

# RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

## Bil Diogelwch Adeiladau (Cymru) Building Safety (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 –

Adran 2	Section 2
Atodlen 1	Schedule 1
Adrannau 3 i 66	Sections 3 to 66
Adran 1	Section 1
Adrannau 67 i 96	Sections 67 to 96
Atodlen 2	Schedule 2
Adrannau 97 i 112	Sections 97 to 112
Atodlen 3	Schedule 3
Atodlen 4	Schedule 4
Adrannau 113 i 114	Sections 113 to 114
Teitl hir	Long title

Jayne Bryant

83

Section 5, page 5, after line 10, insert –

- ‘() Before making regulations under subsection (5), the Welsh Ministers must consult –
- (a) each building safety authority,
  - (b) each fire safety authority, and

(c) such other persons as they consider appropriate.’.

Adran 5, tudalen 5, ar ôl llinell 11, mewnosoder –

‘( ) Cyn gwneud rheoliadau o dan is-adran (5), rhaid i Weinidogion Cymru ymgynghori ag –

(a) pob awdurdod diogelwch adeiladau,

(b) pob awdurdod diogelwch tân, ac

(c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.’.

**Jayne Bryant**

84

Section 5, page 5, line 13, after ‘occupied’, insert ‘as a separate dwelling’.

Adran 5, tudalen 5, llinell 13, ar ôl ‘feddiennir’, mewnosoder ‘fel annedd ar wahân’.

**Jayne Bryant**

1

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

Adran 7, tudalen 6, llinell 10, hepgorer ‘bod personau eraill yn cael budd ohono neu bod personau eraill yn ei fwynhau’ a mewnosoder ‘y caiff personau eraill fudd ohono neu y caiff personau eraill fwynhad ohono’.

**Jayne Bryant**

85

Page 8, after line 31, insert a new section –

**‘[ ] Application of sections 9 and 11 in cases of joint ownership etc.**

(1) Subsection (2) applies where, in relation to a regulated building –

(a) two or more persons fall within section 8(2)(a) because they jointly hold a legal estate in possession in the same part of the common parts of the building (or all of the common parts);

(b) two or more persons fall within section 8(2)(b) because –

(i) they are jointly subject to a requirement under a lease to repair or maintain the same part of the common parts of the building (or all of the common parts), or

(ii) they are jointly subject to a requirement by virtue of an enactment to repair or maintain the same part of the common parts of the building (or all of the common parts).

(2) Persons that fall within subsection (1)(a) or (1)(b)(i) or (1)(b)(ii) are to be treated as one accountable person for the purposes of –

(a) section 9(2) and (3) (meaning of principal accountable person);

(b) a determination under section 11(1)(c) (part of the building for which any accountable person is responsible).’.

Tudalen 8, ar ôl llinell 31, mewnosoder adran newydd –

**‘[ ] Cymhwyso adrannau 9 ac 11 mewn achosion o gydberchnogaeth etc.**

- (1) Mae is-adran (2) yn gymwys pan fo, mewn perthynas ag adeilad rheoleiddiedig –
- (a) dau neu ragor o bersonau yn dod o fewn adran 8(2)(a) oherwydd eu bod yn dal ar y cyd ystad gyfreithiol mewn meddiant yn yr un rhan o rannau cyffredin yr adeilad (neu yn yr holl rannau cyffredin);
  - (b) dau neu ragor o bersonau yn dod o fewn adran 8(2)(b) oherwydd –
    - (i) eu bod yn ddarostyngedig ar y cyd i ofyniad o dan les i atgyweirio neu gynnal a chadw yr un rhan o rannau cyffredin yr adeilad (neu'r holl rannau cyffredin), neu
    - (ii) eu bod yn ddarostyngedig ar y cyd i ofyniad yn rhinwedd deddfiad i atgyweirio neu gynnal a chadw yr un rhan o rannau cyffredin yr adeilad (neu'r holl rannau cyffredin).
- (2) Mae personau sy'n dod o fewn is-adran (1)(a) neu (1)(b)(i) neu (1)(b)(ii) i'w trin fel un person atebol at ddibenion –
- (a) adran 9(2) a (3) (ystyr prif berson atebol);
  - (b) penderfyniad o dan adran 11(1)(c) (rhan o'r adeilad y mae unrhyw berson atebol yn gyfrifol amdani).

**Jayne Bryant**

2

Section 12, page 9, line 6, leave out '(including any installation)'.

