

RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Rheoleiddio Landlordiaid Cymdeithasol Cofrestredig (Cymru)

Regulation of Registered Social Landlords (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

Mae gwelliannau a nodir ag 'R' yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno'r gwelliant.

Amendments marked 'R' mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

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

Sections 2 - 20	Adrannau 2 - 20
Schedule 1	Atodlen 1
Schedule 2	Atodlen 2
Section 1	Adran 1
Long title	Teitl hir

Nick Ramsay

1A

As an amendment to amendment 1, leave out lines 6 to 8.

Fel gwelliant i welliant 1, hepgorer llinellau 6 i 8.



Rebecca Evans

1

Section 4, page 2, after line 23, insert –

‘() In paragraph 12, after sub-paragraph (2) insert –

“(2A) On giving notification under sub-paragraph (2), a society must also provide the Welsh Ministers with a statement about the consultation carried out by the society with its tenants before passing the resolution to which the notification relates.

(2B) But the requirement in sub-paragraph (2A) does not apply in respect of a resolution passed for the purposes of paragraph (a) of section 112(1) of the 2014 Act (conversion of society into a company).”.

Adran 4, tudalen 2, ar ôl llinell 23, mewnosoder –

‘() Ym mharagraff 12, ar ôl is-baragraff (2) mewnosoder –

“(2A) On giving notification under sub-paragraph (2), a society must also provide the Welsh Ministers with a statement about the consultation carried out by the society with its tenants before passing the resolution to which the notification relates.

(2B) But the requirement in sub-paragraph (2A) does not apply in respect of a resolution passed for the purposes of paragraph (a) of section 112(1) of the 2014 Act (conversion of society into a company).”.

David Melding

3

Section 4, page 2, line 32, leave out subsection (5) and insert –

‘() In paragraph 12, for sub-paragraph (6), substitute –

“(6) (a) No resolution of the type referred to in this paragraph is valid unless the society has first carried out a consultation in which all of the society’s tenants have been invited to participate.

(b) The Welsh Ministers must by regulations set out the method and time frame to be applied to any consultation required by sub-paragraph (6)(a).

(c) A statutory instrument containing regulations made under sub-paragraph 12(6)(b) 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 4, tudalen 2, llinell 32, hepgorer is-adran (5) a mewnosoder –

‘() Ym mharagraff 12, yn lle is-baragraff (6), rhodder –

- “(6)
- (a) No resolution of the type referred to in this paragraph is valid unless the society has first carried out a consultation in which all of the society’s tenants have been invited to participate.
 - (b) The Welsh Ministers must by regulations set out the method and time frame to be applied to any consultation required by sub-paragrph (6)(a).
 - (c) A statutory instrument containing regulations made under sub-paragraph 12(6)(b) may not be made unless a draft of the instrument has been laid before and approved by the National Assembly for Wales.”.

David Melding

4

Section 4, page 3, after line 15, insert –

‘() In paragraph 13, after sub-paragraph (8), insert –

- “(9)
- (a) The court must not grant any court order of the type referred to in this paragraph unless the company satisfies the court that it first carried out a consultation in which all tenants of the company have been invited to participate.
 - (b) No resolution of the type referred to in this paragraph is valid unless the company has first carried out a consultation in which all tenants of the company have been invited to participate.
 - (c) No arrangement proposed under sub-paragraph (5) of this paragraph shall be valid unless the company has first carried out a consultation in which all tenants of the company have been invited to participate.
 - (d) The Welsh Ministers must by regulations set out the method and time frame to be applied to any consultation required by sub-paragraphs (9)(a)(b) or (c) of paragraph 13.
 - (e) A statutory instrument containing regulations made under sub-paragraph 13(9)(d) 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 4, tudalen 3, ar ôl llinell 15, mewnosoder –

‘() Ym mharagraff 13, ar ôl is-baragraff (8), mewnosoder –

- “(9)
- (a) The court must not grant any court order of the type referred to in this paragraph unless the company satisfies the court that it first carried out a consultation in which all tenants of the company have been invited to participate.
 - (b) No resolution of the type referred to in this paragraph is valid unless the company has first carried out a consultation in which all tenants of the company have been invited to participate.
 - (c) No arrangement proposed under sub-paragraph (5) of this paragraph shall be valid unless the company has first carried out a consultation in which all tenants of the company have been invited to participate.
 - (d) The Welsh Ministers must by regulations set out the method and time frame to be applied to any consultation required by sub-paragraphs (9)(a)(b) or (c) of paragraph 13.
 - (e) A statutory instrument containing regulations made under sub-paragraph 13(9)(d) may not be made unless a draft of the instrument has been laid before and approved by resolution of the National Assembly for Wales.”.

