



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 8 Mai 2014
Tabled on 8 May 2014

Bil Tai (Cymru)
Housing (Wales) Bill

- Jocelyn Davies** 358
Section 46, page 25, line 32, after 'support', insert 'free of charge'.
Adran 46, tudalen 25, llinell 32, ar ôl 'gefnogaeth', mewnosoder 'ddi-dâl'.
- Jocelyn Davies** 359
Section 46, page 25, line 36, after 'available', insert 'free of charge'.
Adran 46, tudalen 25, llinell 36, ar ôl 'gael', mewnosoder 'yn ddi-dâl'.
- Jocelyn Davies** 360
Section 47, page 26, after line 17, insert—
'() Persons who request assistance but who are not eligible for help in accordance with Schedule 2 must nevertheless be provided with the information identified in section 46(2) (b) and (c) as well as information regarding assistance available outside the authority's area from organisations other than local housing authorities.'
- Adran 47, tudalen 26, ar ôl llinell 18, mewnosoder—
'() Rhaid i bersonau sy'n gofyn am gynhorthwy ond nad ydynt yn gymwys i gael cymorth yn unol ag Atodlen 2, serch hynny gael yr wybodaeth a bennir yn adran 46(2) (b) ac (c) yn ogystal â gwybodaeth ynghylch cynhorthwy sydd ar gael y tu allan i ardal yr

awdurdod gan sefydliadau heblaw awdurdodau tai lleol.’

Jocelyn Davies

361

Section 47, page 26, after line 17, insert—

- ‘() Persons fleeing domestic abuse are eligible for help under the following provisions of this Chapter even if they would otherwise be ineligible for help in accordance with Schedule 2.’

Adran 47, tudalen 26, ar ôl llinell 18, mewnosoder—

- ‘() Mae personau sy’n dianc rhag cam-drin domestig yn gymwys i gael cymorth o dan ddarpariaethau canlynol y Bennod hon, hyd yn oed os ydynt fel arall yn anghymwys i gael help yn unol ag Atodlen 2.’

Jocelyn Davies

362

Section 50, page 28, after line 29, insert—

- ‘(3) The Welsh Ministers must issue guidance to local housing authorities in relation to how those authorities may secure or help to secure that suitable accommodation is available, or does not cease to be available, for occupation by an applicant.’

Adran 50, tudalen 28, ar ôl llinell 28, mewnosoder—

- ‘(3) Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdodau tai lleol mewn perthynas â sut y caiff yr awdurdodau hynny sicrhau neu gynorthwyo i sicrhau bod llety addas ar gael, neu nad yw’n peidio â bod ar gael, i’r ceisydd ei feddiannu.’

Mark Isherwood

22A

As an amendment to amendment 22, line 1, leave out ‘or physical or mental’ and insert ‘, learning difficulty or disability or physical’.

Fel gwelliant i welliant 22, llinell 1, hepgorer ‘neu anabledd corfforol neu feddyliol’ a mewnosoder ‘, anhawster neu anabledd dysgu neu anabledd corfforol’.

Mark Isherwood

69B

As an amendment to amendment 69, leave out lines 43 to 45 and insert—

- ‘(12) A statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.’’

Fel gwelliant i welliant 69, hepgorer llinellau 43 i 45 a mewnosoder-

'(12) A statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.'''.

Mark Isherwood

69C

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

'(c) that the owner derives an income from letting the dwelling.'

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

'(c) that the owner derives an income from letting the dwelling.'

Mark Isherwood

157A

As an amendment to amendment 157, line 2, leave out 'or physical or mental' and insert 'physical disability or learning difficulty or'.

Fel gwelliant i welliant 157, llinell 2, hepgorer 'neu anabledd corfforol neu feddyliol' a mewnosoder 'anabledd corfforol neu anhawster neu anabledd dysgu'.

Mark Isherwood

363

Section 1, page 1, line 16, leave out subsection (2).

Adran 1, tudalen 1, llinell 17, hepgorer is-adran (2).

Mark Isherwood

364

Section 1, page 1, line 21, leave out 'and "responsible persons" – for definitions of these terms' and insert '- for the definition of this term'.

Adran 1, tudalen 1, llinell 23, hepgorer 'a "personau cyfrifol" – gweler y diffiniadau o'r termau hynny' a mewnosoder '- gweler y diffiniad o'r term hwn'.

Mark Isherwood

365

Section 1, page 1, line 23, leave out 'registered and'.

Adran 1, tudalen 1, llinell 24, hepgorer 'gofrestredig ac yn'.

Mark Isherwood

366

Section 1, page 1, line 24, leave out subsection (4).

Adran 1, tudalen 1, llinell 26, hepgorer is-adran (4).

Mark Isherwood 367

Section 1, page 2, line 4, leave out subsection (6).
Adran 1, tudalen 2, llinell 4, hepgorer is-adran (6).

Mark Isherwood 368

Section 2, page 2, leave out lines 29 to 32.
Adran 2, tudalen 2, hepgorer llinellau 30 hyd at 33.

Mark Isherwood 369

Page 3, line 8, leave out section 3.
Tudalen 3, llinell 8, hepgorer adran 3.

Mark Isherwood 370

Page 3, line 26, leave out section 4.
Tudalen 3, llinell 26, hepgorer adran 4.

Mark Isherwood 371

Section 4, page 3, line 33, after 'takes', insert 'formal'.
Adran 4, tudalen 3, llinell 34, ar ôl 'camau', mewnosoder 'ffurfiol'.

Mark Isherwood 372

Section 4, page 3, after line 36, insert—
'(d) if the property is already licensed under the housing in multiple occupation provisions contained in Part 2 of the Housing Act 2004;
(e) if the property is already licensed under the selective licensing provisions contained in Part 3 of the Housing Act 2004.'

Adran 4, tudalen 3, ar ôl llinell 37, mewnosoder—
'(d) os yw'r eiddo eisoes wedi'i drwyddedu o dan y darpariaethau tai amlfeddiannaeth yn Rhan 2 o Ddeddf Tai 2004;
(e) os yw'r eiddo eisoes wedi'i drwyddedu o dan y darpariaethau trwyddedu dethol yn Rhan 3 o Ddeddf Tai 2004.'

Mark Isherwood 373

Section 4, page 4, after line 12, insert—
'(3) The following subsections apply if the owner of a rental property (or a person acting on behalf of the owner), notifies the local housing authority of an intention to take particular steps with a view to securing the registration of the property and the licensing of its

management.

