

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru)

Homelessness and Social Housing Allocation (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 1 – 40	Adrannau 1 – 40
Schedule 1	Atodlen 1
Sections 41 – 43	Adrannau 41 – 43
Long title	Teitl hir

Jayne Bryant

19

Section 4, page 5, line 27, leave out ‘76A’ and insert ‘76A(2)’.

Adran 4, tudalen 5, llinell 29, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

WITHDRAWN/TYNNWYD YN ÔL

Jayne Bryant

1

Section 5, page 6, line 1, leave out subsection (3) and insert –

‘() For section 85 (right to request a review) substitute –

“85 Right to request a review

- (1) An applicant has the right to request a review of the matters in subsection (2), subject to subsections (4) to (7).
- (2) The matters that may be reviewed are—
 - (a) a decision of a local housing authority as to the applicant’s eligibility for help;
 - (b) a decision of a local housing authority not to carry out an assessment of a person’s case under section 62;
 - (c) an assessment by a local housing authority of the housing needs of the applicant and any member of the applicant’s household;
 - (d) an assessment by a local housing authority of the support needed for the applicant and any member of the applicant’s household—
 - (i) to retain accommodation which is or may become available;
 - (ii) to overcome any barrier to living independently;
 - (e) a prevention, support and accommodation plan;
 - (f) a decision of a local housing authority that a duty is not owed to the applicant under section 66, 68 or 75 (duties to applicants who are homeless or threatened with homelessness);
 - (g) a decision of a local housing authority that a duty is not owed to the applicant under section 76A (duty to provide help to retain suitable accommodation);
 - (h) a decision of a local housing authority that a duty owed to the applicant under section 66, 68 or 75 has come to an end;
 - (i) a decision of a local housing authority that a duty owed to the applicant under section 76A has come to an end;
 - (j) a decision of a local housing authority under section 80 to notify another local housing authority in Wales or England of its opinion that the conditions for referral are met in respect of the applicant;
 - (k) a decision under section 80(5) that the conditions for referral of a case are met;
 - (l) a decision of a local housing authority about the suitability of accommodation offered to the applicant in, or in connection with, the discharge of any duty under this Chapter (whether or not the applicant has accepted the offer).
- (3) If an applicant makes a request to a local housing authority for a review, the authority must (subject to subsections (4) to (7)) review any matter in subsection (2) that appears to the authority to be relevant, whether the applicant specifies the matter to be reviewed or not.
- (4) An authority has no duty under this section to review a decision reached on an earlier review.

- (5) An authority has no duty under this section to review a prevention, support and accommodation plan unless the request for review is made at any time during which the authority is required to maintain the plan.
- (6) An authority has no duty under this section to review the suitability of accommodation offered to the applicant in, or in connection with, the discharge of any duty under this Chapter unless the request for review is made at any time –
 - (a) before the offer is accepted by the applicant and while the offer remains open, and
 - (b) if the applicant has accepted the offer –
 - (i) at any time when a duty under section 66, 68 or 75 applies to the applicant, or
 - (ii) before the end of a period of 6 months beginning with the first day on which the accommodation is available for occupation by the applicant.
- (7) An authority has no duty under this section to review any other matter unless the request for review is made before the end of the period of 21 days (or such longer period as the authority may in writing allow) beginning with the day on which the applicant is notified of the authority’s assessment or decision.”.

Adran 5, tudalen 6, llinell 1, hepgorer is-adran (3) a mewnosoder –

‘() Yn lle adran 85 (hawl i ofyn am adolygiad) rhodder –

“85 Hawl i ofyn am adolygiad

- (1) Mae gan geisydd yr hawl i ofyn am adolygiad o’r materion yn is-adran (2), yn ddarostyngedig i is-adrannau (4) i (7).
- (2) Y materion y caniateir eu hadolygu yw –
 - (a) penderfyniad awdurdod tai lleol ynghylch cymhwysra’r ceisydd ar gyfer cymorth;
 - (b) penderfyniad awdurdod tai lleol i beidio â chynnal asesiad o achos person o dan adran 62;
 - (c) asesiad gan awdurdod tai lleol o anghenion tai y ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd;
 - (d) asesiad gan awdurdod tai lleol o’r gefnogaeth y mae ei hangen ar y ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd –
 - (i) i gadw llety sydd ar gael neu a allai ddod ar gael;
 - (ii) i oresgyn unrhyw rwystr rhag byw’n annibynnol;
 - (e) cynllun atal, cefnogaeth a llety;
 - (f) penderfyniad awdurdod tai lleol nad oes dyletswydd i’r ceisydd o dan adran 66, 68 neu 75 (dyletswyddau i geiswyr sy’n ddigartref neu o dan fygythiad o ddigartrefedd);
 - (g) penderfyniad awdurdod tai lleol nad oes dyletswydd i’r ceisydd o dan adran 76A (dyletswydd i ddarparu cymorth i gadw llety addas);



- (h) penderfyniad awdurdod tai lleol bod dyletswydd i’r ceisydd o dan adran 66, 68 neu 75 wedi dod i ben;
 - (i) penderfyniad awdurdod tai lleol bod dyletswydd i’r ceisydd o dan adran 76A wedi dod i ben;
 - (j) penderfyniad awdurdod tai lleol o dan adran 80 i hysbysu awdurdod tai lleol arall yng Nghymru neu yn Lloegr am ei farn bod yr amodau ar gyfer atgyfeirio wedi eu bodloni mewn cysylltiad â’r ceisydd;
 - (k) penderfyniad o dan adran 80(5) fod yr amodau ar gyfer atgyfeirio achos wedi eu bodloni;
 - (l) penderfyniad awdurdod tai lleol ynghylch addasrwydd llety a gynigir i’r ceisydd wrth gyflawni unrhyw ddyletswydd o dan y Bennod hon, neu mewn cysylltiad â chyflawni unrhyw ddyletswydd o’r fath (pa un a yw’r ceisydd wedi derbyn y cynnig ai peidio).
- (3) Os yw ceisydd yn cyflwyno cais i awdurdod tai lleol am adolygiad, rhaid i’r awdurdod (yn ddarostyngedig i is-adrannau (4) i (7)) adolygu unrhyw fater yn is-adran (2) y mae’n ymddangos i’r awdurdod ei fod yn berthnasol, pa un a yw’r ceisydd yn pennu’r mater sydd i’w adolygu ai peidio.
- (4) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu penderfyniad a wnaed mewn adolygiad cynharach.
- (5) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu cynllun atal, cefnogaeth a llety oni bai y cyflwynir y cais am adolygiad ar unrhyw adeg pan fo’n ofynnol i’r awdurdod gynnal y cynllun.
- (6) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu addasrwydd llety a gynigir i’r ceisydd wrth gyflawni unrhyw ddyletswydd o dan y Bennod hon, neu mewn cysylltiad â chyflawni unrhyw ddyletswydd o’r fath, oni bai y cyflwynir cais am adolygiad ar unrhyw adeg –
- (a) cyn i’r cynnig gael ei dderbyn gan y ceisydd a thra bo’r cynnig yn parhau ar agor, a
 - (b) os yw’r ceisydd wedi derbyn y cynnig –
 - (i) ar unrhyw adeg pan fydd dyletswydd o dan adran 66, 68 neu 75 yn gymwys i’r ceisydd, neu
 - (ii) cyn diwedd cyfnod o 6 mis sy’n dechrau â’r diwrnod cyntaf y mae’r llety ar gael i’w feddiannu gan y ceisydd.
- (7) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu unrhyw fater arall oni bai y cyflwynir y cais am adolygiad cyn diwedd y cyfnod o 21 o ddiwrnodau (neu’r cyfryw gyfnod hirach ag y caiff yr awdurdod ei ganiatáu yn ysgrifenedig) gan ddechrau â’r diwrnod yr hysbysir y ceisydd am asesiad neu benderfyniad yr awdurdod.””.