David Melding

5

Section 5, page 3, after line 37, insert –

- ‘(6) The Welsh Ministers must, within 14 days after a direction is given under this section, lay the text of the direction before the National Assembly for Wales.”.

Adran 5, tudalen 3, ar ôl llinell 37, mewnosoder –

- ‘(6) The Welsh Ministers must, within 14 days after a direction is given under this section, lay the text of the direction before the National Assembly for Wales.”.



David Melding

6

Page 4, after line 1, insert a new section –

[] Meaning of “enactment”

- (1) Schedule 1 of the 1996 Act is amended as follows.
- (2) After paragraph 29 (availability of powers in relation to registered charities) insert a new paragraph 30 –

“Interpretation

- (30) For the purpose of this Schedule 1, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards, both issued by the Welsh Ministers and as amended from time to time, constitute a requirement imposed by or under an enactment.”.

Tudalen 4, ar ôl llinell 1, mewnosoder adran newydd –

[] Ystyr “enactment”

- (1) Mae Atodlen 1 i Ddeddf 1996 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl paragraff 29 (pwerau sydd ar gael mewn perthynas ag elusennau cofrestredig) mewnosoder paragraff 30 newydd –

“Interpretation

- (30) For the purpose of this Schedule 1, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards, both issued by the Welsh Ministers and as amended from time to time, constitute a requirement imposed by or under an enactment.”.

David Melding

7

Section 6, page 4, line 7, leave out subsection (3) and insert –

‘() In paragraph 6 (registered charity: power to appoint new officer) –

- (a) In sub-paragraph (1)(c), for “for the proper management of the charity’s affairs to have an additional officer” substitute “to have an additional officer in order to ensure that the charity complies with a requirement imposed by or under an enactment”.
- (b) In sub-paragraph (4) –
 - (i) for “for such a period” substitute “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers”, and



- (ii) delete “; and on the expiry of the appointment the Welsh Ministers may renew the appointment for such period as they may specify.”.

Adran 6, tudalen 4, llinell 8, hepgorer is-adran (3) a mewnosoder –

‘() Ym mharagraff 6 (elusen gofrestredig: pŵer i benodi swyddog newydd) –

- (a) Yn is-baragraff (1)(c), yn lle “for the proper management of the charity’s affairs to have an additional officer” rhodder “to have an additional officer in order to ensure that the charity complies with a requirement imposed by or under an enactment”.
- (b) Yn is-baragraff (4) –
 - (i) yn lle “for such period” rhodder “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers”, a
 - (ii) dileer “; and on the expiry of the appointment the Welsh Ministers may renew the appointment for such period as they may specify.”.

David Melding

8

Section 6, page 4, line 11, leave out subsection (4) and insert –

‘() In paragraph 7 (company: power to appoint new officer) –

- (a) In sub-paragraph (1)(c), for “for the proper management of the company’s affairs to have an additional officer” substitute “to have an additional officer in order to ensure that the company complies with a requirement imposed by or under an enactment”.
- (b) In sub-paragraph (3) –
 - (i) in sub-paragraph (3)(a), for “for such period and on such terms as the Welsh Ministers may specify” substitute “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers, and”, and
 - (ii) for sub-paragraph (3)(b) substitute “on such terms as the Welsh Ministers may specify.”.

