



CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 344 (Cy.41)

Y DRETH GYNGOR, CYMRU

**Rheoliadau Awdurdodau Lleol
(Addasu Cyfrifiadau
Angenrheidiol) (Cymru) 2006**

NODYN ESBONIADOL

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

Mae adrannau 32 a 43 o Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992") yn gosod, yn y drefn honno, sut y mae awdurdodau bilio a phrif awdurdodau praeseptio i gyfrifo'u hanghenion cyllideb ar gyfer y flwyddyn ariannol. Mae adrannau 33 a 44 o'r Ddeddf honno yn gosod, yn y drefn honno, sut y mae awdurdodau bilio a phrif awdurdodau praeseptio i gyfrifo swm sylfaenol eu treth gyngor.

Mae rheoliadau 2(a), 3, 4(a)(i) a 5(a) o'r Rheoliadau hyn yn hepgor cyfeiriadau at "relevant special grant" o adrannau 32, 33, 43 a 44 o Ddeddf 1992 ar gyfer y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2006 gan nad oes unrhyw grantiau arbennig yn cael eu diffinio yn grantiau arbennig perthnasol am y flwyddyn ariannol honno.

Mae rheoliadau 2(b) a 4(b) yn mewnosod, ar gyfer awdurdodau bilio a phrif awdurdodau praeseptio yng Nghymru, ddiffiniadau o symiau sy'n daladwy o ran ardrethi annomestig a ailddosbarthwyd a grant cynnal refeniw yn adrannau 32 a 43 o Ddeddf 1992 am y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2006. Diben hyn yw sicrhau nad yw symiau'r ardrethi annomestig a ailddosbarthwyd a'r grant cynnal refeniw a gedwir allan o'r cyfrifiad ar gyfer gofynion cyllideb yn yr adran honno ond yn ymwneud â'r symiau sy'n daladwy o dan yr Adroddiadau Cyllid Llywodraeth Leol am y flwyddyn 2006 - 2007. Mae'r un diffiniadau yn gymwys i adrannau 33 a 44 o Ddeddf 1992. Mae rheoliad 4(b) hefyd yn mewnosod diffiniad o "floor funding" yn adran 43 drwy fewnosod is-adran (6F).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 344 (W.41)

COUNCIL TAX, WALES

**The Local Authorities (Alteration
of Requisite Calculations) (Wales)
Regulations 2006**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Sections 32 and 43 of the Local Government Finance Act 1992 ("the 1992 Act") set out respectively how a billing authority and a major precepting authority are to calculate their budget requirements for the financial year. Sections 33 and 44 of that Act set out respectively how a billing authority and a major precepting authority are to calculate the basic amount of their council tax.

Regulations 2(a), 3, 4(a)(i) and 5(a) of these Regulations omit references to "relevant special grant" from sections 32, 33, 43 and 44 of the 1992 Act for the financial year beginning on 1 April 2006 since no special grants are being defined as relevant special grants for that financial year.

Regulations 2(b) and 4(b) insert for billing authorities and major precepting authorities in Wales definitions of sums payable in respect of redistributed non-domestic rates and revenue support grant in sections 32 and 43 of the 1992 Act for the financial year beginning on 1 April 2006 to ensure that the amounts of redistributed non-domestic rates and revenue support grant excluded from the budget requirement calculation in that section relate only to such amounts payable under the respective Local Government Finance Reports for the year 2006 - 2007. The same definitions also apply to sections 33 and 44 of the 1992 Act. Regulation 4(b) also inserts a definition of "floor funding" in section 43 by inserting a subsection (6F).

Mae rheoliadau 4(a)(ii) a 5(b) yn diwygio ymhellach adrannau 43 a 44 o Ddeddf 1992 fel bod prif awdurdodau praeseptio yng Nghymru yn gorfod ystyried unrhyw gyllid gwaelodol a geir oddi wrth yr Ysgrifennydd Gwladol am y flwyddyn ariannol 2006-2007 wrth wneud y cyfrifiadau gofynnol am y flwyddyn honno.

Regulations 4(a)(ii) and 5(b) further amend sections 43 and 44 of the 1992 Act, such that major precepting authorities in Wales must take into account any floor funding received from the Secretary of State for the financial year 2006-2007 when making the required calculations for that year.

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(Addasu Cyfrifiadau
Angenrheidiol) (Cymru) 2006****The Local Authorities (Alteration
of Requisite Calculations) (Wales)
Regulations 2006***Wedi'u gwneud**14 Chwefror 2006**Made**14 February 2006**Yn dod i rym**15 Chwefror 2006**Coming into force**15 February 2006*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 32(9), 33(4), 43(7), 44(4) a 113(2), o Ddeddf Cyllid Llywodraeth Leol 1992(1) ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy mewn perthynas â Chymru(2).