Jayne Bryant

20

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‘() For section 85 (right to request a review) substitute –

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- (3) If an applicant makes a request to a local housing authority for a review, the authority must (subject to subsections (4) to (7)) review any matter in subsection (2) that appears to the authority to be relevant, whether the applicant specifies the matter to be reviewed or not.
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 - (ii) before the end of a period of 6 months beginning with the first day on which the accommodation is available for occupation by the applicant.
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Adran 5, tudalen 6, llinell 1, hepgorer is-adran (3) a mewnosoder –

‘() Yn lle adran 85 (hawl i ofyn am adolygiad) rhodder –

85 **Hawl i ofyn am adolygiad**

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 - (a) penderfyniad awdurdod tai lleol ynghylch cymhwystra’r ceisydd ar gyfer cymorth;
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 - (g) penderfyniad awdurdod tai lleol nad oes dyletswydd i’r ceisydd o dan adran 76A(2) (dyletswydd i ddarparu cymorth i gadw llety addas);
 - (h) penderfyniad awdurdod tai lleol bod dyletswydd i’r ceisydd o dan adran 66, 68 neu 75 wedi dod i ben;
 - (i) penderfyniad awdurdod tai lleol bod dyletswydd i’r ceisydd o dan adran 76A(2) wedi dod i ben;
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- (3) Os yw ceisydd yn cyflwyno cais i awdurdod tai lleol am adolygiad, rhaid i’r awdurdod (yn ddarostyngedig i is-adrannau (4) i (7)) adolygu unrhyw fater yn is-adran (2) y mae’n ymddangos i’r awdurdod ei fod yn berthnasol, pa un a yw’r ceisydd yn pennu’r mater sydd i’w adolygu ai peidio.
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 - (ii) cyn diwedd cyfnod o 6 mis sy’n dechrau â’r diwrnod cyntaf y mae’r llety ar gael i’w feddiannu gan y ceisydd.

- (7) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu unrhyw fater arall oni bai y cyflwynir y cais am adolygiad cyn diwedd y cyfnod o 21 o ddiwrnodau (neu’r cyfryw gyfnod hirach ag y caiff yr awdurdod ei ganiatáu yn ysgrifenedig) gan ddechrau â’r diwrnod yr hysbysir y ceisydd am asesiad neu benderfyniad yr awdurdod.’’.

Joel James

60

Section 6, page 8, after line 21, insert –

- ‘() Subsection (4) does not apply where the applicant and all the members of the applicant’s household have no local connection with any local housing authority in England or Wales, or with any local authority in Scotland or with Northern Ireland.’.

Adran 6, tudalen 8, ar ôl llinell 21, mewnosoder –

- ‘() Nid yw is-adran (4) yn gymwys pan nad oes gan y ceisydd na holl aelodau aelwyd y ceisydd ddim cysylltiad lleol ag unrhyw awdurdod tai lleol yng Nghymru na Lloegr, nac ag unrhyw awdurdod lleol yn yr Alban na Gogledd Iwerddon.’.

Jayne Bryant

2

Page 17, line 31, leave out section 17.

Tudalen 17, llinell 35, hepgorer adran 17.

Jayne Bryant

21

Section 18, page 18, line 12, after ‘Duty’, insert ‘and power’.

Adran 18, tudalen 18, llinell 13, ar ôl ‘Dyletswydd’, mewnosoder ‘a phŵer’.

Jayne Bryant

22

Section 18, page 18, after line 28, insert –

- ‘() Subsection (4) applies in relation to an applicant for whom the duty in subsection (2) has come to an end in the circumstances described in subsection (4) or (6) of section 76B.
- () The local housing authority may help to secure that the applicant’s accommodation does not cease to be available for occupation by the applicant by taking reasonable steps likely to achieve that purpose.’.

Adran 18, tudalen 18, ar ôl llinell 32, mewnosoder –

- ‘() Mae is-adran (4) yn gymwys mewn perthynas â cheisydd y mae’r ddyletswydd yn is-adran (2) wedi dod i ben ar ei gyfer yn yr amgylchiadau a ddisgrifir yn is-adran (4) neu (6) o adran 76B.
- () Caiff yr awdurdod tai lleol gynorthwyo i sicrhau nad yw llety’r ceisydd yn peidio â bod ar gael i’r ceisydd ei feddiannu drwy gymryd camau rhesymol sy’n debygol o gyflawni’r diben hwnnw.’.



Jayne Bryant

23

Section 18, page 18, line 29, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 18, llinell 33, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant

24

Section 18, page 18, line 30, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 18, llinell 34, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Joel James

61

Section 18, page 19, line 8, after ‘(b)’, insert ‘subject to subsection (*[subsection to be inserted by amendment 63]*)’.

Adran 18, tudalen 19, llinell 9, ar ôl ‘(b)’, mewnosoder ‘yn ddarostyngedig i is-adran (*[yr is-adran I’w mewnosod gan welliant 63]*)’.

Jayne Bryant

25

Section 18, page 19, line 15, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 19, llinell 15, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant

26

Section 18, page 19, line 28, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 19, llinell 28, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Joel James

62

Section 18, page 19, line 33, after ‘that’ at the first place where it occurs on a line, insert ‘, subject to subsection (*[subsection to be inserted by amendment 63]*)’.

Adran 18, tudalen 19, llinell 33, ar ôl ‘amgylchiadau’, mewnosoder ‘, yn ddarostyngedig i is-adran (*[yr is-adran I’w mewnosod gan welliant 63]*)’.

Joel James

63

Section 18, page 19, after line 35, insert—

‘() The local housing authority may provide or continue, as the case may be, the help of the kind required by section 76A(2) in the following circumstances—

- (a) where an applicant’s circumstances, including considering whether or not the applicant is vulnerable or requires help to engage with services, are such that the help should be provided or continue;
- (b) where the landlord is a registered social landlord which is not a local authority, after consultation with the applicant’s landlord it is decided that help should be provided or continued.’.

Adran 18, tudalen 19, ar ôl llinell 35, mewnosoder –

- ‘() Caiff yr awdurdod tai lleol ddarparu neu barhau i ddarparu, yn ôl y digwydd, y cymorth sy’n ofynnol gan adran 76A(2), o dan yr amgylchiadau a ganlyn –
 - (a) pan fo amgylchiadau ceisydd, gan gynnwys ystyried pa un a yw’r ceisydd yn hyglwyf neu pa un a oes angen help arno i ymgysylltu â gwasanaethau ai peidio, yn golygu y dylid darparu’r cymorth neu barhau i ddarparu’r cymorth;
 - (b) pan fo’r landlord yn landlord cymdeithasol cofrestredig nad yw’n awdurdod lleol, os penderfynir ar ôl ymgynghori â landlord y ceisydd y dylid darparu'r cymorth neu barhau i ddarparu'r cymorth.’.

Jayne Bryant

27

Section 18, page 19, line 37, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 19, llinell 37, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Sian Gwenllian

44

Section 18, page 19, after line 37, insert –

- ‘() The duty to an applicant under section 76A does not come to an end in accordance with this section, if the local housing authority considers that the duty in section 76A should be extended beyond the periods specified in subsections (5) and (7).’.

Adran 18, tudalen 19, ar ôl llinell 37, mewnosoder –

- ‘() Nid yw’r ddyletswydd i geisydd o dan adran 76A yn dod i ben yn unol â’r adran hon, os yw’r awdurdod tai lleol yn ystyried y dylai’r ddyletswydd yn adran 76A gael ei hestyn y tu hwnt i’r cyfnodau a bennir yn is-adrannau (5) a (7).’.