Adran 6, tudalen 4, llinell 12, hepgorer is-adran (4) a mewnosoder –

‘() Ym mharagraff 7 (cwmni: pŵer i benodi swyddog newydd) –

- (a) Yn is-baragraff (1)(c), yn lle “for the proper management of the charity’s affairs to have an additional officer” rhodder “to have an additional officer in order to ensure that the charity complies with a requirement imposed by or under an enactment”.
- (b) Yn is-baragraff (3) –



- (i) yn is-baragraff (3)(a), yn lle “for such period and on such terms as the Welsh Ministers may specify” rhodder “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers, and”, a
- (ii) yn lle is-baragraff (3)(b) rhodder “on such terms as the Welsh Ministers may specify.”.

David Melding

9

Section 6, page 4, line 15, leave out subsection (5) and insert –

‘() In paragraph 8 (registered society: power to appoint officer) –

- (a) In sub-paragraph (1)(c), for “for the proper management of the society’s affairs to have an additional officer” substitute “to have an additional officer in order to ensure that the society complies with a requirement imposed by or under an enactment”.
- (b) In sub-paragraph (3) –
 - (i) for “for such period” substitute “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers”, and
 - (ii) delete “; and on the expiry of the appointment the Welsh Ministers may renew the appointment for such period as they may specify.”.

Adran 6, tudalen 4, llinell 16, hepgorer is-adran (5) a mewnosoder –

‘() Ym mharagraff 8 (cymdeithas gofrestredig: pŵer i benodi swyddog) –

- (a) Yn is-baragraff (1)(c), yn lle “for the proper management of the society’s affairs to have an additional officer” rhodder “to have an additional officer in order to ensure that the society complies with a requirement imposed by or under an enactment”.
- (b) Yn is-baragraff (3) –
 - (i) yn lle “for such period” rhodder “until such time as the requirement imposed by or under an enactment is complied with to the satisfaction of the Welsh Ministers”, a
 - (ii) dileer “; and on the expiry of the appointment the Welsh Ministers may renew the appointment for such period as they may specify.”.



David Melding

10

Section 8, page 5, after line 8, insert –

(4) After sub-paragraph (5) insert –

“(5A) The appointment is to be only for so long as is necessary to rectify to the satisfaction of the Welsh Ministers the failure which gave rise to the manager’s appointment.”.

Adran 8, tudalen 5, ar ôl llinell 8, mewnosoder –

(4) Ar ôl is-baragraff (5) mewnosoder –

“(5A) The appointment is to be only for so long as is necessary to rectify to the satisfaction of the Welsh Ministers the failure which gave rise to the manager’s appointment.”.

David Melding

11

Section 11, page 6, after line 12, insert –

(4) After subsection (11) insert –

“() For the purpose of this section, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards and as amended from time to time, constitute a requirement imposed by or under an enactment.”.

Adran 11, tudalen 6, ar ôl llinell 13, mewnosoder –

(4) Ar ôl is-adran (11) mewnosoder –

“() For the purpose of this section, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards and as amended from time to time, constitute a requirement imposed by or under an enactment.”.

David Melding

12

Section 12, page 6, after line 21, insert –

(4) After subsection (8) insert –

“(9) For the purpose of this section, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards, both issued by Welsh Ministers and as amended from time to time, constitute a requirement imposed by or under an enactment.”.



Adran 12, tudalen 6, ar ôl llinell 22, mewnosoder –

‘(4) Ar ôl is-adran (8) mewnosoder –

“(9) For the purpose of this section, the Regulatory Framework for Housing Associations Registered in Wales and its associated performance standards, both issued by Welsh Ministers and as amended from time to time, constitute a requirement imposed by or under an enactment.”.

David Melding

13

Section 14, page 8, after line 2, insert –

‘(8) The Welsh Ministers must, within 14 days after a direction is given under this section, lay the text of the direction before the National Assembly for Wales.’.

Adran 14, tudalen 8, ar ôl llinell 2, mewnosoder –

‘(8) The Welsh Ministers must, within 14 days after a direction is given under this section, lay the text of the direction before the National Assembly for Wales.’.

David Melding

14

Section 18, page 8, line 17, leave out subsection (1) and insert –

‘() The Welsh Ministers may, by regulations, make any supplemental, incidental, consequential, transitory, transitional or saving provision they consider necessary in consequence of, or for the purpose of giving full effect to, any provision of this Act.’.

