

## Council Tax in Wales

### About this factsheet

Council Tax is the system of paying towards local government services in Wales, England and Scotland. This factsheet gives an outline of the most important aspects of the system for people aged 60 and over including a number of ways of reducing your Council Tax bill. It does not cover all the rules – for example, it does not include information for families with children or students.

The information given in this factsheet is applicable in Wales. Different arrangements apply in England, Scotland and Northern Ireland. Readers in England should read Age UK's Factsheet 21 **Council Tax**. Readers in Northern Ireland and Scotland should contact Age NI and Age Scotland for further information. See section 16.

The information given in this factsheet is correct for the period April 2011 to March 2012. Benefit rates and other figures may increase in April 2012 but rules and figures sometimes change during the year.

For details of how to order other Age Cymru and Age UK factsheets and information materials go to section 16.

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**Note:** The Age UK family works nationally and locally as Age UK, Age Cymru, Age NI and Age Scotland.

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## Inside this factsheet

1	Recent developments and future changes	3
2	What is Council tax?	3
3	Property bands	4
4	Changing bands	4
	4.1 Making a proposal	5
5	Who has to pay the Council Tax?	6
	5.1 Challenging liability	7
6	How much will the bill be?	7
7	Council Tax exemptions	8
	7.1 Unoccupied property exemptions	9
	7.2 Occupied dwelling exemptions	9
8	Disability reduction scheme	10
9	Discounts	11
	9.1 How many people count for Council Tax?	11
	9.2 The amount of discount	12
	9.3 Reduced discounts	12
	9.4 Applications, appeals and changes of circumstance	13
10	Sheltered housing	13
11	'Granny annexes'	14
12	Council Tax Benefit	14
	12.1 Council Tax Benefit appeals	15
13	Your Council Tax bill	15
14	What happens if you do not pay your Council Tax	16
15	Useful organisations	17
16	Further information about Age Cymru and local Age Cymru partners	18

# 1 Recent developments and future changes

- The UK government is planning major changes to the welfare benefits system. One proposal, which is planned to take effect from 2013, involves the devolution of Council Tax Benefit to the Welsh Government. As at October 2011, detailed proposals are not yet available.
- The Valuation Tribunal Regulations Wales 2010 introduced a single valuation tribunal for Wales, which came into full force on 1 July 2010. See section 15 for contact details.
- The **Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2010** which came into force on 1 April 2010 limits the time that an alteration to a valuation banding can be backdated - see section 4.1.

## 2 What is Council tax?

Council tax is a property-based tax paid to local authorities. Council tax is charged on domestic, self-contained dwellings. Houses, flats, bungalows, houseboats and mobile homes all count as dwellings, whether owned or rented. Every dwelling receives one Council Tax Bill. If a property contains non-self-contained units (for example, a house divided into bedsits with a shared bathroom and kitchen) the property is one dwelling and gets one bill.

Every domestic dwelling is placed in one of nine Council Tax bands. A is the lowest band and I is the highest. The Valuation Office Agency (VOA) is responsible for allocating the correct Council Tax bands to all homes in Wales. They completed a revaluation, or review, of all domestic properties in Wales in 2003 and placed them into the new bands that came into effect in Wales on 1<sup>st</sup> April 2005. The amount of Council Tax payable in each band is determined by two factors: firstly, each local authority sets an overall Council Tax for its area each year and secondly, the amount of tax payable varies between valuation bands in proportions fixed by law.

For contact details of the Valuation Office Agency, see section 15.

### 3 Property bands

Each home is placed in one of nine bands (A to I) based on its estimated market value on 1<sup>st</sup> April 2003. This applies to both rented and owner-occupied homes.

The bands are as follows below:

Property band	Range of values
A	Up to £44,000
B	£44,001 to £65,000
C	£65,001 to £91,000
D	£91,001 to £123,000
E	£123,001 to £162,000
F	£162,001 to 223,000
G	£223,001 to 324,000
H	£324,001 to 424,000
I	Over £424,000

### 4 Changing bands

In general, increases or decreases in property prices will not mean that your property moves into a different band. However, major changes will sometimes mean properties move into different bands.

For example, if an extension is built the property may be worth more – although it will only move to a higher band when it is next sold. Properties can also move into lower bands, for example if they are partly demolished or a motorway is built nearby. Properties can move down a band as soon as a change occurs.

