
- (e) after the definition of "the MacFarlane Trusts" insert—  
 ""main phase contributory employment and support allowance" means contributory employment and support allowance where the calculation of the amount payable in respect of the claimant includes an addition under section 2(1)(b) of the Welfare Reform Act 2007;  
 "main phase employment and support allowance" means an employment and support allowance where the calculation of the amount payable in respect of the claimant includes an addition under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007;" and
- (f) for the definition of "young person" substitute—  
 ""young person" means a person who is—  
 (a) a qualifying young person within the meaning of section 142(2)(a) of the 1992 Act; and

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(1) 2007 p. 5.  
 (2) 1995 p. 18.

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(1) 2007 c. 5.  
 (2) 1995 c. 18.

(b) not in receipt of income support(1), jobseeker's allowance, incapacity benefit(2) or employment and support allowance;"

(2) Yn rheoliad 10 (y swm cymwys), ym mharagraff (3), yn lle is-baragraff (a) rhodder–

"(a) a relevant person who is in receipt of, and entitled to be in receipt of–

- (i) council tax benefit(3);
- (ii) housing benefit(4);
- (iii) income-based jobseeker's allowance(5);

(iv) income-related employment and support allowance; or

(v) income support;"

(3) Yn rheoliad 19 (trin ffioedd gofal plant (6))–

(a) ym mharagraff (1A)–

(i) hepgorer y gair "or" lle y mae'n digwydd ar ddiwedd is-baragraff (c); a

(ii) yn lle is-baragraff (d) rhodder–

"(d) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975(7); or

(e) is paid employment and support allowance.";

(b) ym mharagraff (1B) yn is-baragraff (a), ar ôl "short-term incapacity benefit" mewnosoder ", employment and support allowance";

(c) ym mharagraff (3)–

(i) ar ddiwedd is-baragraff (b) mewnosoder "or the Employment and Support Allowance Regulations 2008(8);"

(ii) yn lle is-baragraff (c) rhodder–

(b) not in receipt of income support(1), jobseeker's allowance, incapacity benefit(2) or employment and support allowance;"

(2) In regulation 10 (the applicable amount), in paragraph (3), for sub-paragraph (a) substitute–

(a) "a relevant person who is in receipt of, and entitled to be in receipt of–

- (i) council tax benefit(3);
- (ii) housing benefit(4);
- (iii) income-based jobseeker's allowance(5);

(iv) income-related employment and support allowance; or

(v) income support;"

(3) In regulation 19 (treatment of child care charges(6))–

(a) in paragraph (1A)–

(i) omit the word "or" where it appears at the end of sub-paragraph (c); and

(ii) for sub-paragraph (d) substitute–

"(d) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975(7); or

(e) is paid employment and support allowance.";

(b) in paragraph (1B) in sub-paragraph (a), after "short-term incapacity benefit" insert ", employment and support allowance";

(c) in paragraph (3)–

(i) at the end of sub-paragraph (b) insert "or the Employment and Support Allowance Regulations 2008(8);"

(ii) for sub-paragraph (c) substitute–

(1) I gael y diffiniad o "income support" gweler rheoliad 2 (dehongli) o Reoliadau Grantiau Adnewyddu Tai 1996 (O.S. 1996/2890) ("y prif Reoliadau").

(2) I gael y diffiniad o "incapacity benefit" gweler rheoliad 2 o'r prif Reoliadau.

(3) I gael y diffiniad o "council tax benefit" gweler rheoliad 2 o'r prif Reoliadau.

(4) I gael y diffiniad o "housing benefit" gweler rheoliad 2 o'r prif Reoliadau.

(5) I gael y diffiniad o "income-based jobseeker's allowance" gweler rheoliad 2 o'r prif Reoliadau.

(6) Mewnosodwyd paragraffau (1A) ac (1B) o reoliad 19 gan reoliadau 4 a 13(b) o O.S. 2006/2801.

(7) Mewnosodwyd rheoliad 8B o Reoliadau Nawdd Cymdeithasol (Credydau) 1975 (O.S. 1975/556) gan reoliad 2(6) o O.S. 1996/2367.

(8) O.S. 2008/794.

(1) For the definition of "income support" see regulation 2 (interpretation) of the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890) ("the principal Regulations").

