



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

2019 Rhif 432 (Cy. 101)

2019 No. 432 (W. 101)

**Y DRETH GYNGOR, CYMRU**

**COUNCIL TAX, WALES**

Gorchymyn y Dreth Gyngor  
(Anheddau Esempt) (Diwygio)  
(Cymru) 2019

The Council Tax (Exempt  
Dwellings) (Amendment) (Wales)  
Order 2019

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn y Dreth Gyngor (Anheddau Esempt) 1992 (O.S. 1992/558) ("Gorchymyn 1992").

This Order amends the Council Tax (Exempt Dwellings Order 1992 (S.I. 1992/558) ("the 1992 Order").

Nid yw'r dreth gyngor yn daladwy mewn perthynas ag anheddau esempt (adran 4 o Ddeddf Cyllid Llywodraeth Leol 1992 (p. 14)). Mae dosbarthau o anheddau esempt wedi eu rhagnodi yng Ngorchymyn 1992.

Council tax is not payable in respect of exempt dwellings (section 4 of the Local Government Finance Act 1992 (c. 14)). Classes of exempt dwellings are prescribed in the 1992 Order.

Mae'r Gorchymyn hwn yn mewnosod Dosbarth X newydd yng Ngorchymyn 1992. Mae hyn yn esemptio anheddau yng Nghymru—

This Order inserts a new Class X into the 1992 Order. This exempts dwellings in Wales—

- sydd wedi eu meddiannu gan un neu ragor o bobl sy'n ymadael â gofal, a
- lle y mae pob preswylwr naill ai'n berson sy'n ymadael â gofal, neu'n berson perthnasol o fewn y diffiniad yn Nosbarth N o Orchymyn 1992 (myfyrwyr etc.), neu'n berson sydd â nam meddyliol difrifol.

- which are occupied by one or more care leavers, and
- where every resident is either a care leaver, a relevant person within the definition in Class N of the 1992 Order (students etc.), or a severely mentally impaired person.

Mae'r Gorchymyn hwn yn diffinio'r term "care leaver" gan gyfeirio at berson ifanc categori 3, fel y'i diffinnir yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4).

This Order defines the term "care leaver" with reference to a category 3 young person, as defined in the Social Services and Well-being (Wales) Act 2014 (anaw 4).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth Lywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

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

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Gorchymyn y Dreth Gyngor  
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(Cymru) 2019

The Council Tax (Exempt  
Dwellings) (Amendment) (Wales)  
Order 2019

*Gwnaed* 4 Mawrth 2019

*Made* 4 March 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 6 Mawrth 2019

*Laid before the National Assembly  
for Wales* 6 March 2019

*Yn dod i rym* 1 Ebrill 2019

*Coming into force* 1 April 2019

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 4 o Ddeddf Cyllid Llywodraeth Leol 1992(1) ac a freiniwyd bellach ynddynt hwy(2).

The Welsh Ministers make the following Order in exercise of the power conferred on the Secretary of State by section 4 of the Local Government Finance Act 1992(1) and now vested in them(2).

**Enwi, cychwyn a chymhwyso**

**Title, commencement and application**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn y Dreth Gyngor (Anheddau Esempt) (Diwygio) (Cymru) 2019.

1.—(1) The title of this Order is the Council Tax (Exempt Dwellings) (Amendment) (Wales) Order 2019.

(2) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2019.

(2) This Order comes into force on 1 April 2019.

(3) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) This Order applies in relation to Wales.

**Diwygio Gorchymyn y Dreth Gyngor (Anheddau Esempt) 1992**

**Amendments to the Council Tax (Exempt Dwellings) Order 1992**

2.—(1) Mae Gorchymyn y Dreth Gyngor (Anheddau Esempt) 1992(3) wedi ei ddiwygio fel a ganlyn.

2.—(1) The Council Tax (Exempt Dwellings) Order 1992(3) is amended as follows.

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(1) 1992 p. 14.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, 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 y swyddogaethau hynny wedi hynny i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(3) O.S. 1992/558; yr offerynnau diwygio perthnasol yw O.S. 1992/2941, 1993/150, 1994/539, 1995/619, 1997/74, 1997/656, 1998/291, 1999/536, 2000/1025 (Cy. 61), 2004/2921 (Cy. 260) a 2005/3302 (Cy. 256).

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(1) 1992 c. 14.

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

(3) S.I. 1992/558; relevant amending instruments are S.I. 1992/2941, 1993/150, 1994/539, 1995/619, 1997/74, 1997/656, 1998/291, 1999/536, 2000/1025 (W. 61), 2004/2921 (W. 260) and 2005/3302 (W. 256).

(2) Yn erthygl 3, ar y diwedd mewnosoder—

“Class X: (1) a dwelling in Wales—

- (a) which is occupied by one or more care leavers; and
- (b) where every resident is either a care leaver, a relevant person, or a severely mentally impaired person.

(2) For the purposes of paragraph (1)—

- (a) “care leaver” means a person who is—
  - (i) aged 24 or under; and
  - (ii) a category 3 young person as defined by section 104 of the Social Services and Well-being (Wales) Act 2014(1);
- (b) “relevant person” has the meaning given by paragraph 2(a) of Class N; and
- (c) “severely mentally impaired” has the meaning given in paragraph 2 of Schedule 1 to the Act;”

(2) In article 3, at the end insert—

“Class X: (1) a dwelling in Wales—

- (a) which is occupied by one or more care leavers; and
- (b) where every resident is either a care leaver, a relevant person, or a severely mentally impaired person.

(2) For the purposes of paragraph (1)—

- (a) “care leaver” means a person who is—
  - (i) aged 24 or under; and
  - (ii) a category 3 young person as defined by section 104 of the Social Services and Well-being (Wales) Act 2014(1);
- (b) “relevant person” has the meaning given by paragraph 2(a) of Class N; and
- (c) “severely mentally impaired” has the meaning given in paragraph 2 of Schedule 1 to the Act;”

*Rebecca Evans*

Y Gweinidog Cyllid a'r Trefnydd, un o Weinidogion  
Cymru  
4 Mawrth 2019

Minister for Finance and Trefnydd, one of the Welsh  
Ministers  
4 March 2019

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