If you think your property is in the wrong band because of the sort of major change described above, you can 'make a proposal' to alter the band. (Making a proposal is the first stage in the appeal procedure.) You can also make a proposal to change the band if you have moved to the property within the last six months or if your property has appeared on the valuation list in the last six months, for example because it is a new home.

## 4.1 Making a proposal

You can make a proposal by writing to the local office of the VOA or by contacting them for a form. You will need to give information about yourself, the dwelling, the banding you are seeking for the dwelling and why you believe the current banding is incorrect.

When the VOA receives your proposal a listing officer will decide whether your proposal is valid or invalid.

If your proposal is considered invalid you will receive an invalidity notice telling you why and giving you the opportunity to appeal to the Valuation Tribunal for Wales against the invalidity notice.

If your proposal is considered valid there are several possible outcomes:

- the listing officer may agree your proposal
- a new banding for the dwelling may be agreed which is different from the one you proposed
- the Valuation Tribunal for Wales may hear the case as an appeal and make a decision
- you may withdraw the proposal.

A local advice agency may be able to help you with a proposal to change the Council Tax band allocated to your home – see section 15 for useful organisations.

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**Note:** The **Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2010** limits the amount of time that an alteration to a valuation banding can be backdated to six years. Taxpayers can appeal against the banding applied by the Valuation Office Agency in certain circumstances, for example within six months of becoming liable for the Council Tax on a property or if there has been a physical change to the property that may have reduced its value. The legislation can be viewed here: <http://www.legislation.gov.uk/wsi/2010/77/contents/made>

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## 5 Who has to pay the Council Tax?

An adult resident of a dwelling is normally liable for the Council Tax.

For Council Tax purposes you are 'resident' in a dwelling if it is your sole or main residence, and you can only be resident in one dwelling at a time. One bill is sent to each dwelling regardless of how many people are living there. One or more people may be liable to pay the bill although the household can choose how to divide it up. If no one lives in the property the owner is responsible. For information about empty property see section 7.1.

For the dwelling in which you live the rules on liability are:

- If you own your home you are liable for Council Tax and if a partner lives with you they are jointly liable, whether or not they are joint owners. A partner can be a spouse, civil partner or someone you live with as if married or civil partners. Any joint owners resident with you are also jointly liable
- If you rent your home from a non-resident landlord, you are liable for Council Tax. If you have a partner who lives with you they are jointly liable (even if not mentioned on the tenancy agreement) as are any joint tenants
- If you rent your home from a resident landlord, your landlord is liable
- If you are a tenant or licensee in a house in multiple occupation (perhaps a bedsit, hostel or non-self-contained accommodation) the landlord/owner is liable whether resident or not
- If you live in a care home or religious community, the owner of the property is liable whether resident or not
- If you are an asylum seeker, the owner may be liable whether resident or not – seek advice if this applies to you.

Liability for paying the Council Tax can be complicated and only a few examples are given here. Your position may be different so if you need further information contact your council or local advice agency.

The local authority has the right to ask residents and property owners for information to help them decide who is resident and who is liable for Council Tax. Local authorities have the power to impose penalties if you do not respond to a request for information. You can appeal to the Valuation Tribunal for Wales against any penalty that is imposed – see section 15 for contact details.

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## Examples

Anna lives with her son in a private rented house. The tenancy is in her son's name so he is liable for the Council Tax although Anna may agree to help with the bill. If they were joint tenants they would both be liable.

Sam and his wife Paula own their house. Their daughter lives with them and pays rent. Sam and Paula are jointly liable for the tax. They may ask their daughter to make a contribution towards the Council Tax or they could increase her rent to cover some of the bill.

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## 5.1 Challenging liability

You can appeal against a decision about where you are resident and who is liable for Council Tax. You should appeal to the local authority that made the decision. If this appeal is unsuccessful or if the local authority does not respond to it within two months, you can make a further appeal to the Valuation Tribunal for Wales – see section 15 for contact details.

## 6 How much will the bill be?

The Council Tax bill for a property depends on a number of factors such as how much your council spends on services, the income the council receives from central government and business rates, and which property band your home is in. There are also various ways that the bill can be reduced. These are explained in more detail later but in outline they are:

- exemptions – if properties are exempt there is no Council Tax to pay – see section 7
- disability reduction scheme – the property may be placed in a lower band if it has certain features that are important for a disabled person living there, such as extra space for a wheelchair – see section 8
- discounts – in some circumstances the bill may be discounted by one quarter or one half; for example, if you live alone in a property you will be entitled to a 25% discount – see section 9
- Council Tax Benefit (CTB) – this is a social security benefit that depends on the income and savings of the person(s) responsible for the bill or the people they live with – see section 12

There are several different ways your bill can be reduced and more than one scheme may apply to you. The council will check which apply to you in the same order that they are listed above.

