



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2016 Rhif 50 (Cy. 21)**

**2016 No. 50 (W. 21)**

**Y DRETH GYNGOR, CYMRU**

**COUNCIL TAX, WALES**

Rheoliadau Cynlluniau  
Gostyngiadau'r Dreth Gyngor  
(Gofynion Rhagnodedig a Chynllun  
Diofyn) (Cymru) (Diwygio) 2016

The Council Tax Reduction  
Schemes (Prescribed Requirements  
and Default Scheme) (Wales)  
(Amendment) Regulations 2016

**NODYN ESBONIADOL**

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 ("y Rheoliadau Gofynion Rhagnodedig") a Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013 ("y Rheoliadau Cynllun Diofyn") a wnaed o dan adran 13A(4) a (5) o Ddeddf Cyllid Llywodraeth Leol 1992 ac Atodlen 1B iddi.

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 ("the Prescribed Requirements Regulations") and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 ("the Default Scheme Regulations") made under section 13A(4) and (5) of, and Schedule 1B to, the Local Government Finance Act 1992.

Mae'r Rheoliadau Gofynion Rhagnodedig yn ei gwneud yn ofynnol bod pob awdurdod bilio yng Nghymru yn gwneud cynllun a fydd yn pennu pa ostyngiadau a fydd yn gymwys i'r symiau o'r dreth gyngor a fydd yn daladwy gan bersonau, neu ddosbarthiadau o bersonau, y mae'r awdurdod yn ystyried eu bod mewn angen ariannol. Mae'r Rheoliadau Gofynion Rhagnodedig yn nodi hefyd y materion y mae'n rhaid eu cynnwys mewn cynllun o'r fath.

The Prescribed Requirements Regulations require each billing authority in Wales to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The Prescribed Requirements Regulations also set out the matters that must be included within such a scheme.

Mae'r Rheoliadau Cynllun Diofyn yn nodi cynllun a fydd yn cael effaith, mewn cysylltiad ag anheddau sydd wedi eu lleoli yn ardal awdurdod bilio, os yw'r awdurdod yn methu â gwneud ei gynllun ei hun.

The Default Scheme Regulations set out a scheme that will take effect, in respect of dwellings situated in the area of a billing authority, if the authority fails to make its own scheme.

Mae'r Rheoliadau hyn yn diwygio'r Rheoliadau Gofynion Rhagnodedig a'r Rheoliadau Cynllun Diofyn. Mae'r diwygiad yn rheoliad 3 yn diwygio'r diffiniad o "y Deddfau budd-dal" a ddefnyddir yn y Rheoliadau Gofynion Rhagnodedig i gynnwys cyfeiriad at Ddeddf Pensiynau 2014 ("y Ddeddf Pensiynau"). Mae'r un diwygiad wedi ei wneud i'r Rheoliadau Cynllun Diofyn gan reoliad 16.

These Regulations amend both the Prescribed Requirements Regulations and the Default Scheme Regulations. The amendment in regulation 3 amends the definition of "the benefit Acts" used within the Prescribed Requirement Regulations to include a reference to the Pensions Act 2014 ("the Pensions Act"). The same amendment is made to the Default Scheme Regulations by regulation 16.

Mae'r diwygiadau i'r Rheoliadau Gofynion Rhagnodedig a wnaed gan reoliadau 4, 5(a)(vi), (b), (d), (e)(ii) a (iii), 6(b) a (c), 7, 8(b), 9(a)(vi) a (b), 10(a)(ii) a (iii), (b) ac (c), 12, 13 a 14 wedi eu gwneud o ganlyniad i ddarpariaeth yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 a Deddf Gofal 2014 ("Deddfau 2014").

Mae'r mwyafrif o'r diwygiadau yn disodli'r dull presennol o benderfynu a yw person yn ddall â'r amod bod yn rhaid i berson fod naill ai'n ddall neu fod â nam difrifol ar ei olwg.

Mae'r diwygiadau yn rheoliadau 5(b)(iii), 12 a 13(a), (b) a (d) yn adlewyrchu'r trefniadau newydd sy'n bodoli at ddibenion diwallu anghenion person am ofal a chymorth o dan Ddeddfau 2014.

Mae'r diwygiad a wnaed gan reoliad 14 yn adlewyrchu'r taliadau bwrsari y caniateir eu gwneud bellach o dan Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Mae'r holl ffactorau hyn yn berthnasol at ddibenion cyfrifo swm y gostyngiad y mae gan geisydd hawl i'w gael. Mae'r un diwygiadau wedi eu gwneud mewn perthynas â'r Rheoliadau Cynllun Diofyn gan reoliadau 17, 18(f), 19, 21, 24, 25(b) a (c), 26(a)(ii) a (iii), (b) a (c), 27, 29, 30(b) a 31.

Mae'r diwygiadau i'r Rheoliadau Gofynion Rhagnodedig a wnaed gan reoliadau 5(c), 5(e)(i), 5(f)(ii), 8(a), 9(c)(ii), 10(a)(i) ac 11 wedi eu gwneud o ganlyniad i Ran 1 o'r Ddeddf Pensiynau. Maent yn mewnosod cyfeiriadau at bensiwn gwladwriaeth lle y mae cyfeiriadau ar hyn o bryd at bensiwn ymddeol. Mae rheoliad 5(c)(i) yn mewnosod cyfeiriad at yr adran 55AA newydd o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992, sydd yn ei thro yn ymwneud â phensiwn ychwanegol a rennir oherwydd credyd pensiwn gwladwriaeth newydd. Mae'r un diwygiadau wedi eu gwneud mewn perthynas â'r Rheoliadau Cynllun Diofyn gan reoliadau 20, 22(b), 26(a)(i), 28 a 30.

Mae'r diwygiadau i'r Rheoliadau Gofynion Rhagnodedig a wnaed gan reoliadau 5(a)(i) i (v), 6(a) ac 9(a)(i) i (v) yn cynyddu ffigurau penodol a ddefnyddir i gyfrifo a oes gan berson hawl i gael gostyngiad a swm y gostyngiad hwnnw. Mae'r ffigurau uwchraddedig yn ymwneud â didyniadau annibynyddion (sef addasiadau i uchafswm y gostyngiad y mae hawl gan berson i'w gael, er mwyn cymryd i ystyriaeth oedolion sy'n byw yn yr annedd ac nad ydynt yn ddibynyddion y ceisydd); ac â'r swm cymwysadwy mewn perthynas â chais am ostyngiad (sef y swm y cymherir incwm ceisydd ag ef, er mwyn penderfynu swm y gostyngiad y mae hawl gan y ceisydd i'w gael). Mae'r un diwygiadau wedi eu gwneud mewn perthynas â'r Rheoliadau Cynllun Diofyn gan reoliadau 18(a) i (e) ac 25(a).

The amendments to the Prescribed Requirements regulations made by regulations 4, 5(a)(vi), (b), (d), (e)(ii) and (iii), 6(b) and (c), 7, 8(b), 9(a)(vi) and (b), 10(a)(ii) and (iii), (b) and (c), 12, 13 and 14 are made in consequence upon provision in the Social Services and Well-being Wales Act 2014 and the Care Act 2014 ("the 2014 Acts").

The majority of the amendments replace the current method by which a person is determined to be blind with the condition that a person must either be blind or severely sight-impaired.

The amendments within regulations 5(b)(iii), 12 and 13(a), (b) and (d) reflect the new arrangements that exist for the purposes of meeting a person's needs for care and support under the 2014 Acts.

The amendment made by regulation 14 reflects the bursary payments that can now be made under the Social Services and Well-being (Wales) Act 2014.

All of these factors are relevant for the purpose of calculating the amount of reduction to which an applicant is entitled. The same amendments are made in relation to the Default Scheme Regulations by regulations 17, 18(f), 19, 21, 24, 25(b) and (c), 26(a)(ii) and (iii), (b) and (c), 27, 29, 30(b) and 31.

The amendments to the Prescribed Requirements Regulations made by regulations 5(c), 5(e)(i), 5(f)(ii), 8(a), 9(c)(ii), 10(a)(i) and 11 are made in consequence upon Part 1 of the Pensions Act. They insert references to a state pension where there are currently references to a retirement pension. Regulation 5(c)(i) inserts a reference to the new section 55AA of the Social Security Contributions and Benefits Act 1992, which in turn concerns shared additional pension because of a new state pension credit. The same amendments are made in relation to the Default Scheme Regulations by regulations 20, 22(b), 26(a)(i), 28 and 30.

The amendments to the Prescribed Requirements Regulations made by regulations 5(a)(i) to (v), 6(a) and 9(a)(i) to (v) increase certain figures that are used in calculating whether a person is entitled to a reduction and the amount of that reduction. The updated figures relate to non-dependant deductions (adjustments made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant); and the applicable amount in relation to an application for a reduction (the amount against which an applicant's income is compared in order to determine the amount of reduction to which the applicant is entitled). The same amendments are made in relation to the Default Scheme Regulations by regulations 18(a) to (e) and 25(a).

Mae'r diwygiadau i'r Rheoliadau Gofynion Rhagnodedig a wnaed gan reoliadau 5(f)(i) ac (g) a 9(c)(i) a (d) wedi eu gwneud o ganlyniad i Ddeddf Cyfraniadau Yswiriant Gwladol 2015 a ddiwygiodd adran 11 o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 fel bod yr eithriad enillion isel yn cael ei alw bellach yn drothwy elw isel. Mae'r un diwygiadau wedi eu gwneud mewn perthynas â'r Rheoliadau Cynllun Diofyn gan reoliadau 22(a) a 23.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Is-adran Cyllid Llywodraeth Leol a Pherfformiad Gwasanaethau Cyhoeddus, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

The amendments to the Prescribed Requirements Regulations made by regulations 5(f)(i) and (g) and 9(c)(i) and (d) are made in consequence upon the National Insurance Contributions Act 2015 which amended section 11 of the Social Security Contributions and Benefits Act 1992 so that the small earnings exception is now known as small profits threshold. The same amendments are made in relation to the Default Scheme Regulations by regulations 22(a) and 23.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government Finance and Public Services Performance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Rheoliadau Cynlluniau  
Gostyngiadau'r Dreth Gyngor  
(Gofynion Rhagnodedig a Chynllun  
Diofyn) (Cymru) (Diwygio) 2016

The Council Tax Reduction  
Schemes (Prescribed Requirements  
and Default Scheme) (Wales)  
(Amendment) Regulations 2016

*Gwnaed* 19 Ionawr 2016

*Made* 19 January 2016

*Yn dod i rym yn unol â rheoliad 1(2)*

*Coming into force in accordance with  
regulation 1(2)*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddynt gan adrannau 13A(4) a (5) o Ddeddf Cyllid Llywodraeth Leol 1992(1) a pharagraffau 2 i 7 o Atodlen 1B iddi.

