O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 93

Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) (Diwygio) 2026

Gwnaed	*25 Mawrth 2026*
Yn dod i rym	*30 Mawrth 2026*

W E L S H S T A T U T O R Y I N S T R U M E N T S

2026 No. 93

The Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) Regulations 2026

Made	*25 March 2026*
Coming into force	*30 March 2026*

£8.90

O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 93

TAI, CYMRU

Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) (Diwygio) 2026

NODYN ESBONIADOL

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

O dan adran 160A(3) o Ddeddf Tai 1996 (p. 52) ("Deddf 1996"), mae person sy'n ddarostyngedig i reolaeth fewnfudo yn anghymwys i gael dyraniad o lety tai gan awdurdod tai lleol oni bai ei fod yn dod o fewn dosbarth o bersonau a ragnodir mewn rheoliadau a wneir gan Weinidogion Cymru. O dan adran 160A(5) caiff Gweinidogion Cymru ragnodi dosbarthau eraill o bersonau o dramor sydd, er nad ydynt yn ddarostyngedig i reolaeth fewnfudo, yn anghymwys i gael dyraniad o lety tai.

O dan baragraff 1(2) o Atodlen 2 i Ddeddf Tai (Cymru) 2014 (dccc 7) ("Deddf 2014"), mae person sy'n ddarostyngedig i reolaeth fewnfudo yn anghymwys i gael cymorth tai o dan Bennod 2 o Ran 2 o'r Ddeddf honno oni bai ei fod yn dod o fewn dosbarth o bersonau a ragnodir mewn rheoliadau a wneir gan Weinidogion Cymru (neu'r Ysgrifennydd Gwladol). O dan baragraff 1(4) caiff Gweinidogion Cymru (neu'r Ysgrifennydd Gwladol) drwy reoliadau ddarparu ar gyfer disgrifiadau eraill o bersonau sydd, er nad ydynt yn ddarostyngedig i reolaeth fewnfudo, yn anghymwys i gael cymorth tai.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) 2014 (O.S. 2014/2603 (Cy. 257)) ("Rheoliadau 2014") sy'n gwneud darpariaeth ar gyfer pa bersonau sy'n ddarostyngedig i reolaeth fewnfudo sy'n gymwys i gael dyraniad o lety tai ac i gael cymorth tai. Mae Rheoliadau 2014 hefyd yn gwneud darpariaeth mewn perthynas â phersonau nad ydynt yn ddarostyngedig i reolaeth fewnfudo ond sy'n anghymwys i gael dyraniad o lety tai a chymorth tai.

Mae rheoliad 4 yn diwygio rheoliad 3 o Reoliadau 2014 sy'n rhagnodi pa ddosbarthau o bersonau sy'n ddarostyngedig i reolaeth fewnfudo sy'n gymwys i gael dyraniad o lety tai o dan Ddeddf 1996. Mae rheoliad 4 yn rhagnodi dosbarth ychwanegol o bersonau ("Dosbarth S") sy'n ddarostyngedig i reolaeth mewnfudo sy'n gymwys i gael dyraniad o

lety tai o dan Ddeddf 1996 os ydynt yn gwneud cais am ddyraniad o lety tai o fewn cyfnod penodedig o amser.

Mae Dosbarth S yn gymwys i bersonau penodol sy'n gadael gwlad neu diriogaeth pan fydd Llywodraeth Ei Fawrhydi wedi cyhoeddi cyngor i wladolion Prydeinig i adael y wlad neu'r diriogaeth honno, neu wedi trefnu ymgiliad gwladolion Prydeinig o'r wlad neu'r diriogaeth honno. Bydd y personau hynny yn gymwys os ydynt wedi cael caniatâd i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi yn unol â'r Rheolau Mewnfudo a wnaed o dan adran 3(2) o Ddeddf Mewnfudo 1971 (p. 77), os nad yw eu caniatâd yn ddarostyngedig i'r amod 'heb ddibynnu ar gronfeydd cyhoeddus' ac na chafodd eu caniatâd ei roi oherwydd ymgymeriad cynhaliaeth sy'n dal i fod yn gymwys.

