



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 1147 (Cy.155)

2003 No. 1147 (W.155)

TAI, CYMRU

HOUSING, WALES

Gorchymyn Tai (Hawl i Gaffael a
Hawl i Brynu) (Ardaloedd Gwledig
Dynodedig a Rhanbarthau
Dynodedig) (Diwygio) (Cymru)
2003

The Housing (Right to Acquire and
Right to Buy) (Designated Rural
Areas and Designated Regions)
(Amendment) (Wales) Order
2003

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

O dan adran 157 o Ddeddf Tai 1985 ("Deddf 1985"), os yw trawsgludiad neu grant yn cael ei gyflawni yn unol â Rhan V o Ddeddf 1985 (yr hawl i brynu) gan awdurdod lleol neu gymdeithas tai (y landlord) a bod y tŷ annedd hwnnw wedi'i leoli mewn:

Under section 157 of the Housing Act 1985 (the "1985 Act") where in pursuance of Part V of the 1985 Act (the right to buy) a conveyance or grant is executed by a local authority or a housing association (the landlord) of a dwelling-house situated in -

- Parc Cenedlaethol,
- ardal sydd wedi'i dynodi o dan adran 82 o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 yn ardal o harddwch naturiol eithradol, neu
- ardal sydd wedi'i dynodi drwy orchymyn Cynulliad Cenedlaethol Cymru yn ardal wledig,

- a National Park,
- an area designated under section 82 of the Countryside and Rights of Way Act 2000 as an area of outstanding natural beauty, or
- an area designated by order of the National Assembly for Wales as a rural area,

fe all y trawsgludiad neu'r grant gynnwys cyfamad sy'n cyfyngu ar hawl y tenant i werthu'r tŷ annedd yn y modd a nodwyd yn yr adran honno.

the conveyance or grant may contain a covenant limiting the freedom of the tenant to dispose of the dwelling-house in the manner specified by that section.

O dan adran 16 o Ddeddf Tai 1996 ("Deddf 1996") mae gan denant landlord cymdeithasol cofrestredig hawl mewn amgylchiadau penodol i gaffael yr annedd y mae ef neu hi yn byw ynddi. Mae hyn yn ddarostyngedig i adran 17 o Ddeddf 1996 sy'n galluogi'r Cynulliad Cenedlaethol drwy orchymyn i ddynodi ardaloedd gwledig mewn perthynas ag anheddau lle na fydd yr hawl sy'n cael ei rhoi gan adran 16 yn codi.

Under section 16 of the Housing Act 1996 (the "1996 Act") a tenant of a registered social landlord has a right in certain circumstances to acquire the dwelling of which he or she is a tenant. This is however subject to section 17 of the 1996 Act whereby the National Assembly may by order designate rural areas in relation to dwellings in which the right conferred by section 16 does not arise.

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Tai (Hawl i Gaffael a Hawl i Brynu) (Ardaloedd Gwledig Dynodedig a Rhanbarthau Dynodedig) (Cymru) 2003

This Order amends the Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 2003 which

sy'n dynodi ardaloedd gwledig at ddibenion adran 157 o Ddeddf 1985 ac adran 17 o Ddeddf 1996 drwy gywiro'r ffaith fod Parciau Cenedlaethol ac Ardaloedd o Harddwch Naturiol Eithradol wedi'u hepgor o ran yr ardaloedd hynny a ddynodir o dan adran 17.

designates rural areas for the purposes of section 157 of the 1985 Act and section 17 of the 1996 Act to remedy the omission of National Parks and Areas of Outstanding Natural Beauty as respects those areas designated under section 17.