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by section 13A(4) and (5) of, and paragraphs 2 to 7 of Schedule 1B to, the Local Government Finance Act 1992(1).

Yn unol ag adran 13A(8) o'r Ddeddf honno, gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru a chymeradwywyd ef ganddo drwy benderfyniad.

In accordance with section 13A(8) of that Act, a draft of this instrument has been laid before and approved by resolution of the National Assembly for Wales.

**Enwi, cychwyn a dehongli**

**Title, commencement and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Gofynion Rhagnodedig a Chynllun Diofyn) (Cymru) (Diwygio) 2016.

1.—(1) The title of these Regulations is the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016.

(2) Daw'r Rheoliadau hyn i rym drannoeth y diwrnod y'u gwneir.

(2) These Regulations come into force the day after the day on which they are made.

(3) Mae'r Rheoliadau yn gymwys mewn perthynas â chynllun gostyngiadau'r dreth gyngor a wneir ar gyfer blwyddyn ariannol sy'n dechrau ar neu ar ôl 1 Ebrill 2016.

(3) These Regulations apply in relation to a council tax reduction scheme made for a financial year beginning on or after 1 April 2016.

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(1) 1992 p. 14. Amnewidiwyd adran 13A gan adran 10(1) o Ddeddf Cyllid Llywodraeth Leol 2012 (p. 17) a mewnosodwyd Atodlen 1B gan adran 10(2) o'r Ddeddf honno ac Atodlen 4 iddi.

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(1) 1992 c. 14. Section 13A was substituted by section 10(1) of the Local Government Finance Act 2012 (c. 17) and Schedule 1B was inserted by section 10(2) of, and Schedule 4 to, that Act.

(4) Yn y Rheoliadau hyn ystyr “cynllun gostyngiadau'r dreth gyngor” (“*council tax reduction scheme*”) yw cynllun a wnaed gan awdurdod bilio yn unol â Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013(1), neu'r cynllun sy'n gymwys yn ddiodyn yn rhinwedd paragraff 6(1)(e) o Atodlen 1B i Ddeddf Cyllid Llywodraeth Leol 1992.

### **Diwygiadau i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013**

2. Mae Rheoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 wedi eu diwygio'n unol â rheoliadau 3 i 14.

3. Yn rheoliad 2(1) (dehongli) yn y diffiniad o “y Deddfau budd-dal” (“*the benefit Acts*”)—

- (a) yn lle “a” rhodder “,”;
- (b) ar ôl “Deddf Diwygio Lles 2007(2)” mewnosoder “a Deddf Pensiynau 2014(3)”.

4. Yn rheoliad 8 (aelwydydd), ar ôl paragraff 2(a) mewnosoder—

“(aa) wedi ei leoli gyda'r ceisydd neu bartner y ceisydd gan awdurdod lleol o dan adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(4); neu”.

5. Yn Atodlen 1 (penderfynu cymhwystra am ostyngiad: pensiynwyr)—

- (a) ym mharagraff 3 (didyniadau annibynyddion: pensiynwyr)—
  - (i) yn is-baragraff (1)(a) yn lle “£11.75” rhodder “£12.25”;
  - (ii) yn is-baragraff (1)(b) yn lle “£3.90” rhodder “£4.05”;
  - (iii) yn is-baragraff (2)(a) yn lle “£189.00” rhodder “£195.00”;
  - (iv) yn is-baragraff (2)(b) yn lle “£189.00”, “£328.00” a “£7.80” rhodder “£195.00”, “£338.00” a “£8.10” yn y drefn honno;

(4) In these Regulations “council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gyngor*”) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(1), or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992.

### **Amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013**

2. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 are amended in accordance with regulations 3 to 14.

3. In regulation 2(1) (interpretation), in the definition of “the benefit Acts” (“*y Deddfau budd-dal*”)—

- (a) for “and” substitute “,”;
- (b) after “Welfare Reform Act 2007(2)” insert “and the Pensions Act 2014(3)”.

4. In regulation 8 (households), after paragraph 2(a) insert—

“(aa) placed with the applicant or the applicant’s partner by a local authority under section 81 of the Social Services and Well-being (Wales) Act 2014(4); or”.

5. In Schedule 1 (determining eligibility for a reduction: pensioners)—

- (a) in paragraph 3 (non-dependant deductions: pensioners)—
  - (i) in sub-paragraph (1)(a) for “£11.75” substitute “£12.25”;
  - (ii) in sub-paragraph (1)(b) for “£3.90” substitute “£4.05”;
  - (iii) in sub-paragraph (2)(a) for “£189.00” substitute “£194.00”;
  - (iv) in sub-paragraph (2)(b) for “£189.00”, “£328.00” and “£7.80” substitute “£194.00”, “£338.00” and “£8.10” respectively;

(1) O.S. 2013/3029 (Cy. 301), fel y'i diwygiwyd gan O.S. 2014/66 (Cy. 6), O.S. 2014/825 (Cy. 83), O.S. 2015/44 (Cy. 3) ac O.S. 2015/971.

(2) 2007 p. 5.

(3) 2014 p. 19.

(4) 2014 dccc 4.

(1) S.I. 2013/3029 (W. 301), as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3) and S.I. 2015/971.

(2) 2007 c. 5.

(3) 2014 c. 19.

(4) 2014 anaw 4.

- (v) yn is-baragraff (2)(c) yn lle “£328.00”, “£408.00” a “£9.85” rhodder “£338.00”, “£420.00” a “£10.25” yn y drefn honno;
- (vi) yn is-baragraff (6)(a) yn lle “yn ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;
- (b) ym mharagraff 15 (enillion enillwyr hunangyflogedig: pensïynwyr), yn is-baragraff (2)—
- (i) ym mharagraff (b)(i) ar ôl “Ddeddf Plant (Yr Alban) Act 1995(1)” mewnosoder “, neu adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (y ffyrdd y mae plant sy’n derbyn gofal i’w lletya a’u cynnal)”;
- (ii) ar ddiwedd paragraff (d)(iv) hepgorer “neu”;
- (iii) ar ôl paragraff (d)(v) mewnosoder—
- “(vi) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 35 neu 36 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu
- (vii) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 18 neu 19 o Ddeddf Gofal 2014(2);”;
- (c) ym mharagraff 16 (incwm tybiannol: pensïynwyr)—
- (i) yn is-baragraff (2)(b) yn lle “adran 55A” rhodder “adrannau 55A a 55AA”;
- (ii) yn is-baragraff (2)(c) yn lle “.” rhodder “,”;
- (iii) ar ôl is-baragraff (2)(c) mewnosoder—
- “(d) pensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014.”;
- (iv) ar ddiwedd is-baragraff (3)(b) hepgorer “ac”;
- (v) yn is-baragraff (3)(c) yn lle “.” rhodder “; a”;
- (vi) ar ôl is-baragraff (3)(c) mewnosoder—
- (v) in sub-paragraph (2)(c) for “£328.00”, “£408.00” and “£9.85” substitute “£338.00”, “£420.00” and “£10.25” respectively;
- (vi) in sub-paragraph (6)(a) for “blind or treated as blind” substitute “blind or severely sight-impaired or is treated as such”;
- (b) in paragraph 15 (earnings of self employed earners: pensioners), in sub-paragraph (2)—
- (i) in paragraph (b)(i) after “the Children (Scotland) Act 1995(1)”, insert “, or section 81 of the Social Services and Well-being (Wales) Act 2014 (accommodation and maintenance of looked after children)”;
- (ii) at the end of paragraph (d)(iv) omit “or”;
- (iii) after paragraph (d)(v) insert—
- “(vi) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 35 or 36 of the Social Services and Well-being (Wales) Act 2014; or
- (vii) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 18 or 19 of the Care Act 2014(2);”;
- (c) in paragraph 16 (notional income: pensioners)—
- (i) in sub-paragraph (2)(b) for “section 55A” substitute “sections 55A and 55AA”;
- (ii) in sub-paragraph (2)(c) for “.” substitute “,”;
- (iii) after sub-paragraph (2)(c) insert—
- “(d) a state pension under Part 1 of the Pensions Act 2014.”;
- (iv) at the end of sub-paragraph (3)(b) omit “and”;
- (v) in sub-paragraph (3)(c) for “.” substitute “; and”;
- (vi) after sub-paragraph (3)(c) insert—

(1) 1995 p. 36.  
(2) 2014 p. 23.

(1) 1995 c. 36.  
(2) 2014 c. 23.

“(d) yn achos pensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014, yn yr amgylchiadau a bennir yn adran 17(7) ac (8) o’r Ddeddf honno.”;

(vii) yn is-baragraff (9) ar ôl “(10)” mewnosoder “, (11A), (11B)”;

(viii) ar ôl is-baragraff (11) mewnosoder—

“(11A) Nid yw is-baragraff (9) yn gymwys mewn perthynas â swm cynnydd mewn pensiwn pan fo person, ar ôl dewis o blaid y cynnydd hwnnw mewn pensiwn o dan adran 8(2) o Ddeddf Pensiynau 2014, wedyn yn newid y dewis hwnnw, o blaid cyfandaliad, yn unol â rheoliadau a wnaed o dan adran 8(7) o’r Ddeddf honno.

(11B) Nid yw is-baragraff (9) yn gymwys mewn perthynas â swm cynnydd mewn pensiwn pan fo person, ar ôl dewis o blaid y cynnydd hwnnw mewn pensiwn yn unol â rheoliadau a wnaed o dan adran 10 o Ddeddf Pensiynau 2014, sy’n cynnwys darpariaeth sy’n gyfatebol neu’n debyg i ddarpariaeth a wnaed gan adran 8(2) o’r Ddeddf honno, wedyn yn newid y dewis hwnnw, o blaid cyfandaliad, yn unol â rheoliadau a wnaed o dan adran 10 o’r Ddeddf honno sy’n cynnwys darpariaeth sy’n gyfatebol neu’n debyg i ddarpariaeth a wnaed gan reoliadau a wnaed o dan adran 8(7).

