



OFFERYNNAU STATUDOL
CYMRU

2011 Rhif 2475 (Cy.267) (C.89)

TAI, CYMRU

**Gorchymyn Mesur Tai (Cymru)
2011 (Cychwyn Rhif 1)
2011**

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn, a wnaed gan Weinidogion Cymru, yn cychwyn y rhan fwyaf o Ran 2 (Landlordiaid Cymdeithasol Cofrestredig) o Fesur Tai (Cymru) 2011 ("y Mesur") ar 18 Hydref 2011 ("y dyddiad cychwyn cyntaf") a'r gweddill yn dod i rym ar 2 Rhagfyr 2011 ("yr ail ddyddiad cychwyn").

Hwn yw'r Gorchymyn Cychwyn cyntaf sy'n cael ei wneud o dan y Mesur.

Daeth Rhan 3 (Darpariaethau Atodol a Darpariaethau Terfynol) o'r Mesur i rym, yn unol ag adran 90(2), o 10 Gorffennaf 2011 ymlaen (deufis ar ôl i'r Mesur gael ei gymeradwyo gan Ei Mawrhydi yn y Cyfrin Gyngor).

Mae Rhan 2 o'r Mesur yn diwygio Rhan 1 o Ddeddf Tai 1996 ac Atodlen 1 iddi.

Mae effaith yr adrannau sy'n cael eu dwyn i rym ar y dyddiad cychwyn cyntaf fel a ganlyn:

Mae Pennod 1 o Ran 2 o'r Mesur yn ymwneud â pherfformiad Landlordiaid Cymdeithasol Cofrestredig. Mae adrannau 35 a 36 o Bennod 1 yn cael eu dwyn i rym yn rhannol at ddibenion ymgynghori ynghylch gosod safonau perfformiad o dan adran 33A o Ddeddf Tai 1996 a dyroddi canllawiau ar safonau perfformiad o dan adran 33B o Ddeddf Tai 1996. Mae adrannau 35 a 36 yn cael eu dwyn i rym yn llawn ar yr ail ddyddiad cychwyn.

Mae Pennod 2 wedi ei chychwyn ac yn gwneud darpariaeth i Landlordiaid Cymdeithasol Cofrestredig roi, ac i Weinidogion Cymru dderbyn, ymgymeriadau gwirfoddol yn lle dulliau gorfodi eraill.

WELSH STATUTORY
INSTRUMENTS

2011 No. 2475 (W.267) (C.89)

HOUSING, WALES

**The Housing (Wales) Measure
2011 (Commencement No. 1)
Order 2011**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made by the Welsh Ministers, commences the majority of Part 2 (Registered Social Landlords) of the Housing (Wales) Measure 2011 ("the Measure") on 18 October 2011 ("the first commencement date") with the remainder coming into force on 2 December 2011 ("the second commencement date").

This is the first Commencement Order made under the Measure.

Part 3 (Supplementary and Final Provisions) of the Measure came into force, pursuant to section 90(2), with effect from 10 July 2011 (two months after the Measure was approved by her Majesty in Council).

Part 2 of the Measure amends Part 1 of, and Schedule 1 to, the Housing Act 1996.

The effect of the sections which are brought into force on the first commencement date is as follows:

Chapter 1 of Part 2 of the Measure relates to the performance of Registered Social Landlords. Sections 35 and 36 of Chapter 1 are partially brought into force for the purposes of consultation on setting standards of performance under section 33A of the Housing Act 1996 and issuing guidance on standards of performance under section 33B of the Housing Act 1996. Sections 35 and 36 are brought fully into force on the second commencement date.

Chapter 2 is commenced and makes provision for Registered Social Landlords to give, and for the Welsh Ministers to accept, voluntary undertakings in lieu of other methods of enforcement.

Mae Pennod 3 wedi ei chychwyn, ac eithrio adran 42 sy'n dod i rym ar yr ail ddyddiad cychwyn, ac yn gwneud darpariaeth ar gyfer arolygon ac arolygiadau.

Mae Pennod 4 wedi ei chychwyn ac eithrio pan fo darpariaethau'n ymwneud â'r safonau perfformiad sydd i'w gosod o dan Bennod 1. Mae Pennod 4 yn gwneud darpariaeth i Weinidogion Cymru gymryd camau gorfodi yn erbyn Landlordiaid Cymdeithasol Cofrestredig.

