

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 18 Rhagfyr 2025
Tabled on 18 December 2025

Bil Diogelwch Adeiladau (Cymru)

Building Safety (Wales) Bill

Rhys ab Owen

64

Page 60, after line 25, insert a new section –

'PART []

REMEDICATION OF CERTAIN DEFECTS

[] Remediation of certain defects

- (1) Sections [section to be inserted by this amendment] to [section to be inserted by amendment 73] make provision in connection with the remediation of relevant defects in relevant buildings.
- (2) In this Part –
 - (a) sections [section to be inserted by amendment 65] to [section to be inserted by amendment 67] define “relevant building”, “relevant defect” and “associate” with further interpretation included in sections [section to be inserted by amendment 71] and [section to be inserted by amendment 72];
 - (b) section [section to be inserted by amendment 68] contains a regulation making power for Welsh Ministers to introduce protections for tenants in respect of costs connected with relevant defects, and impose liabilities on certain landlords;
 - (c) section [section to be inserted by amendment 69] makes provision about remediation orders, under which a landlord in a relevant building is required to remedy certain relevant defects;
 - (d) section [section to be inserted by amendment 70] makes provision about remediation contribution orders, under which an associate of a landlord in a relevant building is required to contribute towards the costs of remedying certain relevant defects;
 - (e) section [section to be inserted by amendment 73] contains a regulation making power for Welsh Ministers to make consequential provisions for the purpose of this Part.’.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

'RHAN []

CYWEIRIO DIFFYGIION PENODOL

[] Cyweirio diffygion penodol

- (1) Mae adrannau [*adran i'w mewnosod gan y gwelliant hwn*] i [*adran i'w mewnosod gan welliant 73*] yn gwneud darpariaeth mewn cysylltiad â chyweirio diffygion perthnasol mewn adeiladau perthnasol.
- (2) Yn y Rhan hon –
 - (a) mae adrannau [*adran i'w mewnosod gan welliant 65*] i [*adran i'w mewnosod gan welliant 67*] yn diffinio “adeilad perthnasol”, “diffyg perthnasol” a “cydymaith” gyda dehongliad pellach wedi'i gynnwys yn adrannau [*adran i'w mewnosod gan welliant 71*] a [*adran i'w mewnosod gan welliant 72*];
 - (b) mae adran [*adran i'w mewnosod gan welliant 68*] yn cynnwys pŵer i wneud rheoliadau i Weinidogion Cymru gyflwyno mesurau diogelu i denantiaid mewn cysylltiad â chostau sy'n gysylltiedig â diffygion perthnasol, a gosod atebolrwyddau ar landlordiaid penodol;
 - (c) mae adran [*adran i'w mewnosod gan welliant 69*] yn gwneud darpariaeth ynghylch gorchmynion cyweirio, y mae'n ofynnol i landlord mewn adeilad perthnasol gyweirio diffygion perthnasol penodol odanynt;
 - (d) mae adran [*adran i'w mewnosod gan welliant 70*] yn gwneud darpariaeth ynghylch gorchmynion cyfrannu at waith cyweirio, y mae'n ofynnol i gydymaith landlord mewn adeilad perthnasol gyfrannu at gostau cyweirio diffygion perthnasol penodol odanynt;
 - (e) mae adran [*adran i'w mewnosod gan welliant 73*] yn cynnwys pŵer i Weinidogion Cymru wneud rheoliadau i wneud darpariaethau canlyniadol at ddiben y Rhan hon.'.

Rhys ab Owen

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Page 60, after line 25, insert a new section –

[] Meaning of “relevant building”

- (1) This section applies for the purposes of sections [*section to be inserted by amendment 64*] to [*section to be inserted by amendment 73*].
- (2) “Relevant building” means a category 1 building or category 2 building as defined in section 6 of this Act. This is subject to subsection (3).
- (3) “Relevant building” does not include any building excluded by Schedule 1 to this Act.
- (4) The Welsh Ministers may make regulations in relation to subsection (3) to exclude buildings from being relevant buildings.'.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Ystyr “adeilad perthnasol”

- (1) Mae'r adran hon yn gymwys at ddibenion adrannau [*adran i'w mewnosod gan welliant 64*] i [*adran i'w mewnosod gan welliant 73*].
- (2) Ystyr “adeilad perthnasol” yw adeilad categori 1 neu adeilad categori 2 fel y'i diffinnir yn adran 6 o'r Ddeddf hon. Mae hyn yn ddarostyngedig i is-adran (3).
- (3) Nid yw “adeilad perthnasol” yn cynnwys unrhyw adeilad sydd wedi ei eithrio gan Atodlen 1 i'r Ddeddf hon.

- (4) Caiff Gweinidogion Cymru wneud rheoliadau mewn perthynas ag is-adran (3) i eithrio adeiladau rhag bod yn adeiladau perthnasol.’.

