



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Tai (Cymru) Housing (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Caiff y Bil ei ystyried yn y drefn a ganlyn –
The Bill will be considered in the following order –

Sections 2 - 6	Adrannau 2 - 6
Schedule 1	Atodlen 1
Sections 7 - 38	Adrannau 7 - 38
Sections 40 - 47	Adrannau 40 - 47
Schedule 2	Atodlen 2
Sections 48 - 123	Adrannau 48 - 123
Schedule 3	Atodlen 3
Sections 124 - 128	Adrannau 124 - 128
Section 1	Adran 1
Section 39	Atodlen 39
Long title	Teitl hir

Peter Black

120

Section 3, page 3, after line 24, insert –

'() For the avoidance of doubt –

(a) the failure of a landlord to be registered and licensed in accordance with this

section does not affect the contractual validity of any agreement between the landlord and a tenant of a property owned by the landlord, and

- (b) paragraph (a) applies equally when a registration or licence comes to an end, whether as a result of a failure to renew, or revocation, or otherwise.’.

Adran 3, tudalen 3, ar ôl llinell 25, mewnosoder –

‘() Er mwyn osgoi ansicrwydd –

- (a) nid yw methiant landlord i fod wedi’i gofrestru a’i drwyddedu yn unol â’r adran hon yn effeithio ar ddilysrwydd contractiol unrhyw gytundeb rhwng y landlord a thenant eiddo sy’n berchen i’r landlord, a
- (b) mae paragraff (a) yr un mor gymwys pan ddaw cofrestrriad neu drwydded i ben, boed hynny o ganlyniad i fethiant i adnewyddu, neu ddirymiad, neu fel arall.’.

Jocelyn Davies

148

Section 3, page 3, after line 24, insert –

- ‘(6) For the avoidance of doubt, a failure on the part of the landlord to be registered and licensed in accordance with this section does not affect the contractual relationship between the landlord and tenant.’.

Adran 3, tudalen 3, ar ôl llinell 25, mewnosoder –

- ‘(6) Er mwyn osgoi amheuaeth, nid yw methiant ar ran y landlord i fod yn gofrestredig ac yn drwyddedig yn unol â’r adran hon yn effeithio ar y berthynas gontractiol rhwng y landlord a’r tenant.’.

WITHDRAWN/TYNNWYD YN ÔL

Carl Sargeant

1

To insert a new section –

[] Restriction on terminating tenancies

- (1) A section 21 notice may not be given in relation to an assured shorthold tenancy of a rental property for so long as the landlord is –
- (a) not registered in respect of the property,
- (b) not licensed (and has not appointed a licensed agent or responsible person to manage the property), or
- (c) neither registered in respect of the property nor licensed (and has not appointed a licensed agent or responsible person to manage the property).
- (2) But where a rental property is transferred to the landlord, subsection (1) does not apply for the period of 28 days beginning with the day the property is transferred.
- (3) In this section, a “section 21 notice” means a notice under section 21(1)(b) or (4)(a) of the Housing Act 1988.’.

I fewnosod adran newydd –

[] Cyfyngiad ar derfynu tenantiaethau

- (1) Ni chaniateir rhoi hysbysiad adran 21 mewn perthynas â thenantiaeth fyrddaliol sicr ar gyfer eiddo ar rent cyhyd ag y bo'r canlynol yn berthnasol i'r landlord –
 - (a) nid yw'n gofrestredig mewn perthynas â'r eiddo,
 - (b) nid yw'n drwyddedig (ac nid yw wedi penodi asiant neu berson cyfrifol trwyddedig i reoli'r eiddo), neu
 - (c) nid yw'n gofrestredig mewn perthynas â'r eiddo nac ychwaith yn drwyddedig (ac nid yw wedi penodi asiant neu berson cyfrifol trwyddedig i reoli'r eiddo).
- (2) Ond pan fo eiddo ar rent yn cael ei drosglwyddo i'r landlord, nid yw is-adran (1) yn gymwys am y cyfnod o 28 o ddiwrnodau gan ddechrau ar y diwrnod y trosglwyddir yr eiddo.
- (3) Yn yr adran hon, ystyr "hysbysiad adran 21" yw hysbysiad o dan adran 21(1)(b) neu (4) (a) o Ddeddf Tai 1988.'

Carl Sargeant

87

Section 6, page 4, line 32, leave out subsection (2).

Adran 6, tudalen 4, llinell 34, hepgorer is-adran (2).

Carl Sargeant

73

Schedule 1, page 68, after line 33, insert –

- '(k) where a rent stopping order has been issued under section 21 in respect of a rental property let by the landlord –
- (i) that such an order has been issued in relation to the property;
 - (ii) the date the order took effect;
 - (iii) the date the order was withdrawn.'

Atodlen 1, tudalen 68, ar ôl llinell 34, mewnosoder –

- '(k) pan fo gorchymyn atal rhent wedi ei ddyroddi o dan adran 21 mewn perthynas ag eiddo ar rent a osodir gan y landlord –
- (i) bod y cyfryw orchymyn wedi ei ddyroddi mewn perthynas â'r eiddo;
 - (ii) y dyddiad y cafodd y gorchymyn effaith;
 - (iii) y dyddiad y tynnwyd y gorchymyn yn ei ôl.'

Carl Sargeant

74

Schedule 1, page 69, after line 31, insert –

- '(c) if a rent stopping order under section 21 is in effect in relation to the property, that such an order is in effect.'

Atodlen 1, tudalen 69, ar ôl llinell 32, mewnosoder –

- (c) os yw gorchymyn atal rhent o dan adran 21 yn cael effaith mewn perthynas â'r eiddo, bod y cyfryw orchymyn yn cael effaith.'

Carl Sargeant

2

Section 7, page 5, line 6, leave out 'as is required by the authority and'.

Adran 7, tudalen 5, llinell 6, hepgorer 'ag sy'n ofynnol gan yr awdurdod'.

Carl Sargeant

3

Section 7, page 5, after line 6, insert –

- () includes such other information as the authority requires,'.

Adran 7, tudalen 5, ar ôl llinell 7, mewnosoder –

- () yn cynnwys y gyfryw wybodaeth arall ag sy'n ofynnol gan yr awdurdod,'.

WITHDRAWN/TYNNWYD YN ÔL

Carl Sargeant

88

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 9, tudalen 6, llinell 26, hepgorer 'a'r penderfyniad' a mewnosoder 'â phenderfyniad yr awdurdod tai lleol'.

Carl Sargeant

4

Section 10, page 7, line 7, leave out 'as is required by the authority or'.

Adran 10, tudalen 7, llinell 7, hepgorer 'ofynnol gan yr awdurdod tai lleol neu ag a ragnodir' a mewnosoder 'rhagnodedig'.

Carl Sargeant

5

Section 10, page 7, after line 7, insert –

- () provide such other information as the authority requires,'.

Adran 10, tudalen 7, ar ôl llinell 8, mewnosoder –

- () darparu'r gyfryw wybodaeth arall ag sy'n ofynnol gan yr awdurdod,'.

Carl Sargeant

6

Section 10, page 7, line 8, leave out 'if any fee is prescribed,'.

Adran 10, tudalen 7, llinell 9, hepgorer 'os rhagnodir unrhyw ffi, gael' a mewnosoder 'cael'.

Carl Sargeant

89

Section 11, page 7, line 34, leave out '(6)' and insert '(5)'.

Adran 11, tudalen 7, llinell 35, hepgorer '(6)' a mewnosoder '(5)'.

Carl Sargeant

90

Section 11, page 8, line 6, after '2010', insert ', or victimised another person contrary to that Act,'.

Adran 11, tudalen 8, llinell 5, ar ôl '2010', mewnosoder ', neu wedi erlid person arall yn groes i'r Ddeddf honno,'.

Carl Sargeant

91

Section 11, page 8, line 7, leave out 'failed to comply with' and insert 'contravened'.

Adran 11, tudalen 8, llinell 7, hepgorer 'methu â chydymffurfio ag' a mewnosoder 'torri'.

Peter Black

121

Section 12, page 8, after line 27, insert—

'(3) The Welsh Ministers must ensure the provision of a programme of Continuing Professional Development for landlords and agents, and must do so, as far as is reasonably practicable, in collaboration with landlords and agents and their representatives.'

Adran 12, tudalen 8, ar ôl llinell 30, mewnosoder—

'(3) Rhaid i Weinidogion Cymru sicrhau bod rhaglen o Ddatblygiad Proffesiynol Parhaus yn cael ei darparu ar gyfer landlordiaid ac asiantau, a rhaid gwneud hynny, cyn belled ag y bo'n ymarferol resymol, mewn cydweithrediad â landlordiaid ac asiantau a'u cynrychiolwyr.'

Peter Black

122

Section 14, page 9, after line 6, insert—

'() A licence must be granted subject to a condition that the licence holder undertakes such Continuing Professional Development as the local authority considers appropriate in relation to the matters referred to in section 12(1).'

Adran 14, tudalen 9, ar ôl llinell 6, mewnosoder—

'() Rhaid rhoi trwydded yn ddarosgryntedig i amod bod deiliad y drwydded yn ymgymryd â Datblygiad Proffesiynol Parhaus o'r fath y mae'r awdurdod lleol o'r farn sy'n briodol mewn cysylltiad â'r materion y cyfeirir atynt yn adran 12(1).'

Peter Black

123

Section 14, page 9, after line 6, insert—

'() A licence must be granted subject to a condition that where a Housing Health and Safety Rating System inspection has been carried out in relation to any rental property, the

landlord must make available a copy of the report to the tenant and any new or prospective tenants of that property.’.

Adran 14, tudalen 9, ar ôl llinell 6, mewnosoder –

- ‘() Rhaid rhoi trwydded yn ddarostyngedig i amod, pan fydd archwiliad System Raddio Iechyd a Diogelwch Tai wedi cael ei gynnal mewn cysylltiad ag unrhyw eiddo ar rent, bod yn rhaid i’r landlord sicrhau bod copi o’r adroddiad ar gael i’r tenant neu unrhyw denantiaid newydd neu ddarpar denantiaid o’r eiddo hwnnw.’.

Jocelyn Davies

149

Section 18, page 10, after line 30, insert –

- ‘(e) the licence holder fails to maintain rental properties which the licence holder manages to a decent standard.’.

Adran 18, tudalen 10, ar ôl llinell 30, mewnosoder –

- ‘(e) os yw deiliad y drwydded yn methu â chynnal a chadw eiddo ar rent a reolir gan ddeiliad y drwydded i safon foddhaol.’.

Peter Black

124

To insert a new section –

[] Fixed penalty notices - breach of licence conditions

- (1) This section applies if a local housing authority is satisfied that it may revoke a licence under section 18(1).
- (2) The local housing authority may by notice offer the licensed person the opportunity of discharging any liability to revocation of the licence by payment of a fixed penalty to the authority.
- (3) The provisions of section [section to be inserted by amendment 7] apply to a fixed penalty notice issued under subsection (2) as if the breach of a condition of a licence constituted an offence to which the section applied.’.

I fewnosod adran newydd –

[] Hysbysiadau cosb benodedig - torri amodau trwydded

- (1) Mae’r adran hon yn gymwys os yw awdurdod tai lleol yn fodlon y caiff ddirymu trwydded o dan adran 18(1).
- (2) Caiff yr awdurdod tai lleol drwy hysbysiad gynnig cyfle i’r person trwyddedig fodloni unrhyw atebolrwydd o ran dirymu’r drwydded drwy dalu cosb benodedig i’r awdurdod.
- (3) Mae darpariaethau adran [adran i’w mewnosod gan welliant 7] yn gymwys i hysbysiad cosb benodedig a gyhoeddir o dan is-adran (2) fel pe bai torri amod trwydded yn gyfystyr â throedd yr oedd yr adran yn gymwys iddi.’.

Carl Sargeant 92

Section 20, page 12, line 30, leave out ‘that is not subject to the condition’ and insert ‘on such terms as the tribunal considers appropriate’.

Adran 20, tudalen 12, llinell 30, hepgorer ‘nad yw’n ddarostyngedig i’r amod’ a mewnosoder ‘ar y cyfryw delerau ag y mae’r tribiwnlys yn eu hystyried yn briodol’.

Carl Sargeant 93

Section 20, page 12, line 32, after ‘licence’, insert ‘on such terms as the tribunal considers appropriate’.

Adran 20, tudalen 12, llinell 33, ar ôl ‘trwydded’, mewnosoder ‘ar y cyfryw delerau ag y mae’r tribiwnlys yn eu hystyried yn briodol’.

Carl Sargeant 94

Section 20, page 12, line 34, after ‘licence’, insert ‘or to amend the licence on such terms as the tribunal considers appropriate’.