(11C) Yn is-baragraff (11A) ystyr “cyfandaliad” (“*lump sum*”) yw cyfandaliad o dan adran 8 o Ddeddf Pensiynau 2014.

(11D) Yn is-baragraff (11B) ystyr “cyfandaliad” (“*lump sum*”) yw cyfandaliad o dan adran 10 o Ddeddf Pensiynau 2014.”;

(d) ym mharagraff 19 (trin costau gofal plant: pensynwyr)—

(i) yn lle is-baragraff (14)(c) rhodder—

“(c) sydd—

(i) wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948(1) (gwasanaethau lles);

(ii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;

“(d) in the case of a state pension under Part 1 of the Pensions Act 2014, in the circumstances specified in section 17(7) and (8) of that Act.”;

(vii) in sub-paragraph (9) after “(10)” insert “, (11A), (11B)”;

(viii) after sub-paragraph (11) insert—

“(11A) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made an election in favour of that increase in pension under section 8(2) of the Pensions Act 2014, changes that election in accordance with regulations made under section 8(7) of that Act in favour of a lump sum.

(11B) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made an election in favour of that increase in pension in accordance with regulations made under section 10 of the Pensions Act 2014, which include provision corresponding or similar to provision made by section 8(2) of that Act, changes that election in favour of a lump sum, in accordance with regulations made under section 10 of that Act which include provision corresponding or similar to provision made by regulations made under section 8(7).

(11C) In sub-paragraph (11A) “lump sum” (“*cyfandaliad*”) means a lump sum under section 8 of the Pensions Act 2014.

(11D) In sub-paragraph (11B) “lump sum” (“*cyfandaliad*”) means a lump sum under section 10 of the Pensions Act 2014.”;

(d) in paragraph 19 (treatment of child care charges: pensioners)—

(i) for sub-paragraph (14)(c) substitute—

“(c) who—

(i) is registered as blind in a register compiled under section 29 of the National Assistance Act 1948(1) (welfare services);

(ii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014;

- (iii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 77(1) o Ddeddf Gofal 2014; neu
- (iv) yn yr Alban, wedi ei ardystio'n ddall ac, o ganlyniad, wedi ei gofrestru fel person dall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994(1);";
- (ii) yn is-baragraff (14)(d) ar ôl "fel person dall", mewnosoder "neu fel person â nam difrifol ar ei olwg";
- (e) ym mharagraff 20 (amod ychwanegol y cyfeirir ato ym mharagraff 19(11)(b)(i): anabledd : pensiynwyr)—
  - (i) yn is-baragraff (1)(a)(ii), ar ôl "o dan y Ddeddf honno", mewnosoder "neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014";
  - (ii) yn lle is-baragraff (1)(a)(vii) rhodder—
    - “(vii) yn ddall neu â nam difrifol ar ei olwg ac o ganlyniad wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles), neu wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 neu adran 77(1) o Ddeddf Gofal 2014, neu, yn yr Alban, wedi ei ardystio'n ddall ac, o ganlyniad, wedi ei gofrestru mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994; neu”;
  - (iii) yn is-baragraff (2) ar ôl "fel person dall" yn y ddau fan lle y mae'r geiriau hynny'n digwydd, mewnosoder "neu fel person â nam difrifol ar ei olwg";
- (f) ym mharagraff 22 (diystyru newidiadau mewn treth, cyfraniadau etc.)—
  - (i) yn is-baragraff (c) yn lle "eithriad enillion isel", rhodder "trothwy elw isel";
- (iii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 77(1) of the Care Act 2014; or
- (iv) in Scotland, has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(1);";
- (ii) in sub-paragraph (14)(d) after "as blind", insert "or severely sight-impaired";
- (e) in paragraph 20 (additional condition referred to in paragraph 19(11)(b)(i): disability: pensioners)—
  - (i) in sub-paragraph (1)(a)(ii) after "under that Act", insert "or a state pension under Part 1 of the Pensions Act 2014";
  - (ii) for sub-paragraph (1)(a)(vii) substitute—
    - “(vii) is blind or severely sight-impaired and in consequence is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services), or is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014 or section 77(1) of the Care Act 2014, or in Scotland has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; or”;
  - (iii) in sub-paragraph (2) after "as blind" in both places where those words occur, insert "or severely sight-impaired";
- (f) in paragraph 22 (disregard of changes in tax, contributions etc.)—
  - (i) in sub-paragraph (c) for "small earnings exception", substitute "small profits threshold";

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(1) 1994 p. 39.

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(1) 1994 c. 39.



(ii) yn is-baragraff (d) ar ôl “o dan DCBNC(1)”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;

(g) ym mharagraff 24(3)(a) (cyfrifo didyniad treth a chyfraniadau enillwyr hunangyflogedig), yn lle “eithriad enillion isel” rhodder “trothwy elw isel”.

**6. Yn Atodlen 2 (symiau cymwysadwy: pensiynwyr)—**

(a) yng ngholofn (2) o'r Tabl ym mharagraff 1 (lwfansau personol)—

(i) yn is-baragraff (1) yn lle “£151.20” a “£166.05” rhodder “£155.60” a “£168.70” yn y drefn honno;

(ii) yn is-baragraff (2) yn lle “£230.85” a “£248.30” rhodder “£237.55” a “£252.30” yn y drefn honno;

(iii) yn is-baragraff (3) yn lle “£230.85” a “£79.65” rhodder “£237.55” a “£81.95” yn y drefn honno;

(iv) yn is-baragraff (4) yn lle “£248.30” a “£82.25” rhodder “£252.30” a “£83.60” yn y drefn honno;

(b) ym mharagraff 6 (premiwm anabledl difrifol)—

(i) yn is-baragraff (3), yn lle “hwinnw'n ddall neu'n cael ei drin fel pe bai'n ddall”, rhodder “hwinnw'n ddall neu â nam difrifol ar ei olwg neu'n cael ei drin fel y cyfryw”;

(ii) yn lle is-baragraff (4) rhodder—

“(4) At ddbenion is-baragraff (3), mae person yn ddall neu â nam difrifol ar ei olwg os yw—

(a) wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles);

(b) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;

(ii) in sub-paragraph (d) after “under the SSCBA(1)”, insert “or a state pension under Part 1 of the Pensions Act 2014”;

(g) in paragraph 24(3)(a) (calculation of deduction of tax and contributions of self-employed earners), for “small earnings exception” substitute “small profits threshold”.

**6. In Schedule 2 (applicable amounts: pensioners)—**

(a) in column (2) of the Table in paragraph 1 (personal allowances)—

(i) in sub-paragraph (1) for “£151.20” and “£166.05” substitute “£155.60” and “£170.45” respectively;

(ii) in sub-paragraph (2) for “£230.85” and “£248.30” substitute “£237.55” and “£255.00” respectively;

(iii) in sub-paragraph (3) for “£230.85” and “£79.65” substitute “£237.55” and “£81.95” respectively;

(iv) in sub-paragraph (4) for “£248.30” and “£82.25” substitute “£255.50” and “£84.55” respectively;

(b) in paragraph 6 (severe disability premium)—

(i) in sub-paragraph (3) for “is blind or is treated as blind”, substitute “is blind or severely sight-impaired or is treated as such”;

(ii) for sub-paragraph (4) substitute—

“(4) For the purposes of sub-paragraph (3), a person is blind or severely sight-impaired if that person—

(a) is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services);

(b) is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014;

(1) Ystyr “DCBNC” (“the SSCBA”) yw Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 (p. 4); gweler y diffiniad yn rheoliad 2 o Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor a Gofynion Rhagnodedig (Cymru) 2013 ac ym mharagraff 2 o'r cynllun a nodir yn yr Atodlen i Reoliadau Cynlluniau Gostyngiadau'r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013.

(1) The “SSCBA” (“DCBNC”) means the Social Security Contributions and Benefits Act 1992 (c 4); see the definition in regulation 2 of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and in paragraph 2 of scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Schemes) (Wales) Regulations 2013.

(c) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 77(1) o Ddeddf Gofal 2014; neu

(d) yn yr Alban, wedi ei ardystio'n ddall ac, o ganlyniad, wedi ei gofrestru fel person dall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994.”;

(iii) yn is-baragraff (5) ar ôl “fel person dall”, mewnosoder “neu fel person â nam difrifol ar ei olwg” ac ar ôl “fel pe bai'n ddall” mewnosoder “neu'n berson â nam difrifol ar ei olwg”;

(iv) yn is-baragraff (6)(b) yn lle “sy'n ddall neu a drinnir fel pe bai'n ddall”, rhodder “sy'n ddall neu â nam difrifol ar ei olwg neu a drinnir fel y cyfryw.”;

(c) ym mharagraff 8(b) (premiwm plentyn anabl) yn lle “yn ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg”, ac yn lle “fel pe bai'n ddall” rhodder “fel y cyfryw”.

7. Yn Atodlen 3 (symiau a ddiystyrir o enillion ceisydd: pensiyntwyr), yn lle paragraff 5(1)(b) rhodder—

“(b) wedi ei gofrestru, neu'r ddau wedi eu cofrestru, yn ddall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles), neu wedi ei gofrestru fel person â nam difrifol ar ei olwg, neu'r ddau wedi eu cofrestru fel personau â nam difrifol ar eu golwg, mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 neu adran 77(1) o Ddeddf Gofal 2014, neu, yn yr Alban, wedi ei ardystio, neu wedi eu hardystio, yn ddall ac, o ganlyniad, wedi ei gofrestru, neu'r ddau wedi eu cofrestru, mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994; neu”.

