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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2015 Rhif 1878 (Cy. 275)**

**2015 No. 1878 (W. 275)**

**TAI, CYMRU**

**HOUSING, WALES**

**CAFFAEL TIR, CYMRU**

**ACQUISITION OF LAND,  
WALES**

**Rheoliadau Taliadau Colli Cartref  
(Symiau Rhagnodedig) (Cymru)  
2015**

**The Home Loss Payments  
(Prescribed Amounts) (Wales)  
Regulations 2015**

**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, sy'n gymwys o ran Cymru, yn cynyddu uchafsymiau ac isafsymiau'r taliadau colli cartref sy'n daladwy o dan Ddeddf Digollediad Tir 1973 ("y Ddeddf") i'r rhai sydd â buddiant perchennog mewn annedd. Mae'r Rheoliadau hyn yn cynyddu hefyd swm y taliad colli cartref sy'n daladwy mewn unrhyw achos arall.

These Regulations, which apply in relation to Wales, increase the maximum and minimum amounts of home loss payments payable under the Land Compensation Act 1973 ("the Act") to those with an owner's interest in a dwelling. These Regulations also increase the amount of home loss payment payable in any other case.

Mae hawl gan berson a ddadleolir o annedd drwy brynu gorfodol neu o dan amgylchiadau eraill a bennir yn adran 29 o'r Ddeddf i gael taliad colli cartref. Cafodd y sail bresennol ar gyfer asesu swm y taliad colli cartref ei sefydlu drwy ddiwygiadau a wnaed i'r Ddeddf a geir yn Neddf Cynllunio a Digolledu 1991.

A person who is displaced from a dwelling by compulsory purchase or in other circumstances specified in section 29 of the Act is entitled to a home loss payment. The present basis for assessing the amount of home loss payment was established by amendments to the Act contained in the Planning and Compensation Act 1991.

Mewn achosion pan fo gan berson sy'n meddiannu annedd ar ddyddiad y dadleoli fuddiant perchennog, mae adran 30(1) o'r Ddeddf yn darparu bod swm y taliad colli cartref yn cael ei gyfrifo fel canran o werth y buddiant hwnnw ar y farchnad, a hynny'n ddarostyngedig i uchafswm ac isafswm.

Section 30 (1) of the Act provides that in cases where a person occupying a dwelling on the date of displacement has an owner's interest, the amount of home loss payment is calculated as a percentage of the market value of that interest, subject to a maximum and minimum amount.

Mae adran 30(2) o'r Ddeddf yn rhagnodi swm y taliad colli cartref mewn unrhyw achos arall.

Section 30(2) of the Act prescribes the amount of the home loss payment in any other case.

Mae rheoliad 2(a) o'r Rheoliadau hyn yn cynyddu'r uchafswm sy'n daladwy o dan adran 30(1) o'r Ddeddf o £47,000 i £53,000 ac mae rheoliad 2(b) yn cynyddu'r isafswm o £4,700 i £5,300. Mae rheoliad 2(c) yn cynyddu'r taliad colli cartref sy'n daladwy, o dan adran 30(2) o'r Ddeddf, mewn unrhyw achos arall o £4,700 i £5,300.

Regulation 2(a) of these Regulations increases the maximum amount payable under section 30(1) of the Act from £47,000 to £53,000 and Regulation 2(b) increases the minimum amount from £4,700 to £5,300. Regulation 2(c) increases the home loss payment payable, under section 30(2) of the Act, in any other case from £4,700 to £5,300.

Dim ond uchafsymiau ac isafsymiau'r taliadau colli cartref sydd wedi eu newid ac nid oes unrhyw newid yn y ganran sy'n daladwy o werth ar y farchnad buddiant y person sydd wedi ei ddadleoli yn yr annedd.

Mae'r symiau diwygiedig yn gymwys pan fo'r dadleoli'n digwydd ar 10 Rhagfyr 2015 neu ar ôl hynny.

Mae'r Rheoliadau hyn yn darparu y bydd Rheoliadau Taliadau Colli Cartref (Symiau Rhagnodedig) (Cymru) 2008 yn parhau i gael effaith o ran dadleoli sy'n digwydd cyn y dyddiad y daw'r Rheoliadau hyn i rym ond ar wahân i hynny maent yn cael eu dirymu.

Only the maximum and minimum amounts of home loss payments are changed and there is no change to the percentage payable of the market value of the displaced person's interest in the dwelling.