(2) For the definition of "incapacity benefit" see regulation 2 of the principal Regulations.

(3) For the definition of "council tax benefit" see regulation 2 of the principal Regulations.

(4) For the definition of "housing benefit" see regulation 2 of the principal Regulations.

(5) For the definition of "income-based jobseeker's allowance" see regulation 2 of the principal Regulations.

(6) Paragraphs (1A) and (1B) of regulation 19 were inserted by regulations 4 and 13(b) of S.I. 2006/2801.

(7) Regulation 8B of the Social Security (Credits) Regulations 1975 (S.I. 1975/556) was inserted by regulation 2(6) of S.I. 1996/2367.

(8) S.I. 2008/794.

"(c) the relevant person–

- (i) is or is treated as incapable of work, and has been incapable or treated as incapable of work in accordance with the provisions of, and regulations made under, Part XIIA of the 1992 Act (incapacity for work(1)) for a continuous period of not less than 196 days, and for this purpose any two or more periods separated by a break of not more than 56 days shall be treated as one continuous period; or
- (ii) has, or is being treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more periods separated by a break of not more than 84 days shall be treated as one continuous period."

(iii) yn is-baragraff (d) ar ôl paragraff (vi) mewnosoder–

"(vii) main phase employment and support allowance;"

(4) Yn rheoliad 41 (myfyrwyr - dehongli) yn y diffiniad o "access funds"(2) yn is-baragraff (d)–

(a) ar ôl "learner support funds" mewnosoder–

"or "discretionary support funds"(3)";

(b) ar ôl "the Learning and Skills Act 2000" mewnosoder–

"or by the Chief Executive for Skills Funding under the Apprenticeships, Skills, Children and Learning Act 2009(4)".

(5) Yn Atodlen 1 (symiau cymwys)–

(a) yn is-baragraff (1) o baragraff 1–

- (i) yn y golofn o dan y pennawd "Person or couple", o dan y cofnod yn (b), mewnosoder "(c) any age and entitled to main phase employment and support allowance"; a
- (ii) yn y golofn o dan y pennawd "Amount", o dan y cofnod yn (b) mewnosoder "(c) £64.30";

"(c) the relevant person–

- (i) is or is treated as incapable of work, and has been incapable or treated as incapable of work in accordance with the provisions of, and regulations made under, Part XIIA of the 1992 Act (incapacity for work(1)) for a continuous period of not less than 196 days, and for this purpose any two or more periods separated by a break of not more than 56 days shall be treated as one continuous period; or
- (ii) has, or is being treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more periods separated by a break of not more than 84 days shall be treated as one continuous period."

(iii) in sub-paragraph (d) after paragraph (vi) insert–

"(vii) main phase employment and support allowance;"

(4) In regulation 41 (students - interpretation) in the definition of "access funds"(2) in sub-paragraph (d)–

(a) after "learner support funds" insert–

"or "discretionary support funds"(3)";

(b) after "the Learning and Skills Act 2000" insert–

"or by the Chief Executive for Skills Funding under the Apprenticeships, Skills, Children, and Learning Act 2009(4)".

(5) In Schedule 1 (applicable amounts)–

(a) in sub-paragraph (1) of paragraph 1–

- (i) in the column headed "Person or couple", below the entry at (b), insert "(c) any age and entitled to main phase employment and support allowance"; and
- (ii) in the column headed "Amount", below the entry at (b) insert "(c) £64.30";

(1) Diffinnir "the 1992 Act" yn rheoliad 2 o Reoliadau Grantiau Adnewyddu Tai 1996, fel "the Social Security and Benefits Act 1992" (1992 p. 4). Mewnosodwyd Rhan XIIA o'r Ddeddf honno gan adran 5 o Ddeddf Nawdd Cymdeithasol (Analluedd i Weithio) 1994 (1994 p. 18).

(2) Mewnosodwyd diffiniad o "access funds" yn rheoliad 41 gan O.S. 2001/2073 (Cy.145) fel y'i diwygiwyd o'r blaen mewn perthynas â Chymru gan O.S. 2002/2798 (Cy.266) ac O.S. 2005/3238 (Cy.243).

(3) Disodlwyd "learner support funds" gan "discretionary support funds".

(4) 2009 p.22.