Adran 12, tudalen 9, llinell 6, hepgorer '(gan gynnwys unrhyw osodiad)'.

**Jayne Bryant**

3

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

Adran 12, tudalen 9, llinell 9, hepgorer 'y caiff ei defnyddio gan bersonau eraill, bod personau eraill yn cael budd ohoni neu bod personau eraill yn ei mwynhau' a mewnosoder 'ai y caiff ei defnyddio gan bersonau eraill, y caiff personau eraill fudd ohoni neu y caiff personau eraill fwynhad ohoni'.

**Jayne Bryant**

86

Section 13, page 9, line 32, leave out 'under a grant with' and insert 'because of'.

Adran 13, tudalen 9, llinell 34, hepgorer 'a roddir gyda chyfamod' a mewnosoder 'oherwydd cyfamod'.

**Jayne Bryant**

87

Section 14, page 10, line 8, leave out 'to 13' and insert 'and 9'.

Adran 14, tudalen 10, llinell 8, hepgorer 'i 13' a mewnosoder 'a 9'.

**Jayne Bryant**

88

Section 16, page 10, line 26, leave out –

'sections 2 to 14 and Schedule 1.

(2) The regulations may in particular –

- (a) amend Schedule 1 to add, remove or amend a description of building;
- (b) amend sections 3 and 4 to include within the meaning of “building” –
  - (i) other structures or erections (temporary or permanent), or parts of them, either generally or in circumstances specified in the regulations;
  - (ii) vehicles, vessels or other moveable objects, or parts of them, either generally or in circumstances specified in the regulations;
- (c) amend section 6 to add, remove or amend a category of building'

and insert –

' –

- ( ) section 2 to provide that in certain circumstances a building wholly or mainly in Wales is a regulated building, despite the building containing only one residential unit;
- ( ) Schedule 1 to add, remove or amend a description of building;
- ( ) section 3 to provide that the meaning of “building” includes other structures or erections (temporary or permanent), or parts of them, either generally or in certain circumstances;
- ( ) section 4;
- ( ) section 6 to add, remove or amend a category of building;
- ( ) section 7;
- ( ) section 8;
- ( ) section 9;
- ( ) section 12;
- ( ) section 13'.

Adran 16, tudalen 10, llinell 26, hepgorer –

'adrannau 2 i 14 ac Atodlen 1.

(2) Caiff y rheoliadau, yn benodol –

- (a) diwygio Atodlen 1 i ychwanegu, dileu neu ddiwygio disgrifiad o adeilad;
- (b) diwygio adrannau 3 a 4 i gynnwys o fewn ystyr “adeilad” –
  - (i) strwythurau neu godiadau eraill (dros dro neu barhaol), neu rannau ohonynt, naill ai'n gyffredinol neu mewn amgylchiadau a bennir yn y rheoliadau;
  - (ii) cerbydau, llestrau neu wrthrychau symudol eraill, neu rannau ohonynt, naill ai'n gyffredinol neu mewn amgylchiadau a bennir yn y rheoliadau;
- (c) diwygio adran 6 i ychwanegu, dileu neu ddiwygio categori adeilad'

a mewnosoder –

' –

- ( ) adran 2 i ddarparu bod, mewn amgylchiadau penodol, adeilad sy'n gyfan gwbl neu'n bennaf yng Nghymru yn adeilad rheoleiddiedig, er bod yr adeilad yn cynnwys ond un uned breswyl;
- ( ) Atodlen 1 i ychwanegu, dileu neu ddiwygio disgrifiad o adeilad;
- ( ) adran 3 i ddarparu bod ystyr "adeilad" yn cynnwys strwythurau neu godiadau eraill (dros dro neu barhaol), neu rannau ohonynt, naill ai'n gyffredinol neu mewn amgylchiadau penodol;
- ( ) adran 4;
- ( ) adran 6 i ychwanegu, dileu neu ddiwygio categori adeilad;
- ( ) adran 7;
- ( ) adran 8;
- ( ) adran 9;
- ( ) adran 12;
- ( ) adran 13'.

**Jayne Bryant**

4

Section 17, page 11, line 15, leave out 'the building safety' and insert 'an enforcing'.

Adran 17, tudalen 11, llinell 15, hepgorer 'yr awdurdod diogelwch adeiladau' a mewnosoder 'awdurdod gorfodi'.

**Jayne Bryant**

89

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

Adran 18, tudalen 12, llinell 2, hepgorer 'bod yr adeilad yn cael' a mewnosoder 'dros y ffaith bod yr adeilad wedi'.

