OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 754 (Cy. 106)

2024 No. 754 (W. 106)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2024

The Housing Renewal Grants (Amendment) (Wales) Regulations 2024

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Grantiau Adnewyddu Tai 1996 ("Rheoliadau 1996"), sy'n nodi'r prawf modd ar gyfer penderfynu swm y grant y caniateir i awdurdodau tai lleol ei dalu o dan Bennod 1 o Ran 1 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996.

Mae Deddf Addysg Drydyddol ac Ymchwil (Cymru) 2022 ("Deddf 2022") yn sefydlu'r Comisiwn Addysg Drydyddol ac Ymchwil ("y Comisiwn") ac yn darparu fframwaith statudol newydd ar gyfer addysg drydyddol ac ymchwil a gyllidir yn gyhoeddus yng Nghymru. Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1996 i ddiweddaru cyfeiriadau at ddeddfwriaeth a ddiddymir gan Ddeddf 2022 ac i roi cyfeiriad at Weinidogion Cymru neu'r Comisiwn, fel y bo'n briodol, yn lle cyfeiriadau at Gynulliad Cenedlaethol Cymru.

Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau 1996 i gywiro cyfeiriadau nad ydynt yn gyfredol bellach at ddeddfwriaeth cymorth i fyfyrwyr.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Renewal Grants Regulations 1996 ("the 1996 Regulations"), which set out the means test for determining the amount of grant which may be paid by local housing authorities under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996.

The Tertiary Education and Research (Wales) Act 2022 ("the 2022 Act") establishes the Commission for Tertiary Education and Research ("the Commission") and provides a new statutory framework for publicly funded tertiary education and research in Wales. These Regulations amend the 1996 Regulations to update references to legislation which is repealed by the 2022 Act and replace references to the National Assembly for Wales with a reference to the Welsh Ministers or the Commission, as appropriate.

These Regulations also amend the 1996 Regulations to correct out of date references to student support legislation.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2024 Rhif 754 (Cy. 106)

TAI, CYMRU

Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2024

Gwnaed	*12 Mehefin 2024*
Gosodwyd gerbron Senedd Cymru	*14 Mehefin 2024*
Yn dod i rym	*1 Awst 2024*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 30 a 146(1) a (2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(**1**) ac sydd bellach yn arferadwy ganddynt hwy(**2**).

Enwi, dod i rym a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2024 a deuant i rym ar 1 Awst 2024.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(**1**) 1996 p. 53.

(**2**) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol o dan adrannau 30, 146(1) a 146(2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 o ran Cymru i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, ac maent bellach wedi eu breinio yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi. Ailenwyd Cynulliad Cenedlaethol Cymru yn Senedd Cymru neu Welsh Parliament gan adran 2 o Ddeddf Senedd ac Etholiadau (Cymru) 2020 (dccc 1). Yn rhinwedd paragraff 7 o Ran 2 o Atodlen 3 i Ddeddf Llywodraeth Cymru 2006, mae'r gofyniad i gael cymeradwyaeth y Trysorlys yn adran 30(9) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 wedi ei ddatgymhwyso.

2024 No. 754 (W. 106)

HOUSING, WALES

The Housing Renewal Grants (Amendment) (Wales) Regulations 2024

Made	*12 June 2024*
Laid before Senedd Cymru	*14 June 2024*
Coming into force	*1 August 2024*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 30 and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996(**1**) and now exercisable by them(**2**).

Title, coming into force and application

1.—(1) The title of these Regulations is the Housing Renewal Grants (Amendment) (Wales) Regulations 2024 and they come into force on 1 August 2024.

(2) These Regulations apply in relation to Wales.

(**1**) 1996 c. 53.

(**2**) The powers of the Secretary of State under sections 30, 146(1) and 146(2) of the Housing Grants, Construction and Regeneration Act 1996 in relation to Wales were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). The National Assembly for Wales was renamed Senedd Cymru or the Welsh Parliament by section 2 of the Senedd and Elections (Wales) Act 2020 (anaw 1). By virtue of paragraph 7 of Part 2 of Schedule 3 to the Government of Wales Act 2006, the requirement for Treasury approval in section 30(9) of the Housing Grants, Construction and Regeneration Act 1996 is dis-applied.