- (4) The local housing authority may, if it thinks fit, serve on the owner of a rental property a temporary exemption notice in respect of that property.
- (5) If a temporary exemption notice is served under this section, the rental property is not required to be registered or licensed under this Part during the period for which the notice is in force.
- (6) A temporary exemption notice under this section is in force –
 - (a) for the period of 3 months beginning with the date on which it is served, or
 - (b) (in the case of a notice served by virtue of subsection (7)) for the period of 3 months after the date when the first notice ceases to be in force.
- (7) If the local housing authority –
 - (a) receives a further notification under subsection (3), and
 - (b) considers that there are exceptional circumstances that justify the service of a second temporary exemption notice in respect of the rental property that would take effect from the end of the period of 3 months applying to the first notice,the authority may serve a second such notice on the person having control of or managing the property (but no further notice may be served by virtue of this subsection).
- (8) If the authority decides not to serve a temporary exemption notice in response to a notification under subsection (1), it must without delay serve on the person concerned a notice informing that person of –
 - (a) the decision,
 - (b) the reasons for it and the date on which it was made,
 - (c) the right to appeal against the decision under subsection (9), and
 - (d) the period within which an appeal may be made under that subsection.
- (9) The person concerned may appeal to the appropriate tribunal against the decision within the period of 28 days beginning with the date specified under subsection (8) as the date on which it was made.
- (10) Such an appeal –
 - (a) is to be by way of a re-hearing, but
 - (b) may be determined having regard to matters of which the authority were unaware.
- (11) The tribunal –
 - (a) may confirm or reverse the decision of the authority, and
 - (b) if it reverses the decision, must direct the authority to serve a temporary exemption notice that comes into force on such date as the tribunal directs.’.

Adran 4, tudalen 4, ar ôl llinell 13, mewnosoder –

- (3) Mae’r is-adrannau canlynol yn gymwys os yw perchennog eiddo ar rent (neu berson sy’n gweithredu ar ran y perchennog) yn hysbysu’r awdurdod tai lleol fod bwriad i gymryd

camau penodol er mwyn cofrestru'r eiddo a thrwyddedu'r rheoli.

- (4) Caiff yr awdurdod tai lleol, os gwêl yn dda, gyflwyno hysbysiad esemptio dros dro i berchennog eiddo ar rent mewn perthynas â'r eiddo hwnnw.
- (5) Os cyflwynir hysbysiad esemptio dros dro o dan yr adran hon, nid oes gofyn i'r eiddo ar rent fod wedi'i gofrestru neu ei drwyddedu o dan y Rhan hon yn ystod y cyfnod y bydd yr hysbysiad mewn grym.
- (6) Bydd hysbysiad esemptio dros dro o dan yr adran hon mewn grym—
 - (a) am y cyfnod o dri mis sy'n dechrau ar y dyddiad y caiff ei gyflwyno, neu
 - (b) (yn achos hysbysiad a gyflwynir yn rhinwedd is-adran (7)) am y cyfnod o dri mis sy'n dechrau ar y dyddiad y daw'r hysbysiad cyntaf i ben.
- (7) Os bydd yr awdurdod tai lleol—
 - (a) yn cael hysbysiad pellach o dan is-adran (3), a
 - (b) yn ystyried bod amgylchiadau eithriadol sy'n cyfiawnhau cyflwyno ail hysbysiad esemptio dros dro mewn perthynas â'r eiddo ar rent, a fyddai'n dod i rym ar ddiwedd y cyfnod o dri mis sy'n gymwys i'r hysbysiad cyntaf, caiff yr awdurdod gyflwyno ail hysbysiad o'r fath i'r person sydd â rheolaeth ar yr eiddo neu'n rheoli'r eiddo (ond ni cheir cyflwyno hysbysiad pellach yn rhinwedd yr is-adran hon).
- (8) Os bydd yr awdurdod yn penderfynu peidio â chyflwyno hysbysiad esemptio dros dro mewn ymateb i hysbysiad o dan is-adran (1), rhaid iddo'n ddi-oed gyflwyno hysbysiad i'r person dan sylw yn ei hysbysu o'r canlynol—
 - (a) y penderfyniad,
 - (b) y rhesymau drosto, a'r dyddiad y cafodd ei wneud,
 - (c) yr hawl i apelio yn erbyn y penderfyniad o dan is-adran (9), a
 - (d) y cyfnod y caniateir gwneud apêl o dan yr is-adran honno.
- (9) Caiff y person dan sylw apelio i'r tribiwnlys priodol yn erbyn y penderfyniad o fewn y cyfnod o 28 diwrnod sy'n dechrau ar y dyddiad a bennir o dan is-adran (8) fel y dyddiad y cafodd y penderfyniad ei wneud.
- (10) Yn achos apêl o'r fath—
 - (a) rhaid iddo fod ar ffurf ail-wrandawriad, ond
 - (b) caniateir penderfynu arno gan roi sylw i faterion nad oedd yr awdurdod tai lleol yn ymwybodol ohonynt.
- (11) Caiff y tribiwnlys—
 - (a) cadarnhau neu wrthdroi penderfyniad yr awdurdod, a
 - (b) os yw'n gwrthdroi'r penderfyniad, caiff gyfarwyddo'r awdurdod i gyflwyno hysbysiad esemptio dros dro sy'n dod i rym ar ddyddiad i'w bennu yn ôl cyfarwyddyd y tribiwnlys.'

Mark Isherwood 374

Section 4, page 4, after line 12, insert –

- (e) if the property is already licensed under the housing in multiple occupation provisions contained in Part 2 of the Housing Act 2004;
- (f) if the property is already licensed under the selective licensing provisions contained in Part 3 of the Housing Act 2004.’.

Adran 4, tudalen 4, ar ôl llinell 13, mewnosoder –

- (e) os yw’r eiddo eisoes wedi’i drwyddedu o dan y darpariaethau tai amlfeddiannaeth yn Rhan 2 o Ddeddf Tai 2004;
- (f) os yw’r eiddo eisoes wedi’i drwyddedu o dan y darpariaethau trwyddedu dethol yn Rhan 3 o Ddeddf Tai 2004.’.

Mark Isherwood 375

Section 5, page 4, line 14, leave out ‘or responsible person’.

Adran 5, tudalen 4, llinell 15, hepgorer ‘neu berson cyfrifol’.

Mark Isherwood 376

Section 5, page 4, line 15, leave out ‘or responsible person’.

Adran 5, tudalen 4, llinell 16, hepgorer ‘neu’r person cyfrifol’.

Mark Isherwood 377

Section 5, page 4, leave out line 16.

Adran 5, tudalen 4, hepgorer llinell 17.

Mark Isherwood 378

Section 5, page 4, line 19, leave out ‘or responsible person’.

Adran 5, tudalen 4, llinell 20, hepgorer ‘neu berson cyfrifol’.

Mark Isherwood 379

Section 5, page 4, line 25, leave out ‘or responsible person’.

Adran 5, tudalen 4, llinell 27, hepgorer ‘neu berson cyfrifol’.

Mark Isherwood 380

Section 5, page 4, line 26, leave out ‘or responsible person’.

Adran 5, tudalen 4, llinell 28, hepgorer ‘neu’r person cyfrifol’.

- Mark Isherwood** 381
Page 4, line 30, leave out section 6.
Tudalen 4, llinell 32, hepgorer adran 6.
- Mark Isherwood** 382
Page 5, line 2, leave out section 7.
Tudalen 5, llinell 2, hepgorer adran 7.
- Mark Isherwood** 383
Section 7, page 5, line 17, after 'who', insert 'knowingly or recklessly'.
Adran 7, tudalen 5, llinell 18, ar ôl 'gamarweiniol', mewnosoder 'yn fwriadol neu'n ddi-hid'.
- Mark Isherwood** 384
Page 5, line 24, leave out section 8.
Tudalen 5, llinell 25, hepgorer adran 8.
- Mark Isherwood** 385
Page 5, line 32, leave out section 9.
Tudalen 5, llinell 34, hepgorer adran 9.
- Mark Isherwood** 386
Section 9, page 5, after line 35, insert—
 '(d) has been convicted of an offence under the Protection from Eviction Act 1977.'