Rhys ab Owen

66

Page 60, after line 25, insert a new section –

[] Meaning of “relevant defect” and “relevant steps”

- (1) This section applies for the purposes of sections [section to be inserted by amendment 64] to [section to be inserted by amendment 73].
- (2) “Relevant defect”, in relation to a building, means a defect as regards the building that –
- (a) arises as a result of anything done (or not done), or anything used (or not used), in connection with relevant works, and
 - (b) causes a building safety risk.
- (3) In subsection (2) “relevant works” means any of the following –
- (a) works relating to the construction or conversion of the building, if the construction or conversion was completed in the relevant period;
 - (b) works undertaken or commissioned by or on behalf of a relevant landlord or management company, if the works were completed in the relevant period;
 - (c) works undertaken after the end of the relevant period to remedy a relevant defect (including a defect that is a relevant defect by virtue of this paragraph).
- (4) In subsection (3) “The relevant period” means the period of 30 years ending with the time this section comes into force.
- (5) In subsection (2) the reference to anything done (or not done) in connection with relevant works includes anything done (or not done) in the provision of professional services in connection with such works.
- (6) “Relevant steps”, in relation to a relevant defect, means steps which have as their purpose –
- (a) preventing or reducing the likelihood of a fire or collapse of the building (or any part of it) occurring as a result of the relevant defect,
 - (b) reducing the severity of any such incident, or
 - (c) preventing or reducing harm to people in or about the building that could result from such an incident.
- (7) For the purposes of this section –
- (a) “building safety risk”, in relation to a building, means a risk to the safety of people in or about the building arising from –
 - (i) the spread of fire, or
 - (ii) the collapse of the building or any part of it;
 - (b) “conversion” means the conversion of the building for use (wholly or partly) for residential purposes;
 - (c) “relevant landlord or management company” means a landlord under a relevant lease of the building or any part of it or any person who is party to such a lease otherwise than as landlord or tenant.’.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Ystyr “diffyg perthnasol” a “camau perthnasol”

- (1) Mae’r adran hon yn gymwys at ddibenion adrannau [*adran i’w mewnosod gan welliant 64*] i [*adran i’w mewnosod gan welliant 73*].
- (2) Ystyr “diffyg perthnasol”, mewn perthynas ag adeilad, yw diffyg o ran yr adeilad sydd –
 - (a) yn codi o ganlyniad i unrhyw beth a wneir (neu nas gwneir), neu unrhyw beth a ddefnyddir (neu nas defnyddir), mewn cysylltiad â gwaith perthnasol, a
 - (b) yn achosi risg diogelwch adeilad.
- (3) Yn is-adran (2), ystyr “gwaith perthnasol” yw unrhyw un neu ragor o’r canlynol –
 - (a) gwaith sy’n ymwneud ag adeiladu neu drosi’r adeilad, os cwblhawyd yr adeiladwaith neu’r gwaith trosi yn y cyfnod perthnasol;
 - (b) gwaith a wnaed neu a gomisiynwyd gan neu ar ran landlord neu gwmni rheoli perthnasol, os cwblhawyd y gwaith yn y cyfnod perthnasol;
 - (c) gwaith a wnaed ar ôl diwedd y cyfnod perthnasol i gyweirio diffyg perthnasol (gan gynnwys diffyg sy’n ddiffyg perthnasol yn rhinwedd y paragraff hwn).
- (4) Yn is-adran (3), ystyr “y cyfnod perthnasol” yw’r cyfnod o 30 mlynedd sy’n dod i ben â’r adeg y daw’r adran hon i rym.
- (5) Yn is-adran (2), mae’r cyfeiriad at unrhyw beth a wneir (neu nas gwneir) mewn cysylltiad â gwaith perthnasol yn cynnwys unrhyw beth a wneir (neu nas gwneir) wrth ddarparu gwasanaethau proffesiynol mewn cysylltiad â gwaith o’r fath.
- (6) Ystyr “camau perthnasol”, mewn perthynas â diffyg perthnasol, yw camau sydd â’r canlynol yn ddiben iddynt –
 - (a) atal neu leihau’r tebygolrwydd o dân yn yr adeilad neu o’r adeilad (neu unrhyw ran ohono) yn dymchwel o ganlyniad i’r diffyg perthnasol,
 - (b) lleihau difrifoldeb unrhyw ddigwyddiad o’r fath, neu
 - (c) atal neu leihau niwed i bobl yn yr adeilad neu o’i amgylch a allai ddeillio o ddigwyddiad o’r fath.
- (7) At ddibenion yr adran hon –
 - (a) ystyr “risg diogelwch adeilad”, mewn perthynas ag adeilad, yw risg i ddiogelwch pobl yn yr adeilad neu o’i amgylch sy’n deillio o –
 - (i) lledaeniad tân, neu
 - (ii) yr adeilad neu unrhyw ran ohono yn dymchwel;
 - (b) ystyr “trosi” yw trosi’r adeilad i’w ddefnyddio (yn gyfan gwbl neu’n rhannol) at ddibenion preswyl;
 - (c) ystyr “landlord neu gwmni rheoli perthnasol” yw landlord o dan les berthnasol ar yr adeilad neu unrhyw ran ohono neu unrhyw berson sy’n rhan o les o’r fath ac eithrio fel landlord neu denant.’.