(1) "the 1992 Act" is defined in regulation 2 of the Housing Renewal Grants Regulations 1996, as "the Social Security and Benefits Act 1992" (1992 c. 4). Part XIIA of that Act was inserted by section 5 of the Social Security (Incapacity for Work) Act 1994 (1994 c. 18).

(2) The definition of "access funds" was inserted into Regulation 41 by S.I. 2001/2073 (W.145). This has been amended, in relation to Wales, by S.I. 2002/2798 (W.266) and S.I. 2005/3238 (W.243).

(3) "discretionary support funds" replaced "learner support funds".

(4) 2009 c.22.



(b) yn is-baragraff (2) o baragraff 1–

(i) yn y golofn o dan y pennawd "Person or couple", o dan y cofnod yn (b), mewnosoder "(c) any age and entitled to main phase employment and support allowance" ; a

(ii) yn y golofn o dan y pennawd "Amount", o dan y cofnod yn (b) mewnosoder "(c) £64.30";

(c) ym mharagraff 12 (amod ychwanegol ar gyfer premiwm uwch pensiyonwr a phremiwm uwch anabled), yn lle is-baragraff (1)(a)(i) a (ii) rhodder–

"(i) is in receipt of one or more of the following benefits: attendance allowance(1), disability living allowance(2), the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002(3), mobility supplement(4), long-term incapacity benefit under Part II of the 1992 Act, main phase contributory employment and support allowance, or severe disablement allowance under Part III of the 1992 Act, but in the case of long-term incapacity benefit, main phase employment and support allowance or severe disablement allowance only where it is paid in respect of him, or;

(ii) was in receipt of long-term incapacity benefit under Part II of the 1992 Act or main phase contributory employment and support allowance when entitlement to that benefit or allowance ceased on account of the payment of a retirement pension under the 1992 Act and, if the long-term incapacity benefit or main phase employment and support allowance was payable to his partner, the partner is still a member of the family, or";

(ch) yn lle paragraff 13A (premiwm anabled uwch), rhodder–

(b) in sub-paragraph (2) of paragraph 1–

(i) in the column headed "Person or couple", below the entry at (b), insert "(c) any age and entitled to main phase employment and support allowance"; and

(ii) in the column headed "Amount", below the entry at (b) insert "(c) £64.30";

(c) in paragraph 12 (additional condition for the higher pensioner and disability premiums), for sub-paragraph (1)(a)(i) and (ii) substitute–

"(i) is in receipt of one or more of the following benefits: attendance allowance(1), disability living allowance(2), the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002(3), mobility supplement(4), long-term incapacity benefit under Part II of the 1992 Act, main phase contributory employment and support allowance, or severe disablement allowance under Part III of the 1992 Act, but in the case of long-term incapacity benefit, main phase employment and support allowance or severe disablement allowance only where it is paid in respect of him, or;

(ii) was in receipt of long-term incapacity benefit under Part II of the 1992 Act or main phase contributory employment and support allowance when entitlement to that benefit or allowance ceased on account of the payment of a retirement pension under the 1992 Act and, if the long-term incapacity benefit or main phase employment and support allowance was payable to his partner, the partner is still a member of the family, or";

(d) for paragraph 13A (enhanced disability premium), substitute–

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(1) I gael y diffiniad o "attendance allowance" gweler rheoliad 2 o'r prif Reoliadau.

(2) I gael y diffiniad o "disability living allowance" gweler rheoliad 2 o'r prif Reoliadau.

(3) O.S. 2002/2005.

(4) I gael y diffiniad o "mobility supplement" gweler rheoliad 2 o'r prif Reoliadau, a pharagraff 7 o Atodlen 3 iddynt.

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(1) For the definition of "attendance allowance" see regulation 2 of the principal Regulations.

(2) For the definition of "disability living allowance" see regulation 2 of the principal Regulations.

(3) S.I. 2002/2005.

(4) For the definition of "mobility supplement" see regulation 2 of, and paragraph 7 of Schedule 3 to, the principal Regulations.

