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2002 Rhif. 2798 (Cy.266)

TAI, CYMRU

Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2002

Wedi'u gwneud - -	*12 Tachwedd 2002*
Yn dod i rym - -	*13 Tachwedd 2002*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 30 a 146(1) a (2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(**1**) drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru) 2002 a deuant i rym ar 13 Tachwedd 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig ac nid ydynt yn effeithiol mewn perthynas â cheisiadau grant sy'n cael eu gwneud cyn y dyddiad y daw'r Rheoliadau hyn i rym.

Diwygiadau

2. Mae Rheoliadau Grantiau Adnewyddu Tai 1996(**2**) yn cael eu diwygio yn unol â'r rheoliadau canlynol.

Rheoliad 2

3. Yn rheoliad 2(1) (dehongli)—

(a) ym mharagraff (b) o'r diffiniad o "attendance allowance", ar ôl "104" mewnosodwch "or 105";

(b) yn y diffiniad o "income-based jobseeker's allowance" yn lle "means an income-based jobseeker's allowance within" rhowch "and "a joint-claim jobseeker's allowance" have the same meaning as they have in";

(c) ar ôl "the Independent Living Funds" mewnosodwch—

(**1**) 1996 p.53. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru. *Gweler* erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) O.S. 1996/2890, a ddiwygiwyd gan O.S. 1996/3119, 1997/977, 1998/808, 1999/1523, 1999/3468 (Cy.54), 2000/973 (Cy.43), 2001/2073 (Cy.145) a 2001/4007 (Cy.333).

""Intensive Activity Period for 50 plus" means the programme known by that name and provided in pursuance of arrangements made by or on behalf of the Secretary of State under section 2 of the Employment and Training Act 1973(**3**), being a programme lasting for up to 52 weeks for any one individual aged 50 years or over on the day that he or she first joined any such programme, and consisting for that individual of any one or more of the following elements, namely assistance in pursuing self-employed earner's employment, education and training, work experience, assistance with job search, motivation and skills training;";

(ch) ar ôl "net profit" mewnosodwch—

""the New Deal Options" means the employment programmes specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996(**4**) and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;";

(d) ym mharagraff (b) o'r diffiniad o "self-employment route"(**5**), yn lle'r geiriau "an employment zone programme" rhowch y canlynol—

"—

(i) an employment zone programme;

(ii) a course of training or instruction funded by or on behalf of the Secretary of State for Work and Pensions, the National Assembly for Wales, Scottish Enterprise or Highlands and Islands Enterprise;

(iii) the Intensive Activity Period specified in regulation 75(1)(a)(iv) of those Regulations; or

(iv) the Intensive Activity Period for 50 plus.".

Rheoliad 9

4. Yn rheoliad 9 (yr amgylchiadau pan yw person i gael ei drin neu beidio â chael ei drin yn aelod o aelwyd)—

(a) ym mharagraff (3), yn lle "A child" rhowch "Subject to paragraph (3A), a child";

(b) ar ôl paragraff (3) mewnosodwch—

"(3A) Paragraph (3) shall not apply in any case where a child or young person—

(a) has been placed with the relevant person or his or her partner by a local authority under section 23(2)(a) of the Children Act 1989(**6**), and

(b) in accordance with regulation 8(2)(a) is to be treated for the purposes of paragraph (1) of that regulation as normally living with the relevant person or his or her partner.".

Rheoliad 10

5. Ym mharagraff (1) o reoliad 10 (y swm cymwysadwy)(**7**), yn is-baragraff (b) yn lle "£51.60" rhowch "£52.27" ac yn lle "£67.08" rhowch "£67.95".

(**3**) 1973 p.50.
(**4**) O.S. 1996/207.
(**5**) Mewnosodwyd y diffiniad o "self-employment route" gan O.S. 2001/2073 (Cy.145).
(**6**) 1989 p.41.
(**7**) Diwygiwyd rheoliad 10 gan O.S. 1998/808, 2001/2073 (Cy.145) .