Jayne Bryant

28

Section 18, page 19, line 39, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 19, llinell 39, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant **29**

Section 18, page 19, line 40, leave out ‘76A’ and insert ‘76A(2)’.

Adran 18, tudalen 19, llinell 41, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant **3**

Section 18, page 20, line 1, leave out subsection (5).

Adran 18, tudalen 20, llinell 1, hepgorer is-adran (5).

Jayne Bryant **30**

Section 19, page 20, line 10, leave out ‘76A’ and insert ‘76A(2)’.

Adran 19, tudalen 20, llinell 10, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant **31**

Section 19, page 20, line 23, leave out ‘76A’ and insert ‘76A(2)’.

Adran 19, tudalen 20, llinell 23, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Jayne Bryant **32**

Section 20, page 21, line 21, leave out ‘76A’ and insert ‘76A(2)’.

Adran 20, tudalen 21, llinell 21, hepgorer ‘76A’ a mewnosoder ‘76A(2)’.

Joel James **64**

Section 20, page 21, line 39, after ‘applicant,’ insert ‘and the behaviour in this section results in the authority not being able to exercise their functions under this Chapter safely.’.

Adran 20, tudalen 21, llinell 39, ar ôl ‘ceisydd,’ mewnosoder ‘a bod yr ymddygiad yn yr adran hon yn golygu na all yr awdurdod arfer ei swyddogaethau o dan y Bennod hon yn ddiogel.’.

Joel James **65**

Section 21, page 22, after line 26, insert –

‘() A specified public authority (see section 94B) must take reasonable steps to identify whether a person in Wales in relation to whom the authority exercises functions is or may be homeless or threatened with homelessness.’.

Adran 21, tudalen 22, ar ôl llinell 25, mewnosoder –

- () Rhaid i awdurdod cyhoeddus penodedig (gweler adran 94B) gymryd camau rhesymol i ganfod, o ran person yng Nghymru y mae’r awdurdod yn arfer swyddogaethau mewn perthynas ag ef, a yw neu a all fod yn ddigartref neu o dan fygythiad o ddigartrefedd.’

Joel James

66

Section 21, page 23, line 22, leave out –

‘Subsection (5)(b) does not affect any right of the specified public authority, whether by virtue of a contract, enactment or rule of law, to secure vacant possession of any accommodation.’

and insert –

- () ‘Subsections (1) to (5) do not affect any right of the specified public authority, whether by virtue of a contract, enactment or rule of law, to secure vacant possession of any accommodation and cannot amount to any available defence to a possession claim made by a specified person.’

Adran 21, tudalen 23, llinell 21, hepgorer –

‘Nid yw is-adran (5)(b) yn effeithio ar unrhyw un neu ragor o hawliau’r awdurdod cyhoeddus penodedig, pa un ai yn rhinwedd contract, deddfiad neu reolaeth cyfraith, i sicrhau meddiant gwag o unrhyw lety.’

a mewnosoder –

- () ‘Nid yw is-adrannau (1) i (5) yn effeithio ar unrhyw un neu ragor o hawliau’r awdurdod cyhoeddus penodedig, pa un ai yn rhinwedd contract, deddfiad neu reolaeth cyfraith, i sicrhau meddiant gwag o unrhyw lety ac ni allant fod yn gyfystyr ag unrhyw amddiffyniad sydd ar gael yn erbyn hawliad meddiant a wneir gan berson penodedig.’

Joel James

67

Section 21, page 23, line 39, leave out ‘, but only in relation to individuals to whom it provides or arranges health care services that are not primary care services;’.

Adran 21, tudalen 23, llinell 39, hepgorer ‘, ond dim ond mewn perthynas ag unigolion y mae’n darparu neu’n trefnu gwasanaethau gofal iechyd iddynt nad ydynt yn wasanaethau gofal sylfaenol’.

Jayne Bryant

33

Section 21, page 24, line 18, after ‘officer’, insert ‘designated by the Secretary of State for Work and Pensions for the purposes of section 94A and’.

Adran 21, tudalen 24, llinell 20, ar ôl ‘sydd’, mewnosoder ‘wedi ei ddynodi gan yr Ysgrifennydd Gwladol dros Waith a Phensiynau at ddibenion adran 94A ac sydd’.

Sian Gwenllian

45

Gyda chefnogaeth / Supported by: Joel James

Section 21, page 24, after line 21, insert –

‘() a police force in Wales.’.

Adran 21, tudalen 24, ar ôl llinell 24, mewnosoder –

‘() heddlu yng Nghymru.’.

Joel James

68

Section 21, page 24, after line 21, insert –

‘() all providers of primary education, secondary education and further education in Wales.’.

Adran 21, tudalen 24, ar ôl llinell 24, mewnosoder –

‘() holl ddarparwyr addysg gynradd, addysg uwchradd ac addysg bellach yng Nghymru.’.

Jayne Bryant

34

Section 21, page 24, line 23, leave out ‘or add’.

Adran 21, tudalen 24, llinell 26, hepgorer ‘neu ychwanegu’.

Jayne Bryant

35

Section 21, page 24, after line 24, insert –

‘() to add a reference to a person or a description of a person;’.

Adran 21, tudalen 24, ar ôl llinell 27, mewnosoder –

‘() er mwyn ychwanegu cyfeiriad at berson neu ddisgrifiad o berson;’.

Jayne Bryant

36

Section 21, page 24, leave out lines 26 to 34 and insert –

‘(3) Regulations under subsection (2) –

- (a) may omit a reference to a reserved authority or a description of a person that includes a reserved authority;
- (b) may not add a reference to a reserved authority or a description of a person that includes a reserved authority unless the Secretary of State consents;

- (c) may not change a reference to a reserved authority or a description of a person that includes a reserved authority in a way that modifies the functions of the authority under section 94A unless –
 - (i) in the case of an authority that is a Minister of the Crown, the Secretary of State has been consulted about the change, or
 - (ii) in the case of any other authority, the Secretary of State consents.

- (4) Regulations under paragraph (b) or (c) of subsection (2) –
 - (a) may describe a person by reference to the exercise of discretion by another person;
 - (b) may specify cases or circumstances in which a reference to a person or a description of a person applies.””.

Adran 21, tudalen 24, hepgorer llinellau 29 hyd at 39 a mewnosoder –

- ‘(3) O ran rheoliadau o dan is-adran (2) –
 - (a) cânt hepgor cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl;
 - (b) ni chânt ychwanegu cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl oni bai bod yr Ysgrifennydd Gwladol yn cydsynio;
 - (c) ni chânt newid cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl mewn ffordd sy’n addasu swyddogaethau’r awdurdod o dan adran 94A oni bai –
 - (i) yn achos awdurdod sy’n Weinidog y Goron, yr ymgynghorwyd â’r Ysgrifennydd Gwladol ynghylch y newid, neu
 - (ii) yn achos unrhyw awdurdod arall, fod yr Ysgrifennydd Gwladol yn cydsynio.
- (4) Caiff rheoliadau o dan baragraff (b) neu (c) o is-adran (2) –
 - (a) disgrifio person drwy gyfeirio at arfer disgrisiwn gan berson arall;
 - (b) pennu achosion neu amgylchiadau pryd y mae cyfeiriad at berson neu ddisgrifiad o berson yn gymwys.””.

Sian Gwenllian

46

Gyda chefnogaeth / Supported by: Joel James

Section 21, page 24, after line 34, insert –

[] Duty to prepare, publish and implement report on operation and effect of the duty to ask and act

- (1) The Welsh Ministers must, before the end of 2031, prepare and publish a report on the operation and effect of section 94A of this Act.
- (2) The report must include an assessment of –
 - (a) the effect of the ask and act duty on specified public authorities,
 - (b) adding or removing specified public authorities, and
 - (c) how the ask and act duty is monitored.
- (3) The report published under subsection (1) must be laid before the Senedd.
- (4) The Welsh Ministers must take all reasonable steps to implement any recommendations made in a report published under subsection (1).
- (5) In exercising its functions under this section, the Welsh Ministers must consult such persons as they consider appropriate.”

