



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1736 (Cy.166) (C.53)

2002 No. 1736 (W.166) (C.53)

TAI, CYMRU

HOUSING, WALES

**Gorchymyn Deddf Digartrefedd
2002 (Cychwyn) (Cymru)
2002**

**The Homelessness Act 2002
(Commencement) (Wales) Order
2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note does not form part of the Order)

Derbyniodd Deddf Digartrefedd 2002 ("y Ddeddf") Gydsyniad Brenhinol ar 26 Chwefror 2002.

The Homelessness Act 2002 ("the Act") was given Royal Assent on the 26th February 2002.

Daeth adran 8 a pharagraffau 3 a 7 o Atodlen 1 i'r Ddeddf i rym pan roddwyd Cydsyniad Brenhinol iddynt. Mae'r gorchymyn hwn yn dod â gweddill darpariaethau'r Ddeddf i rym yng Nghymru ar 30 Medi 2002 yn achos y darpariaethau digartrefedd ac ar 27 Ionawr 2003 yn achos y darpariaethau neilltuo tai.

Section 8 of and paragraphs 3 and 7 of Schedule 1 to the Act came into force on Royal Assent. This Order brings the remaining provisions of the Act into force in Wales on 30th September 2002 in the case of the homelessness provisions and on 27 January 2003 in the case of the allocation provisions.

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Wedi'i wneud

4 Gorffennaf 2002

Made

4th July 2002

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adran 20(1) a (3) o Ddeddf Digartrefedd 2002(a):

The National Assembly for Wales makes the following Order in exercise of the powers given to it by section 20(1) and (3) of the Homelessness Act 2002(a):

Enw, cymhwyso a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Digartrefedd 2002 (Cychwyn) (Cymru) 2002 ac mae'n gymwys i Gymru yn unig.

(2) Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf Digartrefedd 2002 ("y Ddeddf") ac Atodlenni iddi.

Y diwrnodau penodedig

2.-(1) Y diwrnod penodedig ar gyfer dod â'r darpariaethau a bennwyd yn Rhan 1 o'r Atodlen i'r Gorchymyn hwn i rym yng Nghymru yw 30 Medi 2002.

(2) Y diwrnod penodedig ar gyfer dod â'r darpariaethau a bennwyd yn Rhan 2 o'r Atodlen i'r Gorchymyn hwn i rym yng Nghymru yw 27 Ionawr 2003.

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

4 Gorffennaf 2002

Name, application and interpretation

1.-(1) The name of this Order is the Homelessness Act 2002 (Commencement) (Wales) Order 2002 and it applies to Wales only.

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Homelessness Act 2002 ("the Act").

Appointed Days

2.-(1) The day appointed for the coming into force in Wales of the provisions specified in Part 1 of the Schedule to this Order is 30 September 2002.

(2) The day appointed for the coming into force in Wales of the provisions specified in Part 2 of the Schedule to this Order is 27 January 2003.

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

4th July 2002

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 2002 p.7.

(b) 1998 p.38.

(a) 2002 c.7.

(b) 1998 c.38.