[1] Associated persons

- (1) For the purposes of section [section to be inserted by amendment 70], a partnership or body corporate is associated with another person in the circumstances mentioned in subsections (2) to (5).
- (2) Where a person's interest in a relevant building was held on trust at the qualifying time, any partnership or body corporate which was a beneficiary of the trust at that time is to be regarded, for the purposes of the provisions mentioned in subsection (1) as they apply in relation to the relevant building, as associated with the person.
- (3) A partnership is associated with any person who was a partner in the partnership, other than a limited partner, at any time in the period of 5 years ending at the qualifying time ("the relevant period").
- (4) A body corporate is associated with any person who was a director of the body corporate at any time in the relevant period.
- (5) A body corporate is associated with another body corporate if –
 - (a) at any time in the relevant period a person was a director of both of them, or
 - (b) at the qualifying time, one of them controlled the other or a third body corporate controlled both of them,subsections (6) to (8) set out the cases in which a body corporate is regarded as controlling another body corporate.
- (6) A body corporate (X) controls a company (Y) if X possesses or is entitled to acquire –
 - (a) at least half of the issued share capital of Y,
 - (b) such rights as would entitle X to exercise at least half of the votes exercisable in general meetings of Y,
 - (c) such part of the issued share capital of Y as would entitle X to at least half of the amount distributed, if the whole of the income of Y were in fact distributed among the shareholders, or
 - (d) such rights as would, in the event of the winding up of Y or in any other circumstances, entitle it to receive at least half of the assets of Y which would then be available for distribution among the shareholders.
- (7) A body corporate (X) controls a limited liability partnership (Y) if X –
 - (a) holds a majority of the voting rights in Y,
 - (b) is a member of Y and has a right to appoint or remove a majority of other members, or
 - (c) is a member of Y and controls alone, or pursuant to an agreement with other members, a majority of the voting rights in Y.
- (8) A body corporate (X) controls another body corporate (Y) if X has the power, directly or indirectly, to secure that the affairs of Y are conducted in accordance with X's wishes.
- (9) In subsection (7) a reference to "voting rights" is to the rights conferred on members in respect of their interest in a limited liability partnership to vote on those matters which are to be decided on by a vote of the members of the limited liability partnership.
- (10) In determining whether one body corporate (X) controls another, X is treated as possessing –
 - (a) any rights and powers possessed by a person as nominee for it, and

- (b) any rights and powers possessed by a body corporate which it controls (including rights and powers which such a body corporate would be taken to possess by virtue of this paragraph).
- (11) In this section “partnership” means –
- (a) a partnership within the meaning of the Partnership Act 1890, or
 - (b) a limited partnership registered under the Limited Partnerships Act 1907, or a firm or entity of a similar character formed under the law of a country or territory outside the United Kingdom (and the reference to “limited partner” is to be read accordingly).
- (12) The Welsh Ministers may by regulations provide that, in relation to a prescribed reference in a provision mentioned in subsection (1) to anyone associated with another person, subsections (2) to (5) have effect with prescribed modifications.’.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[1] Personau cysylltiedig

- (1) At ddibenion adran [*adran i'w mewnosod gan welliant 70*], mae partneriaeth neu gorff corfforedig yn gysylltiedig â pherson arall o dan yr amgylchiadau a grybwyllir yn is-adrannau (2) i (5).
- (2) Pan fo buddiant person mewn adeilad perthnasol wedi ei ddal mewn ymddiriedolaeth ar yr adeg gymhwyso, mae unrhyw bartneriaeth neu gorff corfforedig a oedd yn fuddiolwr i'r ymddiriedolaeth ar yr adeg honno i'w hystyried neu i'w ystyried, at ddibenion y darpariaethau a grybwyllir yn is-adran (1) fel y maent yn gymwys mewn perthynas â'r adeilad perthnasol, fel pe bai'n gysylltiedig â'r person.
- (3) Mae partneriaeth yn gysylltiedig ag unrhyw berson a oedd yn bartner yn y bartneriaeth, ac eithrio partner cyfyngedig, ar unrhyw adeg yn ystod y cyfnod o 5 mlynedd sy'n dod i ben ar yr adeg gymhwyso (“y cyfnod perthnasol”).
- (4) Mae corff corfforedig yn gysylltiedig ag unrhyw berson a oedd yn gyfarwyddwr ar y corff corfforedig ar unrhyw adeg yn ystod y cyfnod perthnasol.
- (5) Mae corff corfforedig yn gysylltiedig â chorff corfforedig arall os –
 - (a) ar unrhyw adeg yn ystod y cyfnod perthnasol, oedd person yn gyfarwyddwr ar y ddau ohonynt, neu
 - (b) ar yr adeg gymhwyso, oedd un ohonynt yn rheoli'r llall neu os oedd trydydd corff corfforedig yn rheoli'r ddau ohonynt,

mae is-adrannau (6) i (8) yn nodi'r achosion pan ystyrir bod corff corfforedig yn rheoli corff corfforedig arall.