Adran 21, tudalen 24, ar ôl llinell 39, mewnosoder –

[] Dyletswydd i lunio, cyhoeddi a rhoi ar waith adroddiad ar weithrediad ac effaith y ddyletswydd i ofyn a gweithredu

- (1) Rhaid i Weinidogion Cymru, cyn diwedd 2031, lunio a chyhoeddi adroddiad ar weithrediad ac effaith adran 94A o’r Ddeddf hon.
- (2) Rhaid i’r adroddiad gynnwys asesiad o –
 - (a) effaith y ddyletswydd gofyn a gweithredu ar awdurdodau cyhoeddus penodedig,
 - (b) ychwanegu neu ddileu awdurdodau cyhoeddus penodedig, ac
 - (c) sut y monitrir y ddyletswydd gofyn a gweithredu.
- (3) Rhaid i’r adroddiad a gyhoeddir o dan is-adran (1) gael ei osod gerbron y Senedd.
- (4) Rhaid i Weinidogion Cymru gymryd pob cam rhesymol i roi ar waith unrhyw argymhellion a wneir mewn adroddiad a gyhoeddir o dan is-adran (1).
- (5) Wrth arfer eu swyddogaethau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r cyfryw bersonau ag y mae Gweinidogion Cymru yn eu hystyried yn briodol.”

Sian Gwenllian

47

Section 21, page 25, after line 3, insert –

- ‘(2B) The Welsh Ministers must issue guidance to a specified public authority, on how the specified public authority should exercise its functions under section 94A.”

Adran 21, tudalen 25, ar ôl llinell 4, mewnosoder –

- ‘(2B) Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdod cyhoeddus penodedig, ar sut y dylai’r awdurdod cyhoeddus penodedig arfer ei swyddogaethau o dan adran 94A.”

Jayne Bryant

4

Section 22, page 25, after line 10, insert –

‘() after subsection (3) insert –

“(3A) If the notification required by subsection (3) is made to a local housing authority in Wales, the notification is to be treated as if it were an application by the person to the local housing authority under section 62(1)(a) of the Housing (Wales) Act 2014 (anaw 7).”.

Adran 22, tudalen 25, ar ôl llinell 11, mewnosoder –

‘() ar ôl is-adran (3) mewnosoder –

“(3A) If the notification required by subsection (3) is made to a local housing authority in Wales, the notification is to be treated as if it were an application by the person to the local housing authority under section 62(1)(a) of the Housing (Wales) Act 2014 (anaw 7).”.

Joel James

69

Section 32, page 31, after line 3, insert –

‘() In section 95 (co-operation), for subsection (1) substitute –

“(1) A council of a county or county borough in Wales must make arrangements to promote co-operation between the officers of the authority who exercise its social services functions and those who exercise its functions as the local housing authority with a view to achieving the following objectives in its area –

- (a) the prevention of homelessness,
- (b) that suitable accommodation is or will be available for people who are or may become homeless,
- (c) that satisfactory support is available for people who are or may become homeless,
- (d) the development and delivery of a protocol for handling cases involving persons in particular need of support, and
- (e) the effective discharge of its functions under this Part.

(2) The Welsh Ministers may give guidance on this section, to which a council or a county or a county borough council in Wales must have regard in the exercise of their functions.”.

Adran 32, tudalen 31, ar ôl llinell 3, mewnosoder –

‘() Yn adran 95 (cydweithredu), yn lle is-adran (1) rhodder –

“(1) Rhaid i gyngor sir neu fwrdeistref sirol yng Nghymru wneud trefniadau i hybu cydweithredu rhwng swyddogion yr awdurdod sy’n arfer ei swyddogaethau gwasanaethau cymdeithasol a’r rhai hynny sy’n arfer ei swyddogaethau fel yr awdurdod tai lleol gyda’r nod o gyflawni’r amcanion canlynol yn ei ardal –

- (a) atal digartrefedd,

- (b) bod llety addas ar gael neu y bydd ar gael ar gyfer pobl sy’n ddigartref neu y gallent ddod yn ddigartref,
 - (c) bod cefnogaeth foddhaol ar gael i bobl sy’n ddigartref neu y gallent ddod yn ddigartref,
 - (d) datblygu a chyflwyno protocol ar gyfer ymdrin ag achosion sy’n ymwneud â phersonau y mae angen cymorth arnynt yn benodol, ac
 - (e) arfer ei swyddogaethau yn effeithiol o dan y Rhan hon.
- (2) Caiff Gweinidogion Cymru roi canllawiau ar yr adran hon, y mae rhaid i gyngor sir neu fwrdeistref sirol yng Nghymru roi sylw iddynt wrth arfer ei swyddogaethau.”’.

Jayne Bryant 37

Section 32, page 31, line 30, after ‘officer’, insert ‘designated by the Secretary of State for Work and Pensions for the purposes of this section and’.

Adran 32, tudalen 31, llinell 34, ar ôl ‘sydd’, mewnosoder ‘wedi ei ddynodi gan yr Ysgrifennydd Gwladol dros Waith a Phensiynau at ddibenion yr adran hon ac sydd’.

Jayne Bryant 38

Section 32, page 32, line 1, leave out ‘or add’.

Adran 32, tudalen 32, llinell 1, hepgorer ‘neu ychwanegu’.

Jayne Bryant 39

Section 32, page 32, after line 2, insert –

‘() to add a reference to a person or a description of a person;’.

Adran 32, tudalen 32, ar ôl llinell 2, mewnosoder –

‘() er mwyn ychwanegu cyfeiriad at berson neu ddisgrifiad o berson;’.

Jayne Bryant 40

Section 32, page 32, leave out lines 4 to 12 and insert –

‘() Regulations under subsection (6) –

- (a) may omit a reference to a reserved authority or a description of a person that includes a reserved authority;
- (b) may not add a reference to a reserved authority or a description of a person that includes a reserved authority unless the Secretary of State consents;

- (c) may not change a reference to a reserved authority or a description of a person that includes a reserved authority in a way that modifies the functions of the authority under this section unless –
 - (i) in the case of an authority that is a Minister of the Crown, the Secretary of State has been consulted about the change, or
 - (ii) in the case of any other authority, the Secretary of State consents.

- () Regulations under paragraph (b) or (c) of subsection (6) –
 - (a) may describe a person by reference to the exercise of discretion by another person;
 - (b) may specify cases or circumstances in which a reference to a person or a description of a person applies.”’.

Adran 32, tudalen 32, hepgorer llinellau 4 hyd at 14 a mewnosoder –

- ‘() O ran rheoliadau o dan is-adran (6) –
 - (a) cânt hepgor cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl;
 - (b) ni chânt ychwanegu cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl oni bai bod yr Ysgrifennydd Gwladol yn cydsynio;
 - (c) ni chânt newid cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy’n cynnwys awdurdod a gedwir yn ôl mewn ffordd sy’n addasu swyddogaethau’r awdurdod o dan yr adran hon oni bai –
 - (i) yn achos awdurdod sy’n Weinidog y Goron, yr ymgynghorwyd â’r Ysgrifennydd Gwladol ynghylch y newid, neu
 - (ii) yn achos unrhyw awdurdod arall, fod yr Ysgrifennydd Gwladol yn cydsynio.
- () Caiff rheoliadau o dan baragraff (b) neu (c) o is-adran (6) –
 - (a) disgrifio person drwy gyfeirio at arfer disgrisiwn gan berson arall;
 - (b) pennu achosion neu amgylchiadau pryd y mae cyfeiriad at berson neu ddisgrifiad o berson yn gymwys.”’.

