OFFERYNNAU STATUDOL CYMRU

2013 Rhif 639 (Cy.72)

Y DRETH GYNGOR, CYMRU

Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) (Diwygio) (Cymru) 2013

NODYN ESBONIADOL

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

Mae Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992 ("Rheoliadau 1992") yn rhagnodi amodau y mae'n rhaid i weithwyr gofal a gwahanol bersonau o ddisgrifiadau eraill eu cyflawni er mwyn cael eu diystyried at ddibenion disgowntiau'r dreth gyngor y mae adran 11 o Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992") yn rhagnodi ar eu cyfer.

Mae rheoliad 2(a) a (b) yn diwygio amodau Rheoliadau 1992 fel bod gweithwyr gofal sy'n darparu gofal i berson sydd â hawl i lwfans gweini ar unrhyw gyfradd, neu'r gyfradd uchaf neu ganol o'r rhan o lwfans byw i'r anabl sydd ar gyfer gofal dan Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992, yn cyflawni'r gofynion angenrheidiol i gael eu diystyried at ddibenion adran 11 o Ddeddf 1992.

Mae rheoliad 2(c) a (d) yn diwygio'r gofyniad yn Rheoliadau 1992 fel bod gweithwyr gofal sy'n darparu gofal i berson sydd â hawl i gyfradd safonol neu gyfradd uwch y rhan o'r taliad annibyniaeth bersonol dan y Ddeddf Diwygio Lles 2012 sydd ar gyfer byw bob dydd yn cyflawni'r gofynion angenrheidiol i gael eu diystyried at ddibenion adran 11 o Ddeddf 1992.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, nid ystyriwyd bod angen cynnal asesiad effaith rheoleiddiol ar y costau a'r manteision tebygol o gydymffurfio â'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2013 No. 639 (W.72)

COUNCIL TAX, WALES

The Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 ("the 1992 Regulations") prescribe conditions which must be fulfilled by care workers and various persons of other descriptions in order for them to be disregarded for the purposes of council tax discounts which are prescribed for by section 11 of the Local Government Finance Act 1992 ("the 1992 Act").

Regulation 2(a) and (b) amends the conditions of the 1992 Regulations so that care workers providing care to a person entitled to an attendance allowance at any rate, or the highest or middle rate of the care component of a disability living allowance under the Social Security Contributions and Benefits Act 1992, fulfil the requirements necessary to be disregarded for the purposes of section 11 of the 1992 Act.

Regulation 2(c) and (d) amends the requirement of the 1992 Regulations so that care workers providing care to a person entitled to the standard or enhanced rate of the daily living component of a personal independence payment under the Welfare Reform Act 2012 fulfil the requirements necessary to be disregarded for the purposes of the section 11 of the 1992 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2013 Rhif 639 (Cy.72)

Y DRETH GYNGOR, CYMRU

Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) (Diwygio) (Cymru) 2013

Gwnaed	*18 Mawrth 2013*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*18 Mawrth 2013*
Yn dod i rym	*8 Ebrill 2013*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan baragraff 9 o Atodlen 1 i Ddeddf Cyllid Llywodraeth Leol 1992(**1**) ac a freiniwyd bellach ynddynt hwy(**2**).

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) (Diwygio) (Cymru) 2013 ac maent yn dod i rym ar 8 Ebrill 2013.

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

Diwygio Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992

2. Mae paragraff 3(a) o'r Atodlen i Reoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) 1992(**3**) wedi ei ddiwygio fel a ganlyn—

(a) ym mharagraff (i) yn lle "a higher rate" rhodder "an";

(**1**) 1992 p.14.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), erthygl 2 ac Atodlen 1. Trosglwyddwyd y swyddogaethau hynny wedi hynny i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(**3**) O.S. 1992/552. Diwygiwyd paragraff 3(a) o'r Atodlen gan O.S. 1994/540 ac O.S. 1996/637.

WELSH STATUTORY INSTRUMENTS

2013 No. 639 (W.72)

COUNCIL TAX, WALES

The Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2013

Made	*18 March 2013*
Laid before the National Assembly for Wales	*18 March 2013*
Coming into force	*8 April 2013*

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State by paragraph 9 of Schedule 1 to the Local Government Finance Act 1992(**1**) and now vested in them(**2**).

Title, commencement and application

1.—(1) The title of these Regulations is the Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2013 and they come into force on 8 April 2013.

(2) These Regulations apply in relation to Wales.

Amendment of the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992

2. Paragraph 3(a) of the Schedule to the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992(**3**) is amended as follows—

(a) in paragraph (i) for "a higher rate" substitute "an";

(**1**) 1992 c.14.

(**2**) Functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1. Those functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(**3**) S.I. 1992/552. Paragraph 3(a) of the Schedule was amended by S.I. 1994/540 and S.I. 1996/637.

(b) ym mharagraff (ii) ar ôl "highest" mewnosoder "or middle", ac ar ôl "section 72(4)(a)" mewnosoder "or section 72(4)(b)";

(c) ar ddiwedd paragraff (iii) hepgorer "or"; a

(d) ar ôl paragraff (iv) mewnosoder—

"or

(v) the standard or enhanced rate of the daily living component of personal independence payment under section 78(3) of the Welfare Reform Act 2012(**1**);".

(b) in paragraph (ii) after "highest" insert "or middle", and after "section 72(4)(a)" insert "or section 72(4)(b)";

(c) at the end of paragraph (iii) omit "or"; and

(d) after paragraph (iv) insert—

"or

(v) the standard or enhanced rate of the daily living component of personal independence payment under section 78(3) of the Welfare Reform Act 2012(**1**);".

Lesley Griffiths

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth, un o Weinidogion Cymru

18 Mawrth 2013

Minister for Local Government and Government Business, one of the Welsh Ministers

18 March 2013

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(**1**) 2012 p.5.

(**1**) 2012 c.5.

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WELSH STATUTORY INSTRUMENTS

2013 Rhif 639 (Cy.72)

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Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

Rheoliadau'r Dreth Gyngor (Darpariaethau Ychwanegol ar gyfer Diystyriadau Disgownt) (Diwygio) (Cymru) 2013

The Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2013

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