YR ATODLEN**SCHEDULE**

Erthygl 2

Article 2

RHAN 1**PART 1****Y DARPARIAETHAU SY'N DOD I RYM AR
30 MEDI 2002****PROVISIONS COMING INTO FORCE ON 30
SEPTEMBER 2002**

adran 1	(Dyletswydd ar awdurdod tai lleol i fformiwleiddio strategaeth digartrefedd)	section 1	(Duty of local housing authority to formulate a housing strategy)
adran 2	(Adolygiadau digartrefedd)	section 2	(Homelessness reviews)
adran 3	(Strategaethau digartrefedd)	section 3	(Homelessness strategies)
adran 4	(Adran 1 i 3: dehongli)	section 4	(Section 1 to 3: interpretation)
adran 5	(Darparu llety ar gyfer pobl nad yw eu hanghenion yn flaenoriaeth nad ydynt yn ddigartref o fwriad)	section 5	(Provision of accommodation for persons not in priority need who are not homeless intentionally)
adran 6	(Diddymu'r isafswm cyfnod y mae awdurdod yn ddarostyngedig i brif ddyletswydd digartrefedd)	section 6	(Abolition of minimum period for which an authority is subject to main homelessness duty)
adran 7	(Digwyddiadau sy'n achosi'r prif ddyletswydd digartrefedd i ddod i ben)	section 7	(Events which cause the main homelessness duty to cease)
adran 9	(Diddymu dyletswydd o dan adran 197)	section 9	(Abolition of duty under section 197)
adran 10	(Personau sy'n honni eu bod yn ddigartref sydd mewn perygl o drais)	section 10	(Persons claiming to be homeless who are at risk of violence)
adran 11	(Adran 204(4): apelau)	section 11	(Section 204(4): appeals)
adran 12	(Cydweithredu mewn rhai achosion sy'n cynnwys plant)	section 12	(Co-operation in certain cases involving children)
adran 17	(Cymru)	section 17	(Wales)
adran 18	(Mân ddiwygiadau a diwygiadau canlyniadol a diddymiadau) - heblaw i'r graddau y mae'n berthnasol i'r darpariaethau yn yr Atodlenni i'r Ddeddf y cyfeirir atynt yn Rhan 2 o'r Atodlen hon.	section 18	(Minor and consequential amendments and repeals) - except in so far as it relates to the provisions in the Schedules to the Act referred to in Part 2 of this Schedule
adran 19	(Darpariaethau ariannol)	section 19	(Financial provisions)
Atodlen 1	(Mân ddiwygiadau a Diwygiadau Canlyniadol) - heblaw am baragraffau 1 i 7 yn gynwysiedig	Schedule 1	(Minor and Consequential Amendments) - save for paragraphs 1 to 7
Yn Atodlen 2(Diddymiadau),		Schedule 2	(Repeals) -
Deddf Tai 1996 (p.52)	Adran 191(4)	Housing Act 1996 (c.52)	Section 191(4)
	Yn adran 193, yn is-adran(1), y geiriau o "This section" i'r diwedd, ac yn is-adran (8), y geiriau "of accommodation under Part VI".		In section 193, in sub-section (1), the words from "This section" to the end, and in sub-section (8), the words "of accommodation under part VI".
	Adran 194		Section 194
	Yn adran 195, yn is- adran(2), y geiriau o "This subsection" i'r diwedd		In section 195, in sub-section (2), the words from "This

	ac, yn is- adran (4), y geiriau o "and section" i "duty)".		subsection" to the end and, in sub-section (4), the words from "and section" to "duty)."
	Adran 196(4)		Section 196(4)
	Adran 197		Section 197
	Yn adran 198(1), y geiriau o "The authority" i'r diwedd.		In section 198(1), the words from "The authority" to the end.
	Yn adran 200(5), y geiriau "(3) or (4)".		In section 200(5), the words "(3) or (4)".
	Yn adran 205(1) y cofnod mewn perthynas ag adran 207.		In section 205(1), the entry relating to section 207.
	Adran 207		Section 207
	Yn adran 218, y cofnod ar gyfer "minimum period"		In section 218, the entry for "minimum period".
Deddf Mewnfudo a Lloches 1999 (p.33)	Adran 117(4)	Immigration and Asylum Act 1999 (c.33)	Section 117(4)

RHAN 2

Y DARPARIAETHAU SY'N DOD I RYM AR 27 IONAWR 2003

adran 13	(Cymhwyso Rhan 6 ar gyfer tenantiaid presennol)
adran 14	(Diddymu'r ddyletswydd i gadw cofrestr tai)
adran 15	(Cais am lety tai)
adran 16	(Cynlluniau neilltuo)
adran 18	(Mân ddiwygiadau a diwygiadau canlyniadol a diddymiadau) - i'r graddau nad ydyw wedi dod i rym erbyn y dyddiad hwnnw
Atodlen 1	(Mân ddiwygiadau a diwygiadau canlyniadol) - paragraffau 1, 2, 4, 5 a 6
Atodlen 2	(Diddymiadau)
	Deddf Tai 1985 (p.68) Yn adran 106(6), y geiriau "housing registers and".
	Deddf Tai 1996 (p.52) Adrannau 161 i 165. Yn adran 174, y cofnodion ar gyfer "housing register" a "qualifying person".
	Deddf Mewnfudo a Lloches 1999 (p.33) Adran 117 (3)

PART 2

PROVISIONS COMING INTO FORCE ON 27 JANUARY 2003

section 13	(Application of Part 6 to existing tenants)
section 14	(Abolition of duty to maintain housing register)
section 15	(Applications for housing accommodation)
section 16	(Allocation schemes)
section 18	(Minor and consequential amendments and repeals) - to the extent that it has not been commenced by that date
Schedule 1	(Minor and consequential amendments) - paragraphs 1, 2, 4, 5 and 6
Schedule 2	(Repeals)
	Housing Act 1985 (c.68) In section 106(6) the words "housing registers and".
	Housing Act 1996 (c.52) Sections 161 to 165. In section 174, the entries for "housing register" and "qualifying person".
	Immigration and Asylum Act 1999 (c.33) Section 117(3)

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