**CYNULLIAD CENEDLAETHOL CYMRU**

OFFERYNNAU STATUDOL

# 2004 Rhif 1312 (Cy.138)

# LLYWODRAETH LEOL, CYMRU

## Rheoliadau Tribiwnlysoedd Prisio (Cymru) (Diwygio) 2004

### NODYN ESBONIADOL

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

Mae Adran 143(2) o Ddeddf Cyllid Llywodraeth Leol 1988 a pharagraffau 1 a 5 o Atodlen 11 iddi yn rhoi'r pŵer i'r Ysgrifennydd Gwladol wneud rheoliadau mewn perthynas â Thribiwnlysoedd Prisio. I'r graddau y maent yn ymwneud â Chymru, trosglwyddwyd y pwerau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999. Y prif reoliadau i Gymru, a wnaed o dan y pwerau hyn yw Rheoliadau Tribiwnlysoedd Prisio (Cymru) 1995 ("Rheoliadau 1995") fel y'u diwygiwyd gan Reoliadau Tribiwnlysoedd Prisio (Diwygio) (Cymru) 2001 ("Rheoliadau 2001"). Mae'r Rheoliadau presennol hyn yn gwneud darpariaeth bellach mewn perthynas â Thribiwnlysoedd Prisio yng Nghymru.

Mae Rheoliadau 1995 yn gwneud darpariaethau ynghylch bod yn aelod o Dribiwnlysoedd Prisio yng Nghymru. Mae Rheoliad 4(2)(d) yn darparu y bydd aelod o dribiwnlys yn peidio â dal swydd pan fydd yn cyrraedd 72 oed.

Mae Rheoliad 7(1)(e) o Reoliadau 1995 yn darparu y caiff aelod ei anghymhwyso rhag cael ei benodi neu rhag parhau i fod yn aelod os yw'n 72 oed neu'n hŷn.

Mae Rheoliad 3 o'r Rheoliadau hyn yn diwygio Rheoliadau 1995 fel bod Rheoliadau 4(2)(d) a 7(1)(e) yn cael eu hepgor. Effaith y diwygiad hwn yw na fydd aelod o Dribiwnlys Prisio yng Nghymru yn peidio â dal swydd neu'n cael ei anghymhwyso rhag cael ei benodi neu rhag parhau i fod yn aelod ar ôl cyrraedd 72 oed.

**NATIONAL ASSEMBLY FOR WALES**

STATUTORY INSTRUMENTS

# 2004 No. 1312 (W.138)

# LOCAL GOVERNMENT, WALES

## The Valuation Tribunals (Wales) (Amendment) Regulations 2004

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 143(2) of and paragraphs 1 and 5 of Schedule 11 to the Local Government Finance Act 1988 confer upon the Secretary of State the power to make regulations in relation to Valuation Tribunals. Insofar as they relate to Wales, these powers were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999. The principal regulations for Wales, made under these powers are the Valuation Tribunals (Wales) Regulations 1995 ("the 1995 Regulations") as amended by the Valuation Tribunals (Amendment) (Wales) Regulations 2001 ("the 2001 Regulations"). These present Regulations make further provision in respect of Valuation Tribunals in Wales.

The 1995 Regulations make provisions in relation to the membership of Valuation Tribunals in Wales. Regulation 4(2)(d) provides that a member of a tribunal will cease to hold office once attaining the age of 72 years.

Regulation 7(1)(e) of the 1995 Regulations provides that a member shall be disqualified from being appointed or continuing to be a member if aged 72 years or more.

Regulation 3 of these Regulations amend the 1995 Regulations so that Regulations 4(2)(d) and 7(1)(e) are omitted. The effect of this amendment is that a member of a Valuation Tribunal in Wales will not cease to hold office or be disqualified from being appointed or continuing to be a member once attaining the age of 72 years.