Adran 20, tudalen 12, llinell 35, ar ôl ‘drwydded’, mewnosoder ‘neu i ddiwygio’r drwydded ar y cyfryw delerau ag y mae’r tribiwnlys yn eu hystyried yn briodol’.

Peter Black 125

To insert a new section –

[] Repayment orders

- (1) For the purposes of this section rental property is a “relevant property” if it is a rental property in respect of which no landlord is registered and licensed pursuant to section 3.
- (2) No rule of law relating to the validity or enforceability of contracts in circumstances involving illegality is to affect the validity or enforceability of –
 - (a) any provision requiring the payment of a rent or the making of any other periodical payment in connection with any agreement relating to a relevant property, or
 - (b) any other provision of such an agreement.
- (3) But amounts paid in respect of certain payments made under and in connection with such an agreement may be recovered in accordance with subsection (4).
- (4) If –
 - (a) an application in respect of relevant property is made to a residential property tribunal by the tenant of that property, and
 - (b) the tribunal is satisfied as to the matters mentioned in subsection (6);the tribunal may make an order (a “repayment order”).
- (5) A repayment order is an order requiring the owner or manager of the relevant property to pay to the tenant of that property such sums as are specified in the order in respect of any payment made by the tenant of the relevant property to the owner or manager of that

property in respect of that property.

- (6) The tribunal must be satisfied as to the following matters—
- (a) that the owner of the relevant property has been convicted of an offence under section 3 in relation to that property,
 - (b) that the tenant of the relevant property made the payment to the owner or manager of that property during any period during which it appears to the tribunal that such an offence was being committed in relation to that property, and
 - (c) that the application is made within the period of 12 months beginning with the date of the conviction.
- (7) A repayment order may not require the payment of any amount which the tribunal is satisfied that, by reason of any exceptional circumstances, it would be unreasonable for the owner or manager of the relevant property to be required to pay.
- (8) The amount required to be paid by virtue of a repayment order under subsection (5) is (subject to subsections (9) to (11)) to be such amount as the tribunal considers reasonable in the circumstances.
- (9) The matters which the tribunal must take into account when determining the amount to be paid include (but are not limited to)—
- (a) the total amount of relevant payments paid in connection with the tenancy of the relevant property during any period during which it appears to the tribunal that an offence was being committed by the owner of that property under section 3,
 - (b) the extent to which that total amount was actually received by the owner or manager of that property,
 - (c) whether the owner of that property has at any time been convicted of an offence under section 5 in relation to the property,
 - (d) the conduct and financial circumstances of the owner or manager of that property, and
 - (e) the conduct of the tenant of the relevant property;
- and in this subsection “relevant payments” means those payments referred to in subsection (5).
- (10) A repayment order may not require the payment of any amount which is in respect of any time falling outside the period of 12 months ending with the date of the tenant’s application, and the period to be taken into account under subsection (9)(a) is restricted accordingly.
- (11) Any amount payable to the tenant of a relevant property by virtue of a repayment order is recoverable as a debt due to that tenant from the owner or manager of that property.’.

I fewnosod adran newydd—

[] Gorchmynion ad-dalu

- (1) At ddibenion yr adran hon mae eiddo ar rent yn “eiddo perthnasol” os yw’n eiddo ar rent lle nad oes landlord wedi’i gofrestru a’i drwyddedu ar ei gyfer yn unol ag adran 3.

- (2) Nid yw'r un rheol gyfreithiol sy'n ymwneud â dilysrwydd neu orfodadwyedd contractau o dan amgylchiadau sy'n cynnwys anghyfreithlondeb i effeithio ar ddilysrwydd neu orfodadwyedd y canlynol—
 - (a) unrhyw ddarpariaeth sy'n ei gwneud yn ofynnol i daliad rhent neu unrhyw daliad cyfnodol arall gael eu talu mewn cysylltiad ag unrhyw gytundeb sy'n ymwneud ag eiddo perthnasol, neu
 - (b) unrhyw ddarpariaeth arall mewn cytundeb o'r fath.
- (3) Ond caniateir i symiau a delir o ran taliadau penodol o dan gytundeb o'r fath ac mewn cysylltiad ag ef gael eu hadennill yn unol ag is-adran (4).
- (4) Os bydd—
 - (a) cais ynglŷn ag eiddo perthnasol yn cael ei wneud i dribiwnlys eiddo preswyl gan denant yr eiddo hwnnw, a
 - (b) bod y tribiwnlys wedi ei fodloni o ran y materion a grybwyllir yn is-adran (6), caiff y tribiwnlys wneud gorchymyn ("gorchymyn ad-dalu").
- (5) Mae gorchymyn ad-dalu yn orchymyn sy'n ei gwneud yn ofynnol i berchennog neu reolwr yr eiddo perthnasol dalu i denant yr eiddo perthnasol unrhyw symiau a bennir yn y gorchymyn o ran unrhyw daliad a wnaed gan denant yr eiddo perthnasol i berchennog neu reolwr yr eiddo mewn cysylltiad â'r eiddo hwnnw.
- (6) Rhaid i'r tribiwnlys fod wedi ei fodloni ynglŷn â'r materion a ganlyn—
 - (a) bod perchennog yr eiddo perthnasol wedi ei gollfarnu am drosedd o dan adran 3 mewn cysylltiad â'r eiddo hwnnw,
 - (b) bod tenant yr eiddo perthnasol wedi gwneud y taliad i berchennog neu reolwr yr eiddo hwnnw yn ystod unrhyw gyfnod a ymddengys i'r tribiwnlys bod trosedd o'r fath yn cael ei chyflawni mewn cysylltiad â'r eiddo hwnnw, ac
 - (c) bod y cais wedi ei wneud o fewn y cyfnod o 12 mis yn dechrau ar ddyddiad y gollfarn.
- (7) Ni chaniateir i orchymyn ad-dalu ei gwneud yn ofynnol i unrhyw swm gael ei dalu y mae'r tribiwnlys wedi ei fodloni y byddai'n afresymol ei gwneud yn ofynnol i berchennog neu reolwr yr eiddo perthnasol ei dalu oherwydd unrhyw amgylchiadau eithriadol.
- (8) Y swm y mae'n ofynnol ei dalu yn rhinwedd gorchymyn ad-dalu o dan is-adran (5) yw unrhyw swm sydd (yn ddarostyngedig i is-adrannau (9) i (11)) ym marn y tribiwnlys yn rhesymol o dan yr amgylchiadau.
- (9) Mae'r materion y mae'n rhaid i'r tribiwnlys eu cymryd i ystyriaeth wrth benderfynu ar y swm y mae'n ofynnol ei dalu yn cynnwys y canlynol (ond heb fod yn gyfyngedig i'r canlynol)—
 - (a) cyfanswm y taliadau perthnasol a dalwyd mewn cysylltiad â thenantiaeth yr eiddo perthnasol yn ystod unrhyw gyfnod y mae'n ymddangos i'r tribiwnlys fod trosedd yn cael ei chyflawni ynddo gan berchennog yr eiddo hwnnw o dan adran 3,
 - (b) i ba raddau y cafodd perchennog neu reolwr yr eiddo y cyfanswm hwnnw mewn gwirionedd,

- (c) a yw perchennog yr eiddo ar unrhyw adeg wedi ei gollfarnu am drosedd o dan adran 5 mewn cysylltiad â'r eiddo,
 - (d) ymddygiad ac amgylchiadau ariannol perchennog neu reolwr yr eiddo hwnnw, ac
 - (e) ymddygiad tenant yr eiddo hwnnw;
- ac yn yr is-adran hon ystyr "taliadau perthnasol" yw'r taliadau hynny y cyfeirir atynt yn is-adran (5).
- (10) Ni chaiff gorchymyn ad-dalu ei gwneud yn ofynnol i unrhyw swm gael ei dalu sy'n ymwneud ag unrhyw amser y tu allan i'r cyfnod o 12 mis sy'n diweddu ar ddyddiad cais y tenant, ac mae'r cyfnod sydd i'w gymryd i ystyriaeth o dan is-adran (9)(a) i'w gyfyngu yn unol â hyn.
 - (11) Mae unrhyw swm sy'n daladwy i denant yr eiddo perthnasol yn rhinwedd gorchymyn ad-dalu yn adenilladwy fel dyled sy'n ddyledus i'r tenant gan berchennog neu reolwr yr eiddo hwnnw.'.

Peter Black 126
Page 13, line 3, leave out section 21.
Tudalen 13, llinell 3, hepgorer adran 21.

Peter Black 127
Page 13, line 9, leave out section 22.
Tudalen 13, llinell 9, hepgorer adran 22.

Peter Black 128
Page 13, line 27, leave out section 23.
Tudalen 13, llinell 29, hepgorer adran 23.

Peter Black 129
Page 14, line 13, leave out section 24.
Tudalen 14, llinell 15, hepgorer adran 24.

Carl Sargeant 95
Section 24, page 14, line 20, leave out '(4)' and insert '23(4)'.
Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

Peter Black 130
Page 14, line 25, leave out section 25.
Tudalen 14, llinell 27, hepgorer adran 25.

Carl Sargeant

96

Section 26, page 15, line 9, after 'offence', insert 'and is'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

WITHDRAWN/TYNNWYD YN ÔL

Carl Sargeant

7

To insert a new section –

[] Fixed penalty notices

- (1) Where on any occasion an authorised officer of a local housing authority has reason to believe that a person has committed an offence under this Part in relation to a rental property in the authority's area (other than an offence under section 26(4)(b)), the officer may, by notice, offer the person the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty to the authority.
- (2) Where a person is given a notice under this section in respect of an offence –
 - (a) no proceedings may be issued for that offence before the expiration of the period of 21 days following the date of the notice;
 - (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (3) A notice under this section must –
 - (a) give such particulars of the circumstances alleged to constitute the offence as are necessary for giving reasonable information of the offence,
 - (b) state the period during which proceedings will not be taken for the offence,
 - (c) state the amount of the fixed penalty, and
 - (d) state the person to whom and the address at which the fixed penalty may be paid.
- (4) The fixed penalty payable to a local housing authority under this section is –
 - (a) £150 for the offences mentioned in sections 3(4)(a), 5(2)(a), 8(2), 10(6), 15(2), 16(2) and 26(4)(a) and (c);
 - (b) £250 for the offences mentioned in sections 3(4)(b) and 5(2)(b).
- (5) The Welsh Ministers may change either amount mentioned in subsection (4) by order.
- (6) Payment of a fixed penalty may be made by pre-paying and posting a letter containing the amount of the penalty (in cash or otherwise) to the person mentioned in subsection (3)(d) at the address so mentioned; but this does not prevent payment by another method.
- (7) Where a letter is posted in accordance with subsection (6) payment is to be regarded as having been made at the time at which the letter would be delivered in the ordinary course of post.
- (8) In any proceedings a certificate –
 - (a) which purports to be signed on behalf of the chief finance officer of the local authority, and

- (b) states that payment of a fixed penalty was or was not received by a date specified in the certificate,
is evidence of the facts stated.
- (9) A local housing authority may use its fixed penalty receipts only for the purposes of its functions relating to the enforcement of this Part.
- (10) In this section –
“authorised officer” (“*swyddog awdurdodedig*”) means an officer authorised in writing by a local housing authority for the purpose of exercising the authority’s functions under this section;
“chief finance officer” (“*prif swyddog cyllid*”) means the officer having responsibility for the financial affairs of the local housing authority by virtue of section 151 of the Local Government Act 1972.’.

I fewnosod adran newydd –

[] Hysbysiadau cosb benodedig

- (1) Pan fo gan swyddog awdurdodedig o awdurdod tai lleol reswm i gredu ar unrhyw achlysur bod person wedi cyflawni trosedd o dan y Rhan hon mewn perthynas ag eiddo ar rent yn ardal yr awdurdod (ac eithrio trosedd o dan adran 26(4)(b)), caiff y swyddog, drwy hysbysiad, gynnig cyfle i’r person i ryddhau ei hun o unrhyw atebolrwydd i gollfarn am y drosedd honno drwy dalu cosb benodedig i’r awdurdod.
- (2) Pan roddir hysbysiad i berson o dan yr adran hon mewn perthynas â throsedd –
- (a) ni chaniateir cychwyn unrhyw achos mewn perthynas â’r drosedd honno cyn i’r cyfnod o 21 o ddiwrnodau yn dilyn dyddiad yr hysbysiad hwnnw ddod i ben;
- (b) ni chaniateir collfarnu’r person am y drosedd honno os yw’r person yn talu’r gosb benodedig cyn diwedd y cyfnod hwnnw.
- (3) Rhaid i hysbysiad o dan yr adran hon –
- (a) rhoi pa fanylion bynnag am yr amgylchiadau yr honnir eu bod yn ffurfio’r drosedd sy’n angenrheidiol er mwyn rhoi gwybodaeth resymol ynghylch y drosedd,
- (b) datgan yn ystod pa gyfnod na chychwynnir achos mewn perthynas â’r drosedd,
- (c) datgan swm y gosb benodedig, a
- (d) datgan i ba berson ac ym mha gyfeiriad y gellir talu’r gosb benodedig.
- (4) Y gosb benodedig sy’n daladwy i awdurdod tai lleol o dan yr adran hon yw –
- (a) £150 am y troseddau a grybwyllir yn adrannau 3(4)(a), 5(2)(a), 8(2), 10(6), 15(2), 16(2) a 26(4)(a) ac (c);
- (b) £250 am y troseddau a grybwyllir yn adrannau 3(4)(b) a 5(2)(b).
- (5) Caiff Gweinidogion Cymru newid y naill swm neu’r llall a grybwyllir yn is-adran (4) drwy orchymyn.
- (6) Caniateir talu cosb benodedig drwy ragdalau a phostio llythyr sy’n cynnwys swm y gosb (mewn arian parod neu fel arall) i’r person a grybwyllir yn is-adran (3)(d) yn y cyfeiriad a grybwyllir yno; ond nid yw hynny’n rhwystro taliad drwy ddull arall.