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 32(9), 33(4), 43(7), 44(4) and 113(2) of the Local Government Finance Act 1992(1) and now vested in the National Assembly for Wales so far as exercisable in relation to Wales(2).

Enwi, cychwyn, cymhwyso a dehongli**Title, commencement, application and interpretation**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Addasu Cyfrifiadau Angenrheidiol) (Cymru) 2006 a deuant i rym ar 15 Chwefror 2006.

1.-1) These Regulations are called The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2006 and come into force on the 15 February 2006.

(2) Mae'r Rheoliadau hyn yn gymwys o ran awdurdodau yng Nghymru.

(1) These Regulations apply in relation to authorities in Wales.

(3) Mae'r Rheoliadau hyn yn gymwys o ran y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2006.

(2) These Regulations apply in relation to the financial year beginning on 1 April 2006.

(4) Yn y Rheoliadau hyn ystyr "Deddf 1992" ("*the 1992 Act*") yw Deddf Cyllid Llywodraeth Leol 1992.

(3) In these Regulations "the 1992 Act" ("*Deddf 1992*") means the Local Government Finance Act 1992.

(1) 1992 p.14; diwygiwyd adran 32(9) gan baragraff 4 o Atodlen 12 i Ddeddf Llywodraeth Leol (Cymru) 1994 (p.19).

(1) 1992 c.14; section 32(9) was amended by paragraph 4 of Schedule 12 to the Local Government (Wales) Act 1994 (c.19).

(2) Trosglwyddwyd y pŵer i wneud rheoliadau o dan adrannau 32(9), 33(4), 43(7) a 44(4) o ran Cymru oddi wrth yr Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru o dan erthygl 2(a) o Orchymyn Cynulliad Cenedlaethol ac Atodlen 1 iddi Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(2) The power to make regulations under sections 32(9), 33(4), 43(7) and 44(4) in relation to Wales transferred from the Secretary of State to the National Assembly for Wales under article 2(a) of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

Cyfrifo anghenion cyllideb (awdurdodau bilio)

2. Mae adran 32 o Ddeddf 1992 yn effeithiol fel petai-

- (a) yn is-adran (3)(a)(1) y geiriau "or relevant special grant" wedi'u hepgor; a
- (b) yr is-adran ganlynol wedi'i mewnosod ar ôl is-adran (12)-

"(12A) In this section and section 33 below-

- (a) references to sums payable for the financial year in respect of redistributed non-domestic rates are references to sums so payable in accordance with the Local Government Finance Report (No.1) 2006-2007 (Final Settlement - Councils) published by the National Assembly for Wales pursuant to section 84G(4) of the Local Government Finance Act 1988(2) 14 December 2005; a
- (b) references to sums payable for the financial year in respect of revenue support grant are references to sums so payable in accordance with that report."

Cyfrifo swm sylfaenol y dreth (awdurdodau bilio)

3. Mae adran 33(1) o Ddeddf 1992(3) yn effeithiol fel petai'r geiriau "or relevant special grant" yn eitem P wedi'u hepgor.

Cyfrifo anghenion cyllideb (prif awdurdodau praeseptio)

4. Mae adran 43 o Ddeddf 1992 yn effeithiol fel petai-

- (a) yn is-adran (3)(a)(i)(4)-
 - (i) y geiriau "relevant special grant" wedi'u hepgor;
 - (ii) y geiriau "floor funding" wedi'u mewnosod o flaen "or police grant;" a
- (b) ar ôl is-adran (6D) yr is-adrannau a ganlyn wedi'u mewnosod-

-
- (1) Diwygiwyd adran 32(3)(a) gan Reoliadau Awdurdodau Lleol (Addasu Cyfrifiadau Angenrheidiol a Chronfeydd) 1994 (O.S. 1994/246) a Rheoliadau Awdurdodau Lleol (Addasu Cyfrifiadau Angenrheidiol a Chronfeydd) 1995 (O.S. 1995/234).
 - (2) 1988 p.41; mewnosodwyd adran 84G gan Atodlen 2 i Ddeddf Llywodraeth Leol 2003 (p.26)
 - (3) Diwygiwyd adran 33(1) gan O.S. 1994/246 ac O.S. 1995/234.
 - (4) Diwygiwyd adran 43(3)(a) gan O.S. 1994/246, O.S. 1995/234 ac o ran y flwyddyn ariannol 2004/2005 gan Reoliadau Awdurdodau Lleol (Addasu Cyfrifiadau Angenrheidiol) (Cymru) 2004 (O.S. 2004/451) (Cy.42).