Adran 9, tudalen 5, ar ôl llinell 37, mewnosoder —
 '(d) sydd wedi ei gollfarnu am drosedd o dan Ddeddf Diogelu rhag Troi Allan 1977.'
- Mark Isherwood** 387
Section 10, page 7, line 3, leave out 'has applied' and insert 'is required'.
Adran 10, tudalen 7, llinell 3, hepgorer 'sydd wedi gwneud cais i' a mewnosoder 'y mae'n ofynnol iddo'.
- Mark Isherwood** 388
Section 10, page 7, line 3, leave out 'registered' and insert 'licensed'.
Adran 10, tudalen 7, llinell 3, hepgorer 'gofrestredig' a mewnosoder 'drwyddedig'.

Mark Isherwood 389

Section 10, page 7, line 3, leave out '7' and insert '5'.

Adran 10, tudalen 7, llinell 3, hepgorer '7' a mewnosoder '5'.

Mark Isherwood 390

Section 10, page 7, after line 4, insert—

'() Any person who intends to act as an agent or responsible person in relation to any property (whether a specific property or properties generally) may apply to be licensed by the local housing authority.'

Adran 10, tudalen 7, ar ôl llinell 4, mewnosoder —

'() Caiff unrhyw berson sy'n bwriadu gweithredu fel asiant neu berson cyfrifol mewn perthynas ag unrhyw eiddo (boed yn eiddo penodol neu eiddo yn gyffredinol) wneud cais i fod yn drwyddedig gan yr awdurdod tai lleol.'

Mark Isherwood 391

Section 10, page 7, after line 14, insert—

'(d) where the applicant is an agent, that the applicant is a member of a consumer redress scheme.'

Adran 10, tudalen 7, ar ôl llinell 15, mewnosoder —

'(d) pan fo'r ceisydd yn asiant, bod y ceisydd yn aelod o gynllun unioni cam defnyddwyr.'

Mark Isherwood 392

Section 10, page 7, line 22, after 'staff', insert 'who provides advice to the landlord or tenant or exercises a discretion on behalf of the landlord'.

Adran 10, tudalen 7, llinell 23, ar ôl 'corff', mewnosoder 'sy'n rhoi cyngor i'r landlord neu'r tenant neu sy'n arfer disgresiwn ar ran y landlord'.

Mark Isherwood 393

Section 11, page 7, line 32, leave out 'appropriate' and insert 'relevant'.

Adran 11, tudalen 7, llinell 33, hepgorer 'briodol' a mewnosoder 'berthnasol'.

Mark Isherwood 394

Section 11, page 8, at the beginning of line 4, insert 'has been found by a court or tribunal to have'.

Adran 11, tudalen 8, ar ddechrau llinell 4, mewnosoder 'wedi'i gael yn euog gan lys neu dribiwnlys ei fod'.

Mark Isherwood 395

Section 11, page 8, line 7, after 'failed', insert 'or is failing'.

Adran 11, tudalen 8, llinell 7, ar ôl 'â', mewnosoder 'neu yn methu â'.

Mark Isherwood 396

Section 12, page 8, line 21, leave out 'may' and insert 'must'.

Adran 12, tudalen 8, llinell 23, hepgorer 'Caiff yr' a mewnosoder 'Rhaid i'r'.

Mark Isherwood 397

Section 12, page 8, line 25, leave out 'or responsible person'.

Adran 12, tudalen 8, llinell 27, hepgorer 'neu berson cyfrifol'.

Mark Isherwood 398

Section 12, page 8, after line 26, insert—

- '(e) unlawful discrimination and harassment and the protected characteristics under the Equality Act 2010.'

Adran 12, tudalen 8, ar ôl llinell 28, mewnosoder—

- '(e) gwahaniaethu ac aflonyddu anghyfreithlon a'r nodweddion gwarchoddedig o dan Ddeddf Cydraddoldeb 2010.'

Mark Isherwood 399

Section 12, page 8, after line 26, insert—

- '(e) compliance with their duties under section []'.

Adran 12, tudalen 8, ar ôl llinell 28, mewnosoder—

- '(e) cydymffurfiaeth â'u dyletswyddau o dan adran []'.

Mark Isherwood 400

Section 14, page 9, line 5, leave out subsections (1) to (2) and insert—

'A local housing authority may grant a licence subject to such conditions relating to the management of rental properties as it considers appropriate.'

Adran 14, tudalen 9, llinell 4, hepgorer is-adrannau (1) hyd at (2) a mewnosoder—

- '(1) Caiff awdurdod tai lleol roi trwydded yn ddarostyngedig i unrhyw amodau sy'n

ymwneud â rheoli eiddo ar rent y mae'n eu hystyried yn briodol.'.

Mark Isherwood 401

Section 14, page 9, after line 8, insert—

- '(3) A licence must be granted subject to a condition that the licence holder complies with the law relating to housing and landlords and tenants.'

Adran 14, tudalen 9, ar ôl llinell 8, mewnosoder—

- '(3) Rhaid i drwydded gael ei rhoi yn ddarostyngedig i amod bod deiliad y drwydded yn cydymffurfio â'r gyfraith mewn perthynas â thai a landlordiaid a thenantiaid.'

Mark Isherwood 402

Section 14, page 9, after line 8, insert—

- '(3) A licence must be granted subject to a condition that the licence holder complies with—
- (a) The Domestic Energy Efficiency Regulations, and
 - (b) The Tenants' Energy Efficiency Improvements Regulations.'

Adran 14, tudalen 9, ar ôl llinell 8, mewnosoder—

- '(3) Rhaid i drwydded gael ei rhoi yn ddarostyngedig i amod bod deiliad y drwydded yn cydymffurfio â'r canlynol—
- (a) y Rheoliadau Effeithlonrwydd Ynni Domestig, a
 - (b) y Rheoliadau Gwelliannau Effeithlonrwydd Ynni Tenantiaid.'

Mark Isherwood 403

Section 17, page 9, after line 31, insert—

- '() New licence conditions may not be imposed that are more demanding than those imposed when the licence was granted.'

Adran 17, tudalen 9, ar ôl llinell 31, mewnosoder—

- '() Ni chaniateir gosod amodau trwydded newydd sy'n llymach na'r amodau a osodwyd pan roddwyd y drwydded.'

Mark Isherwood 404

Section 18, page 10, line 24, after 'licence' at the second place where it appears, insert 'if the breach is of a serious or repeated nature'.

Adran 18, tudalen 10, llinell 24, ar ôl 'drwydded' yn yr ail lle y mae'n ymddangos, mewnosoder 'a hynny mewn ffordd ddifrifol neu sawl gwaith'.