- (7) Pan fo llythyr yn cael ei bostio yn unol ag is-adran (6) bernir bod y taliad wedi ei wneud ar yr amser y byddai'r llythyr wedi ei ddosbarthu yn nhrefn arferol y post.
- (8) Mewn unrhyw achos mae tystysgrif –
- (a) yr honnir ei bod wedi ei llofnodi ar ran prif swyddog cyllid yr awdurdod lleol, a
 - (b) sy'n datgan y daeth taliad cosb benodedig i law neu na ddaeth i law erbyn dyddiad a bennir yn y dystysgrif,
- yn dystiolaeth o'r ffeithiau a ddatgenir.
- (9) Ni chaniateir i awdurdod tai lleol ddefnyddio ei dderbyniadau cosbau penodedig ond at ddibenion ei swyddogaethau sy'n ymwneud â gorfodi'r Rhan hon.
- (10) Yn yr adran hon –
- ystyr “prif swyddog cyllid” (“*chief finance officer*”) yw'r swyddog sydd â chyfrifoldeb am faterion ariannol yr awdurdod tai lleol yn rhinwedd adran 151 o Ddeddf Llywodraeth Leol 1972;
- ystyr “swyddog awdurdodedig” (“*authorised officer*”) yw swyddog y mae'r awdurdod tai lleol wedi ei awdurdodi yn ysgrifenedig at y diben o arfer swyddogaethau'r awdurdod o dan yr adran hon.’.

Jocelyn Davies

150

Section 28, page 15, line 33, leave out ‘may’ and insert ‘must’.

Adran 28, tudalen 15, llinell 34, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weinidogion’.

Jocelyn Davies

151

Section 28, page 15, line 35, leave out ‘may’ and insert ‘must’.

Adran 28, tudalen 15, llinell 36, hepgorer ‘Gellir’ a mewnosoder ‘Rhaid’.

Peter Black

131

Section 28, page 15, after line 35, insert –

- ‘() When preparing a code of practice to be issued or amended under this section, the Welsh Ministers must have regard to the standards set by them under section 94(1)(a).’.

Adran 28, tudalen 15, ar ôl llinell 37, mewnosoder –

- ‘() Wrth baratoi cod ymarfer i’w ddyroddi neu ei ddiwygio o dan yr adran hon, rhaid i Weinidogion Cymru roi ystyriaeth i’r safonau a osodwyd ganddynt o dan adran 94(1)(a).’.

Peter Black

132

Section 28, page 15, after line 35, insert –

- ‘() Standards under subsection (1) must (among other things) include –
- (a) the frequency of checks to be carried out in relation to gas, electricity and fire

safety;

- (b) the installation and maintenance of carbon monoxide detectors.’.

Adran 28, tudalen 15, ar ôl llinell 37, mewnosoder –

- ‘() Rhaid i safonau o dan is-adran (1) gynnwys (ymysg pethau eraill) –
- (a) amlder gwiriadau diogelwch nwy, trydan a thân;
- (b) gosod a chynnal a chadw synwryddion carbon monocsid.’.

Jocelyn Davies

152

Section 28, page 15, after line 35, insert –

- ‘() Standards under subsection (1) must include an expectation that –
- (a) electricity safety checks will be carried out at intervals of no more than five years;
- (b) carbon monoxide detectors will be installed and maintained.’.

Adran 28, tudalen 15, ar ôl llinell 37, mewnosoder –

- ‘() Rhaid i safonau o dan is-adran (1) gynnwys disgwyliad –
- (a) y caiff archwiliadau diogelwch trydan eu cynnal ar gyfnodau o ddim mwy na phum mlynedd;
- (b) y caiff synwryddion carbon monocsid eu gosod a’u cynnal a’u cadw.’.

Peter Black

133

Section 28, page 16, line 19, leave out subsection (9) and insert –

- ‘() A code approved by the National Assembly for Wales may not be withdrawn unless a proposal to that effect is approved by resolution of the National Assembly.’.

Adran 28, tudalen 16, llinell 22, hepgorer is-adran (9) a mewnosoder –

- ‘() Ni chaniateir i god a gymeradwywyd drwy benderfyniad Cynulliad Cenedlaethol Cymru gael ei dynnu yn ôl oni chymeradwyir cynnig i’r perwyl hwinnw drwy benderfyniad Cynulliad Cenedlaethol Cymru.’.

WITHDRAWN/TYNNWYD YN ÔL

Carl Sargeant

8

Section 34, page 17, after line 30, insert –

- ‘() A local housing authority may use any information to which subsection (2) applies –
- (a) for any purpose connected with the exercise of any of the authority’s functions under this Part in relation to any rental property, or
- (b) for the purpose of investigating whether any offence has been committed under this Part in relation to any rental property.
- () This subsection applies to any information which has been obtained by the authority in the exercise of functions under Part 1 of the Local Government Finance Act 1992 (council

tax).

- () Until the repeal of section 134 of the Social Security Administration Act 1992 (housing benefit) by Schedule 14 to the Welfare Reform Act 2012, information obtained by a local housing authority under that section is to be treated as information to which subsection (2) applies.
- () A local housing authority may, for the purposes mentioned in subsection (1), use information obtained under section 134 of the 1992 Act after the repeal of that section. '.

Adran 34, tudalen 17, ar ôl llinell 30, mewnosoder –

- '() Caiff awdurdod tai lleol ddefnyddio unrhyw wybodaeth y mae is-adran (2) yn gymwys iddi –
 - (a) at unrhyw ddiben sy'n gysylltiedig ag arfer unrhyw un neu ragor o swyddogaethau'r awdurdod o dan y Rhan hon mewn perthynas ag unrhyw eiddo ar rent, neu
 - (b) at y dibenion o ymchwilio i weld pa un a oes unrhyw drosedd wedi ei chyflawni ai peidio o dan y Rhan hon mewn perthynas ag unrhyw eiddo ar rent.
- () Mae'r is-adran hon yn gymwys i unrhyw wybodaeth y mae'r awdurdod wedi ei chael wrth arfer swyddogaethau o dan Ran 1 o Ddeddf Cyllid Llywodraeth Leol 1992 (y dreth gyngor).
- () Hyd nes y diddymir adran 134 o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992 (budd-dal tai) gan Atodlen 14 i Ddeddf Diwygio Lles 2012, mae gwybodaeth y mae awdurdod tai lleol yn ei chael o dan yr adran honno i'w thrin fel gwybodaeth y mae is-adran (2) yn gymwys iddi.
- () Caiff awdurdod tai lleol ddefnyddio gwybodaeth a geir o dan adran 134 o Ddeddf 1992, at y dibenion a grybwyllir yn is-adran (), ar ôl i'r adran honno gael ei diddymu.'

Carl Sargeant

9

Section 36, page 19, line 9, leave out 'and "homelessness" have the meaning given by section 82' and insert 'has the meaning given by section 41 and "homelessness" is to be interpreted accordingly'.

Adran 36, tudalen 19, llinell 11, hepgorer 'a "digartrefedd" yr ystyr a roddir gan adran 82' a mewnosoder 'yr ystyr a roddir gan adran 41 ac mae "digartrefedd" i'w ddehongli yn unol â hynny'.

Carl Sargeant

10

Section 38, page 19, line 36, leave out 'or' at the first place where it appears and insert 'and'.

Adran 38, tudalen 19, llinell 38, hepgorer 'neu' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ac'.

Peter Black

134

Section 41, page 22, after line 35, insert –

- '(5) A person due to be released from custody is threatened with homelessness if it is likely

that the person will become homeless as a result of that release within 90 days.’.

Adran 41, tudalen 22, ar ôl llinell 36, mewnosoder –

‘(5) Mae person sydd ar fin cael ei ryddhau o’r ddalfa o dan fygythiad o ddigartrefedd os yw’n debygol y bydd yn dod yn ddigartref o ganlyniad i gael ei ryddhau o fewn 90 o ddiwrnodau.’.

Carl Sargeant

13

Section 43, page 23, line 12, leave out ‘domestic abuse or abuse from a person with whom the person being abused is not associated’ and insert ‘abuse’.

Adran 43, tudalen 23, llinell 12, hepgorer ‘cam-drin domestig neu gamdriniaeth o du person nad yw’r person sy’n cael ei gam-drin yn gysylltiedig ag ef’ a mewnosoder ‘camdriniaeth’.

Jocelyn Davies

153

Section 43, page 23, after line 13, insert –

‘() It is not reasonable for a person to continue to occupy accommodation if it is probable that doing so will have a detrimental effect on that person's health.’.

Adran 43, tudalen 23, ar ôl llinell 14, mewnosoder –

‘() Nid yw’n rhesymol i berson barhau i feddiannu llety os yw’n debygol y bydd hynny’n cael effaith niweidiol ar ieched y person hwnnw.’.

Carl Sargeant

14

Section 43, page 23, line 14, leave out subsection (2).

Adran 43, tudalen 23, llinell 15, hepgorer is-adran (2).

Carl Sargeant

15

Section 43, page 23, line 18, leave out ‘lives’ and insert ‘resides’.

Adran 43, tudalen 23, llinell 20, hepgorer ‘byw’ a mewnosoder ‘preswyllo’.

Carl Sargeant

16

Section 43, page 23, line 19, leave out ‘live’ and insert ‘reside’.

Adran 43, tudalen 23, llinell 21, hepgorer ‘fyw’ a mewnosoder ‘breswyllo’.

Carl Sargeant

17

Section 44, page 23, after line 33, insert –

‘() “Abuse” means physical violence, threatening or intimidating behaviour and any other form of abuse which, directly or indirectly, may give rise to the risk of harm; and abuse is “domestic abuse” where the victim is associated with the abuser.’.

Adran 44, tudalen 23, ar ôl llinell 35, mewnosoder –

- ‘() Ystyr “camdriniaeth” yw trais corfforol, ymddygiad bygythiol neu fygylus ac unrhyw ffurf arall ar gamdriniaeth a all, yn uniongyrchol neu’n anuniongyrchol, arwain at y perygl o niwed; ac ystyr “camdriniaeth ddomestig” yw camdriniaeth sy’n dod o du person sy’n gysylltiedig â’r dioddefwr.’.

Carl Sargeant

97

Section 44, page 24, leave out line 36’.

Adran 44, tudalen 25, hepgorer llinell 9’.

Carl Sargeant

18

Section 44, page 25, line 7, after ‘is’, insert ‘or has been’.

Adran 44, tudalen 25, llinell 7, ar ôl ‘honno’, mewnosoder ‘neu sydd wedi bod yn y berthynas honno’.

Jocelyn Davies

154

Section 45, page 25, after line 22, insert –

- ‘() In determining whether accommodation is suitable for a person, a local housing authority must have regard to whether or not the property is of a decent standard.’.

Adran 45, tudalen 25, ar ôl llinell 22, mewnosoder –

- ‘() Wrth benderfynu a yw llety’n addas ar gyfer person rhaid i awdurdod tai lleol roi sylw i p’un a yw’r eiddo o safon foddhaol ai peidio.’.

Jocelyn Davies

155

Section 45, page 25, after line 22, insert –

- ‘() Accommodation is not suitable for a person unless a landlord has been registered in relation to that accommodation and the landlord (or an agent or responsible person appointed by the landlord) has been licensed to manage that property.’.

Adran 45, tudalen 25, ar ôl llinell 22, mewnosoder –

- ‘() Nid yw llety yn addas ar gyfer person oni bai fod landlord wedi ei gofrestru mewn perthynas â’r llety hwnnw a bod y landlord (neu asiant neu berson cyfrifol a benodwyd gan y landlord) wedi ei drwyddedu i reoli’r eiddo hwnnw.’.