Mae rheoliad 5 yn diwygio rheoliad 4(2) o Reoliadau 2014 i ddarparu bod personau penodol nad ydynt yn ddarostyngedig i reolaeth fewnfudo ond a fyddai'n anghymwys i gael dyraniad o lety tai am nad ydynt yn preswylio fel arfer yn y Deyrnas Unedig, Ynysoedd y Sianel, Ynys Manaw neu Weriniaeth Iwerddon, yn gymwys i gael dyraniad o lety tai os ydynt yn gwneud cais o fewn cyfnod penodedig o amser. Y personau y mae'r diwygiad hwn yn gymwys iddynt yw'r rhai sy'n gadael gwlad neu diriogaeth pan fydd Llywodraeth Ei Fawrhydi wedi cyhoeddi cyngor i wladolion Prydeinig i adael y wlad neu'r diriogaeth honno, neu wedi trefnu ymgiliad gwladolion Prydeinig o'r wlad neu'r diriogaeth honno.

Mae rheoliad 6 yn diwygio rheoliad 5(1) o Reoliadau 2014 sy'n rhagnodi dosbarthau o bersonau sy'n ddarostyngedig i reolaeth fewnfudo sy'n gymwys i gael cymorth tai o dan Ddeddf 2014. Mae rheoliad 6 yn rhagnodi dosbarth ychwanegol o bersonau ("Dosbarth T") sy'n gymwys i gael cymorth o'r fath. Mae Dosbarth T yn cyfateb i Ddosbarth S a fewnosodir gan reoliad 4.

Mae rheoliad 7 yn diwygio rheoliad 6(2) o Reoliadau 2014 fel bod personau penodol nad ydynt yn ddarostyngedig i reolaeth fewnfudo ond a fyddai'n anghymwys i gael cymorth tai am nad ydynt yn preswylio fel arfer yn y Deyrnas Unedig, Ynysoedd y Sianel, Ynys Manaw neu Weriniaeth Iwerddon, yn gymwys. Y personau y mae'r diwygiad hwn yn gymwys iddynt yw'r un personau â'r rhai a ddelir gan y diwygiad a wneir gan reoliad 5.

Mae rheoliad 8 yn darparu bod y diwygiadau a wneir gan reoliadau 3 i 7 yn peidio â chael effaith ar 30 Mawrth 2027, ond nid yw hyn yn effeithio ar geisydd sydd wedi gwneud cais am lety tai neu gymorth tai cyn y dyddiad hwn.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac ar wefan Llywodraeth Cymru ar www.llyw.cymru.

2026 Rhif 93

TAI, CYMRU

Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) (Diwygio) 2026

Gwnaed	*25 Mawrth 2026*
Yn dod i rym	*30 Mawrth 2026*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 160A(3) a (5) a 172(4) o Ddeddf Tai 1996(**1**) ac adran 142(2)(a) a (b) o Ddeddf Tai (Cymru) 2014(**2**) a pharagraff 1(2) a (4) o Atodlen 2 iddi.

Yn unol â gweithdrefn gymeradwyo'r Senedd a gymhwysir gan adran 142(3)(b)(ii) o Ddeddf Tai (Cymru) 2014(**3**) gosodwyd drafft o'r offeryn statudol Cymreig hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) (Diwygio) 2026 a deuant i rym ar 30 Mawrth 2026.

Diwygio Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) 2014

2. Mae Rheoliadau Dyrannu Tai a Digartrefedd (Cymhwystra) (Cymru) 2014(**4**) wedi eu diwygio fel a ganlyn.

3. Yn rheoliad 2(1) (dehongli), yn y lle priodol yn nhrefn yr wyddor, mewnosoder—

"ystyr "Deddf 2014" ("*the 2014 Act*") yw Deddf Tai (Cymru) 2014 (dccc 7);".

