

HOUSING (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Carl Sargeant AM on 24 June 2014.

| No | GOVERNMENT AMENDMENT | GWELLIANT Y LLYWODRAETH | PURPOSE AND EFFECT |
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| 419 | Section 60, page 39, line 25, leave out 'support available for people who are homeless or threatened with homelessness' and insert 'help available for people who are homeless or may become homeless'. | Adran 60, tudalen 39, llinell 24, hepgorer 'gefnogaeth arall sydd ar gael ar gyfer pobl sy'n ddigartref neu o dan fygythiad o ddigartrefedd' a mewnosoder 'gymorth arall sydd ar gael ar gyfer pobl sy'n ddigartref neu y gallent ddod yn ddigartref'. | <p>The purpose of this amendment is to:</p> <ul style="list-style-type: none"> (a) change "support" to "help"; and (b) change "threatened with homelessness" to "may become homeless". <p>The effect is:</p> <ul style="list-style-type: none"> (a) to bring consistency to this section by aligning the references to "help" with the rest of the section. The term support is implied within the word help; and (b) to clarify this section is aimed at providing information and support to anyone who may be at risk of homelessness, even if they are not within the 56-day period when they are "threatened with homelessness" and thus could apply for help with prevention under this Chapter of Part 2 of the Bill. |
| 420 | Section 60, page 39, line 28, leave out 'threatened with homelessness' and insert 'may become homeless'. | Adran 60, tudalen 39, llinell 27, hepgorer 'o dan fygythiad o ddigartrefedd' a mewnosoder 'y gallent ddod yn ddigartref'. | <p>The purpose of this amendment is to change "threatened with homelessness" to "may become homeless".</p> <p>The effect is those who may be threatened with homelessness will be provided with advice and information to deal with their problem at an early stage, although they are not within the 56-day period when they are "threatened with homelessness" and thus could apply for help with prevention under this</p> |

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| | | | Chapter of Part 2 of the Bill. |
| 421 | Section 60, page 39, line 29, leave out ‘as a minimum’ and insert ‘in particular’. | Adran 60, tudalen 39, llinell 28, hepgorer ‘man lleiaf’ a mewnosoder ‘yn benodol’. | <p>The purpose is to change “as a minimum” to “in particular”.</p> <p>The effect of the amendment is consistency of drafting with the rest of the Bill. It ensures the authority publishes information about the advice available in their area</p> |
| 422 | Section 60, page 39, line 33, leave out ‘threatened with homelessness’ and insert ‘may become homeless (whether or not the person is threatened with homelessness within the meaning of this Chapter)’. | Adran 60, tudalen 39, llinell 33, hepgorer ‘o dan fygythiad o ddigartrefedd’ a mewnosoder ‘y gallent ddod yn ddigartref (pa un a yw’r person o dan fygythiad o ddigartrefedd o fewn ystyr y Bennod hon ai peidio)’. | <p>The purpose of this amendment is to change “threatened with homelessness” to “may become homeless”.</p> <p>The effect of this amendment is that early information and advice must be available to those at risk of homelessness, but are not yet threatened with homelessness within 56 days.</p> |
| 423 | Section 60, page 39, after line 35, insert— ‘() In relation to subsection (1)(b), the service must include, in particular, assistance in accessing help to prevent a person becoming homeless which is available whether or not the person is threatened with homelessness within the meaning of this Chapter.’. | Adran 60, tudalen 39, ar ôl llinell 34, mewnosoder— ‘() Mewn perthynas ag is-adran (1)(b), rhaid i’r gwasanaeth gynnwys, yn benodol, gynhorthwy i gael gfael ar gymorth i atal person rhag dod yn ddigartref sydd ar gael pa un a yw’r person o dan fygythiad o ddigartrefedd o fewn ystyr y Bennod hon ai peidio.’. | <p>The purpose of this amendment is to insert a new subsection in section 60 (Duty to provide information, advice and assistance in accessing help).</p> <p>The effect of the amendment is that provision of a service under section 60 must include advice and information to persons who are not threatened with homelessness within 56 days, but who are at risk of homelessness. This ensures that early advice is available to prevent homelessness from occurring.</p> |
| 424 | Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version | Adran 62, tudalen 40, llinell 19, hepgorer ‘nid’ a mewnosoder ‘os nad’. | This is a technical amendment to ensure consistency of drafting between the English and Welsh text. |
| 425 | Section 62, page 40, after line 32, insert— | Adran 62, tudalen 40, ar ôl llinell 35, mewnosoder— | The purpose of this amendment is to insert a new |