Carl Sargeant

98

Section 46, page 25, line 30, after ‘people’, insert ‘in its area, or people who have a local connection with its area,’.

Adran 46, tudalen 25, llinell 30, ar ôl ‘bobl’, mewnosoder ‘yn ei ardal, neu bobl sydd â chysylltiad lleol â’i ardal’.

Carl Sargeant

99

Section 46, page 25, line 32, leave out 'in the authority's area'.

Adran 46, tudalen 25, llinell 32, hepgorer 'yn ardal yr awdurdod'.

Carl Sargeant

100

Section 46, page 25, line 36, leave out 'that is available in the authority's area'.

Adran 46, tudalen 25, llinell 35, hepgorer 'sydd ar gael yn ardal yr awdurdod'.

Jocelyn Davies

156

To insert a new section –

[] Training for local authority staff

- (1) All local authorities must ensure that officers who advise in relation to housing matters, together with front desk staff, undergo appropriate and accredited training regarding the provisions of this Part.
- (2) The Welsh Ministers may by regulations provide for the accreditation of training provision to be made under this section.'

I fewnosod adran newydd –

[] Hyfforddiant ar gyfer staff awdurdod lleol

- (1) Rhaid i bob awdurdod lleol sicrhau bod swyddogion sy'n rhoi cyngor mewn perthynas â materion tai, ynghyd â staff y ddesg flaen, yn cael hyfforddiant priodol ac achrededig mewn perthynas â darpariaethau'r Rhan hon.
- (2) Caiff Gweinidogion Cymru wneud darpariaeth drwy reoliadau ar gyfer achredu hyfforddiant o dan yr adran hon.'

Carl Sargeant

75

Schedule 2, page 71, line 11, after 'to', insert 'universal credit or'.

Atodlen 2, tudalen 71, llinell 11, ar ôl 'i', mewnosoder 'gredyd cynhwysol neu'.

Carl Sargeant

19

Section 48, page 26, line 28, after 'out', insert 'and there is no new information that materially affects that assessment'.

Adran 48, tudalen 26, llinell 29, ar ôl 'gynnal', mewnosoder 'ac nad oes unrhyw wybodaeth newydd sy'n cael effaith sylweddol ar yr asesiad hwnnw'.

Carl Sargeant

20

Section 48, page 27, line 14, leave out 'it may owe a duty to the applicant under the following provisions of this Chapter' and insert 'that it owes a duty to the applicant under the following provisions of this Chapter or that it may do so'.

Adran 48, tudalen 27, llinell 13, hepgorer 'y gallai dyletswydd fod arno mewn perthynas â'r ceisydd o dan ddarpariaethau canlynol y Bennod hon' a mewnosoder 'bod dyletswydd arno i'r ceisydd o dan ddarpariaethau canlynol y Bennod hon neu y gallai dyletswydd fod arno'.

Carl Sargeant

101

Section 48, page 27, line 16, leave out subsection (9) and insert –

'() A local housing authority must review its assessment in the following two cases –

Case 1 - where an applicant has been notified under section 49 that a duty is owed to the applicant under section 52 (duty to help to prevent an applicant from becoming homeless) and subsequently it appears to the authority that the duty under section 52 has or is likely to come to an end because the applicant is homeless;

Case 2 - where an applicant has been notified under section 49 that a duty is owed to the applicant under section 56 (duty to help to secure accommodation for homeless applicants) and subsequently it appears to the authority that the duty in section 56 has or is likely to come to an end in circumstances where a duty may be owed to the applicant under section 58 (duty to secure accommodation for applicants in priority need when the duty in section 56 ends).

- () The duty in subsection (5)(c) does not require a local housing authority to assess whether or not a duty would be owed to the applicant under section 58 unless and until it reviews its assessment in accordance with subsection () in the circumstances described in case 2 of that subsection; but it may do so before then.
- () Subsections () and () do not affect the generality of subsection (8).'

Adran 48, tudalen 27, llinell 15, hepgorer is-adran (9) a mewnosoder –

'() Rhaid i awdurdod tai lleol adolygu ei asesiad yn y ddau achos a ganlyn –

Achos 1 - pan fo ceisydd wedi ei hysbysu o dan adran 49 bod dyletswydd i'r ceisydd o dan adran 52 (dyletswydd i gynorthwyo i atal ceisydd rhag dod yn ddigartref) a'i bod yn ymddangos i'r awdurdod wedi hynny bod y ddyletswydd o dan adran 52 wedi dod i ben neu'n debygol o ddod i ben gan fod y ceisydd yn ddigartref;

Achos 2 - pan fo ceisydd wedi ei hysbysu o dan adran 49 bod dyletswydd i'r ceisydd o dan adran 56 (dyletswydd i gynorthwyo i sicrhau llety ar gyfer ceiswyr digartref) a'i bod yn ymddangos i'r awdurdod wedi hynny bod y ddyletswydd yn adran 56 wedi dod i ben neu'n debygol o ddod i ben o dan amgylchiadau pan y gallai dyletswydd fod yn ddyledus i'r ceisydd o dan adran 58 (dyletswydd i sicrhau llety ar gyfer ceiswyr mewn angen blaenoriaethol pan fo'r ddyletswydd yn adran 56 yn dod i ben).

- () Nid yw'r ddyletswydd yn is-adran (5)(c) yn ei gwneud yn ofynnol i awdurdod tai lleol asesu a fyddai dyletswydd i'r ceisydd o dan adran 58 ai peidio oni bai a hyd nes y bo'n adolygu ei asesiad yn unol ag is-adran () o dan yr amgylchiadau a ddisgrifir yn achos 2 o'r is-adran honno; ond caniateir iddo wneud felly cyn hynny.
- () Nid yw is-adrannau () a () yn effeithio ar gyffredinolrwydd is-adran (8).'

Carl Sargeant

21

Section 49, page 28, line 7, after 'himself', insert 'or herself'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

Carl Sargeant

102

Section 52, page 29, line 4, leave out 'it' and insert 'the authority'.

Adran 52, tudalen 29, llinell 4, hepgorer 'yw'n' a mewnosoder 'yw'r awdurdod yn'.

Carl Sargeant

103

Section 54, page 29, line 33, leave out 'for whom the local housing authority has not completed its assessment under section 48, but'.

Adran 54, tudalen 29, llinell 35, hepgorer 'yn gymwys i geisydd nad yw'r awdurdod tai lleol wedi cwblhau ei asesiad ar ei gyfer o dan adran 48 ond' a mewnosoder 'hon yn gymwys i geisydd'.

Carl Sargeant

104

Section 54, page 30, line 1, after 'accommodation', insert –

' , in circumstances where the authority is not yet satisfied that the applicant is homeless, eligible for help and in priority need for accommodation'.

Adran 54, tudalen 30, llinell 1, ar ôl 'lety', mewnosoder –

' , o dan amgylchiadau pan nad yw'r awdurdod yn fodlon hyd yma bod y ceisydd yn ddigartref, yn gymwys i gael cymorth ac ag angen blaenoriaethol am lety'.

Carl Sargeant

105

Section 54, page 30, line 3, after 'authority', insert 'has reason to believe or'.

Adran 54, tudalen 30, llinell 3, ar ôl 'awdurdod', mewnosoder 'â rheswm i gredu neu'.

Carl Sargeant

106

Section 54, page 30, line 6, leave out 'or section 58 (duty to secure accommodation for applicant in priority need)'.

Adran 54, tudalen 30, llinell 7, hepgorer 'neu adran 58 (dyletswydd i sicrhau llety ar gyfer ceiswyr mewn angen blaenoriaethol)'.

Carl Sargeant

107

Section 54, page 30, line 10, leave out subsections (5) to (10).

Adran 54, tudalen 30, llinell 11, hepgorer is-adrannau (5) hyd at (10).

Carl Sargeant

108

To insert a new section –

[] Circumstances in which the duty in section 54 ends

- (1) The duty to an applicant under section 54 comes to an end in any of the circumstances described in subsection (2), (3) (subject to subsections (4) and (5)), (7), (8) or (9) if the applicant has been notified in accordance with section 67.
- (2) The circumstances are that the local housing authority has decided that no duty is owed to the applicant under section 56 and the applicant is notified of that decision.
- (3) In the case of an applicant to whom section 54(3) applies, the circumstances are that the local housing authority has –
 - (a) decided that the duty owed to the applicant under section 56 has come to an end and that a duty is or is not owed to the applicant under section 58, and
 - (b) notified the applicant of that decision;but this is subject to subsections (4) and (5).
- (4) Subsection (5) applies where a local housing authority has decided that no duty is owed to the applicant under section 58 on the basis that the authority –
 - (a) is satisfied that the applicant became homeless intentionally in the circumstances which gave rise to the application, or
 - (b) has previously secured an offer of accommodation of the kind described in section 58(3)(d).
- (5) The duty under section 54 does not come to an end in the circumstances described in subsection (3) until the authority is also satisfied that the accommodation it has secured under section 54 has been available to the applicant for a sufficient period, beginning on the day on which he or she is notified that section 58 does not apply, to allow the applicant a reasonable opportunity of securing accommodation for his or her occupation.
- (6) The period mentioned in subsection (5) is not sufficient for the purposes of that subsection if it ends on a day during the period of 56 days beginning with the day on which the applicant was notified that the duty in section 56 applied.
- (7) The circumstances are that the applicant, having been notified of the possible consequence of refusal, refuses an offer of accommodation secured under section 54 which the local housing authority is satisfied is suitable for the applicant.
- (8) The circumstances are that the local housing authority is satisfied that the applicant has become homeless intentionally from suitable interim accommodation made available for the applicant's occupation under section 54.
- (9) The circumstances are that the local housing authority is satisfied that the applicant voluntarily ceased to occupy as his or her only or principal home suitable interim accommodation made available for the applicant's occupation under section 54.
- (10) The duty comes to an end in accordance with this section even if the applicant requests a review of any decision that has led to the duty coming to an end (see section 68).
- (11) The authority may secure that suitable accommodation is available for the applicant's

occupation pending a decision on a review.

(12) See section 62 for further circumstances in which the duty in section 54 comes to an end.’.

I fewnosod adran newydd –

[] Amgylchiadau pan fo’r ddyletswydd yn adran 54 yn dod i ben

- (1) Mae’r ddyletswydd i geisydd o dan adran 54 yn dod i ben o dan unrhyw un o’r amgylchiadau a ddisgrifir yn is-adran (2), (3) (yn ddarostyngedig i is-adrannau (4) a (5)), (7), (8) neu (9) os yw’r ceisydd wedi ei hysbysu yn unol ag adran 67.
- (2) Yr amgylchiadau yw bod yr awdurdod tai lleol wedi penderfynu nad oes dyletswydd i’r ceisydd o dan adran 56 a bod y ceisydd wedi ei hysbysu am y penderfyniad hwnnw.
- (3) Yn achos ceisydd y mae adran 54(3) yn gymwys iddo, yr amgylchiadau yw bod yr awdurdod tai lleol –
 - (a) wedi penderfynu bod y ddyletswydd i’r ceisydd o dan adran 56 wedi dod i ben a bod dyletswydd yn ddyledus neu nad yw’n ddyledus i’r ceisydd o dan adran 58, a
 - (b) wedi hysbysu’r ceisydd am y penderfyniad hwnnw;ond mae hyn yn ddarostyngedig i is-adrannau (4) a (5).
- (4) Mae is-adran (5) yn gymwys pan fo awdurdod tai lleol wedi penderfynu nad oes dyletswydd i’r ceisydd o dan adran 58 ar y sail bod yr awdurdod –
 - (a) yn fodlon y daeth y ceisydd yn ddigartref yn fwriadol o dan yr amgylchiadau a arweiniodd at y cais, neu
 - (b) wedi sicrhau cynnig o lety o’r math a ddisgrifir yn adran 58(3)(d) yn flaenorol.
- (5) Nid yw’r ddyletswydd o dan adran 54 yn dod i ben o dan yr amgylchiadau a ddisgrifir yn is-adran (3) hyd nes y bo’r awdurdod yn fodlon hefyd bod y llety a sicrhawyd ganddo o dan adran 54 wedi bod ar gael i’r ceisydd am gyfnod digonol, gan ddechrau ar y diwrnod yr hysbysir ef nad yw adran 58 yn gymwys, er mwyn caniatáu cyfle rhesymol i’r ceisydd sicrhau llety iddo ei feddiannu.
- (6) Nid yw’r cyfnod a grybwyllir yn is-adran (5) yn ddigonol at ddibenion yr is-adran honno os yw’n dod i ben ar ddiwrnod yn ystod y cyfnod o 56 o ddiwrnodau sy’n dechrau gyda’r diwrnod yr hysbyswyd y ceisydd bod y ddyletswydd yn adran 56 yn gymwys.
- (7) Yr amgylchiadau yw bod y ceisydd, ar ôl cael ei hysbysu am ganlyniadau posibl gwrthod, yn gwrthod cynnig o lety a sicrhawyd o dan adran 54 y mae’r awdurdod tai lleol yn fodlon ei fod yn addas ar gyfer y ceisydd.
- (8) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon bod y ceisydd wedi dod yn ddigartref yn fwriadol o lety interim addas y sicrhawyd o dan adran 54 ei fod ar gael i’r ceisydd ei feddiannu.
- (9) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon bod y ceisydd wedi rhoi’r gorau yn wirfoddol i feddiannu, fel ei unig neu ei brif gartref, llety interim addas y sicrhawyd o dan adran 54 ei fod ar gael i’r ceisydd ei feddiannu.
- (10) Daw’r ddyletswydd i ben yn unol â’r adran hon hyd yn oed os yw’r ceisydd yn gofyn am adolygiad o unrhyw benderfyniad sydd wedi arwain at ddod â’r ddyletswydd i ben (gweler adran 68).