(**1**) 1996 p. 52. Mewnosodwyd adran 160A gan adran 14(2) o Ddeddf Digartrefedd 2002 (p. 7); diwygiwyd is-adrannau (3) a (5) gan adran 146(2)(d) ac (e) yn y drefn honno o Ddeddf Lleoliaeth 2011 (p. 20). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 160A(3) a (5) a 172(4) o Ddeddf Tai 1996, 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), a'r cofnod mewn perthynas â'r Ddeddf honno yn Atodlen 1 i O.S. 1999/672, fel y'i darllenir yn unol ag adran 17(1) o Ddeddf Digartrefedd 2002. Trosglwyddwyd y swyddogaethau hynny wedi hynny i Weinidogion Cymru yn rhinwedd adran 162(1) o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(**2**) 2014 dccc 7. Gweler adran 99 am y diffiniad o "prescribed".

(**3**) Mae'r cyfeiriad yn adran 142(3) at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru, yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006. Gweler hefyd adran 37G o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) am ddarpariaeth ynghylch y weithdrefn sy'n gymwys i'r offeryn hwn.

(**4**) O.S. 2014/2603 (Cy. 257) fel y'i harbedwyd ac y'i haddaswyd gan erthygl 5 o O.S. 2015/1272 (Cy. 88) (C. 73) ac a ddiwygiwyd gan O.S. 2017/698 (Cy. 164), O.S. 2019/1041 (Cy. 183), O.S. 2019/1149 (Cy. 199), rheoliad 76 o O.S. 2020/1309, rheoliad 26 o O.S. 2020/1372, O.S. 2021/353 (Cy. 105), O.S. 2021/1147 (Cy. 282), O.S. 2022/485 (Cy. 121), O.S. 2023/76 (Cy. 14), O.S. 2023/611 (Cy. 92), O.S. 2023/1211 (Cy. 214), O.S. 2024/1280 (Cy. 216) ac O.S. 2025/894 (Cy. 156).

4. Yn rheoliad 3 (personau sy'n ddarostyngedig i reolaeth fewnfudo sy'n gymwys i gael dyraniad o lety tai)—

(a) hepgorer yr "ac" ar ôl paragraff (q);

(b) ar ddiwedd paragraff (r), yn lle "." rhodder "; ac";

(c) ar ôl paragraff (r) mewnosoder—

"(s) Dosbarth S – person—

(i) a oedd yn preswylio mewn gwlad neu diriogaeth ac a adawodd y wlad neu'r diriogaeth honno pan ddarparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno neu pan drefnodd ymgiliad gwladolion Prydeinig o'r wlad neu'r diriogaeth honno,

(ii) sydd â chaniatâd i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi a roddwyd yn unol â'r Rheolau Mewnfudo(**5**),

(iii) nad yw'n berson y mae ei ganiatâd yn ddarostyngedig i amod sy'n ei gwneud yn ofynnol i'r person hwnnw ei gynnal a'i letya ei hun, ac unrhyw berson sy'n ddibynnol arno, heb ddibynnu ar gronfeydd cyhoeddus,

(iv) nad yw'n berson (P)—

(aa) y rhoddwyd caniatâd iddo yn dilyn ymgymeriad a roddwyd gan noddwr P,

(bb) a fu'n preswylio yn y Deyrnas Unedig, Ynysoedd y Sianel, Ynys Manaw neu Weriniaeth Iwerddon am lai na phum mlynedd gan ddechrau ar y dyddiad y daeth i mewn neu ar y dyddiad y rhoddodd noddwr P yr ymgymeriad mewn cysylltiad â P, pa ddyddiad bynnag yw'r diweddaraf, ac

(cc) y mae ei noddwr neu, pan fo mwy nag un noddwr, o leiaf un o'i noddwyr yn dal yn fyw, a

(v) a wnaeth gais am lety tai o dan Ran 6 o Ddeddf 1996(**6**) o fewn y cyfnod o 6 mis sy'n dechrau â'r dyddiad y darparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus am y tro cyntaf i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno, neu ddiwrnod cyntaf gweithrediad ymgiliad gan Lywodraeth Ei Fawrhydi o wladolion Prydeinig o'r wlad neu'r diriogaeth honno, pa un bynnag yw'r diweddaraf."

