

NATIONAL ASSEMBLY FOR WALES

LEGISLATION COMMITTEE REPORT

The Relocation Grants (Forms of Application) (Amendment) (Wales) Regulations 2000

Background

These regulations follow on directly from the Housing Renewal Grants (Amendment) (Wales) Regulations 2000 considered by the Committee on 11th April 2000. They are also closely related to the Housing Renewal Grants (Prescribed Forms and Particulars) and (Welsh Forms and Particulars) (Amendment) (Wales) Regulations 2000.

Members will recall that the Housing Renewal Grants (Amendment) (Wales) Regulations 2000 themselves followed on from changes made to the benefit system and were concerned with the impact of these changes upon the means test for housing renewal grants. The Relocation Grants Regulations 1997 apply the Housing Renewal Grants Regulations 1996 in so far as applications for relocation grants are concerned.

Relocation grants are payable under the Housing Grants, Construction and Regeneration Act 1996 where an area has been designated as a "clearance area" for the purposes of regeneration or development. Grants can be paid to qualifying residents for the purposes of their acquiring alternative dwellings where it is necessary.

The forms to be used when applying for such relocation grants were set out in English in the Schedule to the Relocation of Grants (Form of Application) Regulations 1997 and in Welsh in the Schedule to the Relocation Grants (Form of Application) (Welsh Form of Application) Regulations 1999.

These regulations make amendments to the forms of application which are in consequence to the amendments made by the Housing Renewal Grants (Amendment) (Wales) Regulations 2000.

Standing Order 11.5

No points have been identified as matters in respect of which the Committee needs to invite the Assembly to pay special attention.

General Observations

Explanatory Note

As the regulations relate to changes to the benefit system, it would have been helpful had the explanatory note contained a brief summary of what those changes are.

Schedule – paragraph 1

There is some scope for ambiguity in the question "are you ... receiving the national minimum wage ...?", as it could be interpreted as meaning receipt of exactly the national minimum wage, which could in turn invite the answer "No" from applicants receiving more than the minimum wage. The question "are you receiving less than the minimum wage?" would have removed this potential ambiguity.

Footnote (a)

This contains a reference to the enabling power and a note stating that the "Secretary of State" can exercise the power under these sections only in relation to England. This is a provision which has been recommended for use by the Counsel to the Speaker of the House of Commons, but is in fact only required for English regulations. The inclusion of it in these circumstances duplicates part of the introductory paragraph and could be confusing.

Schedule – paragraph 4

Here, the phrase "student grant" has quite validly been translated as "grant myfyriwr". Unfortunately, however, the phrase that is actually used in question 4.36 of the existing form is "grant myfyrwyr" i.e. the plural. Technically therefore there is an error as the phrase "grant myfyriwr" does not exist. It is however suggested that as the intention is clear, this simply could be remedied in the final print.

There are also some minor typographical errors which could be corrected on printing:

In paragraph 1 of the Schedule, the word "partner" is misspelt in the Welsh text (insertion 4.23A).

In paragraph 5 of the Schedule it is assumed that "your earning" should in fact read "your

earnings" as this would appear to make more sense and also ties in with the Welsh language text.

DYLAN M HUGHES
Assistant Legal Adviser
Legislation Committee

10 May 2000

Our Ref: LAD 01-01-102