Mark Isherwood 405

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

- ‘(e) the licence holder has been convicted of an offence under the Protection from Eviction Act 1977.’.

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

- ‘(e) os yw deiliad y drwydded wedi ei gollfarnu am drosedd o dan Ddeddf Diogelu rhag Troi Allan 1977.’.

Mark Isherwood 406

Section 18, page 11, line 19, leave out ‘agent or responsible person’s’ and insert ‘agent’s’.

Adran 18, tudalen 11, llinell 20, hepgorer ‘neu berson cyfrifol’.

Mark Isherwood 407

Section 18, page 11, line 20, leave out ‘or responsible person’.

Adran 18, tudalen 11, llinell 22, hepgorer ‘neu berson cyfrifol’.

Mark Isherwood 408

Section 20, page 12, line 24, after ‘must’, insert ‘, subject to paragraph (c)’.

Adran 20, tudalen 12, ar ddechrau llinell 24, mewnosoder ‘yn ddarostyngedig i baragraff (c).

Mark Isherwood 409

Section 20, page 12, after line 27, insert –

- ‘(c) may be allowed by the appropriate tribunal to be made to it after the end of the period mentioned in paragraph (a) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).’.

Adran 20, tudalen 12, ar ôl llinell 27, mewnosoder –

- ‘(c) caiff y tribiwnlys priodol ganiatáu iddo gael ei gyflwyno ar ôl diwedd y cyfnod a grybwyllir ym mharagraff (a) os yw’n fodlon bod rheswm da am fethu â chyflwyno apêl cyn diwedd y cyfnod hwnnw (ac am unrhyw oedi ers hynny wrth wneud cais am ganiatâd i apelio y tu hwnt i’r cyfnod a nodwyd).’.

Mark Isherwood 410

Section 24, page 14, line 15, after ‘must’, insert ‘, subject to paragraph (c)’.

Adran 24, tudalen 14, ar ddechrau llinell 17, mewnosoder ‘yn ddarostyngedig i baragraff (c).

Mark Isherwood

411

Section 24, page 14, after line 18, insert—

- (c) may be allowed by the appropriate tribunal to be made to it after the end of the period mentioned in paragraph (a) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).'

Adran 24, tudalen 14, ar ôl llinell 20, mewnosoder—

- (c) caiff y tribiwnlys priodol ganiatáu iddo gael ei gyflwyno ar ôl diwedd y cyfnod a grybwyllir ym mharagraff (a) os yw'n fodlon bod rheswm da am fethu â chyflwyno apêl cyn diwedd y cyfnod hwnnw (ac am unrhyw oedi ers hynny wrth wneud cais am ganiatâd i apelio y tu hwnt i'r cyfnod a nodwyd).'

Mark Isherwood

412

Section 26, page 15, after line 17, insert—

- (6) The requirement to provide information under this section does not include a requirement to provide information orally in response to questioning.'

Adran 26, tudalen 15, ar ôl llinell 18, mewnosoder—

- (6) Nid yw'r gofyniad i ddarparu gwybodaeth o dan yr adran hon yn cynnwys gofyniad i ddarparu gwybodaeth ar lafar mewn ymateb i gwestiynau.'

Mark Isherwood

413

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

- () Standards under subsection (1) may be set in relation to obligations to make energy efficiency improvements to private rented properties.'

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

- () Gellir dyroddi safonau o dan is-adran (1) mewn perthynas â rhwymedigaethau i wneud gwelliannau effeithlonrwydd ynni i eiddo rhent preifat.'

Mark Isherwood

414

Section 28, page 16, line 7, leave out—'or

- (b) persons whom the Welsh Ministers consider to represent the interests of the persons mentioned in paragraph (a),'

Adran 28, tudalen 16, llinell 8, hepgorer—'neu

- (b) personau y mae Gweinidogion Cymru yn ystyried eu bod yn cynrychioli

buddiannau'r personau a grybwyllir ym mharagraff (a),’.

Mark Isherwood

415

To insert a new section –

‘Landlord accreditation

[] Landlord accreditation

The Welsh Ministers may, by order, grant approval to landlord accreditation schemes for the whole or any part of Wales.’.

I fewnosod adran newydd –

‘Achredu landlordiaid

[] Achredu landlordiaid

Caiff Gweinidogion Cymru, drwy orchymyn, gymeradwyo cynlluniau achredu landlordiaid ar gyfer Cymru gyfan neu unrhyw ran o Gymru.’.

Mark Isherwood

416

To insert a new section –

[] Home energy efficiency improvements

- (1) Landlords must consider from information readily available to them, any support or assistance available from any schemes, grants or otherwise for the purpose of making home energy efficiency improvements to a rental property.
- (2) Landlords must inform their tenants of their consideration under subsection (1) and whether any support or assistance may be available for the purpose of home energy efficiency improvements in relation to the rental property.
- (3) The Welsh Ministers may provide guidance to landlords on the implementation of this section.
- (4) The Welsh Ministers may set standards in any code of practice under section 28 in relation to a landlord’s obligations under this section including standards relating to training.
- (5) Landlords must reconsider the matters referred to in subsection (1) at least once in every 5 years.’.

I fewnosod adran newydd –

[] Gwelliannau effeithlonrwydd ynni cartref

- (1) Rhaid i landlordiaid ystyried, gan ddefnyddio gwybodaeth sydd ar gael iddynt yn rhwydd, unrhyw gefnogaeth neu gymorth sydd ar gael drwy unrhyw gynlluniau,

grantiau neu fel arall, at ddiben gwneud gwelliannau effeithlonrwydd ynni cartref i eiddo ar rent.

- (2) Rhaid i landlordiaid hysbysu eu tenantiaid am eu hystyriaethau o dan is-adran (1) ac a allai unrhyw gefnogaeth neu gymorth fod ar gael at ddiben gwelliannau effeithlonrwydd ynni cartref mewn perthynas â'r eiddo ar rent.
- (3) Caiff Gweinidogion Cymru ddarparu canllawiau ar gyfer landlordiaid ar weithredu'r adran hon.
- (4) Caiff Gweinidogion Cymru ddyroddi safonau mewn unrhyw god ymarfer o dan adran 28 mewn perthynas â rhwymedigaethau landlordiaid o dan yr adran hon gan gynnwys safonau yn ymwneud â hyfforddiant.
- (5) Rhaid i landlordiaid ailystyried y materion y cyfeirir atynt yn is-adran (1) o leiaf unwaith bob pum mlynedd.'.

Mark Isherwood

417

Section 32, page 17, line 18, leave out 'registered and'.

Adran 32, tudalen 17, llinell 19, hepgorer 'gofrestredig ac yn'.

Mark Isherwood

418

To insert a new section –

[] Advice for tenants

- (1) A local housing authority must secure the provision of a service providing tenants with information and advice relating to their rights and responsibilities as tenants.
- (2) In relation to subsection (1), the service must include information and advice relating to property defects and how tenants can assist the local housing authority to take action under Part 1 of the Housing Act 2004.'.