5. Yn rheoliad 4(2) (personau nad ydynt i gael eu trin fel personau o dramor sy'n anghymwys i gael dyraniad o lety tai)—

(a) hepgorer yr "ac" ar ôl is-baragraff (l);

(b) ar ddiwedd is-baragraff (m), yn lle "." rhodder "; ac";

(c) ar ôl is-baragraff (m) mewnosoder—

"(n) person—

(i) a oedd yn preswylio mewn gwlad neu diriogaeth ac a adawodd y wlad neu'r diriogaeth honno pan ddarparodd Llywodraeth Ei

(**5**) Gweler rheoliad 2(1) o O.S. 2014/2603 (Cy. 257) am ystyr "y Rheolau Mewnfudo".
(**6**) Gweler rheoliad 2(1) o O.S. 2014/2603 (Cy. 257) am ystyr "Deddf 1996".

Fawrhydi wybodaeth gyhoeddus i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno neu pan drefnodd ymgiliad gwladolion Prydeinig o'r wlad neu'r diriogaeth honno, a

(ii) a wnaeth gais am lety tai o dan Ran 6 o Ddeddf 1996 o fewn y cyfnod o 6 mis sy'n dechrau â'r dyddiad y darparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus am y tro cyntaf i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno, neu ddiwrnod cyntaf gweithrediad ymgiliad gan Lywodraeth Ei Fawrhydi o wladolion Prydeinig o'r wlad neu'r diriogaeth honno, pa un bynnag yw'r diweddaraf."

6. Yn rheoliad 5(1) (personau sy'n ddarostyngedig i reolaeth fewnfudo sy'n gymwys i gael cymorth tai)—

(a) hepgorer yr "ac" ar ôl is-baragraff (r);

(b) ar ddiwedd is-baragraff (s), yn lle "." rhodder "; a";

(c) ar ôl is-baragraff (s) mewnosoder—

"(t) Dosbarth T – person—

(i) a oedd yn preswylio mewn gwlad neu diriogaeth ac a adawodd y wlad neu'r diriogaeth honno pan ddarparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno neu pan drefnodd ymgiliad gwladolion Prydeinig o'r wlad neu'r diriogaeth honno,

(ii) sydd â chaniatâd i ddod i mewn i'r Deyrnas Unedig neu i aros ynddi a roddwyd yn unol â'r Rheolau Mewnfudo,

(iii) nad yw'n berson y mae ei ganiatâd yn ddarostyngedig i amod sy'n ei gwneud yn ofynnol i'r person hwnnw ei gynnal a'i letya ei hun, ac unrhyw berson sy'n ddibynnol arno, heb ddibynnu ar gronfeydd cyhoeddus,

(iv) nad yw'n berson (P)—

(aa) y rhoddwyd caniatâd iddo yn dilyn ymgymeriad a roddwyd gan noddwr P,

(bb) a fu'n preswylio yn y Deyrnas Unedig, Ynysoedd y Sianel, Ynys Manaw neu Weriniaeth Iwerddon am lai na phum mlynedd gan ddechrau ar y dyddiad y daeth i mewn neu ar y dyddiad y rhoddodd noddwr P yr ymgymeriad mewn cysylltiad â P, pa ddyddiad bynnag yw'r diweddaraf, ac

(cc) y mae ei noddwr neu, pan fo mwy nag un noddwr, o leiaf un o'i noddwyr yn dal yn fyw, a

(v) a wnaeth gais am gymorth tai o dan Bennod 2 o Ran 2 o Ddeddf 2014 o fewn y cyfnod o 6 mis sy'n dechrau â'r dyddiad y darparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus am y tro cyntaf i gynghori gwladolion Prydeinig i adael y wlad neu'r diriogaeth honno, neu ddiwrnod cyntaf gweithrediad ymgiliad gan Lywodraeth Ei Fawrhydi o wladolion Prydeinig o'r wlad neu'r diriogaeth honno, pa un bynnag yw'r diweddaraf."