- (11) Caiff yr awdurdod sicrhau bod llety addas ar gael i'r ceisydd ei feddiannu hyd nes y gwneir penderfyniad ynghylch adolygiad.
- (12) Gweler adran 62 am amgylchiadau pellach pan fo'r ddyletswydd yn adran 54 yn dod i ben.'

Jocelyn Davies

157

Section 55, page 31, line 1, leave out 'some special reason (for example: old age, illness or disability)' and insert 'old age, physical or mental illness, or physical or mental disability, or other special reason'.

Adran 55, tudalen 31, llinell 1, hepgorer 'reswm arbennig (er enghraifft: henaint, salwch neu anabledd)' a mewnosoder 'henaint, salwch corfforol neu feddyliol, neu anabledd corfforol neu feddyliol, neu reswm arbennig arall'.

Carl Sargeant

22

Section 55, page 31, line 2, leave out 'illness or' and insert 'physical or mental illness or physical or mental'.

Adran 55, tudalen 31, llinell 2, hepgorer 'neu anabledd' a mewnosoder 'corfforol neu feddyliol neu anabledd corfforol neu feddyliol'.

Jocelyn Davies

158

Section 55, page 31, line 11, leave out 'aged 16 or 17';

- (g) a person who has attained the age of 18, but not the age of 21 who is at particular risk of sexual or financial exploitation'

and insert 'who has not attained the age of 21'.

Adran 55, tudalen 31, llinell 12, hepgorer 'sy'n 16 neu'n 17 oed;

- (g) person sydd wedi cyrraedd 18 oed, ond nid 21 oed, sy'n wynebu perygl arbennig o gam-fanteisio rhywiol neu ariannol'

a mewnosoder 'nad yw wedi cyrraedd 21 oed'.

Carl Sargeant

23

Section 55, page 31, line 11, after '17', insert 'when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation'.

Adran 55, tudalen 31, llinell 12, ar ôl 'oed', mewnosoder 'pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety'.

Carl Sargeant

24

Section 55, page 31, line 12, after '18,', insert 'when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation,'.

Adran 55, tudalen 31, llinell 13, ar ôl 'oed,' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar

lety,'.

Jocelyn Davies 159

Section 55, page 31, line 14, leave out '18, but not the age of 21' and insert '21, but not the age of 25'.
Adran 55, tudalen 31, llinell 15, hepgorer '18 oed, ond nid 21' a mewnosoder '21 oed, ond nid 25'.

Carl Sargeant 25

Section 55, page 31, line 14, after '18,', insert 'when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation,'.

Adran 55, tudalen 31, llinell 15, ar ôl 'oed,' yn y lle cyntaf y mae'n ymddangos, mewnosoder 'pan fo'r person yn gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety,'.

Peter Black 135

Section 55, page 31, leave out lines 18 to 25 and insert—

'() a former prisoner who has been homeless since leaving custody and who has a local connection with the area of the local housing authority.'

Adran 55, tudalen 31, hepgorer llinellau 19 hyd at 26 a mewnosoder—

'() cyn-garcharor sydd wedi bod yn ddigartref ers gadael y ddalfa ac y mae ganddo gysylltiad lleol ag ardal yr awdurdod tai lleol.'

Carl Sargeant 26

Section 55, page 31, line 19, after 'of', insert 'one of the following reasons'.

Adran 55, tudalen 31, llinell 20, ar ôl 'i', mewnosoder 'un o'r rhesymau canlynol'.

Carl Sargeant 27

Section 55, page 31, line 34, after 'a', insert 'continuous'.

Adran 55, tudalen 31, llinell 37, ar ôl 'gyfnod', mewnosoder 'di-dor'.

Carl Sargeant 28

Section 55, page 31, line 35, leave out 'or Primary Care Trust or a by a local authority in the exercise of education functions (within the meaning given by section 579(1) of the Education Act 1996), or

(ii) in any care home or independent hospital or in any accommodation provided by an NHS'

and insert—

'() by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board,

- () by or on behalf of a county or county borough council in Wales in the exercise of education functions,
- () by or on behalf of a local authority in England in the exercise of education functions,
- () in any care home or independent hospital, or
- () in any accommodation provided by or on behalf of an NHS Trust or by or on behalf of an NHS Foundation Trust’.

Adran 55, tudalen 31, hepgorer ‘neu Ymddiriedolaeth Gofal Sylfaenol neu gan awdurdod lleol wrth arfer swyddogaethau addysg (o fewn yr ystyr a roddir i “education functions” gan adran 579(1) o Ddeddf Addysg 1996), neu

- (ii) mewn unrhyw gartref gofal neu ysbyty annibynnol neu mewn unrhyw lety a ddarperir gan un neu ragor o Ymddiriedolaethau’r GIG’

a mewnosoder –

- ‘() gan grŵp comisiynu clinigol neu Fwrdd Comisiynu’r Gwasanaeth Iechyd Gwladol, neu ar eu rhan,
- () gan gyngor sir neu gyngor bwrdeistref sirol yng Nghymru wrth arfer swyddogaethau addysg, neu ar ran y cyngor,
- () gan awdurdod lleol yn Lloegr wrth arfer swyddogaethau addysg, neu ar ei ran,
- () mewn unrhyw gartref gofal neu ysbyty annibynnol, neu
- () mewn unrhyw lety a ddarperir gan un neu ragor o Ymddiriedolaethau’r GIG, neu ar eu rhan, neu gan un neu ragor o Ymddiriedolaethau Sefydledig y GIG, neu ar eu rhan, neu’.

Carl Sargeant

29

Section 55, page 32, line 3, after ‘fostered’, insert ‘(within the meaning of section 66 of the Children Act 1989);’.

Adran 55, tudalen 32, llinell 4, ar ôl ‘breifat’, mewnosoder ‘(o fewn ystyr adran 66 o Ddeddf Plant 1989)’.

Peter Black

136

Section 55, page 32, after line 3, insert –

“prisoner” (“*carcharor*”) means any person for the time being detained in lawful custody as the result of a requirement imposed by a court that he or she be detained.’.

Adran 55, tudalen 31, ar ôl llinell 27, mewnosoder –

‘ystyr “carcharor” (“*prisoner*”) yw person a gedwir yn gyfreithlon yn y ddalfa am y tro o ganlyniad i ofyniad a osodwyd gan lys i’w gadw’n gaeth.’.

Carl Sargeant

30

Section 55, page 32, after line 5, insert—

‘() In subsection (2)—

“care home” (“*cartref gofal*”) has the same meaning as in the Care Standards Act 2000;

“clinical commissioning group” (“*grŵp comisiynu clinigol*”) means a body established under section 14D of the National Health Service Act 2006;

“education functions” (“*swyddogaethau addysg*”) has the meaning given by section 597(1) of the Education Act 1996;

“independent hospital” (“*ysbyty annibynnol*”)—

- (a) in relation to Wales, has the meaning given by section 2 of the Care Standards Act 2000, and
- (b) in relation to England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

“local authority in England” (“*awdurdod lleol yn Lloegr*”) means—

- (a) a county council in England,
- (b) a district council for an area in England for which there is no county council,
- (c) a London borough council, or
- (d) the Common Council of the City of London;

“Local Health Board” (“*Bwrdd Iechyd Lleol*”) means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.’.

Adran 55, tudalen 32, ar ôl llinell 4, mewnosoder—

‘() Yn is-adran (2)—

ystyr “awdurdod lleol yn Lloegr” (“*local authority in England*”) yw—

- (a) cyngor sir yn Lloegr,
- (b) cyngor dosbarth ar gyfer ardal yn Lloegr lle nad oes cyngor sir,
- (c) cyngor bwrdeistref yn Llundain, neu
- (d) Cyngor Cyffredin Dinas Llundain;

ystyr “Bwrdd Iechyd Lleol” (“*Local Health Board*”) yw Bwrdd Iechyd Lleol a sefydlwyd o dan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;

mae i “cartref gofal” yr ystyr a roddir i “care home” yn Neddf Safonau Gofal 2000;

ystyr “grŵp comisiynu clinigol” (“*clinical commissioning group*”) yw corff a sefydlwyd o dan adran 14D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;

mae i “swyddogaethau addysg” (“*education functions*”) yr ystyr a roddir gan adran 597(1) o Ddeddf Addysg 1996;

ystyr “ysbyty annibynnol” (“*independent hospital*”) –

- (a) mewn perthynas â Chymru, yw ysbyty annibynnol o fewn ystyr adran 2 o Ddeddf Safonau Gofal 2000; ac
- (b) mewn perthynas â Lloegr, yw ysbyty, fel y’i diffinnir gan adran 275 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006, nad yw’n ysbyty’r gwasanaeth iechyd (“*health service hospital*”) o fewn yr ystyr a roddir i’r ymadrodd gan yr adran honno.’.

Carl Sargeant 31

Section 55, page 32, line 6, leave out subsections (3) to (4).

Adran 55, tudalen 32, llinell 5, hepgorer is-adrannau (3) hyd at (4).

Jocelyn Davies 32A

As an amendment to amendment 32, line 6, leave out ‘homeless’ at the first place where it appears.

Fel gwelliant i welliant 32, llinell 5, hepgorer ‘digartref’.

Jocelyn Davies 32B

As an amendment to amendment 32, line 8, leave out ‘homeless’.

Fel gwelliant i welliant 32, llinell 8, hepgorer ‘digartref’.

Jocelyn Davies 32C

As an amendment to amendment 32, line 12, leave out ‘homeless person’ means a homeless’ and insert ‘person’ means a’.

Fel gwelliant i welliant 32, llinell 22, hepgorer ‘digartref arferol’ (“*ordinary homeless person*”) yw person digartref’ a mewnosoder ‘arferol’ (“*ordinary person*”) yw person’.

Carl Sargeant 32

To insert a new section –

[] Meaning of vulnerable in section 55

- (1) A person is vulnerable for a reason mentioned in paragraph (c) or (j) of section 55(1) if, having regard to all the circumstances of the person’s case, –
 - (a) the person would be less able to fend for himself or herself (as a result of that reason) if the person were to become street homeless than would an ordinary homeless person who becomes street homeless, and
 - (b) this would lead to the person suffering more harm than would be suffered by the ordinary homeless person;

this subsection applies regardless of whether or not the person whose case is being considered is, or is likely to become, street homeless.

(2) In subsection (1) –

“ordinary homeless person” means a homeless person who does not have a priority need for accommodation;

“street homeless”, in relation to a person, means that the person has no accommodation available for the person’s occupation in the United Kingdom or elsewhere, which the person –

- (a) is entitled to occupy by virtue of an interest in it or by virtue of an order of a court,
- (b) has an express or implied licence to occupy, or
- (c) occupies as a residence by virtue of any enactment or rule of law giving the person the right to remain in occupation or restricting the right of another person to recover possession,

and sections 41 and 42 do not apply to this definition.’.

I fewnosod adran newydd –

[] Ystyr hyglwyf yn adran 55

(1) Mae person yn hyglwyf am reswm a grybwyllir ym mharagraff (c) neu (j) o adran 55(1) os, ar ôl rhoi sylw i holl amgylchiadau achos y person, –

- (a) y byddai’r person yn llai abl i ofalu amdano ei hun (o ganlyniad i’r rheswm hwnnw), pe bai’r person yn dod yn ddigartref ac ar y stryd, na pherson digartref arferol sy’n dod yn ddigartref ac ar y stryd, a
- (b) y byddai’r person hwnnw, o ganlyniad, yn dioddef mwy o niwed nag y byddai person digartref arferol yn ei ddioddef;

mae’r is-adran hon yn gymwys pa un a yw’r person y mae ei gais o dan ystyriaeth yn ddigartref ac ar y stryd, neu’n debygol o ddod yn ddigartref ac ar y stryd, ai peidio.