**Jayne Bryant**

90

Section 19, page 12, line 11, leave out 'may' and insert 'must'.

Adran 19, tudalen 12, llinell 11, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

**Jayne Bryant**

91

Section 19, page 12, at the beginning of line 14, insert 'Regulations under subsection (3) may make provision about'.

Adran 19, tudalen 12, ar ddechrau llinell 14, mewnosoder 'Caiff rheoliadau o dan is-adran (3) wneud darpariaeth ynghylch'.

**Jayne Bryant**

92

Section 23, page 14, line 29, leave out 'may' and insert 'must'.

Adran 23, tudalen 14, llinell 30, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

**Joel James** 150

Section 28, page 19, line 2, after '15)', insert ', not including residential units'.

Adran 28, tudalen 19, llinell 2, ar ôl '15)', mewnosoder ', heb gynnwys unedau preswyl'.

**Joel James** 152

Section 30, page 19, line 36, leave out –

'first fire risk assessment for a regulated building must be made no later than 6 months after the later of the following –

- (a) the day on which the building becomes occupied;
- (b) the day on which this section comes into force'

and insert –

'Welsh Government must by regulation set out when the first fire risk assessment for a regulated building must be made'.

Adran 30, tudalen 19, llinell 37, hepgorer –

'gwneud yr asesiad risg tân cyntaf ar gyfer adeilad rheoleiddiedig heb fod yn hwyrach na 6 mis ar ôl y diweddaraf o'r hyn a ganlyn –

- (a) y diwrnod y caiff yr adeilad ei feddiannu;
- (b) y diwrnod y daw'r adran hon i rym.

a mewnosoder –

'i Weinidogion Cymru drwy reoliadau nodi pryd y mae rhaid gwneud yr asesiad risg tân cyntaf ar gyfer adeilad rheoleiddiedig'.

**Joel James** 151

Section 30, page 19, line 36, leave out 'regulated' and insert 'category 1 or category 2'.

Adran 30, tudalen 19, llinell 37, hepgorer 'rheoleiddiedig' a mewnosoder 'categori 1 neu gategori 2'.

**Joel James** 153

Section 30, page 20, after line 1, insert –

'() The first fire risk assessment for a category 3 building must be made no later than 12 months after the later of the following –

- (a) the day on which the building becomes occupied;
- (b) the day on which this section comes into force.'

Adran 30, tudalen 20, ar ôl llinell 1, mewnosoder –

'() Rhaid gwneud yr asesiad risg tân cyntaf ar gyfer adeilad categori 3 heb fod yn hwyrach na 12 mis ar ôl y diweddaraf o'r hyn a ganlyn –

- (a) y diwrnod y caiff yr adeilad ei feddiannu;
- (b) y diwrnod y daw’r adran hon i rym.’.

**Joel James**

**154**

Section 30, page 20, line 7, leave out ‘to adapt any part of the building’ and insert ‘for the first time in relation to the building to adapt any part of it’.

Adran 30, tudalen 20, llinell 7, hepgorer ‘i addasu unrhyw ran o’r adeilad’ a mewnosoder ‘am y tro cyntaf mewn perthynas â’r adeilad i addasu unrhyw ran ohono’.

**Joel James**

**155**

Section 30, page 20, after line 19, insert—

- ‘( ) Subsections (2)(a) and (2)(b) apply only where such works constitute a significant change to the matters to which the fire risk assessment relates.
- ( ) The Welsh Ministers may give guidance as to what constitutes a significant change for the purpose of subsection (*[the first subsection to be inserted by this amendment]*).’.

Adran 30, tudalen 20, ar ôl llinell 19, mewnosoder—

- ‘( ) Mae is-adrannau (2)(a) a (2)(b) yn gymwys ond pan fo gwaith o’r fath yn gyfystyr â newid sylweddol i’r materion y mae’r asesiadau risg tân yn ymwneud â hwy.
- ( ) Caiff Gweinidogion Cymru roi canllawiau ynghylch beth sy’n gyfystyr â newid sylweddol at ddiben is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*).’.

**Joel James**

**156**

Section 30, page 20, line 24, after ‘reviewed’, insert ‘, so as to ensure it remains suitable and sufficient,’.

Adran 30, tudalen 20, llinell 24, ar ôl ‘adolygu’, mewnosoder ‘, er mwyn sicrhau ei fod yn parhau i fod yn addas ac yn ddigonol,’.