Joel James

70

Section 33, page 32, after line 28, insert –

- ‘() Where a local housing authority makes a request under subsection (1), it must provide the social landlord with all relevant information about the applicant and any members of their household so as to allow the social landlord to consider the request.’.

Adran 33, tudalen 32, ar ôl llinell 29, mewnosoder –

- ‘() Pan fo awdurdod tai lleol yn gwneud cais o dan is-adran (1), rhaid iddo ddarparu’r holl wybodaeth berthnasol am y ceisydd ac unrhyw aelodau o’i aelwyd i’r landlord cymdeithasol er mwyn caniatáu i’r landlord cymdeithasol ystyried y cais.’.

Joel James

71

Section 33, page 32, after line 31, insert –

- ‘() It would be a good reason if the social landlord does not have housing accommodation that would be available for an allocation of social housing under section 160B of the Housing Act 1996.’.

Adran 33, tudalen 32, ar ôl llinell 32, mewnosoder –

- ‘() Byddai’n rheswm da os nad oes gan y landlord cymdeithasol lety tai a fyddai ar gael i ddyrannu tai cymdeithasol o dan adran 160B o Ddeddf Tai 1996.’.

Joel James

72

Section 33, page 32, after line 36, insert –

- ‘() The local housing authority making the request under this section must comply with any reasonable request for information in relation to that request made to it by the social landlord in connection with the exercise of the duties under this section.’.

Adran 33, tudalen 32, ar ôl llinell 36, mewnosoder –

- ‘() Rhaid i’r awdurdod tai lleol sy’n gwneud y cais o dan yr adran hon gydymffurfio ag unrhyw gais rhesymol am wybodaeth mewn perthynas â’r cais hwnnw a wneir iddo gan y landlord cymdeithasol mewn cysylltiad ag arfer y dyletswyddau o dan yr adran hon.’.

Jayne Bryant

5

Gyda chefnogaeth / Supported by: Joel James

Section 33, page 32, line 37, leave out ‘may’ and insert ‘must’.

Adran 33, tudalen 32, llinell 37, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weinidogion’.

Joel James

73

Section 33, page 33, line 1, after ‘guidance’, insert ‘which must be in place prior to the enactment of this section’.

Adran 33, tudalen 33, llinell 1, ar ôl ‘fath’, mewnosoder ‘y mae rhaid iddynt fod ar waith cyn deddfu’r adran hon’.

Joel James

74

Section 33, page 34, after line 3, insert –

[] Information-sharing and multi-agency approach in relation to homelessness and allocations

- (1) This section applies for the purposes of –
 - (a) preventing homelessness;
 - (b) helping to secure accommodation for persons who are homeless or threatened with homelessness;
 - (c) making or reviewing allocations of housing accommodation;
 - (d) the development and delivery of a protocol for handling cases involving persons in particular need of support;
 - (e) supporting the exercise of functions conferred by or under this Act and the Housing Act 1996.
- (2) A local housing authority may disclose information to any specified person where the disclosure is –
 - (a) necessary or expedient for the purposes set out in subsection (1), and
 - (b) made in accordance with data protection legislation.
- (3) Any specified person may request disclosure of information from a local housing authority where the information is required for any purpose set out in subsection (1).
- (4) The local housing authority must comply with the request for the disclosure of information unless the local housing authority considers that doing so would –
 - (a) be incompatible with the local housing authority’s own duties, or
 - (b) otherwise have an adverse effect on the exercise of the local housing authority’s functions.
- (5) For the purposes of this section, “specified person” is as defined by sections 94A and 94B of this Act.
- (6) A specified person receiving information under this section may use that information only for the purposes for which it was disclosed.
- (7) Information disclosed under this section must be –
 - (a) the minimum amount necessary to achieve the purpose for which it is disclosed, and
 - (b) handled and stored in accordance with –
 - (i) the Data Protection Act 2018,
 - (ii) the UK GDPR and,
 - (iii) any guidance issued by the Welsh Ministers under this Act.

- (8) Nothing in this section authorises the disclosure of information –
 - (a) which would contravene data protection legislation, or
 - (b) which would prejudice the prevention or detection of crime, or the prosecution of offenders.
- (9) The Welsh Ministers may issue guidance to specified persons about –
 - (a) the circumstances in which information may be shared under this section, and
 - (b) safeguards to be applied when sharing personal data.
- (10) A specified person must have regard to any guidance issued under subsection (9).”.

Adran 33, tudalen 34, ar ôl llinell 3, mewnosoder –

[] Rhannu gwybodaeth a dull amlasiantaeth mewn perthynas â digartrefedd a dyraniadau

- (1) Mae’r adran hon yn gymwys at ddibenion –
 - (a) atal digartrefedd;
 - (b) helpu i sicrhau llety ar gyfer personau sy’n ddigartref neu o dan fygythiad o ddigartrefedd;
 - (c) gwneud neu adolygu dyraniadau llety tai;
 - (d) datblygu a chyflwyno protocol ar gyfer ymdrin ag achosion sy’n ymwneud â phersonau y mae angen cymorth arnynt yn benodol;
 - (e) cefnogi arfer swyddogaethau a roddir gan neu o dan y Ddeddf hon a Deddf Tai 1996.
- (2) Caiff awdurdod tai lleol ddatgelu gwybodaeth i unrhyw berson penodedig pan fo’r datgeliad –
 - (a) yn angenrheidiol neu’n hwylus at y dibenion a nodir yn is-adran (1), a
 - (b) wedi’i wneud yn unol â deddfwriaeth diogelu data.
- (3) Caiff unrhyw berson penodedig ofyn i wybodaeth gael ei datgelu gan awdurdod tai lleol pan fo’r wybodaeth yn ofynnol at unrhyw ddiben a nodir yn is-adran (1).
- (4) Rhaid i’r awdurdod tai lleol gydymffurfio â’r cais i wybodaeth gael ei datgelu oni bai bod yr awdurdod tai lleol yn ystyried y byddai gwneud hynny –
 - (a) yn anghydnaws â dyletswyddau’r awdurdod tai lleol ei hun, neu
 - (b) yn cael effaith andwyol fel arall ar arfer swyddogaethau’r awdurdod tai lleol.
- (5) At ddibenion yr adran hon, mae ystyr “person penodedig” fel y’i diffinnir gan adrannau 94A a 94B o’r Ddeddf hon.



- (6) Ni chaiff person penodedig sy’n cael gwybodaeth o dan yr adran hon ddefnyddio’r wybodaeth honno ond at y dibenion y’i datgelwyd ar eu cyfer.
- (7) O ran gwybodaeth a ddatgelir o dan yr adran hon –
 - (a) rhaid iddi fod yr isafswm sy’n angenrheidiol er mwyn cyflawni’r diben y’i datgelir ar ei gyfer, a
 - (b) rhaid ymdrin â hi a’i storio yn unol â –
 - (i) Deddf Diogelu Data 2018,
 - (ii) GDPR y DU, a
 - (iii) unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru o dan y Ddeddf hon.
- (8) Nid oes unrhyw beth yn yr adran hon sy’n awdurdodi datgelu gwybodaeth –
 - (a) a fyddai’n mynd yn groes i ddeddfwriaeth diogelu data, neu
 - (b) a fyddai’n rhagfarnu atal neu ddarganfod trosedd, neu erlyn troseddwyr.
- (9) Caiff Gweinidogion Cymru ddyroddi canllawiau i bersonau penodedig am –
 - (a) yr amgylchiadau pan ganiateir rhannu gwybodaeth o dan yr adran hon, a
 - (b) y mesurau diogelwch i’w cymhwyso wrth rannu data personol.
- (10) Rhaid i berson penodedig roi sylw i unrhyw ganllawiau a ddyroddir o dan is-adran (9).’.

