OFFERYNNAU STATUDOL CYMRU

2009 Rhif 54 (Cy.18)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) (Diwygio) 2009

Gwnaed - - - - 19 Ionawr 2009
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - - 20 Ionawr 2009
Yn dod i rym - - 10 Chwefror 2009

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 130, 131, 132 a 203 (9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**) drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) (Diwygio) 2009.

(2) Daw'r rheoliadau hyn i rym ar 10 Chwefror 2009.

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

(4) Yn y Rheoliadau hyn ystyr "y prif Reoliadau"("*the principal Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Treuliau Teithio a Pheidio â Chodi Tâl) (Cymru) 2007(**2**).

Diwygio rheoliad 14 o'r Prif Reoliadau

2. Ar ddiwedd rheoliad 14 o'r prif Reoliadau ychwaneger y paragraff a ganlyn—

"(6) Pan fo ceisydd yn aelod o briodas amlgymar, rhaid cyfrifo adnoddau a gofynion aelodau'r briodas honno yn yr un dull â rhai'r ceisydd a rhaid iddynt gael eu hystyried fel petaent yn adnoddau a gofynion y ceisydd, ac eithrio y caiff y swm cymwysadwy ei gyfrifo yn unol â rheoliad 18 o'r Rheoliadau Cymhorthdal Incwm.".

(**1**) 2006 p.42.
(**2**) O.S. 2007/1104 (Cy.116).

Diwygio Atodlen 1 i'r prif Reoliadau, Tabl A

3. Yn Atodlen 1 i'r prif Reoliadau (Addasu Rheoliadau Cymhorthdal Incwm (Cyffredinol) 1987 (**3**)), Tabl A—

(a) yng ngholofn (2) o'r cofnod sy'n ymwneud â rheoliad 40 (cyfrifo incwm heblaw enillion), mewnosoder ar y diwedd—

"Yn lle paragraff (6) rhodder y paragraffau a ganlyn—

"(6) Where—

(a) the claimant is a member of a couple or a polygamous marriage;

(b) the claimant or the claimant's partner (or either or any of them if the claimant has more than one partner) is receiving a contributory employment and support allowance; and

(c) that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008(**4**),

that reduction will not affect the amount of benefit that is to be taken into account.

(6A) Where—

(a) the claimant is a single claimant or a lone parent;

(b) the claimant is receiving a contributory employment and support allowance; and

(c) that benefit has been under regulation 63 of the Employment and Support Allowance Regulations,

that reduction will not affect the amount of the benefit that is to be taken into account."; a"

(b) yng ngholofn (2) o'r cofnod sy'n ymwneud ag Atodlen 8 (symiau i'w diystyru wrth gyfrifo enillion), ar ôl yr ail gofnod ar gyfer paragraff 4 mewnosoder—

"Ar ôl paragraff 4 rhodder—

"**4A.**—(1) Income is disregarded under this sub-paragraph where—

(a) the claimant is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations;

(b) the partner of a claimant is in receipt of employment and support allowance and is undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations but paragraph (c) is not applicable; or

(c) both a claimant and the partner of the claimant are in receipt of employment and support allowance and both are undertaking work which falls within the categories in paragraphs (2) to (4) of regulation 45 of the Employment and Support Allowance Regulations.

(2) Where sub-paragraph (1)(a) or (b) applies, income is disregarded to the same extent as it would be disregarded under regulations 5 and 6 of Schedule 7 to the Employment and Support Allowance Regulations.

(**3**) O.S. 1987/1967; gwnaed diwygiadau perthnasol gan O.S. 2008/1554 a 2568 (Cy.226).
(**4**) *Gweler* y diffiniad o "Reoliadau Lwfans Cyflogaeth a Chymorth yn rheoliad 2(1) o O.S. 1987/1967 fel y'i mewnosodwyd gan O.S. 2008/1554.

(3) Where sub-paragraph (1)(c) applies, the aggregate income of the claimant and the partner is disregarded to the same extent as it would be disregarded under paragraphs 5 and 6 of that Schedule in the case of an individual.

(4) The other disregards in paragraphs 4 to 9 are not applicable where income is disregarded under this paragraph.

(5) In this paragraph "employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act.".".

Diwygio Atodlen 1 i'r prif Reoliadau, Tabl B

4. Yn Atodlen 1 i'r prif Reoliadau (Addasu Rheoliadau Cymhorthdal Incwm (Cyffredinol) 1987, yn Nhabl B—

(a) yng ngholofn (2) ar ôl y cofnod cyntaf sy'n ymwneud â rheoliad 18(1) , mewnosoder y cofnod a ganlyn—

"Yn lle rheoliad 18(1)(a) a (b) rhodder—

"(a) where each member of the marriage is less than 60—

the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with sub-paragraph (5) of paragraph 1 of Schedule 2; and

an amount equal to the difference between the amounts specified in sub-paragraphs (5) and (1) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken in to account in determining the amount under (i) above;

(b) where any member of the marriage is aged 60 or more—

the amount applicable to the claimant plus the amount applicable to one of the other members of the marriage determined in accordance with sub-paragraph (6) of paragraph 1 of Schedule 2; and

an amount equal to the difference between the amounts specified in sub-paragraphs (6) and (2) of paragraph 1 of that Schedule in respect of each of the members of the marriage who were not taken into account in determining the amount under (i) above;".".

(b) yng ngholofn (2) o'r cofnod sy'n ymwneud ag Atodlen 2—

(i) ar ôl yr ail gofnod rhodder—

"Ar ôl paragraff 1 (lwfansau personol) rhodder—

"**1ZA.**—(1) A single claimant or lone parent aged less than 25 who—

(a) is entitled to an ESA component; or

(b) is incapable of work and has been incapable of work for a continuous period of not less than 28 weeks which begins no earlier than 27 October 2008,

has a personal allowance equal to the amount of the personal allowance which would apply if that person were not less than 25 years old.

(2) In sub-paragraph (1) "ESA component" mans a support component or a work-related activity component within the meaning of section 4 of the Welfare Reform Act.";"