



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 1786 (Cy.127)

2001 No. 1786 (W.127)

TAI, CYMRU

HOUSING, WALES

**Gorchymyn Tai (Hawl i Brynu)
(Blaenoriaeth Arwystlon) (Cymru)
2001**

**The Housing (Right to Buy)
(Priority of Charges) (Wales) Order
2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note does not form part of the Order)

Mae'r Gorchymyn hwn un pennu dau gorff yn sefydliadau benthyg cymeradwy i ddibenion adran 156 o Ddeddf Tai 1985 (blaenoriaeth arwystlon ar warediadau o dan yr hawl i brynu).

This Order specifies two bodies as approved lending institutions for the purposes of section 156 of the Housing Act 1985 (priority of charges on disposals under the right to buy).

Mae adran 156 yn darparu bod yr atebolrwydd i ad-dalu gostyngiad a all godi o dan gyfamod gan y tenant sy'n ofynnol o dan adran 155 o Ddeddf 1985 yn gyfystyr ag arwystl cyfreithiol ar y tŷ annedd ond bod gan arwystl cyfreithiol, sy'n sicrhau swm sy'n cael ei fenthyca i'r tenant gan sefydliad benthyca cymeradwy er mwyn galluogi'r tenant i arfer yr hawl i brynu, flaenoriaeth drosto.

Section 156 provides that the liability to repay discount that may arise under a covenant by the tenant which is required by section 155 of the 1985 Act constitutes a legal charge on the dwelling-house but that a legal charge securing an amount advanced to the tenant by an approved lending institution for the purpose of enabling the tenant to exercise the right to buy has priority over it.

At ddibenion yr adran mae sefydliadau benthyca cymeradwy yn gymdeithasau adeiladu, yn fanciau, yn gwmnïau yswiriant, yn gymdeithasau cyfeillgar ac yn unrhyw gorff arall a bennir, neu y pennir ei ddsbarth neu ei ddisgrifiad, mewn gorchymyn a wneir, mewn perthynas â Chymru, gan Gynulliad Cenedlaethol Cymru.

Approved lending institutions for the purposes of the section are building societies, banks, insurance companies, friendly societies and any other body which is specified, or is of a class or description specified, in an order made, in relation to Wales, by the National Assembly for Wales.

Mae'r cyrff hyn hefyd yn dod yn sefydliadau benthyg cymeradwy i ddibenion adran 36 o Ddeddf 1985 (blaenoriaeth arwystlon ar warediadau gwirfoddol gan awdurdodau lleol) ac adran 12 o Ddeddf Tai 1996 (blaenoriaeth arwystlon ar warediadau gwirfoddol gan landlordiaid cymdeithasol cofrestredig).

Such bodies also become approved lending institutions for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposals by local authorities) and section 12 of the Housing Act 1996 (priority of charges on voluntary disposals by registered social landlords).

Yn ychwanegol, gan fod adran 156 o Ddeddf Tai 1985 yn cael ei chymhwyso gan adran 171A o'r Ddeddf honno at achosion lle diogelir hawl tenant i brynu a chan adran 17 o Ddeddf Tai 1996 at achosion lle mae

In addition, as section 156 of the Housing Act 1985 is applied by section 171A of that Act to cases in which a tenant's right to buy is preserved and by section 17 of the Housing Act 1996 to cases in which a tenant has the

gan denant hawl i gaffael o dan adran 16 o'r Ddeddf honno, daw'r cyrff a benwyd yn sefydliadau benthyg cymeradwy i ddibenion yr hawliau hynny.

right to acquire under section 16 of that Act, the specified bodies become approved lending institutions for the purposes of those rights

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Wedi'i wneud 1 Mai 2001
Yn dod i rym 1 Mehefin 2001

Made 1st May 2001
Coming into force 1st June 2001

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 156(4) o Ddeddf Tai 1985(a) ac a freiniwyd iddo i'r graddau eu bod yn arferadwy yng Nghymru:(b)

The National Assembly for Wales makes the following Order in exercise of the powers given to the Secretary of State by section 156(4) of the Housing Act 1985(a) which are now vested in it so far as exercisable in Wales:(b)

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Tai (Hawl i Brynu) (Blaenoriaeth Arwystlon) (Cymru) 2001 a daw i rym ar 1 Mehefin 2001.

(2) Mae'r Gorchymyn hwn yn gymwys i Gymru'n unig.

Citation, commencement and application

1.-(1) This Order may be cited as the Housing (Right to Buy) (Priority of Charges) (Wales) Order 2001 and shall come into force on 1st June 2001.

(2) This Order applies to Wales only.

Cyrff a bennir

2. Pennir y cyrff canlynol yn sefydliadau benthg cymeradwy i ddibenion adran 156(c) o Ddeddf Tai 1985 (blaenoriaeth arwystlon) -

- (a) Battersea Park Mortgage Funding Limited - Rhif y Cymni 3530410
- (b) Richmond Park Mortgage Funding Limited - Rhif y Cymni 3597946

Specified bodies

2. The following bodies are specified as approved lending institutions for the purposes of section 156(c) of the Housing Act 1985 (priority of charges) -

- (a) Battersea Park Mortgage Funding Limited - Company No 3530410
- (b) Richmond Park Mortgage Funding Limited - Company No 3597946

(a) 1985 p.68; diwygiwyd adran 156(4) gan Ddeddf Tai 1988 (p.50), Atodlen 17, paragraff 106 a chan Ran XIII o Atodlen 19 i Ddeddf Tai 1996 (p.52).

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) Diwygiwyd adran 156 hefyd gan Ddeddf Tai a Chynllunio 1986 (p.63), Atodlen 5, paragraff 1(2) a (5) a chan adran 120(3) a (4) o Ddeddf Diwygio Cyfraith Prydlesi, Tai, Datblygu Trefol 1993 (p.28).

(a) 1985 c.68; section 156(4) was amended by the Housing Act 1988 (c.50), Schedule 17, paragraph 106 and by Part XIII of Schedule 19 to the Housing Act 1996 (c.52).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) Section 156 was also amended by the Housing and Planning Act 1986 (c.63), Schedule 5, paragraph 1(2) and (5) and by section 120(3) and (4) of the Leasehold Reform, Housing and Urban Development Act 1993 (c.28).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

D.Elis Thomas

1 Mai 2001

1st May 2001

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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