8. Yn Atodlen 5 (diystyriadau cyfalaf: pensiyntwyr)—

(a) ar ôl paragraff 27 mewnosoder—

(c) is registered as severely sight-impaired in a register established and maintained by a local authority under section 77(1) of the Care Act 2014; or

(d) in Scotland, has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.”;

(iii) in sub-paragraph (5) after “as blind” in both places where those words occur, insert “or severely sight-impaired”;

(iv) in sub-paragraph (6)(b) for “is blind or is treated as blind”, substitute “is blind or severely sight-impaired or is treated as such”;

(c) in paragraph 8(b) (disabled child premium) for “is blind” substitute “is blind or severely sight-impaired”, and for “as blind” substitute “as such”.

7. In Schedule 3 (sums disregarded from applicant's earnings: pensioners), for paragraph 5(1)(b) substitute—

“(b) is or are registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services), or registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014 or section 77(1) of the Care Act 2014, or in Scotland, has or have been certified as blind and in consequence are registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; or”.

8. In Schedule 5 (capital disregards: pensioners)—

(a) after paragraph 27 insert—

**“27A.** Pan fo person yn dewis yr hawl i gael cyfandaliad o dan adran 8(2) o Ddeddf Pensiynau 2014 neu’n unol â rheoliadau a wnaed o dan adran 10 o’r Ddeddf honno, neu’n methu â gwneud dewis, a bod cyfandaliad wedi ei wneud, swm sy’n hafal i—

(a) ac eithrio pan fo is-baragraff (b) yn gymwys, swm unrhyw daliad neu daliadau a wneir ar gyfrif y cyfandaliad hwnnw; neu

(b) swm y cyfandaliad hwnnw,

ond hynny cyhyd, yn unig, nad yw’r person hwnnw’n newid y dewis hwnnw o blaid cynnydd mewn pensiwn.”;

(b) ym mharagraff 28—

(i) ar ddiwedd is-baragraff (d) hepgorer “neu”;

(ii) yn is-baragraff (e) yn lle “.” rhodder “;”;

(iii) ar ôl is-baragraff (e) mewnosoder—

“(f) adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu

(g) adran 33 o Ddeddf Gofal 2014.”

**9.** Yn Atodlen 6 (penderfynu cymhwysra am ostyngiad: personau nad ydynt yn bensiynwyr)—

(a) ym mharagraff 5 (didyniadau annibyddion: personau nad ydynt yn bensiynwyr)—

(i) yn is-baragraff (1)(a) yn lle “£11.75” rhodder “£12.25”;

(ii) yn is-baragraff (1)(b) yn lle “£3.90” rhodder “£4.05”;

(iii) yn is-baragraff (2)(a) yn lle “£189.00” rhodder “£195.00”;

(iv) yn is-baragraff (2)(b) yn lle “£189.00”, “£328.00” a “£7.80” rhodder “£195.00”, “£338.00” a “£8.10” yn y drefn honno;

(v) yn is-baragraff (2)(c) yn lle “£328.00”, “£408.00” a “£9.85” rhodder “£338.00”, “£420.00” a “£10.25” yn y drefn honno;

(vi) yn is-baragraff (6)(a) yn lle “yn ddall neu’n cael ei drin fel pe bai’n ddall”, rhodder “yn ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;

(b) ym mharagraff 21 (trin costau gofal plant)—

(i) yn lle is-baragraff (14)(c) rhodder—

**“27A.** Where a person elects to be entitled to a lump sum under section 8(2) of the Pensions Act 2014 or in accordance with regulations made under section 10 of that Act, or fails to make an election, and a lump sum payment has been made, an amount equal to—

(a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum; or

(b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension.”;

(b) in paragraph 28—

(i) at the end of sub-paragraph (d) omit “or”;

(ii) in sub-paragraph (e) for “.” substitute “;”;

(iii) after sub-paragraph (e) insert—

“(f) sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014; or

(g) section 33 of the Care Act 2014.”

**9.** In Schedule 6 (determining eligibility for a reduction: persons who are not pensioners)—

(a) in paragraph 5 (non-dependant deductions: persons who are not pensioners)—

(i) in sub-paragraph (1)(a) for “£11.75” substitute “£12.25”;

(ii) in sub-paragraph (1)(b) for “£3.90” substitute “£4.05”;

(iii) in sub-paragraph (2)(a) for “£189.00” substitute “£194.00”;

(iv) in sub-paragraph (2)(b) for “£189.00”, “£328.00” and “£7.80” substitute “£194.00”, “£338.00” and “£8.10” respectively;

(v) in sub-paragraph (2)(c) for “£328.00”, “£408.00” and “£9.85” substitute “£338.00”, “£420.00” and “£10.25” respectively;

(vi) in sub-paragraph (6)(a) for “blind or treated as blind”, substitute “blind or severely sight-impaired or treated as such”;

(b) in paragraph 21 (treatment of child care charges)—

(i) for sub-paragraph (14)(c) substitute—

“(c) sydd—

- (i) wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles);
  - (ii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;
  - (iii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 77(1) o Ddeddf Gofal 2014; neu
  - (iv) yn yr Alban, wedi ei ardystio’n ddall ac, o ganlyniad, wedi ei gofrestru fel person dall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994;”;
- (ii) yn is-baragraff (14)(d) ar ôl “fel person dall” mewnosoder “neu fel person â nam difrifol ar ei olwg”;
- (c) ym mharagraff 23 (diystyru newidiadau mewn treth, cyfraniadau etc.)—
- (i) yn is-baragraff (c) yn lle “eithriad enillion isel”, rhodder “trothwy elw isel”;
  - (ii) yn is-baragraff (d) ar ôl “o dan DCBNC”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;
- (d) ym mharagraff 25(3)(a) (cyfrifo didyniad treth a chyfraniadau enillwyr hunangyflogedig), yn lle “eithriad enillion isel”, rhodder “trothwy elw isel”.

**10.** Yn Atodlen 7 (symiau cymwysadwy: personau nad ydynt yn bensiynwyr)—

- (a) ym mharagraff 10 (amod ychwanegol ar gyfer y premiwm anabled)—
  - (i) yn is-baragraff (1)(a)(ii), ar ôl “o dan y Ddeddf honno”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;
  - (ii) yn lle is-baragraff (1)(a)(vii) rhodder—

“(c) who—

- (i) is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services);
  - (ii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014;
  - (iii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 77(1) of the Care Act 2014; or
  - (iv) in Scotland, has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;”;
- (ii) in sub-paragraph (14)(d) after “as blind” insert “or severely sight-impaired”;
- (c) in paragraph 23 (disregard of changes in tax, contributions etc.)—
- (i) in sub-paragraph (c) for “small earnings exception”, substitute “small profits threshold”;
  - (ii) in sub-paragraph (d) after “under the SSCBA”, insert “or a state pension under Part 1 of the Pensions Act 2014”;
- (d) in paragraph 25(3)(a) (calculation of deduction of tax and contributions of self-employed earners), for “small earnings exception” substitute “small profits threshold”.

**10.** In Schedule 7 (applicable amounts: persons who are not pensioners)—

- (a) in paragraph 10 (additional condition for the disability premium)—
  - (i) in sub-paragraph (1)(a)(ii) after “under that Act”, insert “or a state pension under Part 1 of the Pensions Act 2014”;
  - (ii) for sub-paragraph (1)(a)(vii) substitute—

“(vii) yn ddall ac o ganlyniad wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles), neu â nam difrifol ar ei olwg ac o ganlyniad wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 neu adran 77(1) o Ddeddf Gofal 2014, neu, yn yr Alban, wedi ei ardystio’n ddall ac, o ganlyniad, wedi ei gofrestru mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994; neu”;

(iii) yn is-baragraff (2) ar ôl “fel person dall”, mewnosoder “neu fel person â nam difrifol ar ei olwg” ac ar ôl “fel pe bai’n ddall” mewnosoder “neu’n berson â nam difrifol ar ei olwg”.

(b) ym mharagraff 11 (premiwm anabledl difrifol)—

(i) yn is-baragraff (3) yn lle “hwinnw’n ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “hwinnw’n ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;

(ii) yn is-baragraff (4)(b) yn lle “sy’n ddall neu a drinnir fel pe bai’n ddall” rhodder “sy’n ddall neu â nam difrifol ar ei olwg neu a drinnir fel y cyfryw”;

(c) ym mharagraff 13(b) (premiwm plentyn anabl) yn lle “yn ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;

**11.** Yn Atodlen 8 (symiau a ddiystyrir wrth gyfrifo enillion: personau nad ydynt yn bensiynwyr), ym mharagraff 1(a)(ii)—

(a) ar ôl “o dan DCBNC”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;

(b) ar ôl “amodau cyfrannu”, mewnosoder “neu i feddu ar y lleiafswm o flynyddoedd cymhwysol”.

**12.** Yn Atodlen 9 (symiau a ddiystyrir wrth gyfrifo incwm ac eithrio enillion: personau nad ydynt yn bensiynwyr)—

“(vii) is blind and in consequence is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services), or is severely sight-impaired and in consequence is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014 or section 77(1) of the Care Act 2014, or in Scotland has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; or”;

(iii) in sub-paragraph (2) after “as blind”, in both places where those words occur, insert “or severely sight-impaired”;

(b) in paragraph 11 (severe disability premium)—

(i) in sub-paragraph (3) for “is blind or is treated as blind” substitute “is blind or severely sight-impaired or is treated as such”;

(ii) in sub-paragraph (4)(b) for “is blind or is treated as blind” substitute “is blind or severely sight-impaired or is treated as such”;

(c) in paragraph 13(b) (disabled child premium) for “is blind or treated as blind” substitute “is blind or severely sight-impaired or is treated as such”.

**11.** In Schedule 8 (sums disregarded in the calculation of earnings: persons who are not pensioners), in paragraph 1(a)(ii)—

(a) after “under the SSCBA”, insert “or a state pension under Part 1 of the Pensions Act 2014”;

(b) after “contribution conditions”, insert “or to have the minimum number of qualifying years”.