Rheoliad 12

6. Yn rheoliad 12 (gostyngiad yn swm y grant)(**8**)—

(a) ym mharagraff (1)(a), yn lle "£18.10" rhowch "£19.97";

(b) ym mharagraff (1)(b), yn lle "£36.20" rhowch "£39.94";

(c) ym mharagraff (1)(c), yn lle "£144.82" rhowch "£159.76";

(ch) ym mharagraff (1)(d), yn lle "£362.04" rhowch "£399.41";

(d) ym mharagraff (2)(a), yn lle "£10.65" rhowch "£11.27";

(dd) ym mharagraff (2)(b), yn lle "£21.29" rhowch "£22.53";

(e) ym mharagraff (2)(c), yn lle "£85.18" rhowch "£90.13";

(f) ym mharagraff (2)(d), yn lle "£212.95" rhowch "£225.32".

Rheoliad 14

7. Ym mharagraff (b) o reoliad 14 (symiau cymwysadwy) yn lle "£5,000" rhowch "£6,000".

Rheoliad 18

8. Ym mharagraff (1A)(**9**) o reoliad 18 (penderfynu incwm ar sail wythnosol)—

(a) yn is-baragraff (a), yn lle "£70" rhowch "£94.50"; a

(b) yn is-baragraff (b), yn lle "£105" rhowch "£140".

Rheoliad 19

9. Yn rheoliad 19 (ymdrin â ffioedd gofal plant) ar ôl paragraff (8)(**10**) mewnosodwch—

"(9) For the purposes of paragraph (1) a woman on maternity leave shall be treated as if she is engaged in remunerative work for the period specified in sub-paragraph (b) ("the relevant period") provided that—

(i) in the week before the period of maternity leave began she was in remunerative work;

(ii) the relevant person incurred relevant child care charges in that week; and

(iii) she is entitled to either statutory maternity pay under section 164 of the 1992 Act or maternity allowance under section 35 of that Act;

(b) for the purposes of sub-paragraph (a) the relevant period shall begin on the day on which the woman's maternity leave commences and shall end on—

(i) the date that leave ends;

(ii) if no tax credit is in payment on the date that entitlement to maternity allowance or statutory maternity pay ends, the date that entitlement ends; or

(iii) if a tax credit is in payment on the date that entitlement to maternity allowance or statutory maternity pay ends, the date that entitlement to that award of the tax credit ends,

whichever shall occur first;

(c) in this paragraph "tax credit" means either working families' tax credit or a disabled person's tax credit provided that a childcare tax credit under either

(**8**) Diwygiwyd rholiad 12 gan O.S. 1997/977, 1998/808, 1999/1523, a 2000/973 (Cy.43).

(**9**) Mewnosodwyd paragraph (1A) gan O.S. 1998/808 a'i ddiwygio gan O.S. 2000/973(Cy.43).

(**10**) Ychwanegwyd paragraffau (5), (6), (7) ac (8) gan O.S. 1999/3468 (Cy.54) a diwygiwyd paragraff (7) gan O.S. 2001/2073 (Cy.145).

regulation 46(1)(ab) of the Family Credit (General) Regulations 1987(**11**) or, as the case may be, regulation 51(1)(aa) of the Disability Working Allowance (General) Regulations 1991(**12**) forms part of the entitlement of either of those credits.

(10) Where paragraph (9) applies to a woman on maternity leave any child care charges in respect of the child to whom the maternity leave relates shall not be treated as relevant child care charges for the purposes of this regulation and regulation 18.".

Rheoliad 31

10. Yn rheoliad 31 (incwm tybiannol)—

(a) ym mharagraff (9A)(**13**), ar ôl is-baragraff (c)(ii) mewnosodwch—

"(iia) in the Intensive Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or in the Intensive Activity Period for 50 plus; or";

(b) ym mharagraff (10A)(**14**)), ar ddiwedd is-baragraff (b)(i) ychwanegwch—

", other than where the service is performed in connection with the relevant person's participation in the Intensive Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or in the Intensive Activity Period for 50 plus".

Rheoliad 38

11. Ym mharagraff (3A)(**15**) o reoliad 38 (cyfalaf tybiannol) ar ôl is-baragraff (b)(ii) mewnosodwch—

"(iia) in the Intensive Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or in the Intensive Activity Period for 50 plus;".