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| | <p>‘() the support needed for the applicant and any person with whom the applicant lives or might reasonably be expected to live to retain accommodation which is or may become available;’.</p> | <p>‘() y gefnogaeth y mae ei hangen ar y ceisydd ynghyd ag unrhyw berson y mae’r ceisydd yn byw gydag ef neu y gellid disgwyl yn rhesymol iddo fyw gydag ef i gadw llety sydd ar gael neu a allai ddod ar gael;’.</p> | <p>subsection into section 62 (Duty to assess).</p> <p>The effect of this amendment is that when the local housing authority undertakes an assessment of an applicant, it must consider the support needs of the applicant, or a member of their household, to ensure that any housing solution can be sustained. This is to avoid repeat homelessness.</p> |
| 426 | <p>Section 70, page 46, line 23, leave out ‘subsection (1)’ and insert ‘this Chapter’.</p> | <p>Adran 70, tudalen 46, llinell 23, hepgorer ‘is-adran (1)’ a mewnosoder ‘y Bennod hon’.</p> | <p>The purpose of this amendment is to apply the definitions in section 70(2) to the whole of Chapter 2 and not just to section 70(1).</p> <p>This effect of the amendment, in particular, is that the definition of “looked after, accommodated or fostered” extends to the provisions inserted into section 75 by amendments 428, 430 and 431.</p> |
| 427 | <p>Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version,</p> | <p>Adran 75, tudalen 50, llinell 11, hepgorer ‘mae’r’ a mewnosoder ‘bod y’.</p> | <p>This is a technical amendment to ensure consistency of drafting between the English and Welsh text.</p> |
| 428 | <p>Section 75, page 50, after line 11, insert— ‘() the applicant has a priority need for accommodation,’.</p> | <p>Adran 75, tudalen 50, ar ôl llinell 11, mewnosoder— ‘() bod gan y ceisydd angen blaenoriaethol am lety,’.</p> | <p>The purpose of this amendment is to insert a new paragraph limiting the provisions of section 75(3), identifying those to whom local housing authorities will have to secure suitable accommodation when the duty under section 73 ends if they are intentionally homeless, to those who have a priority need.</p> <p>The effect of this amendment, along with amendments 430 and 431 is that those under 21, or 25 if they have previously been looked after when they were under the age of 18 would be owed the section 75 duty if intentionally homeless and in priority need, but not owed it otherwise.</p> |

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| 429 | Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version, | Adran 75, tudalen 50, llinell 12, hepgorer 'mae'r' a mewnosoder 'bod y'. | This is a technical amendment to ensure consistency of drafting between the English and Welsh text. |
| 430 | Section 75, page 50, line 17, leave out 'aged 16 or 17' and insert 'who had not attained the age of 21 when the application for help was made or a person with whom such a person resides or might reasonably be expected to reside'. | Adran 75, tudalen 50, llinell 17, hepgorer '16 neu 17 oed' a mewnosoder 'nad oedd wedi cyrraedd 21 oed pan wnaed y cais am gymorth neu'n berson y mae'r cyfryw berson yn preswylu gydag ef neu y gellid disgwyl yn rhesymol iddo breswylu gydag ef'. | <p>The purpose of this amendment is to change the upper age limit for those to whom local housing authorities will have to secure suitable accommodation when the duty under section 73 ends if they are intentionally homeless from 16 or 17 to 21.</p> <p>The effect of this amendment, along with amendments 428 and 431 is that those under 21, or 25 if they have previously been looked after, accommodated or fostered when they were under the age of 18, would be owed the section 75 duty if intentionally homeless and in priority need, but not owed it otherwise.</p> |
| 431 | Section 75, page 50, after line 17, insert— (iv) a person who had attained the age of 21, but not the age of 25, when the application for help was made and who was looked after, accommodated or fostered at any time while under the age of 18, or a person with whom such a person resides or might reasonably be expected to reside, '. | Adran 75, tudalen 50, ar ôl llinell 17, mewnosoder— (iv) yn berson a oedd wedi cyrraedd 21 oed, ond nid 25 oed, pan wnaed y cais am gymorth ac a oedd yn derbyn gofal, yn cael ei letya neu'n cael ei faethu ar unrhyw bryd pan oedd o dan 18 oed, neu'n berson y mae'r cyfryw berson yn preswylu gydag ef neu y gellid disgwyl yn rhesymol iddo breswylu gydag ef, '. | <p>The purpose of this amendment is to change the upper age limit for those to whom local housing authorities will have to secure suitable accommodation when the duty under section 73 ends if they are intentionally homeless and have previously been looked after, accommodated or fostered from 21 to 25.</p> <p>The effect of this amendment, along with amendments 428 and 430 is that those under 21, or 25 if they have previously been looked after, accommodated or fostered when they were under the age of 18, would be owed the section 75 duty if intentionally homeless and in priority need, but not owed it otherwise</p> |

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| 432 | Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version | Adran 75, tudalen 50, llinell 18, hepgorer 'nid' a mewnosoder 'nad'. | This is a technical amendment to ensure consistency of drafting between the English and Welsh text. |
| 433 | Section 99, page 66, after line 17, insert— “looked after, accommodated or fostered” (“ <i>yn derbyn gofal, yn cael ei letya neu'n cael ei faethu</i> ”) has the meaning given by section 70(2);’. | Adran 99, tudalen 66, ar ôl llinell 28, mewnosoder— ‘mae i “yn derbyn gofal, yn cael ei letya neu'n cael ei faethu (“ <i>looked after, accommodated or fostered</i> ”) yr ystyr a roddir gan adran 70(2);’. | The purpose of this amendment is to insert the definition of “looked after, accommodated or fostered” into the index of defined terms for Chapter 2 of Part 2 of the Bill. |
| 434 | Section 139, page 82, line 2, after ‘authority’, insert ‘in Wales’. | Adran 139, tudalen 82, llinell 2, ar ôl ‘authority’, mewnosoder ‘in Wales’. | The purpose of this amendment is to achieve clarity in the drafting in the section inserted into the Local Government Finance Act 1992. The effect of this amendment is to clarify that the council tax premium on dwellings occupied periodically (second homes) is only applicable to billing authorities in Wales. |