7. Yn rheoliad 6(2) (personau nad ydynt i gael eu trin fel personau o dramor sy'n anghymwys i gael cymorth tai)—

(a) hepgorer yr “ac” ar ôl is-baragraff (l);

(b) ar ddiwedd is-baragraff (m), yn lle “.” rhodder “; ac”;

(c) ar ôl is-baragraff (m) mewnosoder—

“(n) person—

(i) a oedd yn preswylio mewn gwlad neu diriogaeth ac a adawodd y wlad neu’r diriogaeth honno pan ddarparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus i gynghori gwladolion Prydeinig i adael y wlad neu’r diriogaeth honno neu pan drefnodd ymgiliad gwladolion Prydeinig o’r wlad neu’r diriogaeth honno, a

(ii) a wnaeth gais am gymorth tai o dan Bennod 2 o Ran 2 o Ddeddf 2014 o fewn y cyfnod o 6 mis sy’n dechrau â’r dyddiad y darparodd Llywodraeth Ei Fawrhydi wybodaeth gyhoeddus am y tro cyntaf i gynghori gwladolion Prydeinig i adael y wlad neu’r diriogaeth honno, neu ddiwrnod cyntaf gweithrediad ymgiliad gan Lywodraeth Ei Fawrhydi o wladolion Prydeinig o’r wlad neu’r diriogaeth honno, pa un bynnag yw’r diweddaraf.”

Dod i ben

8.—(1) Mae’r diwygiadau a wneir gan reoliadau 3 i 7 yn peidio â chael effaith ar 30 Mawrth 2027.

(2) Nid yw paragraff (1) yn cael effaith mewn perthynas â cheisydd a wnaeth gais cyn 30 Mawrth 2027 am—

(a) llety tai o dan Ran 6 o Ddeddf Tai 1996, neu

(b) cymorth tai o dan Bennod 2 o Ran 2 o Ddeddf Tai (Cymru) 2014.

Jayne Bryant
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai, un o Weinidogion Cymru
25 Mawrth 2026

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd y Brenin ar gyfer Cymru.

WELSH STATUTORY INSTRUMENTS

2026 No. 93

HOUSING, WALES

The Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 160A(3) of the Housing Act 1996 (c. 52) ("the 1996 Act"), a person who is subject to immigration control is ineligible for an allocation of housing accommodation by a local housing authority unless they come within a class of persons prescribed in regulations made by the Welsh Ministers. Under section 160A(5) the Welsh Ministers may prescribe other classes of persons from abroad who, whilst not subject to immigration control, are ineligible for an allocation of housing accommodation.

Under paragraph 1(2) of Schedule 2 to the Housing (Wales) Act 2014 (anaw 7) ("the 2014 Act"), a person who is subject to immigration control is ineligible for housing assistance under Chapter 2 of Part 2 of that Act unless they come within a class of persons prescribed in regulations made by the Welsh Ministers (or the Secretary of State). Under paragraph 1(4) the Welsh Ministers (or the Secretary of State) may by regulations provide for other descriptions of persons who, whilst not subject to immigration control, are ineligible for housing assistance.

These Regulations amend the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 (S.I. 2014/2603 (W. 257)) ("the 2014 Regulations") which make provision for which persons subject to immigration control are eligible for an allocation of housing accommodation and for housing assistance. The 2014 Regulations also make provision in relation to persons who are not subject to immigration control but are ineligible for an allocation of housing accommodation and housing assistance.

Regulation 4 amends regulation 3 of the 2014 Regulations which prescribes classes of persons subject to immigration control who are eligible for an allocation of housing accommodation under the 1996 Act. Regulation 4 prescribes an additional class of persons ("Class S") subject to immigration control who are eligible for an allocation of

housing accommodation under the 1996 Act provided that they make an application for an allocation of housing accommodation within a specified period of time.

Class S applies to certain persons who leave a country or territory when His Majesty's Government has published advice to British nationals to leave that country or territory, or has arranged the evacuation of British nationals from that country or territory. Such persons will be eligible if they have been given leave to enter or remain in the United Kingdom granted in accordance with the Immigration Rules made under section 3(2) of the Immigration Act 1971 (c. 77), provided that their leave is not subject to the condition that there must be 'no recourse to public funds' and that their leave was not granted because of a maintenance undertaking which is still applicable.