Rheoliad 41

12. Yn rheoliad 41 (dehongli Rhan II)(**16**)—

(a) yn union o flaen y diffiniad o "access funds"(**17**) mewnosodwch—

""academic year" means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course shall be considered to begin in the autumn rather than the summer;";

(b) yn y diffiniad o "access funds"—

(i) ym mharagraff (a), yn lle "and described as "access bursary funds" or "hardship funds"" rhowch "for the purposes of providing funds on a discretionary basis to be paid to students";

(ii) ar ôl paragraff (c) ychwanegwch—

"or

(**11**) O.S. 1987/1973 fel y'i diwygiwyd gan O.S. 1999/2487.
(**12**) O.S. 1991/2887 fel y'i diwygiwyd gan O.S. 1999/2487.
(**13**) Amnewidiwyd paragraff (9A) gan O.S. 1999/1523 a'i ddiwygio gan O.S. 2000/973 (Cy.43).
(**14**) Mewnosodwyd paragraff (10A) gan O.S. 1999/1523 a'i ddiwygio gan O.S. 2001/2073 (Cy.145).
(**15**) Mewnosodwyd paragraff (3A) gan O.S. 1999/1523 a'i ddiwygio gan O.S. 2000/973 (Cy.53).
(**16**) Diwygiwyd rheoliad 41 gan O.S. 1999/1523, 2000/973 (Cy.43) a 2001/2073 (Cy.145).
(**17**) Mewnosodwyd y diffiniad o "access funds" gan O.S. 2001/2073 (Cy.145).

(d) discretionary payments, known as "learner support funds", which are made payable to students in further education by institutions out of funds provided by the Learning and Skills Council for England under sections 5, 6 and 9 of the Learning and Skills Act 2000(**18**) or discretionary payments made from funds known as "Financial Contingency Funds" paid to students by the National Council for Education and Training for Wales under sections 34, 35 and 37 of the Learning and Skills Act 2000".

(c) yn y diffiniad o "contribution"(**19**))—

(i) ar ôl "Secretary of State" y tro cyntaf yr ymddengys y geiriau hynny, mewnosodwch ", the Scottish Ministers";

(ii) yn lle "Secretary of State" yn y ddau le arall yr ymddengys y geiriau hynny, rhowch "the Scottish Ministers";

(ch) hepgorwch y diffiniad o "the FEFC";

(d) yn y diffiniad o "full-time course of study"—

(i) ym mharagraff (a), o "the FEFC" hyd at y diwedd rhowch "the Learning and Skills Council for England(**20**) or by the National Council for Education and Training for Wales(**21**) or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers";

(ii) yn lle paragraff (b) rhowch—

"(b) is funded in whole or in part by the Learning and Skills Council for England or by the National Council for Education and Training for Wales if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—

(i) in the case of a course funded by the Learning and Skills Council for England, in his or her learning agreement signed on behalf of the establishment which is funded by that Council for the delivery of that course; or

(ii) in the case of a course funded by the National Council for Education and Training for Wales in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or"

(iii) in paragraph (c) for "Secretary of State for Scotland", substitute "Scottish Ministers";

(dd) ar ddiwedd y diffiniad o "student loan(**22**)" ychwanegwch "and shall include, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 1999(**23**))";

(e) hepgorwch y diffiniad o "year"(**24**).

(**18**) 2000 p.21.
(**19**) Diwygiwyd y diffiniad o "contribution" gan O.S. 1999/1523 a 2000/973 (Cy.43).
(**20**) Sefydlwyd y Cyngor gan adran 1 o Ddeddf Dysgu a Medrau 2000.
(**21**) Sefydlwyd y Cyngor gan adran 30 o Ddeddf Dysgu a Medrau 2000.
(**22**) Mewnosodwyd y diffiniad o "student loan" gan O.S. 2000/973 (Cy. 43).
(**23**) O.S. 1999/1131 (S.91).
(**24**) Amnewidiwyd y diffiniad o "year" gan O.S. 2000/973 (Cy.43).