OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2013 Rhif 2843 (Cy. 270)

2013 No. 2843 (W. 270)

ARBED YNNI, CYMRU

ENERGY CONSERVATION, WALES

Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) (Diwygio) 2013

The Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2013

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) 2011 (O.S. 2011/656 (Cy. 94)).

Mae rheoliad 3 yn diwygio'r diffiniad o "budd-daliad sy'n dibynnu ar brawf modd" yn unol â diwygiadau i fudd-daliadau nawdd cymdeithasol i gynnwys Credyd Cynhwysol a gostyngiadau'r dreth gyngor, sy'n disodli cynllun budd-dal y dreth gyngor. Mae'r diffiniad o "meddiannaeth breifat" wedi ei ddiwygio i ganiatáu i'r rheini sydd o dan drefniadau ecwiti a rennir gael eu cynnwys yn y Cynllun Effeithlonrwydd Ynni Cartref.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Home Energy Efficiency Schemes (Wales) Regulations 2011 (S.I. 2011/656 (W. 94)).

Regulation 3 amends the definition of "means-tested benefit" in accordance with amendments to social security benefits to include Universal Credit and council tax reductions, which replace the council tax benefit scheme. The definition of "private occupancy" is amended to allow those under shared equity arrangements to be included within the Home Energy Efficiency Scheme.

2013 Rhif 2843 (Cy. 270)

ARBED YNNI, CYMRU

Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) (Diwygio) 2013

Gwnaed *31 Hydref 2013*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *5 Tachwedd 2013*

Yn dod i rym *30 Tachwedd 2013*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 15 o Ddeddf Nawdd Cymdeithasol 1990(**1**), sy'n arferadwy bellach ganddynt hwy o ran Cymru(**2**).

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) (Diwygio) 2013.

(2) Daw'r Rheoliadau hyn i rym ar 30 Tachwedd 2013 ac maent yn gymwys o ran Cymru.

(3) Yn y Rheoliadau hyn, ystyr "y prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau Cynlluniau Effeithlonrwydd Ynni Cartref (Cymru) 2011(**3**).

(**1**) 1990 p. 27; diwygiwyd adran 15 gan adran 142 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 (p. 53).

(**2**) Cyfarwyddodd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) fod y swyddogaethau o dan adran 15 i fod yn arferadwy o ran Cymru gan Gynulliad Cenedlaethol Cymru yn gydredol â'r Ysgrifennydd Gwladol. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30 o Atodlen 11 iddi (p. 32), mae'r swyddogaethau hynny'n arferadwy bellach gan Weinidogion Cymru o ran Cymru.

(**3**) O.S. 2011 Rhif 656 (Cy. 94).

2013 No. 2843 (W. 270)

ENERGY CONSERVATION, WALES

The Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2013

Made *31 October 2013*

Laid before the National Assembly for Wales *5 November 2013*

Coming into force *30 November 2013*

The Welsh Ministers make the following Regulations in exercise of the power conferred on the Secretary of State by section 15 of the Social Security Act 1990(**1**), which is now exercisable by them in relation to Wales(**2**).

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2013.

(2) These Regulations come into force on 30 November 2013 and apply in relation to Wales.

(3) In these Regulations, "the principal Regulations" (*"y prif Reoliadau")* means the Home Energy Efficiency Schemes (Wales) Regulations 2011(**3**).

(**1**) 1990 c. 27; section 15 was amended by section 142 of the Housing Grants, Construction and Regeneration Act 1996 (c. 53).

(**2**) The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) directed that the functions under section 15 were to be exercisable in relation to Wales by the National Assembly for Wales concurrently with the Secretary of State. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), those functions are now exercisable by the Welsh Ministers in relation to Wales.

(**3**) S.I. 2011 No.656 (W.94).

Diwygio'r prif Reoliadau

2. Mae'r prif Reoliadau wedi eu diwygio yn unol â rheoliad 3.

Diwygio rheoliad 2 (dehongli)

3. Mae rheoliad 2 wedi ei ddiwygio fel a ganlyn—

(1) Yn lle'r diffiniad o "budd-daliad sy'n dibynnu ar prawf modd" *("means-tested benefit")* rhodder—

> "ystyr "budd-daliad sy'n dibynnu ar brawf modd" ("*means-tested benefit*") yw—
>
> (a) cymhorthdal incwm a budd-dal tai (pob un fel y diffinnir "income support" a "housing benefit" yn ôl eu trefn yn Rhan VII o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(**1**));
>
> (b) cynllun gostyngiadau'r dreth gyngor (fel y diffinnir "council tax reduction scheme" yn Neddf Cyllid Llywodraeth Leol 1992(**2**));
>
> (c) credyd pensiwn y wladwriaeth (fel y diffinnir "state pension credit" yn Neddf Credyd Pensiwn y Wladwriaeth 2002(**3**));
>
> (d) credyd treth gwaith a chredyd treth plant (fel y diffinnir "working tax credit" a "child tax credit" yn ôl eu trefn yn Neddf Credydau Treth 2002(**4**)) cyn belled ag nad yw incwm y ceisydd yn y naill achos na'r llall yn uwch na'r trothwy incwm perthnasol;
>
> (e) lwfans cyflogaeth a chymorth yn seiliedig ar incwm (fel y diffinnir "income-related employment and support allowance" yn Neddf Diwygio Lles 2007(**5**)); ac
>
> (f) credyd cynhwysol (fel y diffinnir "universal credit" yn Neddf Diwygio Lles 2012(**6**));"

(2) Yn y diffiniad o "meddiannaeth breifat" *("private occupancy")* hepgorer "(gan gynnwys o dan drefniadau ecwiti a rennir)".

Amendment of the principal Regulations

2. The principal Regulations are amended in accordance with regulation 3.

Amendment of regulation 2 (interpretation)

3. Regulation 2 is amended as follows—

(1) For the definition of "means-tested benefit" (*"budd-daliad sy'n dibynnu ar prawf modd")* substitute—

> ""Means-tested benefit" ("*budd-daliad sy'n dibynnu ar brawf modd*") means—
>
> (a) income support and housing benefit (each as defined in Part VII of the Social Security Contributions and Benefits Act 1992(**1**));
>
> (b) council tax reduction scheme (as defined in Local Government Finance Act 1992(**2**));
>
> (c) state pension credit (as defined in the State Pension Credit Act 2002(**3**));
>
> (d) working tax credit and child tax credit (each as defined in the Tax Credits Act 2002(**4**)) provided that in each case the income of the applicant does not exceed the relevant income threshold;
>
> (e) income-related employment and support allowance (as defined in the Welfare Reform Act 2007(**5**)); and
>
> (f) universal credit (as defined in the Welfare Reform Act 2012(**6**));"

(2) In the definition of "private occupancy" *("meddiannaeth breifat")* omit "(including under shared equity arrangements)".

(**1**) 1992 p. 4.
(**2**) 1992 p. 14.
(**3**) 2002 p. 16.
(**4**) 2002 p. 21.
(**5**) 2007 p. 5.
(**6**) 2012 p. 5.

(**1**) 1992 c. 4.
(**2**) 1992 c. 14.
(**3**) 2002 c. 16.
(**4**) 2002 c. 21.
(**5**) 2007 c. 5.
(**6**) 2012 c. 5.

Alun Davies

Y Gweinidog Cyfoeth Naturiol a Bwyd, un o Weinidogion Cymru

31 Hydref 2013

Minister for Natural Resources and Food, one of the Welsh Ministers

31 October 2013

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