I fewnosod adran newydd –

[] Cyngor i denantiaid

- (1) Rhaid i awdurdodau tai lleol sicrhau y darperir gwasanaeth sy'n darparu gwybodaeth a chyngor i denantiaid ynglŷn â'u hawliau a'u cyfrifoldebau fel tenantiaid.
- (2) Mewn perthynas ag is-adran (1), rhaid i'r gwasanaeth gynnwys gwybodaeth a chyngor ynghylch diffygion eiddo a sut y gall tenantiaid gynorthwyo'r awdurdod tai lleol i gymryd camau o dan Ran 1 o Ddeddf Tai 2004.'.

Mark Isherwood

419

Section 35, page 18, leave out line 13.

Adran 35, tudalen 18, hepgorer llinell 5.

Mark Isherwood

420

Section 38, page 20, after line 16, insert—

- ‘() A local housing authority must work with relevant public authorities and voluntary organisations in the development of its homelessness strategy in order to prevent homelessness of members of groups at particular risk.’

Adran 38, tudalen 20, ar ôl llinell 18, mewnosoder—

- ‘() Rhaid i awdurdod tai lleol weithio gydag awdurdodau cyhoeddus a sefydliadau elusennol perthnasol i ddatblygu ei strategaeth ddigartrefedd er mwyn atal digartrefedd ymysg grwpiau sy’n wynebu perygl arbennig o ddigartrefedd.’

Mark Isherwood

421

Section 38, page 20, after line 16, insert—

- ‘() In formulating a homelessness strategy the authority must consider (among other things) the extent to which any of the objectives mentioned in subsection (1) can be achieved through action involving social letting agencies and private sector leasing schemes and other such agencies and schemes designed to facilitate the contribution made by the private sector in achieving those objectives.’

Adran 38, tudalen 20, ar ôl llinell 18, mewnosoder—

- ‘() Wrth lunio strategaeth ddigartrefedd rhaid i’r awdurdod ystyried (ymysg pethau eraill) i ba raddau y gellir cyflawni unrhyw un o’r amcanion a grybwyllir yn is-adran (1) drwy gamau sy’n ymwneud ag asiantaethau gosod cymdeithasol a chynlluniau lesio’r sector preifat ac asiantaethau a chynlluniau eraill o’r fath a gynlluniwyd i hwyluso cyfraniad y sector preifat at gyflawni’r amcanion hynny.’

Mark Isherwood

422

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 landlord has been accredited under a scheme approved under section [].’

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 landlord wedi ei achredu o dan gynllun a gymeradwywyd o dan adran [] ai peidio.’

Mark Isherwood

423

Section 46, page 26, after line 13, insert—

- '(5) A local housing authority must work with relevant public authorities and voluntary organisations to ensure that the service meets the needs of groups at particular risk of homelessness.'

Adran 46, tudalen 26, ar ôl llinell 14, mewnosoder –

- '(5) Rhaid i awdurdod tai lleol weithio gydag awdurdodau cyhoeddus a sefydliadau elusennol perthnasol i ddatblygu ei strategaeth ddigartrefedd er mwyn atal digartrefedd ymysg grwpiau sy'n wynebu perygl arbennig o ddigartrefedd.'

Mark Isherwood

424

Section 48, page 27, after line 19, insert –

- '(10) A local housing authority must work with relevant public authorities and voluntary organisations to ensure that groups at particular risk of homelessness can be assessed.'

Adran 48, tudalen 27, ar ôl llinell 18, mewnosoder –

- '(10) Rhaid i awdurdod tai lleol weithio gydag awdurdodau cyhoeddus a sefydliadau elusennol perthnasol i sicrhau y gellir asesu grwpiau sy'n wynebu perygl arbennig o ddigartrefedd.'

Mark Isherwood

425

Section 122, page 65, line 6, leave out '1 year' and insert '2 years'.

Adran 122, tudalen 65, llinell 6, hepgorer '1' a mewnosoder '2'.

Mark Isherwood

426

Section 122, page 65, leave out lines 20 to 22 and insert –

- '(12) A statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.'''

Adran 122, tudalen 65, hepgorer llinellau 20 hyd at 22 a mewnosoder –

- '(12) A statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.'''

Mark Isherwood

427

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

- '(13) Before a billing authority makes a determination under this section it

must have taken all reasonable steps to work with the owners of long term empty dwellings to ensure that those dwellings are occupied.’.

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

- ‘(13) Before a billing authority makes a determination under this section it must have taken all reasonable steps to work with the owners of long term empty dwellings to ensure that those dwellings are occupied.’.

Mark Isherwood

428

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

“12B Duty to report

- (1) A billing authority in Wales must provide to the Welsh Ministers an annual report of the number of long-term empty dwellings (as defined in section 12A(9)) within its area at the end of the financial year.
- (2) The Welsh Ministers must collate and analyse the information provided by billing authorities pursuant to subsection (1) and lay a report annually before the National Assembly for Wales.”.

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

“12B Duty to report

- (1) A billing authority in Wales must provide to the Welsh Ministers an annual report of the number of long-term empty dwellings (as defined in section 12A(9)) within its area at the end of the financial year.
- (2) The Welsh Ministers must collate and analyse the information provided by billing authorities pursuant to subsection (1) and lay a report annually before the National Assembly for Wales.”.

Mark Isherwood

429

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

“12B Proceeds of higher amounts of council tax

- (1) The billing authority must identify the amounts received by it as a result of any determinations made by it under sections 12A and 12B.
- (2) A sum equivalent to the amounts identified under subsection (1) must be allocated by it to expenditure on housing and related regeneration.”.

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

“12B Proceeds of higher amounts of council tax

- (1) The billing authority must identify the amounts received by it as a result of any determinations made by it under sections 12A and 12B.
- (2) A sum equivalent to the amounts identified under subsection (1) must be allocated by it to expenditure on housing and related regeneration.”.

Mark Isherwood

430

To insert a new section –

[1 Amendment of Part 1 of the Housing Act 2004

- (1) The Housing Act 2004 is amended as follows.
- (2) After section 50 (Recovery of charge under section 49) insert –

“Duty to report - Wales

50A Duty to report

- (1) Each local housing authority in Wales must, in relation to each calendar year, make a written report to the Welsh Ministers on its implementation of this Part.
- (2) The Report required by subsection (1) must be sent to the Welsh Ministers on or before 1st May following the end of the year to which the report relates.
- (3) The Welsh Ministers must collate and analyse the reports received from local housing authorities, and lay its own report before the National Assembly for Wales on the implementation of this Part in Wales during the previous year.”.

I fewnosod adran newydd –

[1 Diwygio Rhan 1 o Ddeddf Tai 2004

- (1) Mae Deddf Tai 2004 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 50 (adennill ffioedd o dan adran 49) mewnosoder –

“Duty to report - Wales

50A Duty to report

- (1) Each local housing authority in Wales must, in relation to each calendar year, make a written report to the Welsh Ministers on its implementation of this Part.
- (2) The Report required by subsection (1) must be sent to the Welsh Ministers on or before 1st May following the end of the year to which the report relates.

- (3) The Welsh Ministers must collate and analyse the reports received from local housing authorities, and lay its own report before the National Assembly for Wales on the implementation of this Part in Wales during the previous year.”.