Calculation of budget requirement (billing authorities)

2. Section 32 of the 1992 Act has effect as if-

- (a) in subsection (3)(a)(1) the words "or relevant special grant" were omitted; and
- (b) after subsection (12) there were inserted the following subsection-

"(12A) In this section and section 33 below-

- (a) references to sums payable for the financial year in respect of redistributed non-domestic rates are references to sums so payable in accordance with the Local Government Finance Report (No.1) 2006-2007 (Final Settlement - Councils) published by the National Assembly for Wales pursuant to section 84G(4) of the Local Government Finance Act 1988(2) on 14 December 2005; and
- (b) references to sums payable for the financial year in respect of revenue support grant are references to sums so payable in accordance with that report."

Calculation of basic amount of tax (billing authorities)

3. Section 33(1) of the 1992 Act(3) has effect as if the words "or relevant special grant" in item P were omitted.

Calculation of budget requirement (major precepting authorities)

4. Section 43 of the 1992 Act has effect as if-

- (a) in subsection (3)(a)(i)(4)-
 - (i) the words "relevant special grant" were omitted;
 - (ii) the words "floor funding" were inserted before "or police grant;" and
- (b) after subsection (6D) there were inserted the following subsections-

-
- (1) Section 32(3)(a) was amended by the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1994 (S.I. 1994/246) and the Local Authorities (Alteration of Requisite Calculations and Funds) Regulations 1995 (S.I. 1995/234).
 - (2) 1988 c.41; section 84G was inserted by Schedule 2 to the Local Government Act 2003 (c.26).
 - (3) Section 33(1) was amended by S.I. 1994/246 and S.I. 1995/234.
 - (4) Section 43(3)(a) was amended by S.I. 1994/246, S.I. 1995/234 and in relation to the financial year 2004/2005 by the Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2004 (S.I. 2004/451) (W.42).

"(6E) In this section and section 44 below-

- (a) references to sums payable for the financial year in respect of redistributed non-domestic rates are references to sums so payable in accordance with the Local Government Finance Report (No.2) 2006-2007 (Final Settlement - Police Authorities) published by the National Assembly for Wales pursuant to section 84G(4) of the Local Government Finance Act 1988 on 31 January 2006; and
- (b) references to sums payable for the financial year in respect of revenue support grant are references to sums so payable in accordance with that report.

(6F) In this section and section 44 below, "floor funding" means grant payable to a major precepting authority by the Secretary of State, in addition to the police grant referred to in subsection (6C)."

Cyfrifo swm sylfaenol y dreth (prif awdurdodau praeseptio)

5. Mae adran 44 o Ddeddf 1992(1) yn effeithiol fel petai yn is-adran (1) yn eitem P-

- (a) y geiriau "relevant special grant" wedi'u hepgor; a
- (b) y geiriau "floor funding" wedi'u mewnosod o flaen "or police grant;"

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

14 Chwefror 2006

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

"(6E) In this section and section 44 below-

- (a) references to sums payable for the financial year in respect of redistributed non-domestic rates are references to sums so payable in accordance with the Local Government Finance Report (No.2) 2006-2007 (Final Settlement - Police Authorities) published by the National Assembly for Wales pursuant to section 84G(4) of the Local Government Finance Act 1988 on 31 January 2006; and
- (b) references to sums payable for the financial year in respect of revenue support grant are references to sums so payable in accordance with that report.

(6F) In this section and section 44 below, "floor funding" means grant payable to a major precepting authority by the Secretary of State, in addition to the police grant referred to in subsection (6C)."

Calculation of basic amount of tax (major precepting authorities)

5. Section 44 of the 1992 Act(1) has effect as if in subsection (1) in item P-

- (a) the words "relevant special grant" were omitted; and
- (b) the words "floor funding" were inserted before "or police grant;"

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

14 February 2006

The Deputy Presiding Officer of the National Assembly

(1) Diwygiwyd adran 44(1) gan O.S. 1994/246, O.S. 1995 ac o ran y flwyddyn ariannol 2004-2005 gan O.S. 2004/451 (Cy.42).

(2) 1998 p.38.

(1) Section 44(1) was amended by S.I. 1994/246, S.I. 1995 and in relation to the financial year 2004-2005 by S.I. 2004/451 (W.42).

(2) 1998 c.38.

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