2003 Rhif 1147 (Cy.155)**2003 No. 1147 (W.155)****TAI, CYMRU****HOUSING, WALES**

Gorchymyn Tai (Hawl i Gaffael a
Hawl i Brynu) (Ardaloedd Gwledig
Dynodedig a Rhanbarthau
Dynodedig) (Diwygio) (Cymru)
2003

The Housing (Right to Acquire and
Right to Buy) (Designated Rural
Areas and Designated Regions)
(Amendment) (Wales) Order
2003

Wedi'i wneud 24 Ebrill 2003
Yn dod i rym 25 Ebrill 2003

Made 24th April 2003
Coming into force 25th April 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 157 o Ddeddf Tai 1985(a) ac adran 17 o Ddeddf Tai 1996(b), ac ar ôl ymgynghori, yn unol ag is-adran (6) o adran 17 o Ddeddf Tai 1996, â'r awdurdodau lleol a'r cyrff a grybwyllir yn yr is-adran honno, yn gwneud y Gorchymyn canlynol:-

The National Assembly for Wales in exercise of the powers conferred upon it by section 157 of the Housing Act 1985(a) and section 17 of the Housing Act 1996(b), having consulted, in accordance with subsection (6) of section 17 of the Housing Act 1996, such local authorities and bodies as are mentioned in that subsection, makes the following Order:-

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Tai (Hawl i Gaffael a Hawl i Brynu) (Ardaloedd Gwledig Dynodedig a Rhanbarthau Dynodedig) (Diwygio) (Cymru) 2003 a daw i rym ar 25 Ebrill 2003.

(2) Mae'r Gorchymyn hwn yn gymwys i Gymru yn unig.

Name, commencement and application

1.-(1) The name of this Order is the Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Amendment) (Wales) Order 2003 and it comes into force on 25 April 2003.

(2) This Order applies to Wales only.

Diwygio

2. Diwygir Gorchymyn Tai (Hawl i Gaffael a Hawl i Brynu) (Ardaloedd Gwledig Dynodedig a Rhanbarthau Dynodedig) (Cymru) 2003(c) yn unol â'r hyn a nodir yn erthyglau 3, 4, a 5 isod.

Amendment

2. The Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 2003(c) is amended as set out in Articles 3, 4, and 5 below.

Erthygl 1

3. Yn Erthygl 1 yn lle "2002" rhwch "2003".

Article 1

3. In Article 1 for "2002" substitute "2003".

(a) 1985 p.68; *Gweler* erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(b) 1996 p.52; *Gweler* erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(c) O.S. 2003/54(Cy.5)

(a) 1985 c.68; *see* article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) 1996 c.52; *see* article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 2003/54(W.5)

Erthygl 2

4. Ar ddiwedd Erthygl 2 ychwanegwch:

"yn ogystal ag, yn achos adran 17(1)(b), yr holl gymunedau a rhannau o gymunedau sydd o fewn Parc Cenedlaethol neu o fewn ardal a ddynodir o dan adran 82 o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 yn ardal o harddwch naturiol eithriadol."

Atodlen

5. Yn y fersiwn Gymraeg o'r Atodlen o dan y pennawd "Ym Mwrdeistref Sirol Rhondda, Cynon, Taf" yn lle "Ardal Harddwch Naturiol Eithriadol Gwyr" rhowch "Parc Cenedlaethol Bannau Brycheiniog".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

24 Ebrill 2003

J E Randerson

Y Gweinidog dros Ddiwylliant, Chwaraeon a'r Gymraeg

(a) 1998 p.38.

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Article 2

4. At the end of Article 2 add:

"together with, in the case of section 17(1)(b), all communities and parts of communities within a National Park or within an area designated under section 82 of the Countryside and Rights of Way Act 2000 as an area of outstanding natural beauty."

Schedule

5. In the Welsh language version of the Schedule under the heading "Ym Mwrdeistref Sirol Rhondda, Cynon, Taf" for "Ardal Harddwch Naturiol Eithriadol Gwyr" substitute "Parc Cenedlaethol Bannau Brycheiniog".

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

24th April 2003

Minister for Culture, Sport and the Welsh Language

(a) 1998 c.38.

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