Sian Gwenllian

57

Gyda chefnogaeth / Supported by: Joel James

Page 34, line 19, leave out section 35 and insert –

[] Ineligibility for allocation of housing as a result of unacceptable behaviour

In section 160A(7)(b) of the 1996 Act (allocation only to eligible persons: Wales), after “considered” insert “, taking into account, in particular, the likelihood of that behaviour reoccurring,”.’.

Tudalen 34, llinell 18, hepgorer adran 35 a mewnosoder –

[] Anghymwysra ar gyfer dyraniad tai o ganlyniad i ymddygiad annerbyniol

Yn adran 160A(7)(b) o Ddeddf 1996 (dyrannu i bersonau cymwys yn unig: Cymru), ar ôl “considered” mewnosoder “, taking into account, in particular, the likelihood of that behaviour reoccurring,”.’.

WITHDRAWN/TYNNWYD YN ÔL

Sian Gwenllian 48

Page 34, line 18, leave out section 35.

Tudalen 34, llinell 17, hepgorer adran 35.

Jayne Bryant 6

Section 36, page 36, leave out line 2.

Adran 36, tudalen 36, hepgorer llinell 2.

Jayne Bryant 7

Section 36, page 36, line 4, leave out –

(i) ‘This section applies to a person if –

- (a) the person is within paragraph (a) or (b) of subsection (2), and
- (b) the local housing authority is satisfied that the person is’

and insert –

‘Nothing in paragraph (a) or (b) of subsection (2) requires the scheme to provide for any preference to be given to people the authority have decided are people to whom subsection (2DB) applies.

(2DB) This subsection applies to a person if the authority are satisfied that the person is’.

Adran 36, tudalen 36, llinell 4, hepgorer –

‘This section applies to a person if –

- (a) the person is within paragraph (a) or (b) of subsection (2), and
- (b) the local housing authority is satisfied that the person is’ a mewnosoder ‘Nothing in paragraph (a) or (b) of subsection (2) requires the scheme to provide for any preference to be given to people the authority have decided are people to whom subsection (2DB) applies.

(2DB) This subsection applies to a person if the authority are satisfied that the person is’.

Jayne Bryant 8

Section 36, page 36, line 8, leave out ‘(2DA)’ and insert ‘(2DB)’.

Adran 36, tudalen 36, llinell 8, hepgorer ‘(2DA)’ a mewnosoder ‘(2DB)’.

Jayne Bryant

9

Section 36, page 36, line 12, leave out ‘(2DA)’ and insert ‘(2DB)’.

Adran 36, tudalen 36, llinell 12, hepgorer ‘(2DA)’ a mewnosoder ‘(2DB)’.

Joel James

75

Page 37, after line 20, insert a new section –

[] Priorities in allocating housing accommodation: local connection exception

(1) Section 167 of the 1996 Act is amended as follows.

(2) In subsection (2A)(c), after ‘district’, insert ‘, except in relation to a relevant person.’

(3) After subsection (2A) insert –

“() A relevant person is a person who –

(a) is serving in the regular forces or who has served in the regular forces,

(b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where –

(i) the spouse or civil partner has served in the regular forces, and

(ii) their death was attributable (wholly or partly) to that service, or

(c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.”

Tudalen 37, ar ôl llinell 20, mewnosoder adran newydd –

[] Blaenoriaethau o ran dyrannu llety tai: eithriad cysylltiad lleol

(1) Mae adran 167 o Ddeddf 1996 wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (2A)(c), ar ôl ‘district’, mewnosoder ‘, except in relation to a relevant person.’

(3) Ar ôl is-adran (2A) mewnosoder –

“() A relevant person is a person who –

(a) is serving in the regular forces or who has served in the regular forces,

(b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where –

(i) the spouse or civil partner has served in the regular forces, and

(ii) their death was attributable (wholly or partly) to that service, or

- (c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.”.

Jayne Bryant

10

Section 38, page 37, leave out lines 26 to 32 and insert –

- ‘() The duty in subsection (2) applies only in relation to housing accommodation offered by a registered social landlord or a private registered provider of social housing under any arrangements to require that housing accommodation, or a specified amount of housing accommodation, is made available to a person or one of a number of persons nominated by a local housing authority in Wales.
- () A registered social landlord or a private registered provider of social housing may only offer housing accommodation that it holds in a local housing authority’s area in Wales to persons included on the common housing register for that area.
- () The Welsh Ministers may by regulations provide for circumstances in which the duty in subsection (2) does not apply.
- () In subsection (1), “arrangements” means arrangements made in connection with the allocation of housing accommodation under this Part (whether legally enforceable or not).’.

Adran 38, tudalen 37, hepgorer llinellau 27 hyd at 33 a mewnosoder –

- ‘() The duty in subsection (2) applies only in relation to housing accommodation offered by a registered social landlord or a private registered provider of social housing under any arrangements to require that housing accommodation, or a specified amount of housing accommodation, is made available to a person or one of a number of persons nominated by a local housing authority in Wales.
- () A registered social landlord or a private registered provider of social housing may only offer housing accommodation that it holds in a local housing authority’s area in Wales to persons included on the common housing register for that area.
- () The Welsh Ministers may by regulations provide for circumstances in which the duty in subsection (2) does not apply.
- () In subsection (1), “arrangements” means arrangements made in connection with the allocation of housing accommodation under this Part (whether legally enforceable or not).’.

Joel James

76

Section 38, page 37, line 26, after ‘(1)’, insert ‘Subject to subsection (2),’.

Adran 38, tudalen 37, llinell 27, ar ôl ‘(1)’, mewnosoder ‘Subject to subsection (2),’.

Joel James

77

Section 38, page 37, after line 29, insert –

- ‘() For the purpose of this section, “housing accommodation” –
- (a) means “social housing” as defined by section 68(1)(a) of the Housing and Regeneration Act 2008, and
 - (b) is not “social housing” if any of the following exceptions apply –
 - (i) Exception 1 is accommodation let on the open market;
 - (ii) Exception 2 is accommodation made available only to students in full-time education or training;
 - (iii) Exception 3 is a care home (within the meaning of section 197 of the Social Services and Well-being (Wales) Act 2014);
 - (iv) Exception 4 is accommodation provided in response to a request by the Secretary of State under section 100 of the Immigration and Asylum Act 1999 (c. 33) (support for asylum seekers);
 - (v) Exception 5 is supported housing;
 - (vi) Exception 6 is property of a kind specified by regulations made by the Welsh Ministers.’.

Adran 38, tudalen 37, ar ôl llinell 30, mewnosoder –

- ‘() For the purpose of this section, “housing accommodation” –
- (a) means “social housing” as defined by section 68(1)(a) of the Housing and Regeneration Act 2008, and
 - (b) is not “social housing” if any of the following exceptions apply –
 - (i) Exception 1 is accommodation let on the open market;
 - (ii) Exception 2 is accommodation made available only to students in full-time education or training;
 - (iii) Exception 3 is a care home (within the meaning of section 197 of the Social Services and Well-being (Wales) Act 2014);
 - (iv) Exception 4 is accommodation provided in response to a request by the Secretary of State under section 100 of the Immigration and Asylum Act 1999 (c. 33) (support for asylum seekers);
 - (v) Exception 5 is supported housing;
 - (vi) Exception 6 is property of a kind specified by regulations made by the Welsh Ministers.’.

Joel James

78

Section 38, page 37, line 32, after ‘Wales’, insert –

’, and

- () manage its housing stock to comply with any of its policies, duties, contractual obligations and functions including complying with the provisions of any relevant legislation including the Renting Homes (Wales) Act 2016 and any request under section 96A, Housing (Wales) Act 2014’.

Adran 38, tudalen 37, llinell 33, ar ôl ‘Wales’, mewnosoder –

’, and

- () manage its housing stock to comply with any of its policies, duties, contractual obligations and functions including complying with the provisions of any relevant legislation including the Renting Homes (Wales) Act 2016 and any request under section 96A, Housing (Wales) Act 2014’.