Mae Pennod 5 wedi ei chychwyn ac yn cynnwys darpariaethau amrywiol gan gynnwys penodi rheolwr dros dro, symud swyddogion o swydd, a mân ddiwygiadau a diwygiadau canlyniadol. Mae'r rhan fwyaf o'r mân ddiwygiadau a'r diwygiadau canlyniadol yn yr Atodlen i'r Mesur yn dod i rym ar y dyddiad cychwyn cyntaf a'r gweddill yn dod i rym ar yr ail ddyddiad cychwyn pan fydd gweddill Penodau 1 a 4 yn dod i rym.

Chapter 3 is commenced except for section 42, which comes into force on the second commencement date, and makes provision for surveys and inspections.

Chapter 4 is commenced except where provisions relate to the standards of performance to be set under Chapter 1. Chapter 4 makes provision for the Welsh Ministers to take enforcement action against Registered Social Landlords.

Chapter 5 is commenced and contains miscellaneous provisions including the appointment of an interim manager, removal of officers, and minor and consequential amendments. The majority of the minor and consequential amendments in the Schedule to the Measure come into force on the first commencement date with the remainder coming into force on the second commencement date when the remainder of Chapters 1 and 4 come into force.

2011 Rhif 2475 (Cy.267) (C.89)

TAI, CYMRU

**Gorchymyn Mesur Tai (Cymru)
2011 (Cychwyn Rhif 1)
2011**

Gwnaed

17 Hydref 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 90(2) o Fesur Tai (Cymru) 2011(1), yn gwneud y Gorchymyn a ganlyn:

Enwi, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Tai (Cymru) 2011 (Cychwyn Rhif 1) 2011 ac mae'n gymwys o ran Cymru.

(2) Yn y Gorchymyn hwn—

18 Hydref 2011 yw "y dyddiad cychwyn cyntaf" ("*the first commencement date*");

2 Rhagfyr 2011 yw "yr ail ddyddiad cychwyn" ("*the second commencement date*"); ac

ystyr "y Mesur" ("*the Measure*") yw Mesur Tai (Cymru) 2011.

Cychwyn darpariaethau penodol yn Rhan 2 o'r Mesur (Landlordiaid Cymdeithasol Cofrestredig) ar y dyddiad cychwyn cyntaf

2. Mae darpariaethau canlynol Rhan 2 o'r Mesur, a'r Atodlen iddo, yn dod i rym ar y dyddiad cychwyn cyntaf.

Pennod 1 (Perfformiad)

- (a) Adran 35 (Safonau perfformiad) at ddiben ymgynghori ynghylch gosod safonau perfformiad o dan adran 33A o Ddeddf Tai 1996;
- (b) Adran 36 (Canllawiau ar safonau perfformiad) at ddiben ymgynghori ynghylch dyroddi canllawiau ar safonau perfformiad o dan adran

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HOUSING, WALES

**The Housing (Wales) Measure
2011 (Commencement No. 1)
Order 2011**

Made

17 October 2011

The Welsh Ministers, in exercise of the powers conferred upon them by section 90(2) of the Housing (Wales) Measure 2011(1), make the following Order:

Title, application and interpretation

1.—(1) The title of this Order is the Housing (Wales) Measure 2011 (Commencement No. 1) Order 2011 and it applies in relation to Wales.

(2) In this Order—

"the Measure" ("*y Mesur*") means the Housing (Wales) Measure 2011;

"the first commencement date" ("*y dyddiad cychwyn cyntaf*") is 18 October 2011; and

"the second commencement date" ("*yr ail ddyddiad cychwyn*") is 2 December 2011.

Commencement of certain provisions of Part 2 of the Measure (Registered Social Landlords) on the first commencement date

2. The following provisions of Part 2 of, and the Schedule to, the Measure come into force on the first commencement date.