The revised amounts apply where the displacement occurs on or after 10 December 2015.

These Regulations provide that the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2008 will continue to have effect in relation to a displacement occurring before the date on which these Regulations come into force but are otherwise revoked.

**2015 Rhif 1878 (Cy. 275)**

**TAI, CYMRU**

**CAFFAEL TIR, CYMRU**

**Rheoliadau Taliadau Colli Cartref  
(Symiau Rhagnodedig) (Cymru)  
2015**

*Gwnaed* 9 Tachwedd 2015

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 13 Tachwedd 2015

*Yn dod i rym* 10 Rhagfyr 2015

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 30(5) o Ddeddf Digollediad Tir 1973(1) ac sy'n arferadwy bellach ganddynt hwy o ran Cymru(2), yn gwneud y Rheoliadau a ganlyn:

**Enwi, cychwyn, cymhwyso a dehongli**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Taliadau Colli Cartref (Symiau Rhagnodedig) (Cymru) 2015 a deuant i rym ar 10 Rhagfyr 2015.

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

(3) Yn y Rheoliadau hyn ystyr "y Ddeddf" ("*the Act*") yw Ddeddf Digollediad Tir 1973.

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- (1) 1973 p. 26; amnewidwyd adran 30 gan adran 68(3) o Ddeddf Cynllunio a Digolledu 1991 (p. 34) gydag effaith o 25 Medi 1991 (*gweler* erthygl 3 o O.S. 1991/2067).
- (2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 30, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan adran 30 i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

**2015 No. 1878 (W. 275)**

**HOUSING, WALES**

**ACQUISITION OF LAND,  
WALES**

**The Home Loss Payments  
(Prescribed Amounts) (Wales)  
Regulations 2015**

*Made* 9 November 2015

*Laid before the National Assembly  
for Wales* 13 November 2015

*Coming into force* 10 December 2015

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 30(5) of the Land Compensation Act 1973(1) and now exercisable by them in relation to Wales(2), make the following Regulations:

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2015 and they come into force on 10 December 2015.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations "the Act" means the Land Compensation Act 1973.

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- (1) 1973 c.26; section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c.34) with effect from 25 September 1991 (*see* S.I. 1991/2067, article 3).
- (2) The functions of the Secretary of State under section 30 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2; and Schedule 1. The functions of the National Assembly for Wales under section 30 were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32)

## Symiau diwygiedig y taliad colli cartref

2. Pan fo'r dyddiad dadleoli ar y dyddiad y daw'r Rheoliadau hyn i rym neu ar ei ôl—

- (a) £53,000 yw uchafswm rhagnodedig y taliad colli cartref at ddibenion adran 30(1) o'r Ddeddf;
- (b) £5,300 yw isafswm rhagnodedig y taliad colli cartref at ddibenion adran 30(1) o'r Ddeddf; ac
- (c) £5,300 yw swm rhagnodedig y taliad colli cartref at ddibenion adran 30(2) o'r Ddeddf.

## Dirymu ac arbedion

3.—(1) Yn ddarostyngedig i baragraff (2), mae Rheoliadau Taliadau Colli Cartref (Symiau Rhagnodedig) (Cymru) 2008(1) wedi eu dirymu.

(2) Bydd y Rheoliadau a grybwyllwyd ym mharagraff (1) yn parhau i gael effaith mewn perthynas â dadleoli sy'n digwydd cyn y dyddiad y daw'r Rheoliadau hyn i rym.

## Revised amounts of home loss payment

2. When the date of displacement is on or after the day on which these Regulations come into force —

- (a) the prescribed maximum amount of home loss payment for the purposes of section 30(1) of the Act is £53,000;
- (b) the prescribed minimum amount of home loss payment for the purposes of section 30(1) of the Act is £5,300; and
- (c) the prescribed amount of home loss payment for the purposes of section 30(2) of the Act is £5,300.

## Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2008(1) are revoked.

(2) The Regulations mentioned in paragraph (1) will continue to have effect in relation to a displacement occurring before the date on which these Regulations come into force.

*Lesley Griffiths*

Y Gweinidog Cymunedau a Threchu Tlodi, un o  
Weinidogion Cymru  
9 Tachwedd 2015

Minister for Communities and Tackling Poverty, one  
of the Welsh Ministers  
9 November 2015

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(1) O.S. 2008/2845 (Cy. 255).

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(1) S.I. 2008/2845 (W. 255).

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