(2) Yn is-adran (1) –

ystyr “digartref ac ar y stryd” (“*street homeless*”), mewn perthynas â pherson, yw nad oes llety ar gael i’r person ei feddiannu yn y Deyrnas Unedig neu yn rhywle arall, y mae’r person –

- (a) â’r hawl i’w feddiannu yn rhinwedd buddiant ynddo neu yn rhinwedd gorchymyn llys,
- (b) â thrwydded ddatganedig neu oblygedig i’w feddiannu, neu
- (c) yn ei feddiannu fel preswylfa yn rhinwedd unrhyw ddeddfiad neu reol gyfreithiol sy’n rhoi i’r person yr hawl i barhau i feddiannu neu’n cyfyngu ar hawl person arall i adennill meddiant,

ac nid yw adrannau 41 a 42 yn gymwys i’r diffiniad hwn;

ystyr “person digartref arferol” (“*ordinary homeless person*”) yw person digartref heb angen blaenoriaethol am lety.’.

Carl Sargeant

33

To insert a new section –

[] Power to amend or repeal provisions about priority need for accommodation

- (1) The Welsh Ministers may by order –
 - (a) make provision for and in connection with removing any condition that a local housing authority must have reason to believe or be satisfied that an applicant is in priority need for accommodation before any power or duty to secure accommodation under this Chapter applies;
 - (b) amend or omit the descriptions of persons as having a priority need for accommodation for the purposes of this Chapter;
 - (c) specify further descriptions of persons as having a priority need for accommodation for the purposes of this Chapter.
- (2) An order under subsection (1) may amend or repeal any provision of this Part.
- (3) Before making an order under this section the Welsh Ministers must consult such associations representing councils of counties and county boroughs in Wales, and such other persons, as they consider appropriate.’.

I fewnosod adran newydd –

[] Pŵer i ddiwygio neu ddiddymu darpariaethau ynghylch angen blaenoriaethol am lety

- (1) Caiff Gweinidogion Cymru wneud y canlynol drwy orchymyn –
 - (a) gwneud darpariaeth ar gyfer cael gwared ar unrhyw amod bod yn rhaid i awdurdod tai lleol fod â rheswm i gredu neu fod yn fodlon bod gan geisydd angen blaenoriaethol am lety cyn i unrhyw bŵer neu ddyletswydd i sicrhau llety o dan y Bennod hon fod yn gymwys, ac mewn cysylltiad â hynny;
 - (b) diwygio neu hepgor y disgrifiadau o bersonau fel rhai sydd ag angen blaenoriaethol am lety at ddibenion y Bennod hon;
 - (c) pennu disgrifiadau pellach o bersonau fel rhai sydd ag angen blaenoriaethol am lety at ddibenion y Bennod hon.
- (2) Caiff gorchymyn o dan is-adran (1) ddiwygio neu ddiddymu unrhyw un neu ragor o ddarpariaethau y Rhan hon.
- (3) Cyn gwneud gorchymyn o dan yr adran hon rhaid i Weinidogion Cymru ymgynghori â'r cyfryw gymdeithasau ag sy'n cynrychioli cynghorau siroedd a bwrdeistrefi sirol yng Nghymru, a'r cyfryw bersonau eraill, sy'n briodol yn eu barn hwy.’.

Carl Sargeant

109

Section 57, page 32, line 22, leave out '(5), (6), (7) or (8)' and insert 'or (5)'.

Adran 57, tudalen 32, llinell 21, hepgorer '(5), (6), (7) neu (8)' a mewnosoder 'neu (5)'.

Carl Sargeant 34

Section 57, page 33, line 3, leave out subsections (6) to (8).

Adran 57, tudalen 33, llinell 3, hepgorer is-adrannau (6) hyd at (8).

Carl Sargeant 35

Section 58, page 33, line 18, leave out 'comes to an end in respect of an applicant who has a priority need for accommodation' and insert '(duty to help secure suitable accommodation for a homeless applicant) comes to an end in respect of an applicant in the circumstances mentioned in subsection (2) or (3) of section 57'.

Adran 58, tudalen 33, llinell 19, hepgorer 'yn dod i ben mewn perthynas â cheisydd sydd ag angen blaenoriaethol am lety' a mewnosoder '(dyletswydd i gynorthwyo i sicrhau llety addas ar gyfer ceisydd digartref) yn dod i ben mewn perthynas â cheisydd o dan yr amgylchiadau a grybwyllir yn is-adran (2) neu (3) o adran 57'.

Carl Sargeant 36

Section 58, page 33, line 30, leave out 'not satisfied that the applicant became homeless intentionally in the circumstances which gave rise to the application or is disregarding intentionality in respect of the applicant (see section 61)' and insert—
'satisfied that the applicant has a priority need for accommodation,

- () if the authority is having regard to whether or not the applicant is homeless intentionally (see section 61), is not satisfied that the applicant became homeless intentionally in the circumstances which gave rise to the application'.

Adran 58, tudalen 33, hepgorer llinellau 30 hyd at 32 a mewnosoder—

- '() yn fodlon bod gan y ceisydd angen blaenoriaethol am lety,
- () os yw'r awdurdod yn rhoi sylw i ba un a yw ceisydd yn ddigartref yn fwriadol ai peidio (gweler adran 61), nad yw'n fodlon y daeth y ceisydd yn ddigartref yn fwriadol o dan yr amgylchiadau a arweiniodd at y cais;'

Carl Sargeant 37

Section 58, page 33, line 34, leave out 'intentionality in respect of the applicant' and insert 'whether or not the applicant is homeless intentionally'.

Adran 58, tudalen 33, llinell 33, hepgorer 'fwriadoldeb mewn perthynas â'r ceisydd' a mewnosoder 'ba un a yw'r ceisydd yn ddigartref yn fwriadol ai peidio'.

Carl Sargeant 38

Section 58, page 33, after line 34, insert—

- '() the applicant became homeless intentionally in the circumstances which gave rise to the application,'.

Adran 58, tudalen 33, ar ôl llinell 34, mewnosoder—

- '() y daeth y ceisydd yn ddigartref yn fwriadol o dan yr amgylchiadau a arweiniodd

at y cais,'.

Carl Sargeant 39

Section 58, page 33, line 35, leave out 'an' and insert 'the'.

Adran 58, tudalen 33, llinell 35, hepgorer 'â cheisydd' a mewnosoder 'â'r ceisydd'.

Peter Black 137

Section 58, page 34, line 7, leave out 'an offer' and insert 'more than two offers'.

Adran 58, tudalen 34, llinell 7, hepgorer 'cynnig' a mewnosoder 'mwy na dau gynnig'.

Carl Sargeant 110

Section 59, page 34, line 18, leave out '(5), (6)' and insert '(3)'.

Adran 59, tudalen 34, llinell 19, hepgorer '(5), (6),' a mewnosoder '(3)'.

Carl Sargeant 111

Section 59, page 34, line 21, after 'of' at the first place where it appears, insert 'suitable'.

Adran 59, tudalen 34, llinell 22, ar ôl 'lety', mewnosoder 'addas'.

Carl Sargeant 112

Section 59, page 34, line 23, after 'of', insert 'suitable accommodation under'.

Adran 59, tudalen 34, llinell 23, ar ôl 'o', mewnosoder 'lety addas o dan'.

Carl Sargeant 113

Section 59, page 34, line 23, leave out 'from a private landlord'.

Adran 59, tudalen 34, llinell 23, hepgorer 'gan landlord preifat'.

Carl Sargeant 114

Section 59, page 34, after line 26, insert –

'() an offer of suitable interim accommodation under section 58,'.

Adran 59, tudalen 34, ar ôl llinell 26, mewnosoder –

'() cynnig o lety interim addas o dan adran 58,'.

Peter Black 138

Section 59, page 34, line 37, leave out '6' and insert '12'.

Adran 59, tudalen 34, llinell 37, hepgorer '6' a mewnosoder '12'.

Carl Sargeant 115

Section 59, page 35, line 6, leave out subsection (6).

Adran 59, tudalen 35, llinell 6, hepgorer is-adran (6).

Carl Sargeant 116

Section 59, page 35, line 11, leave out 'accommodation made available for the applicant's occupation under section 54.' and insert—

'suitable interim accommodation made available for the applicant's occupation—

- (a) under section 54 and which continues to be made available under section 58, or
- (b) under section 58.'

Adran 59, tudalen 35, llinell 11, hepgorer 'y sicrhawyd ei fod ar gael i'r ceisydd ei feddiannu o dan adran 54.' a mewnosoder—

'interim addas y sicrhawyd ei fod ar gael i'r ceisydd ei feddiannu—

- (a) o dan adran 54 ac y parheir i sicrhau ei fod ar gael o dan adran 58, neu
- (b) o dan adran 58.'

Carl Sargeant 117

Section 59, page 35, line 14, leave out 'the accommodation made available for the applicant's occupation under section 54.' and insert—

'suitable interim accommodation made available for the applicant's occupation—

- (a) under section 54 and which continues to be made available under section 58, or
- (b) under section 58.'

Adran 59, tudalen 35, llinell 14, hepgorer 'y sicrhawyd o dan adran 54 ei fod ar gael i'r ceisydd ei feddiannu.' a mewnosoder—

'interim addas y sicrhawyd ei fod ar gael i'r ceisydd ei feddiannu—

- (a) o dan adran 54 ac y parheir i sicrhau ei fod ar gael o dan adran 58, neu
- (b) o dan adran 58.'

Carl Sargeant 40

Section 61, page 35, line 37, leave out 'may by regulations prescribe a category or categories of person' and insert 'must, by regulations, specify a category or categories of applicant'.

Adran 61, tudalen 35, llinell 38, hepgorer 'Caiff Gweinidogion Cymru, drwy reoliadau, ragnodi categori neu gategoriâu o bersonau' a mewnosoder 'Rhaid i Weinidogion Cymru, drwy reoliadau, bennu categori neu gategoriâu o geiswyr'.

Carl Sargeant 41

Section 61, page 36, line 1, leave out 'decide to disregard intentionality for the purposes of section 58 in respect of one or more of the categories of person prescribed under subsection (1), if it publishes a notice of its decision identifying the category or categories' and insert—

'not have regard to whether or not an applicant has become homeless intentionally for the purposes of sections 54 and 58 unless –

- (a) the applicant falls within a category specified under subsection (1) in respect of which the authority has decided to have regard to whether or not applicants in that category have become homeless intentionally, and
- (b) the authority has published a notice of its decision under paragraph (a) which specifies the category'.

Adran 61, tudalen 35, llinell 39, hepgorer is-adran (2) a mewnosoder –

- (2) Ni chaiff awdurdod tai lleol roi sylw i ba un a yw ceisydd wedi dod yn ddigartref yn fwriadol ai peidio at ddibenion adrannau 54 a 58 oni bai bod –
- (a) y ceisydd yn dod o fewn categori a bennir o dan is-adran (1) y mae'r awdurdod wedi penderfynu, mewn perthynas â'r categori hwnnw, rhoi sylw i ba un a yw ceiswyr o fewn y categori hwnnw wedi dod yn ddigartref yn fwriadol ai peidio, a
 - (b) yr awdurdod wedi cyhoeddi hysbysiad am ei benderfyniad o dan baragraff (a) sy'n pennu'r categori hwnnw.'

Carl Sargeant

42

Section 61, page 36, line 5, leave out 'and it has not published a notice of a decision to stop disregarding intentionality in respect of one or more of the prescribed categories.' and insert –
'unless the authority has –

- (a) decided to stop having regard to whether or not applicants falling into the category specified in the notice have become homeless intentionally, and
- (b) published a notice of its decision specifying the category.'

Adran 61, tudalen 36, llinell 5, hepgorer 'ac nad yw wedi cyhoeddi hysbysiad am benderfyniad i roi'r gorau i ddiystyru bwriadoldeb mewn perthynas ag un neu ragor o'r categorïau rhagnodedig,' a mewnosoder –

'oni bai bod yr awdurdod wedi –

- (a) penderfynu rhoi'r gorau i roi sylw i ba un a yw ceiswyr sy'n dod o fewn y categori a bennir yn yr hysbysiad wedi dod yn ddigartref yn fwriadol ai peidio, a
- (b) wedi cyhoeddi hysbysiad am ei benderfyniad sy'n pennu'r categori.'

Carl Sargeant

43

Section 61, page 36, line 7, leave out subsection (4) and insert –

- () For the purposes of section 54 and 58, a local housing authority must have regard to whether or not an applicant has become homeless intentionally if the applicant falls within a category specified in the notice published by the authority under subsection (2).'