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### Example

Neela is disabled and lives alone. Her house is in band D, which in her area gives a basic tax of £1,100. She has a low income.

Because she fulfils the conditions for the disability reduction, her Council Tax is reduced to that of a band C property, which in her area is £1,000. It is then reduced by 25% to £750 because of the 25% discount for living alone.

As she has a low income she applies for Council Tax Benefit. Her bill, after the disability reduction and the discount have been applied, is used to calculate her Council Tax Benefit. See Age UK's Factsheet 17 **Housing and Council Tax Benefit**, for more information about this benefit.

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## 7 Council Tax exemptions

If a property is exempt there is no Council Tax to pay. Many types of exemption apply to different types of empty property, but there are also important exemptions for some people including people with severe mental impairments.

## 7.1 Unoccupied property exemptions

A dwelling that is unoccupied and unfurnished should be exempt from Council Tax:

- for up to twelve months if it is unfurnished and unoccupied and needs, is undergoing, or has recently had major repairs
- for up to six months if it is unfurnished and unoccupied for any reason.

A dwelling that is unoccupied whether furnished or not, should be exempt if:

- you are permanently living in a hospital or a care home
- you have gone to live elsewhere to provide personal care to someone who is elderly, ill or disabled
- you have gone to live somewhere else to receive personal care due to your age, illness or disability
- it has been left empty by someone who is in prison
- it has been repossessed by a mortgage lender
- it is going to be occupied by ministers of religion
- it has been left empty by someone who has died and letters of administration or probate have not been granted, or were granted less than six months ago
- it is an empty caravan pitch or houseboat mooring.

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**Action:** If you fall into one of these categories, you (or someone else) should write to the local council asking for the exemption to be applied.

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## 7.2 Occupied dwelling exemptions

An occupied dwelling can be exempt if it is:

- wholly occupied by one or more people who are severely mentally impaired – see section 9.1
- armed forces barracks, married quarters or accommodation for visiting forces
- occupied by a person who is a dependent relative of someone who lives in another, self-contained part of the same property. The dependant relative must be over 65, or severely mentally impaired or disabled. Relative has a wide meaning and includes quite distant and common-law relatives.

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## Examples

Gemma usually lives alone in her own home. Her father is severely disabled with arthritis and Gemma decides to move in with him for the foreseeable future to care for him. The local authority grants an exemption from Council Tax on Gemma's usual home because Gemma has left it in order to care for someone who is disabled.

Lynford and Gloria are a married couple with two children. They build a self-contained annex to their property for Gloria's aunt, aged 80, to live in. As Gloria's aunt is aged over 65 and counts as a dependent relative, the annex is exempt from Council Tax. Gloria's aunt does not have to pay any Council Tax (and Lynford and Gloria do not have to pay any extra Council Tax). See section 11 on 'Granny annexes'.

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## 8 Disability reduction scheme

This scheme may apply if your home has features that make it suitable for someone living in it who has a disability.

This may apply if:

- your home has an additional bathroom or kitchen for the use of a disabled person, or
- you have enough space for the disabled person to use a wheelchair indoors; or
- you have a room (other than a bathroom, kitchen or WC) which is mainly used by the disabled person – this might be a treatment room, a room for special equipment, or, in some cases, an additional bedroom.

If your home qualifies for a disability reduction your bill will be reduced by one band. For example, if your home is valued in band C you will only have to pay the amount for a band B property.

If you live in a band A property that has one of the features for disabled people described above, your bill will be reduced by one sixth.

## 9 Discounts

The full Council Tax assumes there are two or more people living in each property. A discount is given if fewer than two adults count as resident for Council Tax purposes. A discount of one quarter (25%) is given if only one person is living in the property and a discount of one half (50%) is normally given if no one is counted as living there.