Adran 18, tudalen 8, llinell 18, hepgorer is-adran (1) a mewnosoder –

‘() Caiff Gweinidogion Cymru, drwy reoliadau, wneud unrhyw ddarpariaeth atodol, darpariaeth gysylltiedig, darpariaeth ganlyniadol, darpariaeth ddarfodol, darpariaeth drosiannol neu ddarpariaeth arbed y maent yn ystyried ei bod yn angenrheidiol o ganlyniad i unrhyw ddarpariaeth yn y Ddeddf hon, neu at ddiben rhoi effaith lawn i unrhyw ddarpariaeth yn y Ddeddf hon.’.

David Melding

15

Section 18, page 8, line 21, leave out subsection (2).

Adran 18, tudalen 8, llinell 23, hepgorer is-adran (2).

David Melding

16

Section 18, page 8, leave out line 29.

Adran 18, tudalen 8, hepgorer llinell 31.



David Melding

17

Section 18, page 8, line 30, leave out 'which amend or repeal any provision of an Act of Parliament, or a Measure or Act of the National Assembly for Wales,'.

Adran 18, tudalen 8, llinell 32, hepgorer 'sy'n diwygio neu'n diddymu unrhyw ddarpariaeth mewn Deddf Seneddol, neu Fesur neu Ddeddf gan Gynulliad Cenedlaethol Cymru,'.

David Melding

18

Section 18, page 9, line 1, leave out subsection (5) and insert –

- '(5) The power set out in this section 18 lapses and is no longer exercisable with effect from the date upon which the Welsh Ministers receive confirmation that registered social landlords in Wales are classified as private non-financial corporations.'

Adran 18, tudalen 9, llinell 1, hepgorer is-adran (5) a mewnosoder –

- '(5) Bydd y pŵer a nodir yn yr adran 18 hon yn darfod ac ni fydd bellach yn adferadwy, a bydd hynny'n cael effaith o'r dyddiad y caiff Gweinidogion Cymru gadarnhad bod landlordiaid cymdeithasol cofrestredig yng Nghymru wedi'u dosbarthu yn gorfforaethau preifat anariannol.'

David Melding

19

Page 9, after line 11, insert a new section –

[] Review of the operation of this Act

- (1) The National Assembly for Wales must make arrangements –
- (a) for a committee of the Assembly to carry out a review of the operation of this Act and, if appropriate in consequence of its findings, to make recommendations for the repeal or amendment of this Act, and
 - (b) for the publication of the committee's findings and recommendations (if any).
- (2) Arrangements under subsection (1)(a) are to be made no earlier than two years and no later than four years after the day upon which this Act receives Royal Assent.'

Tudalen 9, ar ôl llinell 12, mewnosoder adran newydd –

[] Adolygu gweithrediad y Ddeddf hon

- (1) Rhaid i Gynulliad Cenedlaethol Cymru wneud trefniadau –
- (a) bod un o bwyllgorau'r Cynulliad yn cynnal adolygiad o weithrediad y Ddeddf hon ac, os yw'n briodol o ganlyniad i'w ganfyddiadau, yn gwneud argymhellion er mwyn diddymu neu ddiwygio'r Ddeddf hon, a
 - (b) bod canfyddiadau ac argymhellion (os o gwbl) y pwyllgor yn cael eu cyhoeddi.
- (2) Mae'r trefniadau o dan is-adran (1)(a) i'w gwneud heb fod yn gynharach na dwy flynedd ar ôl y dyddiad y bydd y Ddeddf hon yn cael Cydsyniad Brenhinol a heb fod yn hwyrach na phedair bynedd ar ôl y dyddiad hwnnw.'



David Melding

2

Section 1, page 1, line 21, after 'amendments,', insert 'provisions relating to a review of the operation of this Act,'.

Adran 1, tudalen 1, llinell 24, ar ôl 'canlyniadol,', mewnosoder 'darpariaeth yn ymwneud ag adolygiad o weithrediad y Ddeddf hon,'.