**12.** In Schedule 9 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners)—

- (a) ym mharagraff 31(a)—
- (i) ym mharagraff (i) ar ôl “adran 23(2)(a)” mewnosoder “neu 22C”;
  - (ii) ar ddiwedd baragraff (ii) hepgorer “neu”;
  - (iii) ym mharagraff (iii) yn lle “; neu” rhodder “;”;
  - (iv) ar ôl paragraff (iii) mewnosoder—  
“(iv) adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu”;
- (b) ym mharagraff 32—
- (i) ar ddiwedd is-baragraff (e) hepgorer “neu”;
  - (ii) yn is-baragraff (f) yn lle “.” rhodder “;”;
  - (iii) ar ôl is-baragraff (f) mewnosoder—  
“(g) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 35 neu 36 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu
  - (h) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 18 neu 19 o Ddeddf Gofal 2014.”;
- (c) yn lle paragraff 33 rhodder—  
“33. Unrhyw daliad a wnaed gan awdurdod lleol yn unol â’r canlynol—
- (a) adran 17, 23B, 23C neu 24A o Ddeddf Plant 1989(1);
  - (b) adran 12 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968(2);
  - (c) adran 22, 29 neu 30 o Ddeddf Plant (Yr Alban) 1995(3); neu
  - (d) adran 37, 38, 109, 110 neu 114 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ond gan eithrio unrhyw daliadau uniongyrchol a wnaed o dan y Ddeddf honno.”;
- (d) yn lle paragraff 34(1) rhodder—  
“(1) Yn ddarostyngedig i is-baragraff (2), unrhyw daliad (neu ran o daliad) a wnaed gan awdurdod lleol i berson (“A”) ac a drosglwyddir ymlaen gan A i’r ceisydd, pan fo’r taliad wedi ei wneud yn unol â’r canlynol—
- (a) in paragraph 31(a)—
- (i) in paragraph (i) after “section 23(2)(a)” insert “or 22C”;
  - (ii) at the end of paragraph (ii) omit “or”;
  - (iii) in paragraph (iii) for “; or” substitute “;”;
  - (iv) after paragraph (iii) insert—  
“(iv) section 81 of the Social Services and Well-being (Wales) Act 2014, or”;
- (b) in paragraph 32—
- (i) at the end of sub-paragraph (e) omit “or”;
  - (ii) in sub-paragraph (f) for “.” substitute “;”;
  - (iii) after sub-paragraph (f) insert—  
“(g) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 35 or 36 of the Social Services and Well-being (Wales) Act 2014; or
  - (h) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 18 or 19 of the Care Act 2014.”;
- (c) for paragraph 33 substitute—  
“33. Any payment made by a local authority in accordance with—
- (a) section 17, 23B, 23C or 24A of the Children Act 1989(1);
  - (b) section 12 of the Social Work (Scotland) Act 1968(2);
  - (c) section 22, 29 or 30 of the Children (Scotland) Act 1995(3); or
  - (d) section 37, 38, 109, 110 or 114 of the Social Services and Well-being (Wales) Act 2014, but excluding any direct payments made under that Act.”;
- (d) for paragraph 34(1) substitute—  
“(1) Subject to sub-paragraph (2), any payment (or part payment) made by a local authority to a person (“A”) which A passes on to the applicant, where the payment is made in accordance with—

(1) 1989 p. 41.  
(2) 1968 p. 49.  
(3) 1995 p. 36.

(1) 1989 c. 41.  
(2) 1968 c. 49.  
(3) 1995 c. 36.

- (a) adran 23C o Ddeddf Plant 1989;
- (b) adran 29 o Ddeddf Plant (Yr Alban) 1995; neu
- (c) adran 110 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”;

(e) yn lle paragraff 59 rhodder—

“59. Unrhyw daliad a wnaed—

- (a) fel taliad uniongyrchol fel y diffinnir “*direct payment*” yn adran 4(2) o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013(1);
- (b) o dan adrannau 12A i 12D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006(2) (taliadau uniongyrchol am ofal iechyd);
- (c) o dan reoliadau a wnaed o dan adran 57 o Ddeddf Iechyd a Gofal Cymdeithasol 2001(3) (taliadau uniongyrchol);
- (d) o dan reoliadau a wnaed o dan adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (taliadau uniongyrchol); neu
- (e) o dan reoliadau a wnaed o dan adran 33 o Ddeddf Gofal 2014 (taliadau uniongyrchol).”

13. Yn Atodlen 10 (diystyriadau cyfalaf: personau nad ydynt yn bensynwyr)—

(a) yn lle paragraff 23 rhodder—

“23. Unrhyw daliad a wnaed gan awdurdod lleol yn unol â’r canlynol—

- (a) adran 17, 23B, 23C neu 24A o Ddeddf Plant 1989;
- (b) adran 12 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968;
- (c) adran 22, 29 neu 30 o Ddeddf Plant (Yr Alban) 1995; neu
- (d) adran 37, 38, 109, 110 neu 114 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ond gan eithrio unrhyw daliadau uniongyrchol a wnaed o dan y Ddeddf honno.”;

(b) yn lle paragraff 24(1) rhodder—

- (a) section 23C of the Children Act 1989;
- (b) section 29 of the Children (Scotland) Act 1995; or
- (c) section 110 of the Social Services and Well-being (Wales) Act 2014.”;

(e) for paragraph 59 substitute—

“59. Any payment made—

- (a) as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013(1);
- (b) under sections 12A to 12D of the National Health Service Act 2006(2) (direct payments for health care);
- (c) under regulations made under section 57 of the Health and Social Care Act 2001(3) (direct payments);
- (d) under regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014 (direct payments); or
- (e) under regulations made under section 33 of the Care Act 2014 (direct payments).”

13. In Schedule 10 (capital disregards: persons who are not pensioners)—

(a) for paragraph 23 substitute—

“23. Any payment made by a local authority in accordance with—

- (a) section 17, 23B, 23C or 24A of the Children Act 1989;
- (b) section 12 of the Social Work (Scotland) Act 1968;
- (c) section 22, 29, or 30 of the Children (Scotland) Act 1995; or
- (d) section 37, 38, 109, 110 or 114 of the Social Services and Well-being (Wales) Act 2014, but excluding any direct payments made under that Act.”;

(b) for paragraph 24(1) substitute—

(1) 2013 dsa 1.  
(2) 2006 p. 41.  
(3) 2001 p. 15.

(1) 2013 asp 1.  
(2) 2006 c. 41.  
(3) 2001 c. 15.

“(1) Yn ddarostyngedig i is-baragraff (2), unrhyw daliad (neu ran o daliad) a wnaed gan awdurdod lleol i berson (“A”) ac a drosglwyddir ymlaen gan A i’r ceisydd pan fo’r taliad wedi ei wneud yn unol â’r canlynol—

- (a) adran 23C o Ddeddf Plant 1989;
- (b) adran 29 o Ddeddf Plant (Yr Alban) 1995; neu
- (c) adran 110 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”;

(c) yn lle paragraff 47 rhodder—

“47.—(1) Unrhyw daliad a wneir gan awdurdod lleol o dan adran 3 o Ddeddf Personau Anabl (Cyflogaeth) 1958 i weithwyr gartref a gynorthwyr o dan gynllun gweithwyr gartref dall.

(2) Unrhyw daliad a wneir gan awdurdod lleol o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 i weithwyr gartref a gynorthwyr o dan gynllun gweithwyr gartref dall.”;

(d) yn lle paragraff 60 rhodder—

“60. Unrhyw daliad a wneir—

- (a) o dan reoliadau a wnaed o dan adran 57 o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (taliadau uniongyrchol);
- (b) fel taliad uniongyrchol fel y diffinnir “*direct payment*” yn adran 4(2) o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013;
- (c) o dan adrannau 12A i 12D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006 (taliadau uniongyrchol am ofal iechyd);
- (d) o dan reoliadau a wnaed o dan adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (taliadau uniongyrchol); neu
- (e) o dan reoliadau a wnaed o dan adran 33 o Ddeddf Gofal 2014 (taliadau uniongyrchol).”

14. Yn Atodlen 11 (myfyrwyr), ym mharagraff 4 (cyfrifo incwm grant)—

- (a) yn is-baragraff (2)(i) yn lle “.” rhodder “;”;

“(1) Subject to sub-paragraph (2), any payment (or part payment) made by a local authority to a person (“A”) which A passes on to the applicant, where the payment is made in accordance with—

- (a) section 23C of the Children Act 1989;
- (b) section 29 of the Children (Scotland) Act 1995; or
- (c) section 110 of the Social Services and Well-being (Wales) Act 2014.”;

(c) for paragraph 47 substitute—

“47.—(1) Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under a blind homeworkers’ scheme.

(2) Any payment made by a local authority under Part 4 of the Social Services and Well-being (Wales) Act 2014 to homeworkers assisted under a blind homeworkers’ scheme.”;

(d) for paragraph 60 substitute—

“60. Any payment made—

- (a) under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments);
- (b) as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013;
- (c) under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care);
- (d) under regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014 (direct payments); or
- (e) under regulations made under section 33 of the Care Act 2014 (direct payments).”

14. In Schedule 11 (students), in paragraph 4 (calculation of grant income)—

- (a) in sub-paragraph (2)(i) for “.” substitute “;”;



(b) ar ôl is-baragraff (2)(i) mewnosoder—

“(j) o fwrsari addysg uwch i bersonau ifanc categori 3 a chategori 4 a wnaed o dan adran 110 neu 112 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ac yn unol â rheoliadau a wnaed o dan adran 116 o’r Ddeddf honno.

(2A) Yn is-baragraff (2)(j) mae i “person ifanc categori 3” a “person ifanc categori 4” yr ystyr a roddir yn adran 104(2) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”

### **Diwygiadau i Reoliadau Cynlluniau Gostyngiadau’r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013**

**15.** Mae’r cynllun a nodir yn yr Atodlen i Reoliadau Cynlluniau Gostyngiadau’r Dreth Gyngor (Cynllun Diofyn) (Cymru) 2013(1) wedi ei ddiwygio’n unol â rheoliadau 16 i 31.

**16.** Ym mharagraff 2(1) (dehongli) yn y diffiniad o “y Deddfau budd-dal” (“*the benefit Acts*”)—

- (a) yn lle “a” rhodder “;”;
- (b) ar ôl “Deddf Diwygio Lles 2007” mewnosoder “a Deddf Pensiynau 2014”.

**17.** Ym mharagraff 8 (aelwydydd), ar ôl is-baragraff (2)(a) mewnosoder—

(aa) wedi ei leoli gyda’r ceisydd neu bartner y ceisydd o dan adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu”.