Mark Isherwood

431

To insert a new section –

[] Amendment of Part 3 of the Housing Act 2004

- (1) The Housing Act 2004 is amended as follows.
- (2) After section 98 (Other consequences of operating unlicensed houses: restriction on terminating tenancies) insert –

“Duty to report - Wales

98A Duty to report

- (1) Each local housing authority in Wales must, in relation to each calendar year, make a written report to the Welsh Ministers on its implementation of this Part.
- (2) The Report required by subsection (1) must be sent to the Welsh Ministers on or before 1st May following the end of the year to which the report relates.
- (3) The Welsh Ministers must collate and analyse the reports received from local housing authorities, and lay its own report before the National Assembly for Wales on the implementation of this Part in Wales during the previous year.”.

I fewnosod adran newydd –

[] Diwygio Rhan 3 o Ddeddf Tai 2004

- (1) Mae Deddf Tai 2004 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 98 (canlyniadau eraill yn sgîl gweithredu tai didrwydded: cyfyngiad ar derfynu tenantiaethau) mewnosoder –

“Duty to report - Wales

98A Duty to report

- (1) Each local housing authority in Wales must, in relation to each calendar year, make a written report to the Welsh Ministers on its implementation of this Part.
- (2) The Report required by subsection (1) must be sent to the Welsh Ministers on or before 1st May following the end of the year to which the report relates.

- (3) The Welsh Ministers must collate and analyse the reports received from local housing authorities, and lay its own report before the National Assembly for Wales on the implementation of this Part in Wales during the previous year.”.

Mark Isherwood

432

Section 127, page 67, after line 20, insert—

- ‘() The power in subsection (3) must be exercised in relation to Part 1 so as to introduce the requirement for the licensing of agents to be introduced at least two years before the requirement for the licensing of landlords is introduced.’.

Adran 127, tudalen 67, ar ôl llinell 20, mewnosoder—

- ‘() Rhaid i’r pŵer yn is-adran (3) gael ei arfer mewn perthynas â Rhan 1 er mwyn cyflwyno’r gofyniad i asiantau fod yn drwyddedig o leiaf ddwy flynedd cyn y gofyniad i landlordiaid fod yn drwyddedig.’.

Mark Isherwood

433

Schedule 1, page 68, after line 12, insert—

- ‘() in relation to each property identified under sub-paragraph 1(c), the energy performance rating of that property (if available);’.

Atodlen 1, tudalen 68, ar ôl llinell 12, mewnosoder—

- ‘() mewn perthynas â phob eiddo a nodwyd o dan is-baragraff 1(c), sgôr perfformiad ynni yr eiddo hwnnw (os ydyw ar gael);’.

Mark Isherwood

434

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

- ‘(c) the energy performance rating of the property (if available).’.

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

- ‘(c) sgôr perfformiad ynni yr eiddo (os ydyw ar gael).’.

Carl Sargeant

435

Page 2, line 14, leave out section 2 and insert—

[] Meaning of key terms

- (1) In this Part—

“domestic tenancy” (“*tenantiaeth ddomestig*”) means—

- (a) a tenancy which is an assured tenancy for the purposes of the Housing Act 1988 (which includes an assured shorthold tenancy), except where the tenancy –
 - (i) is a long lease for the purposes of Chapter 1 of Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993 (“the 1993 Act”), or
 - (ii) in the case of a shared ownership lease (within the meaning given by section 7(7) of the 1993 Act), would be such a lease if the tenant’s share (within the meaning given by that section) were 100 per cent,
- (b) a regulated tenancy for the purposes of the Rent Act 1977, or
- (c) a tenancy under which a dwelling is let as a separate dwelling and which is of a description specified for the purposes of this Part in an order made by the Welsh Ministers;

“dwelling” (“*annedd*”) means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it, where the whole of the dwelling is in Wales;

“landlord” (“*landlord*”) means –

- (a) in relation to a dwelling subject to a domestic tenancy, the immediate landlord or, in relation to a statutory tenant, the person who, apart from the statutory tenancy, would be entitled to possession of the dwelling subject to the tenancy, and
- (b) in relation to a dwelling that is not subject to a domestic tenancy, the person who would be the immediate landlord if the dwelling were let under a domestic tenancy;

“rental property” (“*eiddo ar rent*”) means a dwelling subject to, or marketed or offered for let under, a domestic tenancy.

- (2) In this section, “statutory tenant” and “statutory tenancy” mean a statutory tenant or statutory tenancy within the meaning of the Rent Act 1977.’.

Tudalen 2, llinell 14, hepgorer adran 2 a mewnosoder –

[] Ystyr y prif dermau

- (1) Yn y Rhan hon –

ystyr “annedd” (“*dwelling*”) yw adeilad neu ran o adeilad a feddiennir neu y bwriedir ei feddiannu fel annedd ar wahân, ynghyd ag unrhyw fuarth, gardd, tai allan ac atodynau sy’n perthyn iddo neu a fwynheir gydag ef fel arfer, pan fo’r annedd gyfan yng Nghymru;

ystyr “eiddo ar rent” (“*rental property*”) yw annedd sy’n ddarostyngedig i denantiaeth ddomestig, neu sy’n cael ei marchnata neu ei chynnig i’w gosod o dan denantiaeth o’r fath;

ystyr “landlord” (“*landlord*”) –

- (a) mewn perthynas ag annedd sy'n ddarostyngedig i denantiaeth ddomestig, yw'r landlord uniongyrchol neu, mewn perthynas â thenant statudol, y person a fyddai, ar wahân i'r denantiaeth statudol, â'r hawl i feddiannu'r annedd sy'n ddarostyngedig i'r denantiaeth, a
- (b) mewn perthynas ag annedd nad yw'n ddarostyngedig i denantiaeth ddomestig, y person a fyddai'n landlord uniongyrchol pe bai'r annedd yn cael ei gosod o dan denantiaeth ddomestig;

ystyr "tenantiaeth ddomestig" ("*domestic tenancy*") yw –

- (a) tenantiaeth sy'n denantiaeth sicr at ddibenion Deddf Tai 1988 (sy'n cynnwys tenantiaeth fyrddaliol sicr), ac eithrio –
 - (i) pan fo'r denantiaeth yn les hir at ddibenion Pennod 1 o Ran 1 o Ddeddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993 ("*Deddf 1993*"), neu
 - (ii) yn achos les ranberchenogaeth (o fewn yr ystyr a roddir gan adran 7(7) o Ddeddf 1993), y byddai'r denantiaeth yn les o'r fath pe bai cyfran y tenant (o fewn yr ystyr a roddir gan yr adran honno) yn 100 y cant,
 - (b) tenantiaeth reoleiddiedig at ddibenion Deddf Rhenti 1977, neu
 - (c) tenantiaeth pan fo annedd yn cael ei gosod fel annedd ar wahân ac sydd o ddisgrifiad a bennir at ddibenion y Rhan hon mewn gorchymyn a wneir gan Weinidogion Cymru.
- (2) Yn y Rhan hon, ystyr "tenant statudol" a "tenantiaeth statudol" yw tenant statudol neu denantiaeth statudol o fewn ystyr Deddf Rhenti 1977'.