OFFERYNNAU STATUDOL

# 2004 Rhif 1312 (Cy.138)

# LLYWODRAETH LEOL, CYMRU

## Rheoliadau Tribiwnlysoedd Prisio (Cymru) (Diwygio) 2004

| | |
|---|---|
| *Wedi'u gwneud* | *11 Mai 2004* |
| *Yn dod i rym* | *31 Mai 2004* |

Mae Cynulliad Cenedlaethol Cymru, trwy arfer y pwerau a roddwyd iddo gan adran 143(2) o Ddeddf Cyllid Llywodraeth Leol 1988 a pharagraffau 1 a 5 o Atodlen 11 iddi(**a**) drwy hyn yn gwneud y Rheoliadau canlynol:

**Enwi, cymhwyso a chychwyn**

**1**. Enw'r Rheoliadau hyn yw Rheoliadau Tribiwnlysoedd Prisio (Cymru) (Diwygio) 2004, maent yn gymwys i Gymru yn unig a deuant i rym ar 31 Mai 2004.

**Dehongli**

**2**. Yn y Rheoliadau hyn -

ystyr "Rheoliadau 1995" ("*the 1995 Regulations*") yw Rheoliadau Tribiwnlysoedd Prisio (Cymru) 1995(**b**).

(a) 1988 p.41. Diwygiwyd Adran 143(2) gan adran 139 o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) a pharagraffau 72 a 79(3) o Atodlen 5 iddi. Diwygiwyd Paragraff 1 a 5 o Atodlen 11 gan adran 117(1) o Ddeddf Cyllid Llywodraeth Leol 1992 (p.14) a pharagraffau 88(1), (3) a (13) o Atodlen 13 iddi gydag effaith mewn perthynas â blynyddoedd ariannol sy'n dechrau ar neu ar ôl 1 Ebrill 1993. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau a'r atodlen uchod, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo, O.S. 1999/672.

(b) O.S. 1995/3056 fel y'i diwygiwyd gan Reoliadau Tribiwnlysoedd Prisio (Diwygio) (Cymru) 2001, O.S. 2001/1439 (Cy.101).

STATUTORY INSTRUMENTS

# 2004 No. 1312 (W.138)

# LOCAL GOVERNMENT, WALES

## The Valuation Tribunals (Wales) (Amendment) Regulations 2004

| | |
|---|---|
| *Made* | *11th May 2004* |
| *Coming into force* | *31st May 2004* |

The National Assembly for Wales, in exercise of the powers vested in it under section 143(2) of and paragraphs 1 and 5 of Schedule 11 to the Local Government Finance Act 1988(**a**) hereby makes the following Regulations:

**Name, application and commencement**

**1**. These Regulations are called the Valuation Tribunals (Wales) (Amendment) Regulations 2004, they apply to Wales only and come into force on 31st May 2004.

**Interpretation**

**2**. In these Regulations -

"the 1995 Regulations" ("*Rheoliadau 1995*") means the Valuation Tribunals (Wales) Regulations 1995(**b**).

(a) 1988 c.41. Section 143(2) was amended by section 139 of and paragraphs 72 and 79(3) of Schedule 5 to the Local Government and Housing Act 1989 (c.42 ). Paragraph 1 and 5 of Schedule 11 was amended by section 117(1) of and paragraphs 88(1), (3) and (13) of Schedule 13 to the Local Government Finance Act 1992 (c.14) with effect in relation to financial years beginning on or after 1st April 1993. The functions of the Secretary of State under the above sections and schedule were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

(b) S.I. 1995/3056 as amended by the Valuation Tribunals (Amendment) (Wales) Regulations 2001, S.I. 2001/1439 (W.101).

**Diwygio Rheoliadau 1995**

**3**. Mae Rheoliadau 1995 yn cael eu diwygio fel a ganlyn:

(a) hepgorir Rheoliad 4(2)(d);

(b) hepgorir Rheoliad 7(1)(e).

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

11 Mai 2004

Llywydd y Cynulliad Cenedlaethol

**Amendment of the 1995 Regulations**

**3**. The 1995 Regulations are amended as follows:

(a) Regulation 4(2)(d) is omitted;

(b) Regulation 7(1)(e) is omitted.

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

11th May 2004

*D. Elis-Thomas*

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

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