OFFERYNNAU STATUDOL CYMRU

# 2005 Rhif 662 (Cy.52)

# GWASANAETHAU CYMORTH GWLADOL, CYMRU

## Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio) (Cymru) 2005

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| *Wedi'u gwneud - -* | *8 Mawrth 2005* |
| *Yn dod i rym - -* | *11 Ebrill 2005* |

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 22(5) o Ddeddf Cymorth Gwladol 1948(**1**) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(**2**).

**Enwi, cychwyn, dehongli a chymhwyso**

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) (Diwygio) (Cymru) 2005 a deuant i rym ar 11 Ebrill 2005.

(2) Yn y Rheoliadau hyn ystyr "y Prif Reoliadau" ("*the Principal Regulations*") yw Rheoliadau Cymorth Gwladol (Asesu Adnoddau) 1992(**3**).

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru'n unig.

**Diwygio'r Prif Reoliadau — Terfynau Cyfalaf**

**2.**—(1) Diwygir y Prif Reoliadau yn unol â pharagraffau canlynol y rheoliad hwn.

(2) Dirymir rheoliad 20 (Terfyn cyfalaf) o ran Cymru.

(3) Ar ôl rheoliad 20 (Terfyn cyfalaf) mewnosoder y rheoliad canlynol—

"**Capital limit — Wales**

**20A.**—(1) This regulation applies in relation to Wales.

(**1**) 1948 p. 29; diwygiwyd adran 22(5) o Ddeddf Cymorth Gwladol 1948 gan adran 39(1) o Ddeddf y Weinyddiaeth Nawdd Cymdeithasol 1966 (p.20) a pharagraff 6 o Atodlen 6 iddi, gan adran 35(2) o Ddeddf Budd-daliadau Atodol 1976 (p.71) a pharagraff 3(b) o Atodlen 7 iddi, gan adran 20 o Ddeddf Nawdd Cymdeithasol 1980 (p.30) a pharagraff 2 o Atodlen 4 iddi, a chan adran 86 o Ddeddf Nawdd Cymdeithasol 1986 (p.50) a pharagraff 32 o Atodlen 10 iddi.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 22(5) o Ddeddf Cymorth Gwladol 1948 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(**3**) O.S. 1992/2977; fel y'i diwygiwyd gan gyfres o offerynnau dilynol.

(2) No resident shall be assessed as unable to pay for his accommodation at the standard rate if his capital, calculated in accordance with regulation 21, exceeds £21,000.".

(4) Dirymir rheoliad 28 (Cyfrifo incwm tariff o gyfalaf) o ran Cymru.

(5) Ar ôl rheoliad 28 (Cyfrifo incwm tariff o gyfalaf), mewnosoder y rheoliad a ganlyn—

"**Calculation of tariff income from capital — Wales**

**28A.**—(1) This regulation applies in relation to Wales.

(2) Where a resident's capital calculated in accordance with this part exceeds £14,750 it shall be treated as equivalent to a weekly income of £1 for each £250 in excess of £14,750 up to the limit of £21,000 (the Capital limit).

(3) Where any part of the excess is not a complete £250 that part shall nevertheless be treated as equivalent to a weekly income of £1.

(4) For the purposes of paragraph (2) capital includes any income treated as capital under regulations 22 and 34 (income treated as capital and liable relative payments) respectively.

(5) For the purposes of paragraph (2), where a resident makes additional payments as provided for in regulation 4(2)(b) of the National Assistance (Residential Accommodation) (Additional Payments Relevant Contributions and Assessment of Resources) (Amendment) (Wales) Regulations 2003(**4**) (additional payments from capital not exceeding the lower capital limit), the resident is to be treated as possessing capital equivalent to the amount of any additional payments.".

**Diwygio Atodlen 3 i'r Prif Reoliadau — Symiau a ddiystyrir wrth gyfrifo incwm nad yw'n enillion**

**3.**—(1) Ym mharagraff 28H o Atodlen 3 i'r Prif Reoliadau—

(a) yn lle'r ffigur "£4.75", bob tro y mae'n ymddangos, rhodder y ffigur "£4.85";

(b) yn is-baragraffau (3) a (4), yn lle'r ffigur "£6.95", bob tro y mae'n ymddangos, rhodder y ffigur "£7.20".

(2) Ar ôl paragraff 28J o Atodlen 3 i'r Prif Reoliadau, mewnosoder y paragraff a ganlyn—

"**28K.** Any payment made pursuant to section 14F of the Children Act 1989(**5**) (Special Guardianship Support Services) to a resident who is special guardian or a prospective special guardian.".

**Diwygio Atodlen 4 i'r Prif Reoliadau — Symiau a ddiystyrir wrth gyfrifo cyfalaf**

**4.** Ar ôl paragraff 26 o Atodlen 4 i'r Prif Reoliadau, mewnosoder y paragraff a ganlyn—

"**27.** Any payment made pursuant to section 14F of the Children Act 1989 (Special Guardianship Support Services) to a resident who is special guardian or a prospective special guardian.".

(**4**) O.S. 2003/931.
(**5**) 1989 p.41. Caiff adran 14F o Ddeddf Plant 1989 ei mewnosod gan adran 115 of Ddeddf Mabwysiadu a Phlant 2002 p.38.