- (6) Mae corff corfforedig (X) yn rheoli cwmni (Y) os yw X yn meddu ar y canlynol neu os oes ganddo hawlogaeth i gaffael y canlynol –
 - (a) o leiaf hanner cyfalaf cyfrannau dyroddedig Y,
 - (b) unrhyw hawliau a fyddai'n rhoi'r hawlogaeth i X i arfer o leiaf hanner y pleidleisiau sy'n arferadwy yng nghyfarfodydd cyffredinol Y,
 - (c) unrhyw ran o gyfalaf cyfrannau dyroddedig Y a fyddai'n rhoi'r hawlogaeth i X i gael o leiaf hanner y swm a ddosberthir, pe bai holl incwm Y mewn gwirionedd wedi ei ddosbarthu ymhlith y cyfranddalwyr, neu

- (d) unrhyw hawliau a fyddai, os bydd Y yn cael ei ddirwyn i ben neu o dan unrhyw amgylchiadau eraill, yn rhoi'r hawlogaeth iddo i gael o leiaf hanner asedau Y a fyddai wedyn ar gael i'w dosbarthu ymhlith y cyfranddalwyr.
- (7) Mae corff corfforedig (X) yn rheoli partneriaeth atebolrwydd cyfyngedig (Y) os yw X—
- (a) yn dal mwyafrif yr hawliau pleidleisio yn Y,
 - (b) yn aelod o Y a bod ganddo hawl i benodi neu ddiswyddo mwyafrif yr aelodau eraill, neu
 - (c) yn aelod o Y ac yn rheoli ar ei ben ei hun, neu yn unol â chytundeb ag aelodau eraill, fwyafrif yr hawliau pleidleisio yn Y.
- (8) Mae corff corfforedig (X) yn rheoli corff corfforedig arall (Y) os oes gan X y pŵer, yn uniongyrchol neu'n anuniongyrchol, i sicrhau bod materion Y yn cael eu cynnal yn unol â dymuniadau X.
- (9) Yn is-adran (7), mae cyfeiriad at “hawliau pleidleisio” yn gyfeiriad at yr hawliau a roddir i aelodau mewn cysylltiad â'u buddiant mewn partneriaeth atebolrwydd cyfyngedig i bleidleisio ar y materion hynny y penderfynir arnynt drwy bleidlais gan aelodau'r bartneriaeth atebolrwydd cyfyngedig.
- (10) Wrth benderfynu a yw un corff corfforedig (X) yn rheoli un arall, caiff X ei drin fel pe bai'n meddu ar—
- (a) unrhyw hawliau a phwerau y mae person yn meddu arnynt fel enwebai ar ei gyfer, a
 - (b) unrhyw hawliau a phwerau y mae corff corfforedig y mae'n ei reoli yn meddu arnynt (gan gynnwys hawliau a phwerau y cymerir y byddai corff corfforedig o'r fath yn meddu arnynt yn rhinwedd y paragraff hwn).
- (11) Yn yr adran hon, ystyr “partneriaeth” yw—
- (a) partneriaeth o fewn yr ystyr a roddir i “partnership” yn Neddf Partneriaeth 1890, neu
 - (b) partneriaeth gyfyngedig a gofrestrir o dan Ddeddf Partneriaethau Cyfyngedig 1907, neu gwmni neu endid o gymeriad tebyg a ffurfiwyd o dan gyfraith gwlad neu diriogaeth y tu allan i'r Deyrnas Unedig (ac mae'r cyfeiriad at “bartner cyfyngedig” i'w ddarllen yn unol â hynny).
- (12) Caiff Gweinidogion Cymru drwy reoliadau ddarparu, mewn perthynas â chyfeiriad rhagnodedig mewn darpariaeth a grybwyllir yn is-adran (1) at unrhyw un sy'n gysylltiedig â pherson arall, fod is-adrannau (2) i (5) yn cael effaith gydag addasiadau rhagnodedig.'.

Rhys ab Owen

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Page 60, after line 25, insert a new section—

[] Remediation costs under qualifying leases etc

The Welsh Ministers may by regulations make provision for and in connection with service charges relating to relevant defects in a relevant building and the recovery of those amounts from persons who are landlords under relevant leases of the building (or any part of it).'

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd—

[] Costau cyweirio o dan lesioedd cymwys etc

Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer ac mewn cysylltiad â thaliadau gwasanaeth sy'n ymwneud â diffygion perthnasol mewn adeilad perthnasol ac adennill y symiau hynny gan bersonau sy'n landlordiaid o dan lesioedd perthnasol yr adeilad (neu unrhyw ran ohono).’.

Rhys ab Owen

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Page 60, after line 25, insert a new section –

