



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2010 Rhif 612 (Cy.58)

2010 No. 612 (W.58)

Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

Rheoliadau'r Dreth Gyngor
(Dosbarthau Rhagnodedig ar
Anheddau) (Cymru) (Diwygio)
2010

The Council Tax (Prescribed
Classes of Dwellings) (Wales)
(Amendment) Regulations
2010

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Gwnaed y Rheoliadau hyn yn unol ag adran 12 o Ddeddf Cyllid Llywodraeth Leol 1992. Mae'r Rheoliadau hyn yn diwygio darpariaethau penodol yn Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) 1998, i ddarparu bod personél y lluoedd arfog, pan yw'n ofynnol eu bod yn byw mewn llety a ddarperir gan y Weinyddiaeth Amddiffyn er mwyn cyflawni dyletswyddau'u swyddi, yn dod o fewn y diffiniad o rai sydd â'u hanheddau'n berthynol i'w swyddi. Effaith hyn, pan fo gan y personau hynny ail gartref yng Nghymru ac yn atebol i dalu'r dreth gyngor arno, yw rhwystro'r awdurdod bilio ar gyfer yr ardal y lleolir yr ail gartref ynddi rhag lleihau'r disgownt ar yr annedd honno islaw 50%.

Ni pharatowyd asesiad effaith rheoleiddiol llawn ar gyfer yr offeryn hwn, gan nad yw'n effeithio ar gostau busnesau, elusennau na chyrff gwirfoddol.

These Regulations are made in accordance with section 12 of the Local Government Finance Act 1992. These Regulations amend certain provisions of the Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998 to provide that armed forces personnel who are required to live in accommodation provided by the Ministry of Defence to perform the duties of their office come within the definition of those with job-related dwellings. This means that where those persons also have a second home in Wales for which they are liable to pay council tax, the billing authority for the area within which the second home is situated is prevented from reducing the discount on that dwelling from 50%.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.

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Gwnaed 4 Mawrth 2010
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 5 Mawrth 2010
Yn dod i rym 1 Ebrill 2010

Mae Gweinidogion Cymru, yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 12, 113 a 116 o Ddeddf Cyllid Llywodraeth Leol 1992(1) ac a freiniwyd bellach ynddynt hwy(2):

Enwi, cychwyn a chymhwysu

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) (Diwygio) 2010 a deuant i rym ar 1 Ebrill 2010.

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

Diwygio Rheoliadau

2.–(1) Diwygir Rheoliadau'r Dreth Gyngor (Dosbarthau Rhagnodedig ar Anheddau) (Cymru) 1998(3) yn unol â pharagraff (2).

(2) Yn rheoliad 2 (dehongli) yn lle'r diffiniad o "qualifying person" rhodder–

""qualifying person" means a person who is liable for the council tax in respect of a dwelling on a particular day, whether or not jointly with any other

(1) 1992 p.14.

(2) Trosglwyddwyd y swyddogaethau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) a breiniwyd hwy bellach yng Ngweinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

(3) O.S. 1998/105.

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Made 4 March 2010
*Laid before the National
Assembly for Wales* 5 March 2010
Coming into force 1 April 2010

The Welsh Ministers make the following Regulations, in exercise of the powers conferred on the Secretary of State by sections 12, 113 and 116 of the Local Government Finance Act 1992(1) and now vested in them(2):

Title, application and commencement

1.–(1) The title of these Regulations is the Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2010 and they come into force on the 1 April 2010.

(2) These Regulations apply in relation to Wales.

Amendment of Regulations

2.–(1) The Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998(3) are amended in accordance with paragraph (2).

(2) In regulation 2 (interpretation) for the definition of "qualifying person" substitute–

""qualifying person" means a person who is liable for the council tax in respect of a dwelling on a particular day, whether or not jointly with any other

(1) 1992 c.14.

(2) These functions were transferred to the National Assembly for Wales by 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 paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(3) S.I. 1998/105.

person, or who would be liable for the council tax in respect of a dwelling on a particular day if that dwelling did not fall within Class O of the Council Tax (Exempt Dwellings) Order 1992(1);".

person, or who would be liable for the council tax in respect of a dwelling on a particular day if that dwelling did not fall within Class O of the Council Tax (Exempt Dwellings) Order 1992(1);".

Carl Sargeant

Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol, un o Weinidogion Cymru

Minister for Social Justice and Local Government, one of the Welsh Ministers

4 Mawrth 2010

4 March 2010

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