Jayne Bryant

11

Section 38, page 37, line 37, leave out ‘or offered’.

Adran 38, tudalen 37, llinell 38, hepgorer ‘or offered’.

WITHDRAWN/TYNNWYD YN ÔL

Sian Gwenllian

49

Section 38, page 38, leave out lines 8 to 10.

Adran 38, tudalen 38, hepgorer llinellau 8 hyd at 10.

Sian Gwenllian

58

Section 38, page 38, line 8, leave out –

‘a qualifying person within the meaning of section 160A(6B) or falls within subsection (6A)(a)(ii) of that section, and

- (iii) is not disqualified’

and insert –

‘not ineligible’.

Adran 38, tudalen 38, llinell 8, hepgorer –

‘a qualifying person within the meaning of section 160A(6B) or falls within subsection (6A)(a)(ii) of that section, and

- (iii) is not disqualified’

a mewnosoder –

‘not ineligible’.

Sian Gwenllian

59

Section 38, page 38, line 15, leave out ‘, (ii) and (iii)’ and insert ‘and (ii)’.

Adran 38, tudalen 38, llinell 15, hepgorer ‘, (ii) and (iii)’ a mewnosoder ‘and (ii)’.

WITHDRAWN/TYNNWYD YN ÔL

Sian Gwenllian

50

Section 38, page 38, line 15, leave out ‘, (ii)’.

Adran 38, tudalen 38, llinell 15, hepgorer ‘, (ii)’.

Sian Gwenllian

51

Section 38, page 38, line 18, leave out ‘may’ and insert ‘must’.

Adran 38, tudalen 38, llinell 18, hepgorer ‘may’ a mewnosoder ‘must’.

Sian Gwenllian

52

Section 38, page 38, after line 31, insert –

‘() enabling a person included in the register to have access to their information in the register electronically, in order to monitor the entry in the register in respect of that person.’

Adran 38, tudalen 38, ar ôl llinell 31, mewnosoder –

‘() enabling a person included in the register to have access to their information in the register electronically, in order to monitor the entry in the register in respect of that person.’

Jayne Bryant

12

Section 38, page 38, leave out lines 32 to 37.

Adran 38, tudalen 38, hepgorer llinellau 32 hyd at 37.

Jayne Bryant

13

Section 38, page 39, line 1, leave out ‘held by them, by registered social landlords and by private registered providers of social housing’ and insert ‘available, or may in future become available, for allocation under this Part’.

Adran 38, tudalen 39, llinell 1, hepgorer ‘held by them, by registered social landlords and by private registered providers of social housing’ a mewnosoder ‘available, or may in future become available, for allocation under this Part’.

Jayne Bryant 14

Section 38, page 39, leave out lines 20 to 25.

Adran 38, tudalen 39, hepgorer llinellau 20 hyd at 25.

Jayne Bryant 15

Section 38, page 39, line 27, leave out ‘for housing purposes’ and insert ‘accommodation’.

Adran 38, tudalen 39, llinell 27, hepgorer ‘for housing purposes’ a mewnosoder ‘accommodation’.

Sian Gwenllian 53

Gyda chefnogaeth / Supported by: Joel James

Page 39, after line 30, insert a new section –

[] Publication of data

- (1) The Welsh Ministers must, by regulations, make provision about the publication by a local housing authority in Wales of data contained on –
 - (a) a common housing register, and
 - (b) a register required to be established and maintained by section 160E (accessible housing register).
- (2) The regulations must include provision –
 - (a) about how and when the data is to be published,
 - (b) requiring the data to be published at least once every 12 months, and
 - (c) requiring the data to be made available to the public electronically, whether on a website or other electronic facility.
- (3) For the purposes of this Part, “data” means any information contained on a common housing register or an accessible housing register which the Welsh Ministers consider is relevant for the purpose of allocating housing accommodation in Wales.’.

Tudalen 39, ar ôl llinell 30, mewnosoder adran newydd –

[] Cyhoeddi data

- (1) Rhaid i Weinidogion Cymru, drwy reoliadau, wneud darpariaeth ynghylch awdurdod tai lleol yng Nghymru yn cyhoeddi data sydd wedi eu cynnwys ar –
 - (a) cofrestr tai gyffredin, a
 - (b) cofrestr y mae’n ofynnol ei sefydlu a’i chynnal gan adran 160E (cofrestr tai hygyrch).
- (2) Rhaid i’r rheoliadau gynnwys darpariaeth –
 - (a) ynghylch sut a phryd y mae’r data i’w cyhoeddi,
 - (b) sy’n ei gwneud yn ofynnol i’r data gael eu cyhoeddi o leiaf unwaith bob 12 mis , ac
 - (c) sy’n ei gwneud yn ofynnol i’r data fod ar gael i’r cyhoedd yn electronig, pa un ai ar wefan neu gyfleuster electronig arall.

- (3) At ddibenion y Rhan hon, ystyr “data” yw unrhyw wybodaeth sydd wedi ei chynnwys ar gofrestr tai gyffredin neu gofrestr tai hygyrch y mae Gweinidogion Cymru yn ystyried ei bod yn berthnasol at ddiben dyrannu llety tai yng Nghymru.’.

Jayne Bryant

41

Page 39, after line 32, insert a new section –

[] Review of the operation and effect of changes made by this Act

- (1) The Welsh Ministers must –
- (a) carry out a review of the operation and effect of the changes made by this Act to the 2014 Act, the 1996 Act and the Social Services and Well-being (Wales) Act 2014 (anaw 4), and
 - (b) prepare a report of the review.
- (2) In carrying out the review, the Welsh Ministers must consult such public or local authorities, voluntary organisations, persons who are, or who have been homeless or threatened with homelessness in Wales or other persons as they consider appropriate.
- (3) The Welsh Ministers must publish the report required by subsection (1)(b) and lay a copy of it before Senedd Cymru before the end of the period of 4 years beginning with the day on which this Act comes fully into force.
- (4) The Welsh Ministers may discharge the duty in subsection (1) at a time when the Welsh Ministers consider this Act to be substantially in force.’.

Tudalen 39, ar ôl llinell 32, mewnosoder adran newydd –

[] Adolygu gweithrediad ac effaith newidiadau a wneir gan y Ddeddf hon

- (1) Rhaid i Weinidogion Cymru –
- (a) cynnal adolygiad o weithrediad ac effaith y newidiadau a wneir gan y Ddeddf hon i Ddeddf 2014, Deddf 1996 a Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4), a
 - (b) llunio adroddiad o’r adolygiad.
- (2) Wrth gynnal yr adolygiad, rhaid i Weinidogion Cymru ymgynghori â’r awdurdodau cyhoeddus neu leol, y sefydliadau gwirfoddol, y personau sydd, neu sydd wedi bod, yn ddigartref neu o dan fygythiad o ddigartrefedd yng Nghymru, neu unrhyw bersonau eraill, y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru gyhoeddi’r adroddiad sy’n ofynnol gan is-adran (1)(b) a gosod copi ohono gerbron Senedd Cymru cyn diwedd y cyfnod o 4 blynedd sy’n dechrau â’r diwrnod y daw’r Ddeddf hon i rym yn llawn.
- (4) Caiff Gweinidogion Cymru gyflawni’r ddyletsywydd yn is-adran (1) ar adeg pan fo Gweinidogion Cymru yn ystyried bod y Ddeddf hon mewn grym i raddau sylweddol.’.