### 9.1 How many people count for Council Tax?

To work out if you qualify for a discount, the first thing to do is to count up the number of people resident in your property for Council Tax purposes leaving out:

- people who are '**severely mentally impaired**' (if there is no one else in the property it may be exempt from the tax). Someone will be exempt if they have a certificate from a doctor stating that they are severely mentally impaired and entitled to (although not necessarily receiving) a social security benefit such as Attendance Allowance, the highest or middle rate care component of Disability Living Allowance, Severe Disablement Allowance, Incapacity Benefit or Employment and Support Allowance. The cause of the mental impairment is not important – it could be impairment from birth or due to a condition such as Alzheimer's disease. People will not be exempt because they have a physical disability
- some carers who live with and, for at least 35 hours a week, are looking after someone receiving the highest rate of the care component of Disability Living Allowance or the higher rate of Attendance Allowance. But you are still counted if you are the partner of the person you care for, or if you are caring for your child who is under 18. More than one person living in the same dwelling can count as a carer even if they are working or of pensionable age
- some care workers who are volunteers working on behalf of, or introduced to the person they care for by a charity or local authority, and who fulfil certain conditions. These will usually be young people, belonging to an organisation such as Community Service Volunteers, earning no more than £44 a week, working at least 24 hours a week and having accommodation provided on the premises.

## 9.2 The amount of discount

Once you have worked out how many people count as living in your property, the following discounts will apply:

- a discount of one quarter (25%), often called the single person discount, if only one person is, or counts as resident
- a discount of up to one half (50%) if no one is counted as resident (but remember you can get a total exemption if no one counts as resident in your dwelling because all the residents are severely mentally impaired).

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### Example 1

Natasha and Khalid are a married couple. Khalid has Alzheimer's disease and receives higher rate of Attendance Allowance. His doctor signs the form to say that he is 'severely mentally impaired'. He is now 'not counted'. They will get a 25% discount as only one person is counted in the property.

If Natasha's brother comes to live with them they will no longer receive a discount because there will be two people who are counted (Natasha and her brother).

### Example 2

Jenny is a widow who has Alzheimer's disease and gets the higher rate of Attendance Allowance. Her son lives with her and is looking after her for at least 35 hours a week. Jenny is not counted because she is assessed as 'severely mentally impaired' and nor is her son because he is a carer as covered in the list above. As there are no people counted in the household they get a 50% discount.

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## 9.3 Reduced discounts

Local authorities can reduce the discount to less than 50% but not less than 10% on certain, furnished dwellings in which no one has their sole or main residence, for example second homes. Local authorities can give a 50% or 25% discount or no discount at all on holiday homes or second homes. You can ask the local authority for a discretionary reduction on the Council Tax bill if their decision to reduce your discount causes you hardship.

## 9.4 Applications, appeals and changes of circumstance

Contact your local authority if you think you qualify for an **exemption**, a **disability reduction** or a **discount**. Ask your local authority if they have a special form or just write to them requesting the exemption, disability reduction or discount, and the date from which it should be applied. There is no time limit for applying and it can be backdated to the date it should have first applied. You may have to produce evidence that the exemption, disability reduction or discount applied throughout the backdating period, for example, for a disability reduction the local authority may visit the dwelling or request supporting evidence from a doctor, social worker or other professional that the adaptation to the property is appropriate for the disabled person.

You have the right to appeal against a decision to refuse an exemption, disability reduction or a discount. First of all, you should appeal to the local authority that made the decision. If the appeal is unsuccessful or the local authority does not respond to it within two months, you can make a further appeal to the Valuation Tribunal for Wales (as long as not more than four months have passed since you wrote to the council in the first place).

It is your responsibility to tell the local authority of changes in your circumstances, for example if your property is no longer exempt or you are no longer living alone and not entitled to a discount. You should notify the local authority within 21 days of the change or you could be fined. You can appeal to the Valuation Tribunal for Wales against any fine.

A local advice agency may be able to help you with an application or appeal about a Council Tax exemption, disability reduction or discount – see section 15 for useful organisations.

## 10 Sheltered housing

Problems have arisen for some people who have moved to rented, sheltered housing and are still in the process of selling their former home.

In this case if you are not considered to be receiving 'personal care' you will be due to pay Council Tax on both your new home and your former home. You may want to get advice about your position before moving.

## 11 ‘Granny annexes’

If your property includes a separate unit of accommodation – for example a ‘granny annex’ – this will normally be assessed as a separate dwelling.

But since April 1997 the annex has been exempt from Council Tax if it is the home of someone who is aged 65 or over or disabled and is a relative of whoever lives in the main dwelling.