Regulation 5 amends regulation 4(2) of the 2014 Regulations to provide that certain persons who are not subject to immigration control but would be ineligible for an allocation of housing accommodation due to not being habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, are eligible for an allocation of housing accommodation provided that they make an application within a specified period of time. The persons to whom this amendment applies are those who leave a country or territory when His Majesty's Government has published advice to British nationals to leave that country or territory, or has arranged the evacuation of British nationals from that country or territory.

Regulation 6 amends regulation 5(1) of the 2014 Regulations which prescribes classes of persons subject to immigration control who are eligible for housing assistance under the 2014 Act. Regulation 6 prescribes an additional class of persons ("Class T") who are eligible for such assistance. Class T is equivalent to Class S inserted by regulation 4.

Regulation 7 amends regulation 6(2) of the 2014 Regulations so that certain persons who are not subject to immigration control but would be ineligible for housing assistance due to not being habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, are eligible. The persons to whom this amendment applies are the same as those captured by the amendment made by regulation 5.

Regulation 8 provides that the amendments made by regulations 3 to 7 cease to have effect on 30 March 2027, but this does not affect an applicant who has made an application for housing accommodation or assistance prior to this date.

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

2026 No. 93

HOUSING, WALES

The Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) Regulations 2026

Made	*25 March 2026*
Coming into force	*30 March 2026*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 160A(3) and (5) and 172(4) of the Housing Act 1996(**1**) and section 142(2)(a) and (b) of, and paragraph 1(2) and (4) of Schedule 2 to, the Housing (Wales) Act 2014(**2**).

In accordance with the Senedd approval procedure applied by section 142(3)(b)(ii) of the Housing (Wales) Act 2014(**3**) a draft of this Welsh statutory instrument was laid before, and approved by resolution of, Senedd Cymru.

Title and coming into force

1. The title of these Regulations is the Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) Regulations 2026 and they come into force on 30 March 2026.

Amendment of the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014

2. The Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014(**4**) are amended as follows.

(**1**) 1996 c. 52. Section 160A was inserted by section 14(2) of the Homelessness Act 2002 (c. 7); subsections (3) and (5) were amended by section 146(2)(d) and (e) respectively of the Localism Act 2011 (c. 20). The functions of the Secretary of State under sections 160A(3) and (5) and 172(4) of the Housing Act 1996 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and the entry in relation to that Act in Schedule 1 to S.I. 1999/672, as read in accordance with section 17(1) of the Homelessness Act 2002. Those functions were subsequently transferred to the Welsh Ministers by virtue of section 162(1) of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(**2**) 2014 anaw 7. See section 99 for the definition of "prescribed".

(**3**) The reference in section 142(3) to the National Assembly for Wales now has effect as a reference to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006. See also section 37G of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.

(**4**) S.I. 2014/2603 (W. 257) as saved and modified by article 5 of S.I. 2015/1272 (W. 88) (C. 73) and amended by S.I. 2017/698 (W. 164), S.I. 2019/1041 (W. 183), S.I. 2019/1149 (W. 199), regulation 76 of S.I. 2020/1309, regulation 26 of S.I. 2020/1372, S.I. 2021/353 (W. 105), S.I. 2021/1147 (W. 282), S.I. 2022/485 (W. 121), S.I. 2023/76 (W. 14), S.I. 2023/611 (W. 92), S.I. 2023/1211 (W. 214), S.I. 2024/1280 (W. 216) and S.I. 2025/894 (W. 156).

3. In regulation 2(1) (interpretation), at the appropriate place in alphabetical order, insert—

> ""the 2014 Act" (*"Deddf 2014"*) means the Housing (Wales) Act 2014 (anaw 7);".