Carl Sargeant

436

To insert a new section –

[1] Requirement for landlords to be licensed to carry out property management activities

- (1) The landlord of a dwelling subject to a domestic tenancy must not do any of the things described in subsection (2) in respect of the dwelling unless –
 - (a) the landlord is licensed to do so under this Part for the area in which the dwelling is located,
 - (b) the thing done is arranging for an authorised agent to do something on the landlord's behalf, or
 - (c) an exception in section 7 applies.
- (2) The things are –
 - (a) collecting rent;
 - (b) being the principal point of contact for the tenant in relation to matters arising under the tenancy;
 - (c) making arrangements with a person to carry out repairs or maintenance;
 - (d) making arrangements with a tenant or occupier of the dwelling to secure access to

- the dwelling for any purpose;
- (e) checking the contents or condition of the dwelling, or arranging for them to be checked;
 - (f) serving notice to terminate a tenancy.
- (3) The landlord of a dwelling that was subject to a domestic tenancy, but is no longer subject to that domestic tenancy, must not check the contents or condition of the dwelling, or arrange for them to be checked, for any purpose connected with that tenancy unless –
- (a) the landlord is licensed to do so under this Part for the area in which the dwelling is located,
 - (b) the thing done is arranging for an authorised agent to do it on the landlord’s behalf, or
 - (c) an exception in section 7 applies.
- (4) The Welsh Ministers may by order –
- (a) amend or omit the descriptions of things in subsection (2) or (3) (including things added under paragraph (b)) that a landlord must not do unless any of paragraphs (a) to (c) of subsection (1) or (3) applies (as the case may be);
 - (b) add further descriptions of things for the purposes of this section (including by way of amendment to this Part).
- (5) A landlord who contravenes subsection (1) or (3) commits an offence and is liable on summary conviction to a fine.
- (6) In proceedings against a landlord for an offence under subsection (5) it is a defence that the landlord has a reasonable excuse for not being licensed.
- (7) In subsection (1) “authorised agent” means –
- (a) a person licensed to carry out lettings work and property management work under this Part for the area in which the dwelling is located,
 - (b) a local housing authority (whether or not in exercise of its functions as a local housing authority), or
 - (c) in relation to serving notice to terminate a tenancy only, a qualified solicitor (within the meaning of Part 1 of the Solicitors Act 1974), a person acting on behalf of such a solicitor or any person of a description specified in an order made by the Welsh Ministers.’.

I fewnosod adran newydd –

[] Gofyniad i landlord fod yn drwyddedig i ymgymryd â gweithgareddau rheoli eiddo

- (1) Ni chaniateir i landlord annedd sy’n ddarostyngedig i denantiaeth ddomestig wneud unrhyw un o’r pethau a ddisgrifir yn is-adran (2) mewn perthynas â’r eiddo oni bai bod –
- (a) y landlord yn drwyddedig i wneud hynny o dan y Rhan hon ar gyfer yr ardal y lleolir yr annedd ynddi,

- (b) y peth a wneir yw trefnu i asiant awdurdodedig wneud rhywbeth ar ran y landlord, neu
 - (c) mae eithriad yn adran 7 yn gymwys.
- (2) Y pethau yw –
- (a) casglu rhent;
 - (b) bod yn brif bwynt cyswllt ar gyfer y tenant mewn perthynas â materion sy'n codi o dan y denantiaeth;
 - (c) gwneud trefniadau gyda pherson i ymgymryd â gwaith trwsio neu gynnal a chadw;
 - (d) gwneud trefniadau gyda thenant neu feddiannwr yr annedd i sicrhau mynediad i'r annedd at unrhyw ddiben;
 - (e) cadarnhau cynnwys neu gyflwr yr annedd, neu drefnu iddynt gael eu cadarnhau;
 - (f) cyflwyno hysbysiad terfynu tenantiaeth.
- (3) Ni chaiff landlord annedd a oedd yn ddarostyngedig i denantiaeth ddomestig, ond nad yw bellach yn ddarostyngedig i'r denantiaeth ddomestig honno, gadarnhau cyflwr neu gynnwys yr annedd, neu drefnu iddynt gael eu cadarnhau, at unrhyw ddiben sy'n gysylltiedig â'r denantiaeth oni bai –
- (a) bod y landlord yn drwyddedig i wneud hynny o dan y Rhan hon ar gyfer yr ardal y mae'r annedd wedi ei lleoli ynddi,
 - (b) mai'r peth sy'n cael ei wneud yw trefnu i asiant awdurdodedig wneud hynny ar ran y landlord, neu
 - (c) mae eithriad yn adran 7 yn gymwys.
- (4) Caiff Gweinidogion Cymru wneud y canlynol drwy orchymyn –
- (a) diwygio neu hepgor y disgrifiadau o bethau yn is-adran (2) neu (3) (gan gynnwys pethau a ychwanegir o dan baragraff (b)) na chaiff landlord ei wneud oni bai bod unrhyw un neu ragor o baragraffau (a) i (c) o is-adran (1) neu (3) yn gymwys (yn ôl y digwydd);
 - (b) ychwanegu disgrifiadau pellach o bethau at ddibenion yr adran hon (gan gynnwys drwy ddiwygio'r Rhan hon).
- (5) Mae landlord sy'n torri is-adran (1) neu (3) yn cyflawni trosedd ac yn agored ar gollfarn ddiannod i ddirwy.
- (6) Mewn achos yn erbyn landlord am drosedd a gyflawnwyd o dan is-adran (5) mae'r ffaith bod gan y landlord esgus rhesymol am fethu â bod yn drwyddedig yn amddiffyniad.
- (7) Yn is-adran (1) ystyr "asiant awdurdodedig" yw –
- (a) person sy'n drwyddedig i ymgymryd â gwaith gosod a gwaith rheoli eiddo o dan y Rhan hon ar gyfer yr ardal y lleolir yr annedd ynddi,
 - (b) awdurdod tai lleol (pa un a yw'n arfer ei swyddogaethau fel awdurdod tai lleol ai peidio), neu
 - (c) mewn perthynas â chyflwyno hysbysiad terfynu tenantiaeth yn unig, cyfreithiwr cymwysedig (o fewn ystyr Rhan 1 o Ddeddf Cyfreithwyr 1974), person sy'n

gweithredu ar ran y cyfryw gyfreithiwr neu unrhyw berson o ddisgrifiad a bennir mewn gorchymyn a wneir gan Weinidogion Cymru.’.