Let the council know if you think you or your relative should be getting this exemption. There is also an exemption for a separate dwelling that cannot be rented separately where no one is living.

## 12 Council Tax Benefit

If you do not qualify for any of the discounts mentioned above you may be able to claim Council Tax Benefit to reduce your bill. Council Tax Benefit (CTB) is a social security benefit that provides help with Council Tax. CTB is administered by your local authority but the rules are decided by the UK government. CTB is dealt with by the same department that deals with Housing Benefit, but you can claim CTB whether you own your home or rent it.

Council Tax Benefit is means tested – eligibility is based on your income and savings. In general, you must have no more than £16,000 in savings although this limit does not apply to people receiving the Guarantee Credit part of Pension Credit. If you receive Pension Credit Guarantee Credit you are likely to qualify for CTB to cover the whole of your Council Tax bill, unless other adults live with you and are considered able to contribute towards the bill. You can receive CTB if you are working but most of your earnings will be taken into account.

Second Adult Rebate is a form of Council Tax Benefit which is not based on your income and savings but on the income and savings of one or more other people living in your household. It can reduce your Council Tax if another person on a low income lives with you other than your spouse, civil partner or unmarried partner.

The other person must be 18 or over, not paying rent, not responsible to pay Council Tax, and have income below a certain amount. The other person cannot be someone who is 'disregarded' when the local authority work out whether you can get a discount in the amount of Council Tax that you pay. The Second Adult Rebate can be up to 25% of the bill depending on the income of the second adult.

You cannot get Council Tax Benefit and Second Adult Rebate at the same time. If you apply for both, the local authority will award you whichever gives the biggest reduction on your Council Tax bill.

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**Action:** See Age UK's Factsheet 17 **Housing and Council Tax Benefit** for more information about CTB for people over pension age. A local advice agency may be able to help you find out if you qualify for CTB and apply for it. There is an online benefits calculator on the Age Cymru website that you can use to check whether you are entitled to CTB and other benefits.

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## 12.1 Council Tax Benefit appeals

Appeals against decisions on CTB are not dealt with by the Valuation Tribunal for Wales. CTB appeals are dealt with in the same way as appeals against other social security benefits.

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**Action:** See Age UK's Factsheet 74 **Challenging welfare benefit decisions** for more information about CTB appeals procedures.

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## 13 Your Council Tax bill

Local authorities should send out a Council Tax bill every year to every dwelling that is not exempt. Bills are usually sent out in March with the first payment due in April. The people in a household can decide how to share the bill between them, but the liable person/people will remain responsible in law.

If you were liable for Council Tax in the past but were not billed, a bill can often be backdated. There is no time limit but local authorities should send your bill without unreasonable delays. If there has been a delay of several years sending out your bill, the local authority may not be able to enforce payment. Seek advice in this situation – see section 15 for useful organisations.

Your Council Tax bill should show the full amount of Council Tax for the dwelling according to its valuation band for the whole year, and then show any disability reduction, CTB or discounts for the whole of the financial year. The bill may also show any credits due from past periods, penalties and repayments of overpaid CTB and will end with the 'chargeable amount' for the year – which is the amount you are required to pay.

You should be sent a new bill if your chargeable amount changes, for example if you become entitled to a discount or a different amount of CTB.

Most people have the right to pay in instalments and the usual arrangement is ten monthly instalments but there are sometimes different arrangements. Your bill should include the instalment arrangements and the different ways you can pay the bill. Local authorities can choose to offer discounts to people who pay by direct debit or make one lump sum payment at the start of the year.

If you overpay your Council Tax or an adjustment puts your bill in credit it is usually possible to get a refund.

## **14 What happens if you do not pay your Council Tax?**

If you are liable for Council Tax, it is important to make it a priority for payment because non-payment can lead to serious consequences.

If you do not pay a Council Tax instalment on time you will receive a reminder requiring payment within seven days. If you still fail to pay, the Council can demand that you pay the full amount for the year and apply to a Magistrate's Court for a liability order. If this happens you may become liable for costs in addition to your Council Tax. There are different ways of enforcing a liability order, such as a direct deduction from wages or benefits, or seizure of your possessions by bailiffs.

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**Action:** If you have fallen behind with your Council Tax bill, seek advice from an independent advice agency as soon as possible. Phone Age UK Advice for details of your local Age Cymru partner or approach one of the independent organisations listed in section 15.