Diwygiadau i Reoliadau Grantiau Adnewyddu Tai 1996

2.—(1) Mae Rheoliadau Grantiau Adnewyddu Tai 1996(**1**) wedi eu diwygio yn unol â pharagraffau (2) i (5).

(2) Yn rheoliad 2(1) (dehongli), yn y diffiniad o "self-employment route", ym mharagraff (b)(ii)(**2**), yn lle "National Assembly for Wales" rhodder "the Welsh Ministers or the Commission for Tertiary Education and Research".

(3) Yn rheoliad 41 (dehongli)—

(a) yn y diffiniad o "access funds"(**3**)—

(i) yn lle paragraff (a) rhodder—

"(a) grants made under section 85 of the Tertiary Education and Research (Wales) Act 2022 for the purposes of providing funds on a discretionary basis to be paid to students;";

(ii) yn lle paragraff (d) rhodder—

"(d) discretionary payments made from funds known as "Financial Contingency Funds" paid to students by the Welsh Ministers under section 14 of the Education Act 2002;";

(b) yn y diffiniad o "full-time course of study"(**4**)—

(i) ym mharagraff (a), yn lle "or by the National Assembly for Wales" rhodder ", by the Welsh Ministers or by the Commission for Tertiary Education and Research,";

(ii) ym mharagraff (b), yn lle "or by the National Assembly for Wales" rhodder ", by the Welsh Ministers or by the Commission for Tertiary Education and Research";

Amendments to the Housing Renewal Grants Regulations 1996

2.—(1) The Housing Renewal Grants Regulations 1996(**1**) are amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(1) (interpretation), in the definition of "self-employment route", in paragraph (b)(ii)(**2**), for "National Assembly for Wales" substitute "the Welsh Ministers or the Commission for Tertiary Education and Research".

(3) In regulation 41 (interpretation)—

(a) in the definition of "access funds"(**3**)—

(i) for paragraph (a) substitute—

"(a) grants made under section 85 of the Tertiary Education and Research (Wales) Act 2022 for the purposes of providing funds on a discretionary basis to be paid to students;";

(ii) for paragraph (d) substitute—

"(d) discretionary payments made from funds known as "Financial Contingency Funds" paid to students by the Welsh Ministers under section 14 of the Education Act 2002;";

(b) in the definition of "full-time course of study"(**4**)—

(i) in paragraph (a), for "or by the National Assembly for Wales" substitute ", by the Welsh Ministers or by the Commission for Tertiary Education and Research,";

(ii) in paragraph (b), for "or by the National Assembly for Wales" substitute ", by the Welsh Ministers or by the Commission for Tertiary Education and Research";

(**1**) O.S. 1996/2890; y diwygiadau perthnasol yw O.S. 2001/2073 (Cy. 145), O.S. 2002/2798 (Cy. 266), O.S. 2004/253 (Cy. 28), O.S. 2005/3238 (Cy. 243), O.S. 2010/297 (Cy. 39). Mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

(**2**) Mewnosodwyd y diffiniad o "self-employment route" yn rheoliad 2(1) gan O.S. 2001/2073 (Cy. 145), rheoliad 3(c). Mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol.

(**3**) Mewnosodwyd y diffiniad o "access funds" yn rheoliad 41 gan O.S. 2001/2073 (Cy. 145), rheoliad 12(a). Y diwygiadau perthnasol yw O.S. 2002/2798 (Cy. 266), O.S. 2005/3238 (Cy. 243) ac O.S. 2010/297 (Cy. 39). Mae diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**4**) Y diwygiadau perthnasol yw O.S. 2002/2798 (Cy. 266) ac O.S. 2005/3238 (Cy. 243).