Chapter 1 (Performance)

- (a) Section 35 (Standards of performance) for the purpose of consultation on setting standards of performance under section 33A of the Housing Act 1996;
- (b) Section 36 (Guidance on standards of performance) for the purpose of consultation on the issue of guidance on standards of

33B o Ddeddf Tai 1996;

- (c) Adran 37 (Ymgynghori ynghylch safonau a chanllawiau);
- (ch) Adran 39 (Canllawiau ynghylch cwynion); a
- (d) Adran 40 (Ymgynghori).

Pennod 2 (Ymgynghoriadau gwirfoddol)

- (dd) Y Bennod gyfan.

Pennod 3 (Rheoleiddio)

- (e) Y Bennod gyfan, ac eithrio adran 42 (Methu â rhoi hysbysiad i feddianwyr).

Pennod 4 (Gorfodi)

- (f) Adrannau 50 a 51 (Pwerau gorfodi);
- (ff) Adran 52 (Hysbysiad gorfodi: seiliau ar gyfer rhoi hysbysiad) ac eithrio i'r graddau y mae'n ymwneud â safonau sy'n gymwys o dan adran 33A o Ddeddf Tai 1996;
- (g) Adrannau 53 i 56 (Hysbysiad gorfodi — darpariaethau pellach);
- (ng) Adran 57 (Cosb: Seiliau ar gyfer rhoi cosb) ac eithrio i'r graddau y mae'n ymwneud â safonau sy'n gymwys o dan adran 33A o Ddeddf Tai 1996;
- (h) Adrannau 58 i 63 (Cosb — darpariaethau pellach);
- (i) Adran 64 (Iawndal: Seiliau ar gyfer dyfarnu iawndal) ac eithrio i'r graddau y mae'n ymwneud â safonau sy'n gymwys o dan adran 33A o Ddeddf Tai 1996;
- (j) Adrannau 65 i 71 (Iawndal — darpariaethau pellach);
- (l) Adran 72 (Tendr rheoli) ac eithrio i'r graddau y mae'n ymwneud â safonau sy'n gymwys o dan adran 33A o Ddeddf Tai 1996;
- (ll) Adrannau 73 i 75 (Rheoli etc. — darpariaethau pellach);
- (m) Adran 76 (Penodi rheolwr ar landlord cymdeithasol cofrestredig) ac eithrio i'r graddau y mae'n ymwneud â safonau sy'n gymwys o dan adran 33A o Ddeddf Tai 1996; ac
- (n) Adrannau 77 i 82 (Rheoli etc. — darpariaethau pellach).

Pennod 5 (Darpariaethau Amrywiol a Chyffredinol)

- (o) Adrannau 83 i 87 (Penodi rheolwr dros dro ar Ansolfedd, Symud swyddogion o swydd,

performance under section 33B of the Housing Act 1996;

- (c) Section 37 (Consultation about standards and guidance);
- (d) Section 39 (Guidance about complaints); and
- (e) Section 40 (Consultation).

Chapter 2 (Voluntary undertakings)

- (f) The whole Chapter.

Chapter 3 (Regulation)

- (g) The whole Chapter, except section 42 (Failure to give notice to occupiers).

Chapter 4 (Enforcement)

- (h) Sections 50 and 51 (Enforcement powers);
- (i) Section 52 (Enforcement notice: grounds for giving notice) save insofar as it relates to standards applicable under section 33A of the Housing Act 1996;
- (j) Sections 53 to 56 (Enforcement notice — further provisions);
- (k) Section 57 (Penalty: Grounds for imposition) save insofar as it relates to standards applicable under section 33A of the Housing Act 1996;
- (l) Sections 58 to 63 (Penalty — further provisions);
- (m) Section 64 (Compensation: Grounds for award) save insofar as it relates to standards applicable under section 33A of the Housing Act 1996;
- (n) Sections 65 to 71 (Compensation — further provisions);
- (o) Section 72 (Management tender) save insofar as it relates to standards applicable under section 33A of the Housing Act 1996;
- (p) Sections 73 to 75 (Management etc. — further provisions);
- (q) Section 76 (Appointment of manager of registered social landlord) save insofar as it relates to standards applicable under section 33A of the Housing Act 1996; and
- (r) Sections 77 to 82 (Management etc. — further provisions).