**18.** Ym mharagraff 28 (didyniadau annibynyddion : pensïonwyr a phersonau nad ydynt yn bensiynwyr)—

- (a) yn is-baragraff (1)(a) yn lle “£11.75” rhodder “£12.25”;
- (b) yn is-baragraff (1)(b) yn lle “£3.90” rhodder “£4.05”;
- (c) yn is-baragraff (2)(a) yn lle “£189.00” rhodder “£195.00”;
- (d) yn is-baragraff (2)(b) yn lle “£189.00”, “£328.00” a “£7.80” rhodder “£195.00”, “£338.00” a “£8.10” yn y drefn honno;

(b) after sub-paragraph (2)(i) insert—

“(j) of higher education bursary for category 3 and category 4 young persons made under section 110 or 112 of the Social Services and Well-being (Wales) Act 2014, and in accordance with regulations made under section 116 of that Act.

(2A) In sub-paragraph (2)(j) “category 3 young person” and “category 4 young person” have the meaning given in section 104(2) of the Social Services and Well-being (Wales) Act 2014.”

### **Amendments to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013**

**15.** The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(1) is amended in accordance with regulations 16 to 31.

**16.** In paragraph 2(1) (interpretation) in the definition of “the benefit Acts” (“*y Deddfau budd-dal*”)—

- (a) for “and” substitute “;”;
- (b) after “the Welfare Reform Act 2007” insert “and the Pensions Act 2014”.

**17.** In paragraph 8 (households), after sub-paragraph (2)(a) insert—

“(aa) placed with the applicant or the applicant’s partner under section 81 of the Social Services and Well-being (Wales) Act 2014; or”.

**18.** In paragraph 28 (non-dependant deductions: pensioners and persons who are not pensioners)—

- (a) in sub-paragraph (1)(a) for “£11.75” substitute “£12.25”;
- (b) in sub-paragraph (1)(b) for “£3.90” substitute “£4.05”;
- (c) in sub-paragraph (2)(a) for “£189.00” substitute “£194.00”;
- (d) in sub-paragraph (2)(b) for “£189.00”, “£328.00” and “£7.80” substitute “£194.00”, “£338.00” and “£8.10” respectively;

(1) O.S. 2013/3035 (Cy. 303), fel y’i diwygiwyd gan O.S. 2014/66 (Cy. 6), O.S. 2014/825 (Cy. 83), O.S. 2015/44 (Cy. 3) ac O.S. 2015/971.

(1) S.I.2013/3035 (W. 303) as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I.2015/44 (W. 3) and S.I. 2015/971.

- (e) yn is-baragraff (2)(c) yn lle “£328.00”, “£408.00” a “£9.85” rhodder “£338.00”, “£420.00” a “£10.25” yn y drefn honno;
- (f) yn is-baragraff (6)(a) yn lle “yn ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”.

**19.** Ym mharagraff 41 (enillion enillwyr hunangyflogedig: pensïynwyr)—

- (a) yn is-baragraff (2)(b)(i) ar ôl “o Ddeddf Plant (Yr Alban) 1995” mewnosoder “, neu adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014”;
- (b) yn is-baragraff (2)(d)—
  - (i) ar ddiwedd paragraff (iv) hepgorer “neu”;
  - (ii) ar ôl paragraff (v) mewnosoder—
    - “(vi) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 35 neu 36 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu
    - (vii) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 18 neu 19 o Ddeddf Gofal 2014;”.

**20.** Ym mharagraff 42 (incwm tybiannol: pensïynwyr)—

- (a) yn is-baragraff (2)(b) yn lle “adran 55A” rhodder “adrannau 55A a 55AA”;
- (b) yn is-baragraff (2)(c) yn lle “.” rhodder “;”;
- (c) ar ôl is-baragraff (2)(c) mewnosoder—
  - “(d) pensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014.”;
- (d) ar ddiwedd is-baragraff (3)(b) hepgorer “ac”;
- (e) yn is-baragraff (3)(c) yn lle “.” rhodder “; a”;
- (f) ar ôl is-baragraff (3)(c) mewnosoder—
  - “(d) yn achos pensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014, yn yr amgylchiadau a bennir yn adran 17(7) ac (8) o’r Ddeddf honno.”;
- (g) yn is-baragraff (9) ar ôl “(10)” mewnosoder “, (11A), (11B)”;

- (e) in sub-paragraph (2)(c) for “£328.00”, “£408.00” and “£9.85” substitute “£338.00”, “£420.00” and “£10.25” respectively;
- (f) in sub-paragraph (6)(a) for “blind or treated as blind”, substitute “blind or severely sight-impaired or treated as such”.

**19.** In paragraph 41 (earnings of self employed earners: pensioners)—

- (a) in sub-paragraph (2)(b)(i) after “the Children (Scotland) Act 1995”, insert “, or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (b) in sub-paragraph (2)(d)—
  - (i) at the end of paragraph (iv) omit “or”;
  - (ii) after paragraph (v) insert—
    - “(vi) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 35 or 36 of the Social Services and Well-being (Wales) Act 2014; or
    - (vii) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 18 or 19 of the Care Act 2014;”.

**20.** In paragraph 42 (notional income: pensioners)—

- (a) in sub-paragraph (2)(b) for “section 55A” substitute “sections 55A and 55AA”;
- (b) in sub-paragraph (2)(c) for “.” substitute “;”;
- (c) after sub-paragraph (2)(c) insert—
  - “(d) a state pension under Part 1 of the Pensions Act 2014.”;
- (d) at the end of sub-paragraph (3)(b) omit “and”;
- (e) in sub-paragraph (3)(c) for “.” substitute “; and”;
- (f) after sub-paragraph (3)(c) insert—
  - “(d) in the case of a state pension under Part 1 of the Pensions Act 2014, in the circumstances specified in section 17(7) and (8) of that Act.”;
- (g) in sub-paragraph (9) after “(10)” insert “, (11A), (11B)”;

(h) ar ôl is-baragraff (11) mewnosoder—

“(11A) Nid yw is-baragraff (9) yn gymwys mewn perthynas â swm cynnydd mewn pensiwn pan fo person, ar ôl dewis o blaid y cynnydd hwnnw mewn pensiwn o dan adran 8(2) o Ddeddf Pensiynau 2014, wedyn yn newid y dewis hwnnw, o blaid cyfandaliad, yn unol â rheoliadau a wnaed o dan adran 8(7) o’r Ddeddf honno.

(11B) Nid yw is-baragraff (9) yn gymwys mewn perthynas â swm cynnydd mewn pensiwn pan fo person, ar ôl dewis o blaid y cynnydd hwnnw mewn pensiwn yn unol â rheoliadau a wnaed o dan adran 10 o Ddeddf Pensiynau 2014, sy’n cynnwys darpariaeth sy’n gyfatebol neu’n debyg i ddarpariaeth a wnaed gan adran 8(2) o’r Ddeddf honno, wedyn yn newid y dewis hwnnw, o blaid cyfandaliad, yn unol â rheoliadau a wnaed o dan adran 10 o’r Ddeddf honno sy’n cynnwys darpariaeth sy’n gyfatebol neu’n debyg i ddarpariaeth a wnaed gan reoliadau a wnaed o dan adran 8(7).

(11C) Yn is-baragraff (11A), ystyr “cyfandaliad” (“*lump sum*”) yw cyfandaliad o dan adran 8 o Ddeddf Pensiynau 2014.

(11D) Yn is-baragraff (11B), ystyr “cyfandaliad” (“*lump sum*”) yw cyfandaliad o dan adran 10 o Ddeddf Pensiynau 2014.”

**21.** Ym mharagraff 55 (trin costau gofal plant)—

(a) yn lle is-baragraff (14)(c) rhodder—

“(c) sydd—

- (i) wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles);
- (ii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;
- (iii) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 77(1) o Ddeddf Gofal 2014; neu

(h) after sub-paragraph (11) insert—

“(11A) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made an election in favour of that increase in pension under section 8(2) of the Pensions Act 2014, changes that election in accordance with regulations made under section 8(7) of that Act in favour of a lump sum.

(11B) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension where a person, having made an election in favour of that increase in pension in accordance with regulations made under section 10 of the Pensions Act 2014, which include provision corresponding or similar to provision made by section 8(2) of that Act, changes that election in favour of a lump sum, in accordance with regulations made under section 10 of that Act which include provision corresponding or similar to provision made by regulations made under section 8(7).

(11C) In sub-paragraph (11A), “lump sum” (“*cyfandaliad*”) means a lump sum under section 8 of the Pensions Act 2014.

(11D) In sub-paragraph (11B), “lump sum” (“*cyfandaliad*”) means a lump sum under section 10 of the Pensions Act 2014.”

**21.** In paragraph 55 (treatment of child care charges)—

(a) for sub-paragraph (14)(c) substitute—

“(c) who—

- (i) is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services);
- (ii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014;
- (iii) is registered as severely sight-impaired in a register established and maintained by a local authority under section 77(1) of the Care Act 2014; or

(iv) yn yr Alban, wedi ei ardystio'n ddall ac, o ganlyniad, wedi ei gofrestru fel person dall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994;”;

(b) yn is-baragraff (14)(d) ar ôl “fel person dall” mewnosoder “neu fel person â nam difrifol ar ei olwg”.

**22.** Ym mharagraff 57 (diystyru newidiadau mewn treth, cyfraniadau etc.)

(a) yn is-baragraff (c) yn lle “eithriad enillion isel”, rhodder “trothwy elw isel”;

(b) yn is-baragraff (d) ar ôl “o dan DCBNC”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”.

**23.** Ym mharagraff 59(3)(a) (cyfrifo didyniad treth a chyfraniadau enillwyr hunangyflogedig) yn lle “eithriad enillion isel”, rhodder “trothwy elw isel”.

**24.** Ym mharagraff 73 (cyfrifo incwm grant)—

(a) yn is-baragraff (2)(i) yn lle “.” rhodder “;”;

(b) ar ôl is-baragraff (2)(i) mewnosoder—

“(j) o fwrsari addysg uwch i bersonau ifanc categori 3 a chategori 4 a wnaed o dan adran 110 neu 112 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ac yn unol â rheoliadau a wnaed o dan adran 116 o'r Ddeddf honno.”