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## 15 Useful organisations

### Benefit Enquiry Line

UK Government-run information line about benefits for people with disabilities, carers and representatives.

Tel: 0800 88 22 00 (free call from a landline)

Textphone: 0800 24 33 55 (free call from a landline)

Website: [www.direct.gov.uk/disability-money](http://www.direct.gov.uk/disability-money)

### Citizens Advice Bureau

National network of free advice centres. Depending on available resources may offer benefits check and help filling forms.

Tel: 0844 477 2020 (Adviceline)

Website: [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

### Community Legal Service

National network of Legal Services Commission funded organisations and advice providers that fund, provide and promote civil legal aid services – free, confidential and independent legal advice for residents of Wales and England.

Tel: 0845 345 4345

### Direct Gov

The official UK government website for information for citizens.

Website: [www.direct.gov.uk](http://www.direct.gov.uk)

### Pension Service (The)

The Pension Service provides impartial UK government information on state and private pensions. It is part of the Department for Work and Pensions.

Tel: 0845 60 60 265

Textphone: 0845 60 60 285

Website: [www.direct.gov.uk](http://www.direct.gov.uk)

## Valuation Office Agency (The) (VOA)

The Valuation Office Agency (VOA) is part of HM Revenues and Customs. The VOA compiles and maintains the Council Tax valuation lists for Wales and England.

For properties in Wales, phone: 0845 600 1748 (lo-call rate)  
Website: [www.voa.gov.uk](http://www.voa.gov.uk)

## Valuation Tribunal for Wales

The Valuation Tribunal is an independent appeals tribunal, funded by the Welsh Government to handle Council Tax and rating appeals in Wales.

Website: [www.valuation-tribunals-wales.org.uk](http://www.valuation-tribunals-wales.org.uk)

## 16 Further information about Age Cymru and local Age Cymru partners

Age Cymru is the new force combining Age Concern Cymru and Help the Aged in Wales. For information visit the Age Cymru website at [www.agecymru.org.uk](http://www.agecymru.org.uk) or call Age UK Advice on 0800 169 65 65. Age UK and Age Cymru are working together to provide Age UK Advice. Age Cymru works in partnership with local Age Cymru partners across Wales.

Call Age UK Advice on 0800 169 65 65 if you would like:

- to order copies of any of the Age Cymru and Age UK information materials mentioned in this factsheet
- to request information in large print
- further information about our full range of information products
- contact details for your nearest local Age Cymru/Age Concern organisation.

## Age Cymru

Along with Age UK, Age Scotland and Age NI, Age Cymru is a member of the Age UK family. Age UK and Age Cymru are working together to provide Age UK Advice.

### **Age Cymru**

Age UK Advice: 0800 169 65 65

Website: [www.agecymru.org.uk](http://www.agecymru.org.uk)

### **Age UK**

Age UK Advice: 0800 169 65 65

Website: [www.ageuk.org.uk](http://www.ageuk.org.uk)

### **Age NI**

Age NI Advice: 0808 808 7575

Website: [www.ageni.org](http://www.ageni.org)

### **Age Scotland**

Tel: 0845 125 9732

Websites:

[www.olderpeoplescotland.org.uk](http://www.olderpeoplescotland.org.uk)

[www.agescotland.org.uk](http://www.agescotland.org.uk)

## Support Age Cymru

Age Cymru needs your support to enable us to remain the best informed and most influential national charity for older people in Wales.

If you would like to support our work in Wales to enable us to continue distributing our free information and advice, please call 029 2043 1555 to make a donation (national call rate, Monday to Friday, 9.15 am–5 pm) or donate online at [www.agecymru.org.uk/donate](http://www.agecymru.org.uk/donate)

## Legal statement

Age Cymru is the new force combining Age Concern Cymru and Help the Aged in Wales. Registered address: Tŷ John Pathy, 13/14 Neptune Court, Vanguard Way, Cardiff CF24 5PJ. Company number 06837284. Registered charity number 1128436.

Age Cymru works in partnership with local Age Cymru partners across Wales.

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Age Cymru is the new force combining  
Age Cymru yw y grym newydd sy'n cyfuno



**HELPTHEAGED WE WILL**

Help the Aged yng Nghymru  
Help the Aged in Wales

Age Cymru is working in partnership with local Age Concerns  
Mae Age Cymru yn gweithio mewn partneriaeth ag Age Concerns lleol