[] Remediation orders

- (1) The Welsh Ministers may by regulations make provision for and in connection with remediation orders.
- (2) A “remediation order” is an order, made by a residential property tribunal on the application of an interested person, requiring a relevant landlord to do one or both of the following by a specified time –
 - (a) remedy specified relevant defects in a specified relevant building;
 - (b) take specified relevant steps in relation to a specified relevant defect in a specified relevant building.
- (3) In this section “relevant landlord”, in relation to a relevant defect in a relevant building, means a landlord under a relevant lease of the building or any part of it who is required, under the lease or by virtue of an enactment, to repair or maintain anything relating to the relevant defect.
- (4) In subsection (3) the reference to a landlord under a relevant lease includes any person who is party to the lease otherwise than as landlord or tenant.
- (5) In this section “interested person”, in relation to a relevant building, means –
 - (a) an enforcing authority (as defined by section 81(4)),
 - (b) a person with a legal or equitable interest in the relevant building or any part of it, or
 - (c) any other person prescribed by regulations.
- (6) In this section –
 - “relevant building” (“*adeilad perthnasol*”) has the meaning given by section [section to be inserted by amendment 65];
 - “relevant defect” (“*diffyg perthnasol*”) has the meaning given by section [section to be inserted by amendment 66];
 - “relevant lease” (“*les berthnasol*”) has the meaning given by section [section to be inserted by amendment 72];
 - “relevant steps” (“*camau perthnasol*”) has the meaning given by section [section to be inserted by amendment 66];
 - “specified” (“*penodedig*”) means specified in the order.
- (7) A decision of the residential property tribunal made under or in connection with this section (other than one ordering the payment of a sum) is enforceable with the permission of the county court in the same way as an order of that court.

- (8) In proceedings for a remediation order, a direction given by the residential property tribunal requiring a relevant landlord to provide or produce an expert report is to be regarded as a decision for the purposes of subsection (7).
- (9) In subsection (8), “expert report” means an expert report or survey relating to –
 - (a) relevant defects, or potential relevant defects, in a relevant building;
 - (b) relevant steps taken or that might be taken in relation to a relevant defect in a relevant building.’.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Gorchmynion cyweirio

- (1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer gorchmynion cyweirio neu mewn cysylltiad â hwy.
- (2) “Gorchmyn cyweirio” yw gorchmyn a wneir gan driwlynlys eiddo preswyl ar gais person a chanddo fuddiant, sy’n ei gwneud yn ofynnol i landlord perthnasol wneud un neu’r ddau o’r canlynol erbyn amser penodedig –
 - (a) cyweirio diffygion perthnasol penodedig mewn adeilad perthnasol penodedig;
 - (b) cymryd camau perthnasol penodedig mewn perthynas â diffyg perthnasol penodedig mewn adeilad perthnasol penodedig.
- (3) Yn yr adran hon, ystyr “landlord perthnasol”, mewn perthynas â diffyg perthnasol mewn adeilad perthnasol, yw landlord o dan les berthnasol yr adeilad neu unrhyw ran ohono y mae’n ofynnol iddo, o dan y les neu yn rhinwedd deddfiad, atgyweirio neu gynnal a chadw unrhyw beth sy’n ymwneud â’r diffyg perthnasol.
- (4) Yn is-adran (3), mae'r cyfeiriad at landlord o dan les berthnasol yn cynnwys unrhyw berson sy'n rhan o'r les ac eithrio fel landlord neu denant.
- (5) Yn yr adran hon, ystyr “person a chanddo fuddiant”, mewn perthynas ag adeilad perthnasol, yw –
 - (a) awdurdod gorfodi (fel y'i diffinnir gan adran 81(4)),
 - (b) person a chanddo fuddiant cyfreithiol neu ecwitiol yn yr adeilad perthnasol neu unrhyw ran ohono, neu
 - (c) unrhyw berson arall a ragnodir gan reoliadau.
- (6) Yn yr adran hon –

mae i “adeilad perthnasol” (“*relevant building*”) yr ystyr a roddir gan adran [adran i’w mewnosod gan welliant 65];

mae i “camau perthnasol” (“*relevant steps*”) yr ystyr a roddir gan adran [adran i’w mewnosod gan welliant 66];

mae i “diffyg perthnasol” (“*relevant defect*”) yr ystyr a roddir gan adran [adran i’w mewnosod gan welliant 66];

mae i “les berthnasol” (“*relevant lease*”) yr ystyr a roddir gan adran [adran i’w mewnosod gan welliant 72];

ystyr “penodedig” (“*specified*”) yw wedi ei bennu yn y gorchmyn.
- (7) Mae penderfyniad gan y triwlynlys eiddo preswyl a wneir o dan yr adran hon neu mewn cysylltiad â hi (ac eithrio un sy’n gorchmyn talu swm) yn orfodadwy gyda chaniatâd y llys sirol yn yr un modd â gorchmyn gan y llys hwnnw.



- (8) Mewn achos ar gyfer gorchymyn cyweirio, mae cyfarwyddyd a roddir gan y tribiwnlys eiddo preswyl sy'n ei gwneud yn ofynnol i landlord perthnasol ddarparu neu lunio adroddiad arbenigol i'w ystyried yn benderfyniad at ddibenion is-adran (7).
- (9) Yn is-adran (8), ystyr “adroddiad arbenigol” yw adroddiad neu arolwg arbenigol sy'n ymwneud ag—
 - (a) diffygion perthnasol, neu ddiffygion perthnasol posibl, mewn adeilad perthnasol;
 - (b) camau perthnasol a gymerir neu y gellid eu cymryd mewn perthynas â diffyg perthnasol mewn adeilad perthnasol.