(**1**) S.I. 1996/2890; relevant amendments are S.I. 2001/2073 (W. 145), S.I. 2002/2798 (W. 266), S.I. 2004/253 (W. 28), S.I. 2005/3238 (W. 243), S.I. 2010/297 (W. 39). There are other amending instruments but none are relevant.

(**2**) The definition of "self-employment route" in regulation 2(1) was inserted by S.I. 2001/2073 (W. 145), regulation 3(c). There are other amendments but none are relevant.

(**3**) The definition of "access funds" in regulation 41 was inserted by S.I. 2001/2073 (W. 145), regulation 12(a). Relevant amendments are S.I. 2002/2798 (W. 266), S.I. 2005/3238 (W. 243) and S.I. 2010/297 (W. 39). There are other amendments not relevant to these Regulations.

(**4**) Relevant amendments are S.I. 2002/2798 (W. 266) and S.I. 2005/3238 (W. 243).

(iii) ym mharagraff (b)(ii)—

(aa) yn lle "National Assembly for Wales" rhodder "Welsh Ministers or by the Commission for Tertiary Education and Research";

(bb) yn lle "that Council" rhodder "the Welsh Ministers or the Commission for Tertiary Education and Research".

(4) Yn rheoliad 43 (penderfynu incwm grant), hepgorer paragraff (3A)(**1**).

(5) Yn rheoliad 46 (trin benthyciadau i fyfyrwyr)—

(a) ym mharagraff (1)(**2**), hepgorer "unless it is a hardship loan, in which case it shall be disregarded";

(b) hepgorer paragraff (1A)(**3**);

(c) ym mharagraff (2)(aa)(**4**), yn lle "regulation 2 of the Education (Student Support) Regulations 2002" rhodder "Schedule 7 to the Education (Student Support) (Wales) Regulations 2018".

(iii) in paragraph (b)(ii)—

(aa) for "National Assembly for Wales" substitute "Welsh Ministers or by the Commission for Tertiary Education and Research";

(bb) for "that Council" substitute "the Welsh Ministers or the Commission for Tertiary Education and Research".

(4) In regulation 43 (determination of grant income), omit paragraph (3A)(**1**).

(5) In regulation 46 (treatment of student loans)—

(a) in paragraph (1)(**2**), omit "unless it is a hardship loan, in which case it shall be disregarded";

(b) omit paragraph (1A)(**3**);

(c) in paragraph (2)(aa)(**4**), for "regulation 2 of the Education (Student Support) Regulations 2002" substitute "Schedule 7 to the Education (Student Support) (Wales) Regulations 2018".

Julie James

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio, un o Weinidogion Cymru
12 Mehefin 2024

Cabinet Secretary for Housing, Local Government and Planning, one of the Welsh Ministers
12 June 2024

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(**1**) Mewnosodwyd paragraff (3A) gan O.S. 2002/2798 (Cy. 266), rheoliad 13(c), ac fe'i diwygiwyd gan O.S. 2004/253 (Cy. 28).
(**2**) Amnewidiwyd paragraff (1) gan O.S. 2001/2073 (Cy. 145), rheoliad 15(a).
(**3**) Mewnosodwyd paragraff (1A) gan O.S. 2001/2073 (Cy. 145), rheoliad 15(a).
(**4**) Mewnosodwyd paragraff (2)(aa) gan O.S. 2002/2798 (Cy. 266), rheoliad 14(a).

(**1**) Paragraph (3A) was inserted by S.I. 2002/2798 (W. 266), regulation 13(c), and amended by S.I. 2004/253 (W. 28).
(**2**) Paragraph (1) was substituted by S.I. 2001/2073 (W. 145), regulation 15(a).
(**3**) Paragraph (1A) was inserted by S.I. 2001/2073 (W. 145), regulation 15(a).
(**4**) Paragraph (2)(aa) was inserted by S.I. 2002/2798 (W. 266), regulation 14(a).

ISBN 978-0-348-39575-4

£5.78

http://www.legislation.gov.uk/id/wsi/2024/754

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