Adran 61, tudalen 36, llinell 7, hepgorer is-adran (4) a mewnosoder –

- () At ddibenion adran 54 a 58, rhaid i awdurdod tai lleol roi sylw i ba un a yw ceisydd wedi dod yn ddigartref yn fwriadol ai peidio os yw'r ceisydd yn dod o fewn categori a bennir yn yr hysbysiad a gyhoeddwyd gan yr awdurdod o dan is-adran (2).'

Jocelyn Davies 160

Section 61, page 36, after line 8, insert—

- '(5) Subsection (6) has effect from 1 January 2019 and from that date subsections (1) to (4) cease to have effect.
- (6) A local housing authority must not have regard to whether or not an applicant has become intentionally homeless.'

Adran 61, tudalen 36, ar ôl llinell 8, mewnosoder—

- '(5) Mae is-adran (6) yn cael effaith o 1 Ionawr 2019 ac o'r dyddiad hwnnw bydd is-adrannau (1) i (4) yn peidio â chael effaith.
- (6) Ni chaniateir i awdurdod tai lleol roi sylw i p'un a yw ceisydd wedi dod yn ddigartref yn fwriadol ai peidio.'

Carl Sargeant 44

Section 62, page 36, after line 14, insert—

- '() The circumstances are that the local housing authority is satisfied that a mistake of fact led to the applicant being notified under section 49 that the duty was owed to the applicant.'

Adran 62, tudalen 36, ar ôl llinell 14, mewnosoder—

- '() Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon bod camgymeriad ffeithiol wedi arwain at hysbysu'r ceisydd o dan adran 49 bod y ddyletswydd yn ddyledus i'r ceisydd.'

Carl Sargeant 45

Section 63, page 37, line 15, after 'order', insert 'under subsection (5)'.

Adran 63, tudalen 37, llinell 16, ar ôl 'gorchymyn', mewnosoder 'o dan is-adran (5)'.

Carl Sargeant 46

Section 77, page 45, line 35, leave out ', or sending it, at' and insert 'at, or sending it to,'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

Carl Sargeant 47

Section 78, page 46, line 12, leave out 'body' and insert 'person'.

Adran 78, tudalen 46, llinell 12, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant 48

Section 78, page 46, line 13, leave out 'body' and insert 'person'.

Adran 78, tudalen 46, llinell 13, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

49

Section 78, page 46, line 14, leave out 'body' and insert 'person'.

Adran 78, tudalen 46, llinell 14, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

50

Section 78, page 46, line 15, leave out 'body's' and insert 'person's'.

Adran 78, tudalen 46, llinell 15, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

51

Section 78, page 46, line 16, leave out 'body's' and insert 'person's'.

Adran 78, tudalen 46, llinell 16, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

52

Section 78, page 46, line 17, leave out 'body' and insert 'person'.

Adran 78, tudalen 46, llinell 17, hepgorer 'gorff' a mewnosoder 'berson'.

Carl Sargeant

53

Section 78, page 46, line 19, leave out 'body' at the first place where it appears and insert 'person'.

Adran 78, tudalen 46, llinell 19, hepgorer 'corff' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'person'.

Carl Sargeant

54

Section 78, page 46, line 19, leave out 'body' at the second place where it appears and insert 'person'.

Adran 78, tudalen 46, llinell 19, hepgorer 'corff' yn yr ail le y mae'n ymddangos a mewnosoder 'person'.

Carl Sargeant

55

Section 78, page 46, line 21, leave out 'body's' and insert 'person's'.

Adran 78, tudalen 46, llinell 21, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

56

Section 78, page 46, line 22, leave out 'body's' and insert 'person's'.

Adran 78, tudalen 46, llinell 22, hepgorer 'corff' a mewnosoder 'person'.

Carl Sargeant

57

Section 78, page 46, line 23, leave out 'body' and insert 'person'.

Adran 78, tudalen 46, llinell 23, hepgorer 'gorff' a mewnosoder 'berson'.

Carl Sargeant 58

Section 78, page 46, line 25, leave out 'bodies' and insert 'persons'.

Adran 78, tudalen 46, llinell 25, hepgorer 'cyrff' a mewnosoder 'personau'.

Carl Sargeant 59

Section 78, page 46, after line 31, insert—

'() The Welsh Ministers may amend subsection (5) by order to omit or add a person, or a description of a person.

() An order under subsection (6) may not add a Minister of the Crown.'

Adran 78, tudalen 46, ar ôl llinell 31, mewnosoder—

'() Caiff Gweinidogion Cymru ddiwygio is-adran (5) drwy orchymyn er mwyn hepgor neu ychwanegu person, neu ddisgrifiad o berson.

() Ni chaiff gorchymyn o dan is-adran () ychwanegu un neu ragor o Weinidogion y Goron.'

Carl Sargeant 60

Section 79, page 47, line 8, leave out 'to whom sections 54, 56, or 58 do not apply' and insert 'that a duty under section 54, 56 or 58 is not likely to apply to the applicant'.

Adran 79, tudalen 47, llinell 8, hepgorer 'adrannau 54, 56, neu 58 yn gymwys iddo' a mewnosoder 'dyletswydd o dan adran 54, 56 neu 58 yn debygol o fod yn gymwys i'r ceisydd'.

Carl Sargeant 61

Section 79, page 47, line 9, leave out 'to whom section 52 does not apply' and insert 'that a duty under section 52 is not likely to apply to the applicant'.

Adran 79, tudalen 47, llinell 9, hepgorer 'adran 52 yn gymwys iddo' a mewnosoder 'dyletswydd o dan adran 52 yn debygol o fod yn gymwys i'r ceisydd'.

Carl Sargeant 62

Section 81, page 48, line 15, leave out 'under this Chapter (whether as the local housing authority or the social services authority)' and insert 'relating to homelessness'.

Adran 81, tudalen 48, llinell 15, hepgorer 'o dan y Bennod hon (p'un ai fel yr awdurdod tai lleol neu'r awdurdod gwasanaethau cymdeithasol lleol)' a mewnosoder 'yn ymwneud â digartrefedd'.

Carl Sargeant 63

Section 81, page 48, after line 17, insert—

'() Subsection (1) applies in relation to functions under this Part and any other enactment.'

Adran 81, tudalen 48, ar ôl llinell 17, mewnosoder –

‘() Mae is-adran (1) yn gymwys mewn perthynas â swyddogaethau o dan y Rhan hon ac unrhyw ddeddfiad arall.’.

Carl Sargeant

64

Section 82, page 48, line 28, leave out ‘48’ and insert ‘48(3) and section 66(3)’.

Adran 82, tudalen 49, llinell 10, ar ôl ‘48(3)’, mewnosoder ‘ac adran 66(3)’.

Carl Sargeant

65

Section 82, page 50, after line 2, insert –

“voluntary organisation” (“*corff gwirfoddol*”) means a body (other than a public or local authority) whose activities are not carried on for profit.’.

Adran 82, tudalen 49, ar ôl llinell 10, mewnosoder –

‘ystyr “*corff gwirfoddol*” (“*voluntary organisation*”) yw corff (ac eithrio awdurdod cyhoeddus neu awdurdod lleol) nad yw ei weithgareddau yn cael eu cynnal er mwyn gwneud elw.’.

Peter Black

139

Section 84, page 50, line 12, leave out ‘such’ and insert –

‘ –

- (a) Gypsies and Travellers residing in or resorting to its area, and
- (b) such other ‘.

Adran 84, tudalen 50, llinell 12, hepgorer ‘â’r cyfryw’ a mewnosoder –

‘ â –

- (a) Sipsiwn a Theithwyr sy’n preswyllo yn ei ardal neu sy’n cyrchu yno, a
- (b) y cyfryw’.

Peter Black

140

Section 94, page 54, line 5, after ‘may’, insert ‘by regulations’.

Adran 94, tudalen 54, llinell 5, ar ôl ‘Cymru’, mewnosoder ‘drwy reoliadau’.

Peter Black

141

Section 94, page 54, line 10, leave out ‘Standards set’ and insert ‘Regulations made’.

Adran 94, tudalen 54, llinell 10, hepgorer ‘safonau a osodir’ a mewnosoder ‘rheoliadau a wneir’.

Peter Black

142

Section 94, page 54, line 16, leave out subsections (4) to (5).

Adran 94, tudalen 54, llinell 16, hepgorer is-adrannau (4) hyd at (5).

Peter Black

66A

As an amendment to amendment 66, line 1, leave out '100' and insert '200'.

Fel gwelliant i welliant 66, llinell 2, hepgorer '100' a mewnosoder '200'.

Carl Sargeant

66

Section 122, page 64, line 15, leave out '50%' and insert 'such percentage of not more than 100 as it may specify in the determination'.

Adran 122, tudalen 64, llinell 15, hepgorer '50%' a mewnosoder 'such percentage of not more than 100 as it may specify in the determination'.

Carl Sargeant

67

Section 122, page 64, after line 15, insert—

'() A billing authority may specify different percentages for different dwellings based on the length of time for which they have been long-term empty dwellings.'

Adran 122, tudalen 64, ar ôl llinell 15, mewnosoder—

'() A billing authority may specify different percentages for different dwellings based on the length of time for which they have been long-term empty dwellings.'

Carl Sargeant

68

Section 122, page 64, after line 15, insert—

'() In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.'

Adran 122, tudalen 64, ar ôl llinell 15, mewnosoder—

'() In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.'

Peter Black

69A

As an amendment to amendment 69, after line 11, insert—

'(c) the dwelling is not a mobile home on a holiday site, as defined in sections 60 and 2 of the Mobile Homes (Wales) Act 2013 respectively.'

Fel gwelliant i welliant 69, ar ôl llinell 11, mewnosoder—

'(c) the dwelling is not a mobile home on a holiday site, as defined in sections 60 and 2 of the Mobile Homes (Wales) Act 2013 respectively.'

Carl Sargeant

69

Section 122, page 65, after line 22, insert—

‘12B Higher amount for dwellings occupied periodically: Wales

- (1) For any financial year, a billing authority may by determination provide in relation to its area that if on any day the conditions mentioned in subsection (2) are satisfied in respect of a dwelling—
 - (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than 100 as it may specify in the determination.
- (2) The conditions are—
 - (a) there is no resident of the dwelling, and
 - (b) the dwelling is substantially furnished.
- (3) But a billing authority’s first determination under this section must be made at least one year before the beginning of the financial year to which it relates.
- (4) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.
- (5) The Welsh Ministers may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under this section.
- (6) A class of dwellings may be prescribed under subsection (5) by reference to such factors as the Welsh Ministers think fit and may, amongst other factors, be prescribed by reference to—
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (7) Where a determination under this section has effect in relation to a class of dwellings—
 - (a) the billing authority may not make a determination under section 12(3) or (4) in relation to that class, and
 - (b) any determination that has been made under section 12(3) or (4) ceases to have effect in relation to that class.
- (8) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (9) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in its area.

- (10) The notice must be published before the end of the period of 21 days beginning with the date of the determination.
- (11) The validity of a determination is not affected by a failure to comply with subsection (9) or (10).
- (12) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”.

Adran 122, tudalen 65, ar ôl llinell 22, mewnosoder –

‘12B Higher amount for dwellings occupied periodically: Wales

- (1) For any financial year, a billing authority may by determination provide in relation to its area that if on any day the conditions mentioned in subsection (2) are satisfied in respect of a dwelling –
 - (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than 100 as it may specify in the determination.
- (2) The conditions are –
 - (a) there is no resident of the dwelling, and
 - (b) the dwelling is substantially furnished.
- (3) But a billing authority’s first determination under this section must be made at least one year before the beginning of the financial year to which it relates.
- (4) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.
- (5) The Welsh Ministers may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under this section.
- (6) A class of dwellings may be prescribed under subsection (5) by reference to such factors as the Welsh Ministers think fit and may, amongst other factors, be prescribed by reference to –
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (7) Where a determination under this section has effect in relation to a class of dwellings –
 - (a) the billing authority may not make a determination under section 12(3) or (4) in relation to that class, and
 - (b) any determination that has been made under section 12(3) or (4) ceases to have effect in relation to that class.

- (8) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (9) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in its area.
- (10) The notice must be published before the end of the period of 21 days beginning with the date of the determination.
- (11) The validity of a determination is not affected by a failure to comply with subsection (9) or (10).
- (12) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.'''.

Peter Black

143

Section 122, page 65, after line 22, insert—

‘12B Duty for Ministers to produce a National Empty Homes Strategy

- (1) The Welsh Ministers must, within two years of the day on which this Act receives Royal Assent, produce a National Empty Homes Strategy for Wales (“the Strategy”), which they must lay before the National Assembly for Wales.
- (2) No later than the end of the period of 5 years beginning immediately after the laying of the Strategy, and before the end of each successive five year period thereafter, the Welsh Ministers must carry out a review of the operation of the Strategy and prepare a revised Strategy, which they must lay before the National Assembly.’.