(2A) Yn is-baragraff (2)(j) mae i “person ifanc categori 3” a “person ifanc categori 4” yr ystyr a roddir yn adran 104(2) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”

**25.** Yn Atodlen 2 (symiau cymwysadwy: pensiynwyr)

(a) yng ngholofn (2) o'r Tabl ym mharagraff 1 (lwfansau personol)—

(i) yn is-baragraff (1) yn lle “£151.20” a “£166.05” rhodder “£155.60” a “£168.70” yn y drefn honno;

(ii) yn is-baragraff (2) yn lle “£230.85” a “£248.30” rhodder “£237.55” a “£252.30” yn y drefn honno;

(iv) in Scotland, has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;”;

(b) in sub-paragraph (14)(d) after “as blind” insert “or severely sight-impaired”.

**22.** In paragraph 57 (disregard of changes in tax, contributions etc.)

(a) in sub-paragraph (c) for “small earnings exception”, substitute “small profits threshold”;

(b) in sub-paragraph (d) after “under the SSCBA”, insert “or a state pension under Part 1 of the Pensions Act 2014”.

**23.** In paragraph 59(3)(a) (calculation of deduction of tax and contributions of self-employed earners) for “small earnings exception”, substitute “small profits threshold”.

**24.** In paragraph 73 (calculation of grant income)—

(a) in sub-paragraph (2)(i) for “.” substitute “;”;

(b) after sub-paragraph (2)(i) insert—

“(j) of higher education bursary for category 3 and category 4 young persons made under section 110 or 112 of the Social Services and Well-being (Wales) Act 2014, and in accordance with regulations made under section 116 of that Act.

(2A) In sub-paragraph (2)(j) “category 3 young person” and “category 4 young person” have the meaning given in section 104(2) of the Social Services and Well-being (Wales) Act 2014.”

**25.** In Schedule 2 (applicable amounts: pensioners)

(a) in column (2) of the Table in paragraph 1 (personal allowances)—

(i) in sub-paragraph (1) for “£151.20” and “£166.05” substitute “£155.60” and “£170.45” respectively;

(ii) in sub-paragraph (2) for “£230.85” and “£248.30” substitute “£237.55” and “£255.00” respectively;

- (iii) yn is-baragraff (3) yn lle “£230.85” a “£79.65” rhodder “£237.55” a “£81.95” yn y drefn honno;
- (iv) yn is-baragraff (4) yn lle “£248.30” a “£82.25” rhodder “£252.30” a “£83.60” yn y drefn honno;
- (b) ym mharagraff 6 (premiwm anabledl difrifol)—
- (i) yn is-baragraff (3) yn lle “hwnnw’n ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “hwnnw’n ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;
- (ii) yn lle is-baragraff (4) rhodder—
- “(4) At ddibenion is-baragraff (3), mae person yn ddall neu â nam difrifol ar ei olwg os yw—
- (a) wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles);
- (b) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;
- (c) wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 77(1) o Ddeddf Gofal 2014; neu
- (d) yn yr Alban, wedi ei ardystio’n ddall ac, o ganlyniad, wedi ei gofrestru fel person dall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddiwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994.”;
- (iii) yn is-baragraff (5) ar ôl “fel person dall”, mewnosoder “neu fel person â nam difrifol ar ei olwg” ac ar ôl “fel pe bai’n ddall”, mewnosoder “neu’n berson â nam difrifol ar ei olwg”;
- (iv) yn is-baragraff (6)(b) yn lle “sy’n ddall neu a drinnir fel pe bai’n ddall” rhodder “sy’n ddall neu â nam difrifol ar ei olwg neu a drinnir fel y cyfryw”;
- (c) ym mharagraff 8(b) (premiwm plentyn anabl) yn lle “yn ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg”, ac yn lle “fel pe bai’n ddall” rhodder “fel y cyfryw”.
- (iii) in sub-paragraph (3) for “£230.85” and “£79.65” substitute “£237.55” and “£81.95” respectively;
- (iv) in sub-paragraph (4) for “£248.30” and “£82.25” substitute “£252.30” and “£83.60” respectively;
- (b) in paragraph 6 (severe disability premium)—
- (i) in sub-paragraph 3 for “is blind or is treated as blind” substitute “is blind or severely sight-impaired or is treated as such”;
- (ii) for sub-paragraph (4) substitute—
- “(4) For the purposes of sub-paragraph (3), a person is blind or severely sight-impaired if that person—
- (a) is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services);
- (b) is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014;
- (c) is registered as severely sight-impaired in a register established and maintained by a local authority under section 77(1) of the Care Act 2014; or
- (d) in Scotland, has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.”;
- (iii) in sub-paragraph (5) after “as blind”, in both places where those words occur, insert “or severely sight-impaired”;
- (iv) in sub-paragraph (6)(b) for “is blind or is treated as blind” substitute “is blind or severely sight-impaired or is treated as such”;
- (c) in paragraph 8(b) (disabled child premium) for “is blind” substitute “is blind or severely sight-impaired”, and for “as blind” substitute “as such”.

**26.** Yn Atodlen 3 (symiau cymwysadwy: personau nad ydynt yn bensynwyr)—

(a) ym mharagraff 10 (amod ychwanegol ar gyfer y premiwm anabled)—

(i) yn is-baragraff (1)(a)(ii), ar ôl “o dan y Ddeddf honno”, mewnosoder “neu bensyn y wladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;

(ii) yn lle is-baragraff (1)(a)(vii) rhodder—

“(vii) yn ddall ac o ganlyniad wedi ei gofrestru fel person dall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles), neu â nam difrifol ar ei olwg ac o ganlyniad wedi ei gofrestru fel person â nam difrifol ar ei olwg mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 neu adran 77(1) o Ddeddf Gofal 2014, neu, yn yr Alban, wedi ei ardystio’n ddall ac, o ganlyniad, wedi ei gofrestru mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994; neu”

(iii) yn is-baragraff (2), yn lle “gofrestru fel person dall” rhodder “gofrestru fel person dall neu berson â nam difrifol ar ei olwg”, ac yn lle “fel pe bai’n ddall ac yn bodloni’r amod” rhodder “fel y cyfryw ac fel person sy’n bodloni’r amod”;

(b) ym mharagraff 11 (premiwm anabled difrifol)—

(i) yn is-baragraff (3) yn lle “hwynnw’n ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “hwynnw’n ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”;

(ii) yn is-baragraff (4)(b) yn lle “sy’n ddall neu a drinnir fel pe bai’n ddall”, rhodder “sy’n ddall neu â nam difrifol ar ei olwg neu a drinnir fel y cyfryw”;

(c) ym mharagraff 13(b) (premiwm plentyn anabl) yn lle “yn ddall neu’n cael ei drin fel pe bai’n ddall” rhodder “yn ddall neu â nam difrifol ar ei olwg neu’n cael ei drin fel y cyfryw”.

**26.** In Schedule 3 (applicable amounts: persons who are not pensioners)—

(a) in paragraph 10 (additional condition for the disability premium)—

(i) in sub-paragraph (1)(a)(ii) after “under that Act” insert “or a state pension under Part 1 of the Pensions Act 2014”;

(ii) for sub-paragraph (1)(a)(vii) substitute—

“(vii) is blind and in consequence is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services), or is severely sight-impaired and in consequence is registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014 or section 77(1) of the Care Act 2014, or in Scotland has been certified as blind and in consequence is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; or”;

(iii) in sub-paragraph (2), for “registered as blind” substitute “registered as blind or severely sight-impaired”, and for “treated as blind” substitute “treated as such”;

(b) in paragraph 11 (severe disability premium)—

(i) in sub-paragraph (3) for “is blind or is treated as blind”, substitute “is blind or severely sight-impaired or is treated as such”;

(ii) in sub-paragraph (4)(b) for “who is blind or is treated as blind”, substitute “who is blind or severely sight-impaired or is treated as such”;

(c) in paragraph 13(b) (disabled child premium) for “is blind or treated as blind”, substitute “is blind or severely sight-impaired or treated as such”.

**27.** Yn Atodlen 4 (symiau a ddiystyrir o enillion ceisydd: pensïynwyr) yn lle paragraff 5(1)(b) rhodder—

“(b) wedi ei gofrestru, neu’r ddau wedi eu cofrestru, yn ddall mewn cofrestr a gedwir o dan adran 29 o Ddeddf Cymorth Gwladol 1948 (gwasanaethau lles), neu wedi ei gofrestru fel person â nam difrifol ar ei olwg, neu’r ddau wedi eu cofrestru fel personau â nam difrifol ar eu golwg, mewn cofrestr a lunnir ac a gynhelir gan awdurdod lleol o dan adran 18(1) o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 neu adran 77(1) o Ddeddf Gofal 2014, neu, yn yr Alban, wedi ei ardystio, neu wedi eu hardystio, yn ddall ac, o ganlyniad, wedi ei gofrestru, neu’r ddau wedi eu cofrestru, yn ddall mewn cofrestr a gynhelir gan, neu ar ran, cyngor a gyfansoddwyd o dan adran 2 o Ddeddf Llywodraeth Leol etc. (Yr Alban) 1994; neu”.

**28.** Yn Atodlen 6 (symiau a ddiystyrir wrth gyfrifo enillion: personau nad ydynt yn bensiynwyr), ym mharagraff 1(a)(ii)—

- (a) ar ôl “o dan DCBNC”, mewnosoder “neu bensiwn gwladwriaeth o dan Ran 1 o Ddeddf Pensiynau 2014”;
- (b) ar ôl “amodau cyfrannu”, mewnosoder “neu i feddu ar y lleiafswm o flynyddoedd cymhwysol”.

**29.** Yn Atodlen 7 (symiau a ddiystyrir wrth gyfrifo incwm ac eithrio enillion: personau nad ydynt yn bensiynwyr)—

- (a) ym mharagraff 31(a)—
  - (i) ym mharagraff (i) ar ôl “adran 23(2)(a)” mewnosoder “neu 22C”;
  - (ii) ar ddiwedd paragraff (ii) hepgorer “neu”;
  - (iii) ar ddiwedd paragraff (iii) hepgorer “neu”;
  - (iv) ar ôl paragraff (iii) mewnosoder—
    - “(iv) adran 81 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ; neu”;
- (b) ym mharagraff 32—
  - (i) ar ddiwedd is-baragraff (e) hepgorer “neu”;
  - (ii) yn is-baragraff (f) yn lle “.” rhodder “;”;
  - (iii) ar ôl is-baragraff (f) mewnosoder—

**27.** In Schedule 4 (sums disregarded from applicant’s earnings: pensioners), for paragraph 5(1)(b) substitute—

“(b) is or are registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services), or registered as severely sight-impaired in a register established and maintained by a local authority under section 18(1) of the Social Services and Well-being (Wales) Act 2014 or section 77(1) of the Care Act 2014, or in Scotland, has or have been certified as blind and in consequence is or registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; or”.

