



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2018 Rhif 777 (Cy. 158) (C. 60)

2018 No. 777 (W. 158) (C. 60)

TAI, CYMRU

HOUSING, WALES

Gorchymyn Deddf Rheoleiddio
Landlordiaid Cymdeithasol
Cofrestredig (Cymru) 2018
(Cychwyn a Darpariaeth
Drosiannol) 2018

The Regulation of Registered
Social Landlords (Wales) Act 2018
(Commencement and Transitional
Provision) Order 2018

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dwyn i rym ddarpariaethau Deddf Rheoleiddio Landlordiaid Cymdeithasol Cofrestredig (Cymru) 2018 ("y Ddeddf").

This Order brings into force provisions of the Regulation of Registered Social Landlords (Wales) Act 2018 ("the Act").

Mae erthygl 2 yn pennu 15 Mehefin 2018 fel y dyddiad dod i rym adrannau 1, 2 a 18 o'r Ddeddf, sy'n ddarpariaethau technegol, a'r pŵer i wneud diwygiadau canlyniadol etc.

Article 2 appoints 15 June 2018 as the coming into force date of sections 1, 2 and 18 of the Act which are technical provisions, and the power to make consequential amendments etc.

Mae erthygl 3 yn pennu 15 Awst 2018 fel y dyddiad dod i rym ar gyfer unrhyw ddarpariaeth yn y Ddeddf i'r graddau nad yw wedi ei chychwyn eisoes cyn y dyddiad hwn.

Article 3 appoints 15 August 2018 as the coming into force date for any provision of the Act to the extent that it has not already been commenced before this date.

Mae erthygl 4 yn gwneud darpariaeth drosiannol mewn cysylltiad â dileu'r gofyniad i gynnal cronfa enillion o warediadau.

Article 4 makes a transitional provision in respect of the removal of the requirement to hold a disposal proceeds fund.

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**Gorchymyn Deddf Rheoleiddio
Landlordiaid Cymdeithasol
Cofrestredig (Cymru) 2018
(Cychwyn a Darpariaeth
Drosiannol) 2018**

**The Regulation of Registered
Social Landlords (Wales) Act 2018
(Commencement and Transitional
Provision) Order 2018**

Gwnaed

14 Mehefin 2018

Made

14 June 2018

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir gan adran 19(2) a (3) o Ddeddf Rheoleiddio Landlordiaid Cymdeithasol Cofrestredig (Cymru) 2018(1).

The Welsh Ministers make the following Order in exercise of the powers conferred by section 19(2) and (3) of the Regulation of Registered Social Landlords (Wales) Act 2018(1).

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Rheoleiddio Landlordiaid Cymdeithasol Cofrestredig (Cymru) 2018 (Cychwyn a Darpariaeth Drosiannol) 2018.

(2) Yn y Gorchymyn hwn—

ystyr “cronfa enillion o warediadau” (“*disposal proceeds fund*”) yw cronfa o dan adran 24(2) o Ddeddf 1996;

ystyr “Deddf 1996” (“*the 1996 Act*”) yw Deddf Tai 1996(3);

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Rheoleiddio Landlordiaid Cymdeithasol Cofrestredig (Cymru) 2018.

Title and interpretation

1.—(1) The title of this Order is the Regulation of Registered Social Landlords (Wales) Act 2018 (Commencement and Transitional Provision) Order 2018.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Regulation of Registered Social Landlords (Wales) Act 2018;

“the 1996 Act” (“*Deddf 1996*”) means the Housing Act 1996(2);

“disposal proceeds fund” (“*cronfa enillion o warediadau*”) means a fund under section 24(3) of the 1996 Act.

Y darpariaethau sy'n dod i rym ar 15 Mehefin 2018

2. Y diwrnod penodedig i'r darpariaethau a ganlyn o'r Ddeddf ddod i rym yw 15 Mehefin 2018—

(a) adran 1 (trosolwg o'r Ddeddf);

Provisions coming into force on 15 June 2018

2. The appointed day for the following provisions of the Act coming into force is 15 June 2018—

(a) section 1 (overview of the Act);

(1) 2018 dccc 4.
(2) Diwygiwyd adran 24 gan adran 61 o Ddeddf Tai ac Adfywio 2008 (p. 17), ac O.S. 2010/866.
(3) 1996 p. 52.

(1) 2018 anaw 4.
(2) 1996 c.52.
(3) Section 24 has been amended by section 61 of the Housing and Regeneration Act 2008 (c. 17), and S.I. 2010/866.

- (b) adran 2 (ystyr “Ddeddf 1996”); ac
- (c) adran 18 (pŵer i wneud diwygiadau canlyniadol pellach etc.).

- (b) section 2 (meaning of “the 1996 Act”); and
- (c) section 18 (power to make further consequential amendments etc.).