Rhys ab Owen

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Page 60, after line 25, insert a new section—

[] Remediation contribution orders

- (1) A residential property tribunal may, on the application of an interested person, make a remediation contribution order in relation to a relevant building if it considers it just and equitable to do so.
- (2) “Remediation contribution order”, in relation to a relevant building, means an order requiring a specified body corporate or partnership to make payments to a specified person, for the purpose of meeting costs incurred or to be incurred in remedying, or otherwise in connection with, relevant defects (or specified relevant defects) relating to the relevant building.
- (3) The following descriptions of costs, among others, fall within subsection (2)—
 - (a) costs incurred or to be incurred in taking relevant steps in relation to a relevant defect in the relevant building;
 - (b) costs incurred or to be incurred in obtaining an expert report relating to the relevant building;
 - (c) temporary accommodation costs incurred or to be incurred in connection with a decant from the relevant building (or from part of it) that took place or is to take place—
 - (i) to avoid an imminent threat to life or of personal injury arising from a relevant defect in the building,
 - (ii) (in the case of a decant from a dwelling) because works relating to the building created or are expected to create circumstances in which those occupying the dwelling cannot reasonably be expected to live, or
 - (iii) for any other reason connected with relevant defects in the building, or works relating to the building, that is prescribed by regulations made by the Welsh Ministers.
- (4) The Welsh Ministers may make regulations for the purposes of this section specifying descriptions of costs which are, or are not, to be regarded as falling within subsection (2).
- (5) A body corporate or partnership may be specified as a person required to make payments only if it is—
 - (a) a landlord under a relevant lease of the relevant building or any part of it,
 - (b) a person who was such a landlord at the qualifying time,



- (c) a developer in relation to the relevant building, or
 - (d) a person associated with a person within any of paragraphs (a) to (c).
- (6) An order may –
- (a) require the making of payments of a specified amount;
 - (b) if it does not require the making of payments of a specified amount, determine that a specified body corporate or partnership is liable for the reasonable costs of specified things done or to be done;
 - (c) require a payment to be made at a specified time, or to be made on demand following the occurrence of a specified event.

(7) In this section –

“associated” (*“cysylltiedig”*) has the meaning given by section [section to be inserted by amendment 67];

“developer” (*“datblygwr”*), in relation to a relevant building, means a person who undertook or commissioned the construction or conversion of the building (or part of the building) with a view to granting or disposing of interests in the building or parts of it;

“expert report” (*“adroddiad arbenigol”*) has the meaning given by section [section to be inserted by amendment 69](9);

“interested person” (*“person a chanddo fuddiant”*), in relation to a relevant building, means –

- (i) the Welsh Ministers,
- (ii) an enforcing authority (as defined by section 81(4)),
- (iii) a person with a legal or equitable interest in the relevant building or any part of it, or
- (iv) any other person prescribed by regulations made by the Welsh Ministers;

“partnership” (*“partneriaeth”*) has the meaning given by section [section to be inserted by amendment 67];

“relevant building” (*“adeilad perthnasol”*) has the meaning given by section [section to be inserted by amendment 65];

“relevant defect” (*“diffyg perthnasol”*) has the meaning given by section [section to be inserted by amendment 66];

“relevant lease” (*“les berthnasol”*) has the meaning given by section [section to be inserted by amendment 72];

“relevant steps” (*“camau perthnasol”*) has the meaning given by section [section to be inserted by amendment 66];

“specified” (*“penodedig”*) means specified in the order;

“temporary accommodation costs” (*“costau llety dros dro”*), in relation to a decant from a relevant building, means –

- (i) the costs of the temporary accommodation, and
- (ii) other costs resulting from the decant, including removal costs, storage costs and reasonable travel costs;

“works” (*“gwaith”*) means works –

- (i) to remedy a relevant defect in a relevant building, or
 - (ii) in connection with the taking of relevant steps in relation to such a defect.
- (8) The Welsh Ministers may by regulations provide that this section applies, with or without modifications, in relation to a building that would, but for section [section to be inserted by amendment 65](3), be a relevant building.’

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] **Gorchmynion cyfrannu at waith cyweirio**