**28.** In Schedule 6 (sums disregarded in the calculation of earnings: persons who are not pensioners), in paragraph 1(a)(ii) —

- (a) after “under the SSCBA”, insert “or a state pension under Part 1 of the Pensions Act 2014”;
- (b) after “contribution conditions” insert “or to have the minimum number of qualifying years”.

**29.** In Schedule 7 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners)—

- (a) in paragraph 31(a)—
  - (i) in paragraph (i) after “section 23(2)(a)” insert “or 22C”;
  - (ii) at the end of paragraph (ii) omit “or”;
  - (iii) at the end of paragraph (iii) omit “or”;
  - (iv) after paragraph (iii) insert—
    - “(iv) section 81 of the Social Services and Well-being (Wales) Act 2014; or”;
- (b) in paragraph 32—
  - (i) at the end of sub-paragraph (e) omit “or”;
  - (ii) in sub-paragraph (f) for “.” substitute “;”;
  - (iii) after sub-paragraph (f) insert—

- “(g) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 35 neu 36 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu
- (h) y person dan sylw pan fo’r taliad ar gyfer darparu llety i ddiwallu ei anghenion am ofal a chymorth a drefnir yn unol ag adran 18 neu 19 o Ddeddf Gofal 2014.”;
- (c) yn lle paragraff 33 rhodder—
- “33. Unrhyw daliad a wnaed gan awdurdod lleol yn unol â’r canlynol—
- (a) adran 17, 23B, 23C neu 24A o Ddeddf Plant 1989;
- (b) adran 12 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968;
- (c) adran 22, 29 neu 30 o Ddeddf Plant (Yr Alban) 1995; neu
- (d) adran 37, 38, 109, 110 neu 114 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ond gan eithrio unrhyw daliadau uniongyrchol a wnaed o dan y Ddeddf honno.”;
- (d) yn lle paragraff 34(1) rhodder—
- “(1) Yn ddarostyngedig i is-baragraff (2), unrhyw daliad (neu ran o daliad) a wnaed gan awdurdod lleol i berson (“A”) ac a drosglwyddir ymlaen gan A i’r ceisydd, pan fo’r taliad wedi ei wneud yn unol â’r canlynol—
- (a) adran 23C o Ddeddf Plant 1989;
- (b) adran 29 o Ddeddf Plant (Yr Alban) 1995; neu
- (c) adran 110 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”;
- (e) yn lle paragraff 59 rhodder—
- “59. Unrhyw daliad a wnaed—
- (a) fel taliad uniongyrchol fel y diffinnir “*direct payment*” yn adran 4(2) o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013;
- (b) o dan adrannau 12A i 12D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006 (taliadau uniongyrchol am ofal iechyd);
- (c) o dan reoliadau a wnaed o dan adran 57 o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (taliadau uniongyrchol);
- “(g) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 35 or 36 of the Social Services and Well-being (Wales) Act 2014; or
- (h) the person concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support arranged pursuant to section 18 or 19 of the Care Act 2014.”;
- (c) for paragraph 33 substitute—
- “33. Any payment made by a local authority in accordance with—
- (a) section 17, 23B, 23C or 24A of the Children Act 1989;
- (b) section 12 of the Social Work (Scotland) Act 1968;
- (c) section 22, 29 or 30 of the Children (Scotland) Act 1995; or
- (d) section 37, 38, 109, 110 or 114 of the Social Services and Well-being (Wales) Act 2014, but excluding any direct payments under that Act.”;
- (d) for paragraph 34(1) substitute—
- “(1) Subject to sub-paragraph (2), any payment (or part payment) made by a local authority to a person (“A”) which A passes on to the applicant, where the payment is made in accordance with—
- (a) section 23C of the Children Act 1989;
- (b) section 29 of the Children (Scotland) Act 1995; or
- (c) section 110 of the Social Services and Well-being (Wales) Act 2014.”;
- (e) for paragraph 59 substitute—
- “59. Any payment made—
- (a) as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013;
- (b) under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care);
- (c) under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments);



- (d) o dan reoliadau a wnaed o dan adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (taliadau uniongyrchol); neu
- (e) o dan reoliadau a wnaed o dan adran 33 o Ddeddf Gofal 2014 (taliadau uniongyrchol).”

**30.** Yn Atodlen 8 (diystyriadau cyfalaf: pensiynwyr)—

(a) ar ôl paragraff 27 mewnosoder—

“**27A.** Pan fo person yn dewis yr hawl i gael cyfandaliad o dan adran 8(2) o Ddeddf Pensiynau 2014 neu’n unol â rheoliadau a wnaed o dan adran 10 o’r Ddeddf honno, neu’n methu â gwneud dewis, a bod cyfandaliad wedi ei wneud, swm sy’n hafal i—

- (a) ac eithrio pan fo is-baragraff (b) yn gymwys, swm unrhyw daliad neu daliadau a wneir ar gyfrif y cyfandaliad hwnnw; neu
- (b) swm y cyfandaliad hwnnw,

ond hynny cyhyd, yn unig, nad yw’r person hwnnw’n newid y dewis hwnnw o blaid cynnydd mewn pensiwn.”;

(b) ym mharagraff 28—

- (i) ar ddiwedd is-baragraff (d) hepgorer “neu”;
- (ii) yn is-baragraff (e) yn lle “.” rhodder “;”;
- (iii) ar ôl is-baragraff (e) mewnosoder—
  - “(f) adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014; neu
  - (g) adran 33 o Ddeddf Gofal 2014.”

**31.** Yn Atodlen 9 (diystyriadau cyfalaf: personau nad ydynt yn bensynwyr)—

(a) yn lle paragraff 23 rhodder—

“**23.** Unrhyw daliad a wneir gan awdurdod lleol yn unol â’r canlynol—

- (a) adran 17, 23B, 23C neu 24A o Ddeddf Plant 1989;
- (b) adran 12 o Ddeddf Gwaith Cymdeithasol (Yr Alban) 1968;
- (c) adran 22, 29 neu 30 o Ddeddf Plant (Yr Alban) 1995; neu

(d) under regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014 (direct payments); or

(e) under regulations made under section 33 of the Care Act 2014 (direct payments).”

**30.** In Schedule 8 (capital disregards: pensioners)—

(a) after paragraph 27 insert—

“**27A.** Where a person elects to be entitled to a lump sum under section 8(2) of the Pensions Act 2014 or in accordance with regulations made under section 10 of that Act, or fails to make an election, and a lump sum payment has been made, an amount equal to—

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum; or
- (b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension.”;

(b) in paragraph 28—

- (i) at the end of sub-paragraph (d) omit “or”;
- (ii) in sub-paragraph (e) for “.” substitute “;”;
- (iii) after sub-paragraph (e) insert—
  - “(f) sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014; or
  - (g) section 33 of the Care Act 2014.”

**31.** In Schedule 9 (capital disregards: persons who are not pensioners)—

(a) for paragraph 23 substitute—

“**23.** Any payment made by a local authority in accordance with—

- (a) section 17, 23B, 23C or 24A of the Children Act 1989;
- (b) section 12 of the Social Work (Scotland) Act 1968;
- (c) section 22, 29, or 30 of the Children (Scotland) Act 1995; or

(d) adran 37, 38, 109, 110 neu 114 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ond gan eithrio unrhyw daliadau uniongyrchol a wnaed o dan y Ddeddf honno.”;

(b) yn lle paragraff 47 rhodder—

“47.—(1) Unrhyw daliad a wneir gan awdurdod lleol o dan adran 3 o Ddeddf Personau Anabl (Cyflogaeth) 1958 i weithwyr gartref a gynorthwyr o dan gynllun gweithwyr gartref dall.

(2) Unrhyw daliad a wneir gan awdurdod lleol o dan Ran 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant 2014 i weithwyr gartref a gynorthwyr o dan gynllun gweithwyr gartref dall.”;

(c) yn lle paragraff 60 rhodder—

“60. Unrhyw daliad a wneir—

(a) o dan reoliadau a wnaed o dan adran 57 o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (taliadau uniongyrchol);

(b) fel taliad uniongyrchol fel y diffinnir “*direct payment*” yn adran 4(2) o Ddeddf Gofal Cymdeithasol (Cymorth Hunangyfeiriedig) (Yr Alban) 2013;

(c) o dan adrannau 12A i 12D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006 (taliadau uniongyrchol ar gyfer gofal iechyd);

(d) o dan reoliadau a wnaed o dan adrannau 50 i 53 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (taliadau uniongyrchol); neu

(e) o dan reoliadau a wnaed o dan adran 33 o Ddeddf Gofal 2014 (taliadau uniongyrchol).”

(d) section 37, 38, 109, 110 or 114 of the Social Services and Well-being (Wales) Act 2014, but excluding any direct payments under that Act.”;

(b) for paragraph 47 substitute—

“47.—(1) Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under a blind homeworkers’ scheme.

(2) Any payment made by a local authority under Part 4 of the Social Services and Well-being (Wales) Act 2014 to homeworkers assisted under a blind homeworkers’ scheme.”;

(c) for paragraph 60 substitute—

“60. Any payment made—

(a) under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments);

(b) as a direct payment as defined in section 4(2) of the Social Care (Self-directed Support) (Scotland) Act 2013;

(c) under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care);

(d) under regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014 (direct payments); or

(e) under regulations made under section 33 of the Care Act 2014 (direct payments).”

*Leighton Andrews*

Y Gweinidog Gwasanaethau Cyhoeddus, un o Weinidogion Cymru  
19 Ionawr 2016

Minister for Public Services, one of the Welsh Ministers  
19 January 2016

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