Y darpariaethau sy’n dod i rym ar 15 Awst 2018

3. Daw’r darpariaethau a ganlyn o’r Ddeddf i rym ar 15 Awst 2018—

- (a) adrannau 3 i 5 (landlord cymdeithasol cofrestredig yn hysbysu am newidiadau cyfansoddiadol, etc.);
- (b) adrannau 6 i 9 (pwerau sy’n arferadwy mewn cysylltiad â swyddogion a rheolaeth landlord cymdeithasol cofrestredig);
- (c) adran 10 (pwerau sy’n arferadwy mewn cysylltiad ag ymchwiliadau etc.);
- (d) adrannau 11 a 12 (hysbysiadau gorfodi a chosbau);
- (e) adrannau 13 i 15 (gwarediadau tir);
- (f) adran 16 ac Atodlen 1 (cyfyngiad ar aelodaeth awdurdodau lleol o fwrdd a hawliau pleidleisio); ac
- (g) adran 17 ac Atodlen 2 (mân ddiwygiadau a diwygiadau canlyniadol).

Provisions coming into force on 15 August 2018

3. The following provisions of the Act come into force on 15 August 2018—

- (a) sections 3 to 5 (notification by registered social landlord of constitutional changes, etc.);
- (b) sections 6 to 9 (powers exercisable in respect of officers and management of registered social landlord);
- (c) section 10 (powers exercisable in respect of inquiries etc.);
- (d) sections 11 and 12 (enforcement notices and penalties);
- (e) sections 13 to 15 (disposal of land);
- (f) section 16 and Schedule 1 (limit on local authority board membership and voting rights); and
- (g) section 17 and Schedule 2 (minor and consequential amendments).

Darpariaeth drosiannol

4.—(1) Nid yw adran 15 o’r Ddeddf yn cael effaith, mewn perthynas â landlord cymdeithasol cofrestredig, hyd nes y cynharaf o’r canlynol—

- (a) y dyddiad y mae’r cyllid yng nghronfa enillion o warediadau’r landlord cymdeithasol cofrestredig hwnnw yn dod i ben yn llwyr; neu
- (b) y dyddiad y mae’r landlord cymdeithasol cofrestredig yn hysbysu Gweinidogion Cymru nad yw’n gallu defnyddio neu ddyrannu, na pharhau i ddefnyddio neu ddyrannu, cyllid yng nghronfa enillion o warediadau’r landlord cymdeithasol cofrestredig hwnnw yn unol â phenderfyniad a wnaed gan Weinidogion Cymru o dan adran 25 o Ddeddf 1996(1); neu
- (c) 15 Awst 2021.

(2) Er gwaethaf paragraff (1), nid yw’n ofynnol i landlord cymdeithasol cofrestredig sydd â chronfa enillion o warediadau ar 15 Awst 2018, o dan adran 24 o Ddeddf 1996, roi cyfrif am yr enillion o unrhyw warediad ar ôl y dyddiad hwnnw o fewn ei gronfa enillion o warediadau.

Transitional provision

4.—(1) Section 15 of the Act does not have effect, in relation to a registered social landlord, until the earliest of—

- (a) the date on which the funds in that registered social landlord’s disposal proceeds fund are fully exhausted; or
- (b) the date on which the registered social landlord notifies the Welsh Ministers that it is unable to use or allocate, or continue to use or allocate, funds in that registered social landlord’s disposal proceeds fund in accordance with a determination made by the Welsh Ministers under section 25 of the 1996 Act(1); or
- (c) 15 August 2021.

(2) Notwithstanding paragraph (1), a registered social landlord which has a disposal proceeds fund on 15 August 2018 is not required under section 24 of the 1996 Act to account for the proceeds of any disposal after that date within its disposal proceeds fund.

(1) 1996 p. 52. Diwygiwyd adran 25 gan adran 61 o Ddeddf Tai ac Adfywio 2008 (p. 17).

(1) 1996 c. 52. Section 25 has been amended by section 61 of the Housing and Regeneration Act 2008 (c. 17).

(3) Os yw landlord cymdeithasol cofrestredig (A), o fewn y cyfnod a nodir ym mharagraff (1), yn trosglwyddo ei gronfa enillion o warediadau i landlord cymdeithasol cofrestredig arall (B), caiff rheolaeth B o'r gronfa honno ei thrin o dan baragraff (1) fel pe bai'n A.

(3) If within the period set out in paragraph (1) a registered social landlord (A) transfers its disposal proceeds fund to another registered social landlord (B), then B's management of that fund is treated under paragraph (1) as if it were A.

Rebecca Evans

Y Gweinidog Tai ac Adfywio, o dan awdurdod
Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus, un o Weinidogion Cymru

14 Mehefin 2018

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Minister for Housing and Regeneration, under the
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Ministers

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