**"Enhanced disability premium**

**13A.** The condition is that—

- (a) the care component of disability living allowance is payable, or but for a suspension of benefit in accordance with regulations under section 113(2) of the 1992 Act or an abatement as a consequence of hospitalisation, would be payable, at the highest rate prescribed under section 72(3) of the 1992 Act; or
- (b) contributory employment and support allowance which includes the support component is payable,

in respect of the relevant person or a member of the relevant person's family, who is aged less than 60."

(6) Yn Atodlen 2 (symiau i'w hanwybyddu wrth bennu enillion), yn lle is-baragraff (a) o baragraff 12 rhodder—

"(a)is in receipt of council tax benefit, guarantee credit(1), housing benefit, income-based jobseeker's allowance, income-related employment and support allowance or income support; or"

(7) Yn Atodlen 3 (symiau i'w hanwybyddu wrth bennu incwm heblaw enillion)—

- (a) yn lle is-baragraff (a) o baragraff 4 rhodder—
- (b) is in receipt of council tax benefit, guarantee credit, housing benefit, income-based jobseeker's allowance, income-related employment and support allowance or income support; or"; a
- (b) yn lle paragraff 6 rhodder—  
"Any concessionary payment made to compensate for the non-payment of—
  - (a) any payment specified in paragraph 5 or 8;
  - (b) an income-based jobseeker's allowance;
  - (c) income-related employment and support allowance;
  - (d) income support; or
  - (e) state pension credit."

(8) Yn Atodlen 4 (cyfalaf i'w anwybyddu)—

- (a) ym mharagraff 6 yn lle is-baragraff (a) rhodder—  
"(a)is in receipt of council tax benefit, guarantee credit, housing benefit, income-based jobseeker's allowance, income-related employment and support allowance; or income support; or"; a

(1) I gael y diffiniad o "guarantee credit" gweler rheoliad 2 o Reoliadau Grantiau Adnewyddu Tai 1996.

**"Enhanced disability premium**

**13A.** The condition is that—

- (a) the care component of disability living allowance is payable, or but for a suspension of benefit in accordance with regulations under section 113(2) of the 1992 Act or an abatement as a consequence of hospitalisation, would be payable, at the highest rate prescribed under section 72(3) of the 1992 Act; or
- (b) contributory employment and support allowance which includes the support component is payable,

in respect of the relevant person or a member of the relevant person's family, who is aged less than 60."

(6) In Schedule 2 (sums to be disregarded in the determination of earnings), for sub-paragraph (a) of paragraph 12 substitute—

"(a)is in receipt of council tax benefit, guarantee credit(1), housing benefit, income-based jobseeker's allowance, income-related employment and support allowance or income support; or"

(7) In Schedule 3 (sums to be disregarded in the determination of income other than earnings)—

- (a) for sub-paragraph (a) of paragraph 4 substitute—  
"(a)is in receipt of council tax benefit, guarantee credit, housing benefit, income-based jobseeker's allowance, income-related employment and support allowance or income support; or"; and
- (b) for paragraph 6 substitute—  
"Any concessionary payment made to compensate for the non-payment of—
  - (a) any payment specified in paragraph 5 or 8;
  - (b) an income-based jobseeker's allowance;
  - (c) income-related employment and support allowance;
  - (d) income support; or
  - (e) state pension credit."

(8) In Schedule 4 (capital to be disregarded)—

- (a) in paragraph 6 for sub-paragraph (a) substitute—  
"(a)is in receipt of council tax benefit, guarantee credit, housing benefit, income-based jobseeker's allowance, income-related employment and support allowance; or income support; or"; and

(1) For the definition of "guarantee credit" see regulation 2 of the Housing Renewal Grants Regulations 1996.



(b) ym mharagraff 9, ar ôl is-baragraff (f) mewnosoder—

"(g)income-related employment and support allowance."

(b) in paragraph 9, after sub-paragraph (f) insert—

"(g)income-related employment and support allowance."

*Jocelyn Davies*

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

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

10 Chwefror 2010

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OFFERYNNAU STATUDOL  
CYMRU

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**2010 Rhif 297 (Cy.39)**

**TAI, CYMRU**

Rheoliadau Grantiau Adnewyddu  
Tai (Diwygio) (Cymru)  
2010

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WELSH STATUTORY  
INSTRUMENTS

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**2010 No. 297 (W.39)**

**HOUSING, WALES**

The Housing Renewal Grants  
(Amendment) (Wales) Regulations  
2010