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WELSH STATUTORY INSTRUMENTS

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**2001 No. 4006 (W.332)**

**HOUSING, WALES**

**The Housing Renewal Grants (Prescribed Forms and Particulars) (Amendment No.2) (Wales) Regulations 2001**

*Made - - - - 13th December 2001*

*Coming into force - - 11th January 2002*

The National Assembly for Wales in exercise of the powers conferred upon it by sections 2(2) and (4)(1) and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996(2) as extended by section 26(3) of the Welsh Language Act 1993(3) makes the following Regulations:

**Name, commencement and application**

1.—(1) These Regulations are called the Housing Renewal Grants (Prescribed Forms and Particulars) (Amendment No.2) (Wales) Regulations 2001 and shall come into force on 11th January 2002.

(2) These Regulations apply to Wales only and shall not have effect in relation to applications for grant made before the date on which these Regulations come into force.

**Amendments**

2. In the (English language) form set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996(4):

(a) after question 3.34A(5) insert—

“**3.34B** Please give details of any vCJD trust payment made to you, your partner or a member of your family or any payment made to you, your partner or a member of your family by another person or from another person’s estate which is made from a vCJD trust payment received by that other person. **Note 90E**”;

(b) after note 90D, insert—

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(1) See the definition of “prescribed” in section 101.  
(2) 1996 c. 53; see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).  
(3) 1993 c. 38.  
(4) S.I. 1996/2891, amended by S.I. 1996/3119, 1997/978, 1998/809, 1999/1607, 1999/3470(W.56), 2000/1735(W.119) and 2001/2071(W.143).  
(5) Question 3.34A was inserted by S.I. 2001/2071(W.143)

**“90E.** A vCJD trust payment is a payment made, from trusts set up by the Department of Health, to those who contracted variant Creutzfeldt-Jakob disease (vCJD) and their immediate families.

For the purpose of deciding whether someone is a member of your family, “family” means:

- (a) a married or unmarried couple;
- (b) a married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
- (c) a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or young person.

A payment made to the victim of vCJD or the victim’s partner or surviving partner is disregarded for that person’s lifetime.

A payment made to the parent of a vCJD victim, regardless of the age of the victim, or to a person who is or was acting in the place of a parent of a dependant child victim, is disregarded for 2 years from the date the payment was made to them.

Payments made to dependant children or young persons are disregarded for the period from the date of payment until the day before they leave full time education or the day before their 19th birthday or for 2 years from the date of payment, whichever is the latest date.”.

**3.** In the (Welsh language) form set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) (Welsh Form and Particulars) Regulations 1998(6):

(a) after question 3.34A insert—

**“3.34B** Rhowch fanylion unrhyw daliad o'r ymddiriedolaeth vCJD sydd wedi'i dalu i chi, i'ch partner neu i aelod o'ch teulu neu fanylion unrhyw daliad sydd wedi'i dalu i chi, i'ch partner neu i aelod o'ch teulu gan berson arall neu o ystad person arall ac sydd wedi'i dalu o daliad o'r ymddiriedolaeth vCJD a gafodd y person arall hwnnw. **Nodyn 90E”;**

(b) after note 90D insert—

**“90E** Taliad o'r ymddiriedolaeth vCJD yw taliad sy'n cael ei dalu, o ymddiriedolaethau sydd wedi'u sefydlu gan yr Adran Iechyd, i'r rhai a gafodd amrywiolyn clefyd Creutzfeldt-Jakob (vCJD) a'u teuluoedd agos.

Er mwyn penderfynu a yw rhywun yn aelod o'ch teulu, ystyr “teulu” yw:

- (a) pâr priod neu bâr dibriod;
- (b) pâr priod neu bâr dibriod ac aelod o'r un aelwyd y mae un ohonynt neu'r ddau ohonynt yn gyfrifol amdano ac sy'n blentyn neu'n berson ifanc;
- (c) person nad yw'n aelod o bâr priod neu bâr dibriod ac sy'n aelod o'r un aelwyd y mae'r person hwnnw yn gyfrifol amdano ac sy'n blentyn neu'n berson ifanc.

Mae taliad sydd wedi'i dalu i ddiodeffwr vCJD neu i bartner y diodeffwr neu i bartner sydd wedi'i oroesi yn cael ei anwybyddu drwy gydol oes y person hwnnw

Mae taliad sydd wedi'i dalu i riant diodeffwr vCJD, ni waeth beth fo oedran y diodeffwr, neu i berson sydd neu a oedd yn gweithredu yn lle riant i blentyn dibynnol sy'n ddiodeffwr, yn cael ei anwybyddu am 2 flynedd o'r dyddiad y cafodd y taliad ei dalu iddynt.

Mae taliadau sydd wedi'u talu i blant neu bersonau ifanc dibynnol yn cael eu hanwybyddu drwy gydol y cyfnod o ddyddiad y taliad tan y diwrnod cyn iddynt ymadael ag addysg amser-llawn neu'r diwrnod cyn eu pen-blwydd yn 19 oed neu am 2 flynedd o ddyddiad y taliad, p'un bynnag yw'r dyddiad olaf.”

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(7)

13th December 2001

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

These Regulations amend the (bilingual) forms to be used by owner-occupiers and tenants when applying for housing renewal grants under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996.

The Welsh language form amended is set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) (Welsh Form and Particulars) Regulations 1998 (S.I. [1998/1113](#) as amended).

The English language form amended is set out in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996 (S.I. [1996/2891](#) as amended).

The amendments are consequential on those being made by the Housing Renewal Grants (Amendment No.2) (Wales) Regulations 2001 (S.I. [2001/4007\(W.333\)](#)) to the Housing Renewal Grants Regulations 1996 (S.I. [1996/2890](#)) and relate to any vCJD trust payments made to an applicant.

The amendments relate to special payments made to sufferers of variant Creutzfeldt-Jakob disease and their immediate families.