- (1) Caiff tribiwnlys eiddo preswyl, ar gais person a chanddo fuddiant, wneud gorchymyn cyfrannu at waith cyweirio mewn perthynas ag adeilad perthnasol os yw'n ystyried ei bod yn gyfiawn ac yn deg gwneud hynny.
- (2) Ystyr “gorchymyn cyfrannu at waith cyweirio”, mewn perthynas ag adeilad perthnasol, yw gorchymyn sy'n ei gwneud yn ofynnol i gorff corfforedig neu bartneriaeth benodedig wneud taliadau i berson penodedig, at ddiben talu costau yr aed iddynt neu yr eir iddynt wrth gyweirio diffygion perthnasol (neu ddiffygion perthnasol penodedig), neu fel arall mewn cysylltiad â hwy, sy'n ymwneud â'r adeilad perthnasol.
- (3) Mae'r disgrifiadau a ganlyn o gostau, ymhlith eraill, yn dod o fewn is-adran (2) –
 - (a) costau yr aed iddynt neu yr eir iddynt wrth gymryd camau perthnasol mewn perthynas â diffyg perthnasol yn yr adeilad perthnasol;
 - (b) costau yr aed iddynt neu yr eir iddynt wrth gael adroddiad arbenigol sy'n ymwneud â'r adeilad perthnasol;
 - (c) costau llety dros dro yr aed iddynt neu yr eir iddynt mewn cysylltiad ag adleoli o'r adeilad perthnasol (neu o ran ohono) a ddigwyddodd neu a fydd yn digwydd –
 - (i) er mwyn osgoi bygythiad uniongyrchol i fywyd neu anaf personol sy'n deillio o ddiffyg perthnasol yn yr adeilad,
 - (ii) (yn achos adleoli o annedd) oherwydd bod gwaith sy'n ymwneud â'r adeilad wedi creu neu y disgwylir iddo greu amgylchiadau na ellir ddisgwyl yn rhesymol i'r rhai sy'n meddiannu'r annedd fyw odanynt, neu
 - (iii) am unrhyw reswm arall sy'n gysylltiedig â diffygion perthnasol yn yr adeilad, neu waith sy'n ymwneud â'r adeilad, a ragnodir gan reoliadau a wneir gan Weinidogion Cymru.
- (4) Caiff Gweinidogion Cymru wneud rheoliadau at ddibenion yr adran hon sy'n pennu disgrifiadau o gostau sydd i'w hystyried, neu nad ydynt i'w hystyried, yn gostau sy'n dod o fewn is-adran (2).
- (5) Ni chaniateir i gorff corfforedig na phartneriaeth gael ei bennu neu ei phennu yn berson y mae'n ofynnol iddo wneud taliadau ond os yw –
 - (a) yn landlord o dan les berthnasol yr adeilad perthnasol neu unrhyw ran ohono,
 - (b) yn berson a oedd yn landlord o'r fath ar yr adeg gymhwyso,
 - (c) yn ddatblygwr mewn perthynas â'r adeilad perthnasol, neu
 - (d) yn berson sy'n gysylltiedig â pherson o fewn unrhyw un neu ragor o baragraffau (a) i (c).
- (6) Caiff gorchymyn –
 - (a) ei gwneud yn ofynnol talu swm penodedig,

- (b) os nad yw'n ei gwneud yn ofynnol talu swm penodedig, benderfynu bod corff corfforedig neu bartneriaeth benodedig yn atebol am gostau rhesymol pethau penodedig a wnaed neu bethau penodedig a wneir;
- (c) ei gwneud yn ofynnol gwneud taliad ar amser penodedig, neu ar alw yn dilyn digwyddiad penodedig.

(7) Yn yr adran hon –

mae i “adeilad perthnasol” (“*relevant building*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 65];

mae i “adroddiad arbenigol” (“*expert report*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 69](9);

mae i “camau perthnasol” (“*relevant steps*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 66];

ystyr “costau llety dros dro” (“*temporary accommodation costs*”), mewn perthynas ag adleoli o adeilad perthnasol, yw –

- (i) costau'r llety dros dro, a
- (ii) costau eraill sy'n deillio o'r adleoli, gan gynnwys costau symud, costau storio a chostau teithio rhesymol;

mae i “cysylltiedig” (“*associated*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 67];

ystyr “datblygwr” (“*developer*”), mewn perthynas ag adeilad perthnasol, yw person a ymgwymerodd â'r adeiladwaith neu waith trosi'r adeilad (neu ran o'r adeilad) neu a gomisiynodd y gwaith hwnnw gyda golwg ar roi neu waredu buddiannau yn yr adeilad neu'r rhannau ohono;

mae i “diffyg perthnasol” (“*relevant defect*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 66];

ystyr “gwaith” (“*works*”) yw gwaith –

- (i) i gyweirio diffyg perthnasol mewn adeilad perthnasol, neu
- (ii) mewn cysylltiad â chymryd camau perthnasol mewn perthynas â diffyg o'r fath;

mae i “les berthnasol” (“*relevant lease*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 72];

mae i “partneriaeth” (“*partnership*”) yr ystyr a roddir gan adran [adran i'w mewnosod gan welliant 67];

ystyr “penodedig” (“*specified*”) yw wedi ei bennu yn y gorchymyn;

ystyr “person a chanddo fuddiant” (“*interested person*”), mewn perthynas ag adeilad perthnasol, yw –

- (i) Gweinidogion Cymru,
- (ii) awdurdod gofodi (fel y'i diffinnir gan adran 81(4)),
- (iii) person a chanddo fuddiant cyfreithiol neu ecwitiol yn yr adeilad perthnasol neu unrhyw ran ohono, neu
- (iv) unrhyw berson arall a ragnodir gan Weinidogion Cymru drwy reoliadau;

- (8) Caiff Gweinidogion Cymru drwy reoliadau ddarparu bod yr adran hon yn gymwys, gydag addasiadau neu hebddynt, mewn perthynas ag adeilad a fyddai, oni bai am adran [adran i'w mewnosod gan welliant 65](3), yn adeilad perthnasol.'.

Rhys ab Owen

71

Page 60, after line 25, insert a new section –

[] Meaning of “qualifying time”

The Welsh Ministers may, in regulations, specify the meaning of “qualifying time” for the purposes of this Part.'

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Ystyr “adeg gymhwyso”

Caiff Gweinidogion Cymru, mewn rheoliadau, bennu ystyr “adeg gymhwyso” at ddibenion y Rhan hon.'

