



Deddf Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) 2018

2018 dccc 1

Cyfyngiad ar arfer yr hawl i brynu a'r hawl i gaffael

2 Cyfyngiad ar arfer yr hawl i brynu

- (1) Mae [Deddf Tai 1985 \(Housing Act 1985 \(c. 68\)\)](#) wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 121 (amgylchiadau na ellir arfer yr hawl i brynu ynddynt), mewnosoder—

“121ZA Restriction on exercising the right to buy in Wales

- (1) The right to buy cannot be exercised in respect of a dwelling-house in Wales unless—
 - (a) the dwelling-house is from previously let social housing stock, or
 - (b) any of the cases specified in section 121ZB applies, or has applied, in respect of the dwelling-house.
- (2) For the purposes of this Part—
 - (a) a dwelling-house is from previously let social housing stock if, at any time during the period of six months ending with the relevant date, it has been—
 - (i) let under a secure tenancy,
 - (ii) let under an introductory tenancy (within the meaning given by Chapter 1 of Part 5 of the [Housing Act 1996 \(c. 52\)](#)),
 - (iii) let under a demoted tenancy (within the meaning given by section 143A of the Housing Act 1996), or
 - (iv) a qualifying dwelling-house in relation to the preserved right to buy (see section 171B);
 - (b) “relevant date” means the day on which section 2 of the Abolition of the Right to Buy and Associated Rights (Wales) Act 2017 comes into force.

Statws Golwg cyfnod mewn amser fel yr oedd ar 24/03/2018.

Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) 2018, Croes Bennawd: Cyfyngiad ar arfer yr hawl i brynu a'r hawl i gaffael. (See end of Document for details)

(3) This section does not affect the computation of any period under Schedule 4.”

(3) Yn adran 171B (rhychwant yr hawl i brynu a gadwyd), ar ôl is-adran (6), mewnosoder—

“(7) Nothing in subsection (6) gives a person the right to exercise the preserved right to buy in respect of a dwelling-house in Wales unless—

- (a) the dwelling-house is from previously let social housing stock (see section 121ZA), or
- (b) any of the cases specified in section 121ZB applies, or has applied, in respect of the dwelling-house.”

Gwybodaeth Cychwyn

II A. 2 mewn grym ar 24.3.2018, gweler **a. 11(2)**

3 Eithriadau i'r cyfyngiad ar arfer yr hawl i brynu

(1) Mae [Deddf Tai 1985 \(Housing Act 1985 \(c. 68\)\)](#) wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 121ZA (cyfyngiad ar arfer yr hawl i brynu yng Nghymru), mewnosoder—

“121ZB Exceptions to restriction on exercising the right to buy in Wales

(1) The first case applies in respect of a dwelling-house (the “exempted dwelling”) if—

- (a) after the relevant date, the court orders a person who has the right to buy to give up possession of a dwelling-house,
- (b) the order is made on any of the grounds set out in Parts 2 or 3 of Schedule 2,
- (c) the person becomes the tenant of the exempted dwelling, and
- (d) the exempted dwelling is suitable alternative accommodation for the purposes of the order.

(2) The second case applies in respect of a dwelling-house (the “exempted dwelling”) if—

- (a) after the relevant date, the court orders a person who has the preserved right to buy (see section 171B) to give up possession of a dwelling-house,
- (b) the order is made—
 - (i) on Ground 9 in Schedule 2 to the [Housing Act 1988 \(c. 50\)](#) (possession of dwelling-house let under assured tenancy on grounds that there is suitable alternative accommodation), or
 - (ii) in pursuance of section 98(1)(a) of the [Rent Act 1977 \(c. 42\)](#) (limitation on recovery of possession of dwelling-houses let under certain tenancies),
- (c) the person becomes the tenant of the exempted dwelling, and
- (d) the exempted dwelling is suitable alternative accommodation for the purposes of the order.

Statws Golwg cyfnod mewn amser fel yr oedd ar 24/03/2018.

Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) 2018, Croes Bennawd: Cyfyngiad ar arfer yr hawl i brynu a'r hawl i gaffael. (See end of Document for details)

- (3) The third case applies in respect of a dwelling-house (the “exempted dwelling”) if—
 - (a) the exempted dwelling has, at some time during the period of six months ending with the relevant date, been let by a registered social landlord or a private registered provider of social housing under an assured tenancy (other than a long tenancy),
 - (b) after the relevant date, a person having the preserved right to buy in respect of another dwelling-house (“the relevant dwelling-house”) becomes the tenant of the exempted dwelling, and
 - (c) the exempted dwelling becomes the relevant dwelling-house for the purposes of section 171B(6).
- (4) The Welsh Ministers may, by regulations made by statutory instrument, amend this section by adding additional cases.
- (5) Regulations under subsection (4) may not be made unless a draft of the statutory instrument containing the regulations has been laid before and approved by a resolution of the National Assembly for Wales.”

Gwybodaeth Cychwyn

I2 A. 3 mewn grym ar 24.3.2018, gweler **a. 11(2)**

4 Cyfyngiad ar arfer yr hawl i gaffael

- (1) Mae **Deddf Tai 1996 (Housing Act 1996 (c. 52))** wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 16A (estyn yr hawl i gaffael i anheddau a ariannwyd drwy grantiau o dan adran 27A), mewnosoder—

“16B Restriction on exercising the right to acquire

- (1) But the right to acquire cannot be exercised in respect of a dwelling unless—
 - (a) the dwelling is from previously let social housing stock, or
 - (b) section 16C applies, or has applied, in respect of the dwelling.
- (2) For the purposes of this Part—
 - (a) a dwelling is from previously let social housing stock if, at any time during the period of six months ending with the relevant date—
 - (i) it has been let by a registered social landlord or a private registered provider of social housing under an assured tenancy (other than a long tenancy), or
 - (ii) it has been let under a secure tenancy, and
 - (b) “relevant date” means the day on which section 4 of the Abolition of the Right to Buy and Associated Rights (Wales) Act 2017 comes into force.
- (3) This section does not affect the computation of any period under Schedule 4 to the Housing Act 1985.”

Statws Golwg cyfnod mewn amser fel yr oedd ar 24/03/2018.

Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) 2018, Croes Bennawd: Cyfyngiad ar arfer yr hawl i brynu a'r hawl i gaffael. (See end of Document for details)

- (3) Yn adran 16 (hawl tenant i gaffael annedd), yn is-adran (1), ar y dechrau, mewnosoder “Subject to section 16B.”
- (4) Yn adran 21 (grant prynu mewn cysylltiad â gwarediadau penodol), ar ôl is-adran (2), mewnosoder—
- “(2A) But subsection (2) does not apply in respect of a discount on a disposal of a dwelling unless—
- (a) the dwelling is from previously let social housing stock, or
 - (b) section 16C applies, or has applied in respect of the dwelling.”

Gwybodaeth Cychwyn

I3 A. 4 mewn grym ar 24.3.2018, gweler [a. 11\(2\)](#)

5 Eithriad i'r cyfyngiad ar arfer yr hawl i gaffael

- (1) Mae [Deddf Tai 1996 \(Housing Act 1996 \(c. 52\)\)](#) wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 16B (cyfyngiad ar arfer yr hawl i gaffael), mewnosoder—

“16C Exception to restriction on exercising the right to acquire

- (1) This section applies in respect of a dwelling (the “exempted dwelling”) if—
- (a) after the relevant date, the court has ordered a person to give up possession of a dwelling,
 - (b) the order is made—
 - (i) on any of the grounds set out in Parts 2 or 3 of Schedule 2 to the [Housing Act 1985 \(c. 68\)](#) (discretionary grounds for possession of dwelling let under secure tenancy), or
 - (ii) on Ground 9 in Schedule 2 to the [Housing Act 1988 \(c. 50\)](#) (possession of dwelling let under assured tenancy on grounds that there is suitable alternative accommodation),
 - (c) the person becomes the tenant of the exempted dwelling, and
 - (d) the exempted dwelling is suitable alternative accommodation for the purposes of the order.
- (2) The Welsh Ministers may, by regulations made by statutory instrument, amend this section by making provision for further circumstances in which this section applies in respect of a dwelling.
- (3) Regulations under subsection (2) may not be made unless a draft of the statutory instrument containing the regulations has been laid before and approved by a resolution of the National Assembly for Wales.”

Gwybodaeth Cychwyn

I4 A. 5 mewn grym ar 24.3.2018, gweler [a. 11\(2\)](#)

Statws

Golwg cyfnod mewn amser fel yr oedd ar 24/03/2018.

Newidiadau i ddeddfwriaeth:

Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) 2018, Croes Bennawd: Cyfyngiad ar arfer yr hawl i brynu a'r hawl i gaffael.