Carl Sargeant

437

To insert a new section –

[] Requirement for agents to be licensed to carry out property management work

- (1) A person acting on behalf of the landlord of a dwelling subject to a domestic tenancy must not carry out property management work in respect of the dwelling unless the person is licensed to do so under this Part for the area in which the dwelling is located.
- (2) Where a dwelling was subject to a domestic tenancy, but is no longer subject to that domestic tenancy, a person acting on behalf of the landlord of the dwelling must not check the contents or condition of the dwelling, or arrange for them to be checked, for any purpose connected with that tenancy unless –
 - (a) the person is licensed to do so under this Part for the area in which the dwelling is located,
 - (b) the person does no other thing in respect of the dwelling falling within –
 - (i) section 9(1), except preparing, or arranging the preparation of, any inventory or schedule of condition, or
 - (ii) section 11(1), or
 - (c) the activity would not be property management work under section 11(3).
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable on summary conviction to a fine.
- (4) In proceedings against a person for an offence committed under subsection (3) it is a defence that the person has a reasonable excuse for not being licensed.’.

I fewnosod adran newydd –

[] Gofyniad i asiantau fod yn drwyddedig i ymgymryd â gwaith rheoli eiddo

- (1) Ni chaniateir i berson ymgymryd â gwaith reoli eiddo ar ran landlord mewn perthynas ag annedd sy’n ddarostyngedig i denantiaeth ddomestig oni bai bod y person yn drwyddedig i wneud hynny o dan y Rhan hon ar gyfer yr ardal y mae’r annedd wedi ei lleoli ynddi.
- (2) Ni chaniateir i berson sy’n gweithredu ar ran landlord annedd a oedd yn ddarostyngedig i denantiaeth ddomestig, ond nad yw bellach yn ddarostyngedig i’r denantiaeth ddomestig honno, gadarnhau cyflwr neu gynnwys yr annedd, neu drefnu iddynt gael eu cadarnhau, at unrhyw ddiben sy’n gysylltiedig â’r denantiaeth oni bai –
 - (a) bod y person yn drwyddedig i wneud hynny o dan y Rhan hon ar gyfer yr ardal y mae’r annedd wedi ei lleoli ynddi,
 - (b) nad yw’r person yn gwneud unrhyw beth arall mewn perthynas â’r annedd sy’n dod o fewn –

- (i) adran 9(1), ac eithrio paratoi, neu trefnu i baratoi, unrhyw stocrestr neu rhestr o gyflwr, neu
 - (ii) adran 11(1), neu
 - (c) na fyddai'r gweithgaredd yn waith rheoli eiddo o dan adran 11(3).
- (3) Mae person sy'n torri is-adran (1) neu (2) yn cyflawni trosedd ac yn agored ar gollfarn ddiannod i ddirwy.
- (4) Mewn achos yn erbyn person am drosedd a gyflawnwyd o dan is-adran (3) mae'r ffaith bod gan y person esgus rhesymol am fethu â bod yn drwyddedig yn amddiffyniad.'

Carl Sargeant

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To insert a new section –

[1] Meaning of property management work

- (1) In this Part, “property management work” means doing any of the following things –
- (a) collecting rent;
 - (b) being the principal point of contact for the tenant in relation to matters arising under the tenancy;
 - (c) making arrangements with a person to carry out repairs or maintenance;
 - (d) making arrangements with a tenant or occupier of the dwelling to secure access to the dwelling for any purpose;
 - (e) checking the contents or condition of the dwelling, or arranging for them to be checked;
 - (f) serving notice to terminate a tenancy.
- (2) But “property management work” does not include doing any one of the things in paragraphs (b) to (f) of subsection (1) when done by a person who –
- (a) does no other thing within subsection (1), and
 - (b) does nothing within section 9(1) in respect of the dwelling.
- (3) “Property management work” also does not include –
- (a) doing things under a contract of service or apprenticeship with a landlord;
 - (b) doing things under a contract of service or apprenticeship, or a contract for services, with a person who is –
 - (i) instructed to carry out the work by a landlord, and
 - (ii) licensed to do so under this Part;
 - (c) anything done by a local housing authority (whether or not in exercise of its functions as a local housing authority);
 - (d) things of a description, or things done by a person of a description, specified for the purposes of this section in an order made by the Welsh Ministers.'

I fewnosod adran newydd –

[] **Ystyr gwaith rheoli eiddo**

- (1) Yn y Rhan hon, ystyr “gwaith rheoli eiddo” yw gwneud unrhyw un o’r pethau canlynol –
- (a) casglu rhent;
 - (b) bod yn brif bwynt cyswllt ar gyfer y tenant mewn perthynas â materion sy’n codi o dan y denantiaeth;
 - (c) gwneud trefniadau gyda pherson i ymgymryd â gwaith trwsio neu gynnal a chadw;
 - (d) gwneud trefniadau gyda thenant neu feddiannwr yr annedd i sicrhau mynediad i’r annedd at unrhyw ddiben;
 - (e) cadarnhau cynnwys neu gyflwr yr annedd, neu drefnu iddynt gael eu cadarnhau;
 - (f) cyflwyno hysbysiad terfynu tenantiaeth.
- (2) Ond nid yw “gwaith rheoli eiddo” yn cynnwys gwneud unrhyw un o’r pethau ym mharagraffau (b) i (f) o is-adran (1) pan fo’n cael ei wneud gan berson –
- (a) nad yw’n gwneud unrhyw beth arall o fewn is-adran (1), a
 - (b) nad yw’n gwneud unrhyw beth o fewn adran 9(1) mewn perthynas â’r annedd.
- (3) Nid yw “gwaith rheoli eiddo” yn cynnwys y canlynol ychwaith –
- (a) gwneud pethau o dan gontract gwasanaeth neu prentisiaeth gyda landlord;
 - (b) gwneud pethau o dan gontract gwasanaeth neu prentisiaeth, neu gontract am wasanaethau gyda pherson sydd –
 - (i) wedi ei gyfarwyddo i ymgymryd â’r gwaith gan landlord, a
 - (ii) wedi ei drwyddedu i wneud hynny o dan y Rhan hon;
 - (c) unrhyw beth a wneir gan awdurdod tai lleol (pa un a yw’n arfer ei swyddogaethau fel awdurdod tai lleol ai peidio);
 - (d) pethau o ddisgrifiad, neu bethau a wneir gan berson o ddisgrifiad, a bennir at ddibenion yr adran hon mewn gorchymyn a wneir gan Weinidogion Cymru. ’.

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Section 15, page 9, line 10, leave out subsection (1) and insert –

- ‘(1) A licence holder must notify the licensing authority in writing of the following changes –
- (a) any change in the name under which the licence holder is licensed;
 - (b) any prescribed changes.
- (2) A licence holder must comply with the duty in subsection (1) within 28 days beginning with the first day on which the licence holder knew, or should have known, of the change.’.

Adran 15, tudalen 9, llinell 10, hepgorer is-adran (1) a mewnosoder –

- ‘(1) Rhaid i ddeiliad trwydded hysbysu’r awdurdod trwyddedu yn ysgrifenedig am y newidiadau a ganlyn –

- (a) unrhyw newid yn yr enw y cofrestrir deiliad y drwydded oddi tano;
 - (b) unrhyw newidiadau rhagnodedig.
- (2) Rhaid i ddeiliad trwydded gydymffurfio â'r ddyletswydd yn is-adran (1) o fewn 28 o ddiwrnodau gan ddechrau ar y diwrnod cyntaf yr oedd deiliad y drwydded yn gwybod am y newid, neu y dylai fod wedi gwybod amdano.'.