Rhys ab Owen

72

Page 60, after line 25, insert a new section –

[] Meaning of “Relevant lease”

- (1) In this Part, “relevant lease” –

(a) means a lease –

(i) that is granted for a fixed term of 7 years or more, whether or not it is (or may become) terminable before the end of that term by notice given by the tenant or by re-entry or forfeiture, and

(ii) under which the tenant is liable to pay a variable service charge (within the meaning of section 18 of the Landlord and Tenant Act 1985), but

(b) does not include an occupation contract.'

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Ystyr “les berthnasol”

- (1) Yn y Rhan hon, o ran “les berthnasol” –

(a) ei hystyr yw les –

(i) a roddir am gyfnod penodol o 7 mlynedd neu hwy, pa un ai ei fod (neu a all ddod) yn derfynadwy ai peidio cyn diwedd y cyfnod hwnnw drwy hysbysiad a roddir gan y tenant neu drwy ailfyndiad neu fforffediad, a

(ii) y mae'r tenant yn atebol i dalu tâl gwasanaeth amrywiadwy oddi tani (o fewn ystyr adran 18 o Ddeddf Landlord a Tenant 1985), ond

(b) nid yw'n cynnwys contract meddiannaeth.'



Rhys ab Owen

73

Page 60, after line 25, insert a new section –

[] Power of Welsh Ministers to make consequential provision

- (1) The Welsh Ministers may by regulations make provision, that is consequential on this Part.
- (2) The regulations may amend, repeal or revoke provision made by or under –
 - (a) an Act passed before this Act;
 - (b) an Act passed later in the same session of Parliament as this Act;
 - (c) an Act or Measure of Senedd Cymru passed before this Act.
- (3) The regulations may make transitional, transitory or saving provision relating to this Part.
- (4) The regulations are to be made by statutory instrument.
- (5) A statutory instrument containing (whether alone or with other provision) regulations under this section that amend or repeal provision made by an Act, or by an Act or Measure of Senedd Cymru, may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.’.

Tudalen 60, ar ôl llinell 25, mewnosoder adran newydd –

[] Pŵer Gweinidogion Cymru i wneud darpariaeth ganlyniadol

- (1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth sy'n ganlyniadol i'r Rhan hon.
- (2) Caiff y rheoliadau ddiwygio, diddymu neu ddirymu darpariaeth a wneir gan neu o dan –
 - (a) Deddf a basiwyd cyn y Ddeddf hon;
 - (b) Deddf a basiwyd yn ddiweddarach yn yr un sesiwn o'r Senedd â'r Ddeddf hon;
 - (c) Deddf neu Fesur gan Senedd Cymru a basiwyd cyn y Ddeddf hon.
- (3) Caiff y rheoliadau wneud darpariaeth drosiannol, darpariaeth ddarfodol neu ddarpariaeth arbed sy'n ymwneud â'r Rhan hon.
- (4) Mae'r rheoliadau i'w gwneud drwy offeryn statudol.
- (5) Ni chaniateir i offeryn statudol sy'n cynnwys (pa un ai ar ei ben ei hun neu gyda darpariaeth arall) reoliadau o dan yr adran hon sy'n diwygio neu'n diddymu darpariaeth a wneir gan Ddeddf, neu gan Ddeddf neu Fesur gan Senedd Cymru, gael ei wneud oni bai bod drafft o'r offeryn wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad.’.

Rhys ab Owen

74

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 65](4);’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i'w mewnosod gan welliant 65](4);’.

Rhys ab Owen

75

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 67](12);’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i’w mewnosod gan welliant 67](12);’.

Rhys ab Owen

76

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 68];’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i’w mewnosod gan welliant 68];’.

Rhys ab Owen

77

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 69](1);’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i’w mewnosod gan welliant 69](1);’.

Rhys ab Owen

78

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 70](3)(c)(iii);

() section [section to be inserted by amendment 70](4);

() section [section to be inserted by amendment 70](7)(d);

() section [section to be inserted by amendment 70](8);’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i’w mewnosod gan welliant 70](3)(c)(iii);

() adran [adran i’w mewnosod gan welliant 70](4);

() adran [adran i’w mewnosod gan welliant 70](7)(d);

() adran [adran i’w mewnosod gan welliant 70](8);’.

Rhys ab Owen

79

Section 110, page 92, after line 21, insert –

‘() section [section to be inserted by amendment 71];’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [adran i’w mewnosod gan welliant 71];’.

Rhys ab Owen

80

Section 110, page 92, after line 21, insert –

‘() section [*section to be inserted by amendment 73*];’.

Adran 110, tudalen 92, ar ôl llinell 24, mewnosoder –

‘() adran [*adran i’w mewnosod gan welliant 73*];’.

Rhys ab Owen

81

Section 113, page 95, after line 33, insert –

‘() sections [*section to be inserted by amendment 64*] to [*section to be inserted by amendment 73*];’.

Adran 113, tudalen 95, ar ôl llinell 33, mewnosoder –

‘() adrannau [*adran i’w mewnosod gan welliant 64*] i [*adran i’w mewnosod gan welliant 73*];’.