Chapter 5 (Miscellaneous and General Provisions)

- (s) Sections 83 to 87 (Appointment of an interim manager on Insolvency, Removal of officers,

Penodi swyddogion newydd, Elusennau sydd "wedi cael cymorth cyhoeddus" a Mân ddiffiniadau); a

- (p) Adran 88 (Mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r darpariaethau yn yr Atodlen i'r Mesur sy'n cael eu cychwyn gan yr erthygl hon.

Yr Atodlen (Mân ddiwygiadau a diwygiadau canlyniadol)

- (ph) Paragraffau 1 i 3; ac
(r) Paragraffau 9 i 20.

Cychwyn gweddill y darpariaethau yn Rhan 2 o'r Mesur (Landlordiaid Cymdeithasol Cofrestredig) ar yr ail ddyddiad cychwyn

3. Mae'r darpariaethau canlynol yn Rhan 2 o'r Mesur, a'r Atodlen iddo, yn dod i rym ar yr ail ddyddiad cychwyn.

Pennod 1 (Perfformiad)

- (a) Adran 35 (Safonau perfformiad) at bob diben sy'n weddill;
(b) Adran 36 (Canllawiau ar safonau perfformiad) at bob diben sy'n weddill; ac
(c) Adran 38 (Gwybodaeth o ran lefelau perfformiad).

Pennod 3 (Rheoleiddio)

- (ch) Adran 42 (Methu â rhoi hysbysiad i feddianwyr).

Pennod 4 (Gorfodi)

- (d) Adran 52 (Hysbysiad gorfodi: seiliau ar gyfer rhoi hysbysiad) at y dibenion sy'n weddill;
(dd) Adran 57 (Cosb: Seiliau ar gyfer rhoi cosb) at y dibenion sy'n weddill;
(e) Adran 64 (Iawndal: Seiliau ar gyfer dyfarnu iawndal) at y dibenion sy'n weddill;
(f) Adran 72 (Tendr rheoli) at y dibenion sy'n weddill; ac
(ff) Adran 76 (Penodi rheolwr ar landlord cymdeithasol cofrestredig) at y dibenion sy'n weddill.

Pennod 5 (Darpariaethau Amrywiol a Chyffredinol)

- (g) Adran 88 (Mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r darpariaethau yn yr Atodlen i'r Mesur sy'n cael eu cychwyn gan yr erthygl hon.

Yr Atodlen (Mân ddiwygiadau a diwygiadau canlyniadol)

- (ng) Paragraffau 4 i 8.

Appointment of new officers, Charities that have "received public assistance" and Minor definitions); and

- (t) Section 88 (Minor and consequential amendments) insofar as it relates to the provisions in the Schedule to the Measure commenced by this article.

The Schedule (Minor and consequential amendments)

- (u) Paragraphs 1 to 3; and
(v) Paragraphs 9 to 20.

Commencement of the remaining provisions of Part 2 of the Measure (Registered Social Landlords) on the second commencement date

3. The following provisions of Part 2 of, and the Schedule to, the Measure come into force on the second commencement date.

Chapter 1 (Performance)

- (a) Section 35 (Standards of performance) for all remaining purposes;
(b) Section 36 (Guidance on standards of performance) for all remaining purposes; and
(c) Section 38 (Information as to levels of performance).

Chapter 3 (Regulation)

- (d) Section 42 (Failure to give notice to occupiers).

Chapter 4 (Enforcement)

- (e) Section 52 (Enforcement notice: grounds for giving notice) for remaining purposes;
(f) Section 57 (Penalty: Grounds for imposition) for remaining purposes;
(g) Section 64 (Compensation: Grounds for award) for remaining purposes;
(h) Section 72 (Management tender) for remaining purposes; and
(i) Section 76 (Appointment of manager of registered social landlord) for remaining purposes.

Chapter 5 (Miscellaneous and General Provisions)

- (j) Section 88 (Minor and consequential amendments) insofar as it relates to the provisions in the Schedule to the Measure commenced by this article.

Schedule (Minor and consequential amendments)

- (k) Paragraphs 4 to 8.

Huw Lewis

Y Gweinidog Tai, Adfywio a Threftadaeth, un o
Weinidogion Cymru

The Minister for Housing, Regeneration and Heritage,
one of the Welsh Ministers

17 Hydref 2011

17 October 2011

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