Sian Gwenllian

54

Page 39, after line 32, insert a new section –

[] Guidance in relation to financial assistance

In section 98 of the 2014 Act (guidance), after subsection (2) insert –

- “(2A) The Welsh Ministers must issue guidance to a local housing authority, for the purpose of providing financial assistance by way of a guarantee of the performance of any obligation owed to or by specified persons.
- (2B) Before issuing guidance under subsection (2A) the Welsh Ministers must consult –
- (a) local housing authorities, and
 - (b) any other persons as they consider appropriate.”.

Tudalen 39, ar ôl llinell 32, mewnosoder adran newydd –

[] Canllawiau mewn perthynas â chymorth ariannol

Yn adran 98 o Ddeddf 2014, (canllawiau), ar ôl is-adran (2) mewnosoder –

- “(2A) Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdod tai lleol, at ddiben darparu cymorth ariannol fel gwarant o gyflawni unrhyw rwymedigaeth sy’n ddyledus i bersonau penodedig neu gan bersonau penodedig.
- (2B) Cyn dyroddi canllawiau o dan is-adran (2A), rhaid i Weinidogion Cymru ymgynghori ag –
- (a) awdurdodau tai lleol, a
 - (b) unrhyw bersonau eraill y maent yn eu hystyried yn briodol.”.

Sian Gwenllian

16A

As an amendment to amendment 16, line 1, leave out ‘section 160A(6C) (allocation to eligible persons),’.

Fel gwelliant i welliant 16, llinell 1, hepgorer ‘section 160A(6C) (allocation to eligible persons),’.

Jayne Bryant

16

Schedule 1, page 42, line 2, after ‘under’, insert ‘section 160A(6C) (allocation to eligible persons), section 160B(3) (circumstances in which the duty in section 160B(2) does not apply), section 160D(1) (common housing register), section 160E(2) (accessible housing register) or’.

Atodlen 1, tudalen 42, llinell 2, ar ôl ‘under’, mewnosoder ‘section 160A(6C) (allocation to eligible persons), section 160B(3) (circumstances in which the duty in section 160B(2) does not apply), section 160D(1) (common housing register), section 160E(2) (accessible housing register) or’.

Sian Gwenllian

55

Schedule 1, page 42, line 2, after ‘under’, insert ‘section [(section to be inserted by amendment 53)] (regulations in relation to publication of data) and’.

Atodlen 1, tudalen 42, llinell 2, ar ôl ‘under’, mewnosoder ‘section [(adran i’w mewnosod gan welliant 53)] (regulations in relation to publication of data) and’.

Jayne Bryant

17

Schedule 1, page 44, leave out lines 6 to 10.

Atodlen 1, tudalen 44, hepgorer llinellau 6 hyd at 10.

Sian Gwenllian

56

Gyda chefnogaeth / Supported by: Joel James

Schedule 1, page 45, after line 24, insert –

““Police force” (“Heddlu”) has the meaning given by section 101 of the Police Act 1996;”’.

Atodlen 1, tudalen 46, ar ôl llinell 10, mewnosoder –

““mae i “heddlu” (“police force”) yr ystyr a roddir i “police force” gan adran 101 o Ddeddf yr Heddlu 1996;”’.

Joel James

80

Schedule 1, page 45, after line 26, insert –

““primary education” (“addysg gynradd”), “secondary education” (“addysg uwchradd”) and “further education” (“addysg bellach”) have the meaning given by section 2 of the Education Act 1996.”’.

Atodlen 1, tudalen 45, ar ôl llinell 2, mewnosoder –

““mae i “addysg gynradd” “addysg uwchradd” ac “addysg bellach” yr ystyr a roddir i “primary education”, “secondary education” a “further education” gan adran 2 o Ddeddf Addysg 1996.”’.

Jayne Bryant

43

Schedule 1, page 46, after line 31, insert –

““reserved authority” has the meaning given by paragraph 8(3) of Schedule 7B to the Government of Wales Act 2006 (c. 32);”’.

Atodlen 1, tudalen 45, ar ôl llinell 5, mewnosoder –

““mae i “awdurdod a gedwir yn ôl” yr ystyr a roddir i “reserved authority” gan baragraff 8(3) o Atodlen 7B i Ddeddf Llywodraeth Cymru 2006 (p. 32);”’.

Jayne Bryant

18

Schedule 1, page 47, after line 5, insert –

- [] (1) The Renting Homes (Wales) Act 2016 is amended as follows.
- (2) In Schedule 2, in paragraph 12(5), in paragraph (a) of the definition of “homelessness housing functions”, omit “73,”.

Atodlen 1, tudalen 47, ar ôl llinell 5, mewnosoder –

‘Deddf Rhentu Cartrefi (Cymru) 2016 (dccc 1)

- [] (1) Mae Deddf Rhentu Cartrefi (Cymru) 2016 wedi ei diwygio fel a ganlyn.
- (2) Yn Atodlen 2, ym mharagraff 12(5), ym mharagraff (a) o’r diffiniad o “swyddogaethau darparu tai i’r digartref”, hepgorer “73,”.

Joel James

79

Section 42, page 40, after line 19, insert –

- ‘() Section 9 comes into force on a day appointed by the Welsh Ministers in an order made by Welsh statutory instrument, only after the Welsh Ministers are satisfied that housing supply in Wales is robust.
- () The Welsh Ministers must by regulations make provision specifying when housing supply in Wales is robust, for the purpose of subsection (*[first subsection inserted by this amendment]*).

Adran 42, tudalen 40, ar ôl llinell 21, mewnosoder –

- ‘() Daw adran 9 i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol Cymreig, dim ond pan fydd Gweinidogion Cymru wedi eu bodloni bod y cyflenwad o dai yng Nghymru yn gadarn.
- () Rhaid i Weinidogion Cymru, drwy reoliadau, wneud darpariaeth sy’n pennu pryd y bydd y cyflenwad tai yng Nghymru yn gadarn, at ddiben is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*).

Jayne Bryant

42

Page 40, after line 25, insert a new section –

[] Progress reports on bringing the Act into force

- (1) The duty in subsection (2) applies if this Act is not fully in force on any of the following days –
- (a) 31 December 2028;
 - (b) 31 December 2029;
 - (c) 31 December in every second year after 2029.
- (2) The Welsh Ministers must prepare a report –
- (a) specifying any progress in bringing the Act into force, and
 - (b) specifying any further steps to be taken by the Welsh Ministers (or any other person) to bring the Act fully into force.

- (3) The Welsh Ministers must publish the report required by subsection (2) and lay a copy of it before Senedd Cymru as soon as reasonably practicable after the day mentioned in subsection (1) in respect of which the duty in subsection (2) applies.’.

Tudalen 40, ar ôl llinell 28, mewnosoder adran newydd –

[1] Adroddiadau cynnydd ar ddwyn y Ddeddf i rym

- (1) Mae’r ddyletswydd yn is-adran (2) yn gymwys os nad yw’r Ddeddf hon mewn grym yn llawn ar unrhyw un neu ragor o’r diwrnodau a ganlyn –
- (a) 31 Rhagfyr 2028;
 - (b) 31 Rhagfyr 2029;
 - (c) 31 Rhagfyr bob yn ail flwyddyn ar ôl 2029.
- (2) Rhaid i Weinidogion Cymru lunio adroddiad –
- (a) yn pennu unrhyw gynnydd o ran dwyn y Ddeddf i rym, a
 - (b) yn pennu unrhyw gamau pellach i’w cymryd gan Weinidogion Cymru (neu unrhyw berson arall) i ddwyn y Ddeddf i rym yn llawn.
- (3) Rhaid i Weinidogion Cymru gyhoeddi’r adroddiad sy’n ofynnol gan is-adran (2) a gosod copi ohono gerbron Senedd Cymru cyn gynted ag y bo’n rhesymol ymarferol ar ôl y diwrnod a grybwyllir yn is-adran (1) y mae’r ddyletswydd yn is-adran (2) yn gymwys mewn cysylltiad ag ef.’.