Adran 122, tudalen 65, ar ôl llinell 22, mewnosoder—

‘12B Duty for Ministers to produce a National Empty Homes Strategy

- (1) The Welsh Ministers must, within two years of the day on which this Act receives Royal Assent, produce a National Empty Homes Strategy for Wales (“the Strategy”), which they must lay before the National Assembly for Wales.
- (2) No later than the end of the period of 5 years beginning immediately after the laying of the Strategy, and before the end of each successive five year period thereafter, the Welsh Ministers must carry out a review of the operation of the Strategy and prepare a revised Strategy, which they must lay before the National Assembly.’.

Peter Black

144

Section 122, page 65, after line 22, insert—

- '() The Welsh Ministers must, in relation to each financial year, lay a report before the National Assembly for Wales on the implementation of this section and the amounts raised by each billing authority as a result of determinations made under this section.'

Adran 122, tudalen 65, ar ôl llinell 22, mewnosoder –

- '() Rhaid i Weinidogion Cymru, mewn perthynas â phob blwyddyn ariannol, osod adroddiad gerbron Cynulliad Cenedlaethol Cymru ar weithredu'r adran hon a'r symiau a godir gan bob awdurdod bilio o ganlyniad i benderfyniadau a wnaed o dan yr adran hon.'

Peter Black

146

To insert a new section –

'PART []

LEASEHOLD REFORM - NOTICES

[] Amendment of the Leasehold Reform, Housing and Urban Development Act 1993

In section 99(5) of the Leasehold Reform, Housing and Urban Development Act 1993 (requirement for notices under Act to be signed by tenants or tenant personally) for paragraphs (a) and (b) substitute "be signed by or on behalf of each of the tenants, or (as the case may be) by or on behalf of the tenant, by whom it is given."

I fewnosod adran newydd –

'RHAN []

DIWYGIO CYFRAITH LESDDALIAD - HYSBYSIADAU

[] Diwygio Deddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993

Yn adran 99(5) o Ddeddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993 (gofyniad i hysbysiadau o dan y Ddeddf gael eu llofnodi gan denantiaid neu denant yn bersonol), yn lle paragraffau (a) a (b), rhodder "be signed by or on behalf of each of the tenants, or (as the case may be) by or on behalf of the tenant, by whom it is given."

Peter Black

145

To insert a new section –

[] Affordable Homes Target

- (1) The Welsh Ministers must, within 6 months of the day of an Assembly ordinary general election, set and publish targets for the number of affordable homes to be built in Wales during the following 5 years.
- (2) The Welsh Ministers must keep those targets under review, and lay a report annually before the National Assembly on the progress made in achieving those targets.
- (3) For the purpose of this section ‘affordable home’ includes housing provided through the following schemes and initiatives –
 - (a) General Needs including Homebuy;
 - (b) Vulnerable Households and ExtraCare;
 - (c) Mortgage Rescue;
 - (d) Strategic Capital Investment Fund (SCIF);
 - (e) Section 106 New Build Units (committed and windfall);
 - (f) Affordable Housing Exception Site Policy (including Community Land Trusts [CLTs]);
 - (g) Empty Homes initiatives;
 - (h) Leasing Schemes (leases of more than one year).
- (4) The Welsh Ministers may by regulations amend the list of schemes and initiatives set out in subsection (3).’.

I fewnosod adran newydd –

[] Targed Tai Fforddiadwy

- (1) Rhaid i Weinidogion Cymru, o fewn 6 mis i ddyddiad etholiad cyffredinol cyffredin y Cynulliad, bennu a chyhoeddi targedau ar gyfer nifer y tai fforddiadwy i’w hadeiladu yng Nghymru yn ystod y 5 mlynedd ddilynol.
- (2) Rhaid i Weinidogion Cymru adolygu’r targedau hynny, a gosod adroddiad gerbron y Cynulliad Cenedlaethol yn flynyddol ar y cynnydd a wnaed o ran cyflawni’r targedau hynny.
- (3) At ddibenion yr adran hon, mae ‘tŷ fforddiadwy’ yn cynnwys tai a ddarperir drwy’r cynlluniau a’r mentrau canlynol –
 - (a) Anghenion cyffredinol gan gynnwys Cymorth Prynu;
 - (b) Aelwydydd sy’n agored i niwed ac ExtraCare;
 - (c) Cynlluniau achub morgeisi;
 - (d) Y Gronfa Buddsoddi Cyfalaf Strategol;
 - (e) Unedau sy’n cael eu hadeiladu o’r newydd o dan Adran 106 (safleoedd yr ymrwymwyd iddynt a hap-safleoedd);
 - (f) Polisi Safleoedd Eithrio Tai Fforddiadwy (gan gynnwys Ymddiriedolaethau Tir

Cymunedol);

(g) Mentrau cartrefi gwag;

(h) Cynlluniau lesio (lesoedd o fwy na blwyddyn).

(4) Caiff Gweinidogion Cymru drwy reoliadau ddiwygio'r rhestr o gynlluniau a mentrau a nodir yn is-adran (3).'

Carl Sargeant 76

Schedule 3, page 73, line 19, leave out 'and section' and insert 'or'.

Atodlen 3, tudalen 73, llinell 18, hepgorer 'and section' a mewnosoder 'or'.

Carl Sargeant 77

Schedule 3, page 75, at the beginning of line 16, insert 'in subsections (1) and (5).'

Atodlen 3, tudalen 75, ar ddechrau llinell 16, mewnosoder 'yn is-adrannau (1) a (5).'

Carl Sargeant 78

Schedule 3, page 75, line 25, after 'of', insert 'Part 1 of'.

Atodlen 3, tudalen 75, llinell 26, ar ôl 'o', mewnosoder 'Ran 1 o'.

Carl Sargeant 79

Schedule 3, page 75, line 26, after '(1)', insert 'after paragraph (b)'.

Atodlen 3, tudalen 75, llinell 27, ar ôl '(1)', mewnosoder 'ar ôl paragraff (b)'.

Carl Sargeant 80

Schedule 3, page 76, line 14, leave out ', for the entry for the "Housing Act 1996" substitute' and insert –

' –

(a) omit the entry for the Housing Act 1996;

(b) after the entry for the Children and Families (Wales) Measure 2010 insert'

Atodlen 3, tudalen 76, llinell 15, hepgorer ', yn lle'r eitem ar gyfer "Deddf Tai 1996" rhodder' a mewnosoder –

' –

(a) hepgorer yr eitem ar gyfer Deddf Tai 1996;

(b) ar ôl yr eitem ar gyfer Mesur Plant a Theuluoedd (Cymru) 2010 mewnosoder '.

Carl Sargeant 81

Schedule 3, page 78, line 35, leave out 'and 12A' and insert ', 12A and 12B'.

Atodlen 3, tudalen 78, llinell 35, hepgorer 'and 12A' a mewnosoder ', 12A and 12B'.

Carl Sargeant 82

Schedule 3, page 79, line 1, leave out '12A(2)' and insert '12A(4) and 12B(7)'.

Atodlen 3, tudalen 79, llinell 1, hepgorer '12A(2)' a mewnosoder '12A(4) and 12B(7)'.

Carl Sargeant 83

Schedule 3, page 79, line 2, leave out 'or 12A' and insert ', 12A or 12B'.

Atodlen 3, tudalen 79, llinell 2, hepgorer 'or 12A' a mewnosoder ', 12A or 12B'.

Carl Sargeant 84

Schedule 3, page 79, line 3, leave out 'or 12A' and insert ', 12A or 12B'.

Atodlen 3, tudalen 79, llinell 3, hepgorer 'or 12A' a mewnosoder ', 12A or 12B'.

Carl Sargeant 85

Schedule 3, page 79, line 5, leave out 'or 12A' and insert ', 12A or 12B'.

Atodlen 3, tudalen 79, llinell 5, hepgorer 'or 12A' a mewnosoder ', 12A or 12B'.

Carl Sargeant 86

Schedule 3, page 79, line 6, leave out 'after "11B(1)(b)" insert "or 12A(1)(b)"' and insert 'for "(higher amount of tax for empty dwellings)" substitute "(higher amount of tax for empty dwellings: England), 12A(1)(b) (higher amount of tax for empty dwellings: Wales) or 12B(1)(b) (higher amount of tax for dwellings occupied periodically: Wales)"'.

Atodlen 3, tudalen 79, llinell 6, hepgorer 'ar ôl "11B(1)(b)" mewnosoder "or 12A(1)(b)" a mewnosoder 'yn lle "(higher amount of tax for empty dwellings)" rhodder "(higher amount of tax for empty dwellings: England), 12A(1)(b) (higher amount of tax for empty dwellings: Wales) or 12B(1)(b) (higher amount of tax for dwellings occupied periodically: Wales)"'.

Carl Sargeant 118

Schedule 3, page 79, after line 9, insert –

'() In section 29(3) (decision whether a person is fit and proper to manage a site), for paragraph (b) substitute –

"(b) practised unlawful discrimination or harassment on the grounds of any characteristic which is a protected characteristic under section 4 of the Equality Act 2010, or victimised another person contrary to that Act, in or in connection with the carrying on of any business, or" .'

Atodlen 3, tudalen 79, ar ôl llinell 10, mewnosoder –

'() Yn adran 29(3) (penderfynu a yw person yn berson addas a phriodol i reoli safle), yn lle paragraff (b) rhodder –

"(b) wedi aflonyddu neu wahaniaethu'n anghyfreithlon ar sail

unrhyw nodwedd sy'n nodwedd warchoddedig o dan adran 4 o Ddeddf Cydraddoldeb 2010, neu wedi erlid person arall yn groes i'r Ddeddf honno, wrth gynnal unrhyw fusnes neu mewn cysylltiad â hynny, neu''.

Carl Sargeant 119

Schedule 3, page 79, line 15, after 'interpretation', insert 'at the appropriate place'.

Atodlen 3, tudalen 79, llinell 17, ar ôl 'arall', mewnosoder 'yn y man priodol'.

WITHDRAWN/TYNNWYD YN ÔL

Carl Sargeant 70

Section 124, page 66, line 9, leave out 'or 11(6)' and insert ', 11(6) or [section to be inserted by amendment X](5)'.

Adran 124, tudalen 66, llinell 10, hepgorer 'neu 11(6)' a mewnosoder ', 11(6) neu [adran i'w mewnosod gan welliant X](5)'.

Carl Sargeant 71

Section 124, page 66, line 11, after '55(3)', insert '[new section on abolition or reform of the concept of priority need]'.

Adran 124, tudalen 66, llinell 12, ar ôl '55(3)', mewnosoder '[adran newydd ar ddileu neu ddiwygio'r cysyniad o angen blaenoriaethol]'.

Carl Sargeant 72

Section 124, page 66, line 12, after '61(1)', insert 'or 69(1)'.

Adran 124, tudalen 66, llinell 14, ar ôl '61(1)', mewnosoder 'or 69(1)'.

Peter Black 147

Section 124, page 66, after line 14, insert—

'() in Part 4, regulations made under section 94;'.

Adran 124, tudalen 66, ar ôl llinell 16, mewnosoder—

'() yn Rhan 4, rheoliadau a wneir o dan adran 94;'.

Peter Black 161

Section 127, page 67, after line 18, insert—

'() An order under subsection () must be made so far as to bring section 58(3) into force on or before 1 January 2019.'

Adran 127, tudalen 67, ar ôl llinell 18, mewnosoder—

'() Rhaid gwneud gorchymyn o dan is-adran () i'r graddau y bydd yn dod ag adran 58(3) i

rwm ar 1 Ionawr 2019, neu cyn y dyddiad hwnnw.’.

Carl Sargeant

11

Section 39, page 21, line 29, leave out ‘provide’ and insert ‘secure’.

Adran 39, tudalen 21, llinell 30, hepgorer ‘ddarparu’ a mewnosoder ‘sicrhau’.

Carl Sargeant

12

Section 39, page 22, line 5, leave out subsection (9) and insert –

‘() Section 61 provides for the circumstances in which local housing authorities may have regard to whether an applicant became homeless intentionally when it is considering whether a duty to secure accommodation for applicants in priority need applies; section 60 provides for the meaning of intentionally homeless.’.

Adran 39, tudalen 22, llinell 5, hepgorer is-adran (9) a mewnosoder –

‘() Mae adran 61 yn darparu ar gyfer yr amgylchiadau hynny pan gaiff awdurdodau tai lleol roi sylw i ba un a ddaeth ceisydd yn ddigartref yn fwriadol ai peidio wrth benderfynu a yw dyletswydd i sicrhau llety ar gyfer ceiswyr mewn angen blaenoriaethol yn gymwys; mae adran 60 yn darparu ar gyfer ystyr bod yn ddigartref yn fwriadol.’.