4. In regulation 3 (persons subject to immigration control who are eligible for an allocation of housing accommodation)—

(a) omit the "and" after paragraph (q);

(b) at the end of paragraph (r), for "." substitute "; and";

(c) after paragraph (r) insert—

"(s) Class S – a person who—

(i) was residing in a country or territory and left that country or territory when His Majesty's Government provided public information to advise British nationals to leave that country or territory or arranged an evacuation of British nationals from that country or territory,

(ii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules(**5**),

(iii) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themself, and any person who is dependent on that person, without recourse to public funds,

(iv) is not a person (P)—

(aa) who has been given leave upon an undertaking given by P's sponsor,

(bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P's sponsor gave the undertaking in respect of P, whichever date is later, and

(cc) whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive, and

(v) made an application for housing accommodation under Part 6 of the 1996 Act(**6**) within the period of 6 months beginning with the date on which His Majesty's Government first provided public information to advise British nationals to leave that country or territory, or the first day of an evacuation operation by His Majesty's Government of British nationals from that country or territory, whichever is later."

5. In regulation 4(2) (persons not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation)—

(a) omit the "and" after sub-paragraph (l);

(b) at the end of sub-paragraph (m), for "." substitute "; and";

(**5**) See regulation 2(1) of S.I. 2014/2603 (W. 257) for the meaning of "the Immigration Rules".
(**6**) See regulation 2(1) of S.I. 2014/2603 (W. 257) for the meaning of "the 1996 Act".

(c) after sub-paragraph (m) insert—

"(n) a person who—

(i) was residing in a country or territory and left that country or territory when His Majesty's Government provided public information to advise British nationals to leave that country or territory or arranged an evacuation of British nationals from that country or territory, and

(ii) made an application for housing accommodation under Part 6 of the 1996 Act within the period of 6 months beginning with the date on which His Majesty's Government first provided public information to advise British nationals to leave that country or territory, or the first day of an evacuation operation by His Majesty's Government of British nationals from that country or territory, whichever is later."

6. In regulation 5(1) (persons subject to immigration control who are eligible for housing assistance)—

(a) omit the "and" after sub-paragraph (r);

(b) at the end of sub-paragraph (s), for "." substitute "; and";

(c) after sub-paragraph (s) insert—

"(t) Class T – a person who—

(i) was residing in a country or territory and left that country or territory when His Majesty's Government provided public information to advise British nationals to leave that country or territory or arranged an evacuation of British nationals from that country or territory,

(ii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules,

(iii) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themself, and any person who is dependent on that person, without recourse to public funds,

(iv) is not a person (P)—

(aa) who has been given leave upon an undertaking given by P's sponsor,

(bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P's sponsor gave the undertaking in respect of P, whichever date is the later, and

(cc) whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive, and

(v) made an application for housing assistance under Chapter 2 of Part 2 of the 2014 Act within the period of 6 months beginning with the date on which His Majesty's Government first provided

public information to advise British nationals to leave that country or territory, or the first day of an evacuation operation by His Majesty's Government of British nationals from that country or territory, whichever is later."

7. In regulation 6(2) (persons not to be treated as persons from abroad who are ineligible for housing assistance)—

(a) omit the "and" after sub-paragraph (l);

(b) at the end of sub-paragraph (m), for "." substitute "; and";

(c) after sub-paragraph (m) insert—

"(n) a person who—

(i) was residing in a country or territory and left that country or territory when His Majesty's Government provided public information to advise British nationals to leave that country or territory or arranged an evacuation of British nationals from that country or territory, and

(ii) made an application for housing assistance under Chapter 2 of Part 2 of the 2014 Act within the period of 6 months beginning with the date on which His Majesty's Government first provided public information to advise British nationals to leave that country or territory, or the first day of an evacuation operation by His Majesty's Government of British nationals from that country or territory, whichever is later."

Expiry

8.—(1) The amendments made by regulations 3 to 7 cease to have effect on 30 March 2027.

(2) Paragraph (1) does not have effect in relation to an applicant who made an application before 30 March 2027 for—

(a) housing accommodation under Part 6 of the Housing Act 1996, or

(b) housing assistance under Chapter 2 of Part 2 of the Housing (Wales) Act 2014.

Jayne Bryant
Cabinet Secretary for Housing and Local Government, one of the Welsh Ministers
25 March 2026

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