**Joel James**

**157**

Section 33, page 22, line 20, leave out ‘each’ and insert ‘the principal’.

Adran 33, tudalen 22, llinell 21, hepgorer ‘i bob person’ a mewnosoder ‘i’r prif berson’.

**Joel James**

**158**

Section 33, page 22, line 22, leave out ‘for which the person is responsible’.

Adran 33, tudalen 22, llinell 23, hepgorer ‘y mae’r person yn gyfrifol amdani’.

**Joel James** 159

Section 33, page 22, line 29, leave out 'the accountable person who is responsible for that part (or any other person who is treated as such' and insert 'each accountable person for the building and any other person who is treated as'.

Adran 33, tudalen 22, llinell 29, hepgorer 'alluogi'r person atebol sy'n gyfrifol am y rhan honno (neu unrhyw berson arall sy'n cael ei drin fel person atebol o'r fath' a mewnosoder 'alluogi pob person atebol ar gyfer yr adeilad (ac unrhyw berson arall sy'n cael ei drin fel person atebol'.

**Joel James** 160

Section 33, page 22, line 32, leave out 'An' and insert 'The principal'.

Adran 33, tudalen 22, llinell 32, hepgorer 'person' a mewnosoder 'y prif berson'.

**Joel James** 161

Section 33, page 22, line 35, leave out 'an' and insert 'the principal'.

Adran 33, tudalen 22, llinell 35, ar ôl 'yn' yn yr ail le y mae'n ymddangos, mewnosoder 'brif'.

**Joel James** 162

Section 33, page 23, line 1, after 'the' at the first place where it occurs on a line, insert 'principal'.

Adran 33, tudalen 23, llinell 1, hepgorer 'person' a mewnosoder 'prif berson'.

**Joel James** 163

Section 33, page 23, line 4, after 'the' at the first place where it occurs on a line, insert 'principal'.

Adran 33, tudalen 23, llinell 4, hepgorer 'person' a mewnosoder 'prif berson'.

**Joel James** 164

Section 33, page 23, line 6, leave out 'An accountable person who is responsible for a part of a' and insert 'The principal accountable person for a regulated'.

Adran 33, tudalen 23, llinell 6, hepgorer 'i berson atebol sy'n gyfrifol am ran o adeilad' a mewnosoder 'i'r prif berson atebol ar gyfer adeilad rheoleiddiedig'.

**Joel James** 165

Section 33, page 23, line 9, leave out –

'the principal accountable person for the building (where the accountable person is not the principal accountable person)'

and insert –

' \_

- ( ) every other accountable person for the building (where there is more than one accountable person), and
- ( ) any other person who is treated as an accountable person by virtue of section 35'.

Adran 33, tudalen 23, llinell 9, hepgorer –

'i'r prif berson atebol ar gyfer yr adeilad (pan nad y person atebol yw'r prif berson atebol)' a mewnosoder –

' –

- ( ) i bob person arall sy'n gyfrifol am yr adeilad (pan fo mwy nag un person atebol), a
- ( ) i unrhyw berson arall sy'n cael ei drin fel person atebol yn rhinwedd adran 35'.

**Jayne Bryant**

**93**

Section 33, page 23, line 15, leave out 'body' and insert 'organisation'.

Adran 33, tudalen 23, llinell 15, hepgorer 'gorff penodol, neu aelodaeth o gorff' a mewnosoder 'sefydliad penodol, neu aelodaeth o sefydliad'.

**Joel James**

**166**

Section 33, page 23, line 19, leave out 'an' and insert 'the principal'.

Adran 33, tudalen 23, llinell 20, hepgorer 'person' a mewnosoder 'y prif berson'.

**Sian Gwenllian**

**143**

Page 25, after line 2, insert a new section –

**[ ] Remediation works**

The Welsh Ministers may by regulations make provision for and in connection with deadlines for the completion of remediation works required for regulated buildings and sanctions for failure to comply with those deadlines.'

Tudalen 25, ar ôl llinell 2, mewnosoder adran newydd –

**[ ] Gwaith cyweirio**

Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer ac mewn cysylltiad â dyddiadau cau ar gyfer cwblhau gwaith cyweirio sydd ei angen ar gyfer adeiladau rheoleiddiedig a sancsiynau am fethu â chydymffurfio â'r dyddiadau cau hynny.'

**Sian Gwenllian**

**144**

Page 25, after line 2, insert a new section –

**[ ] Remediation Plan**

- (1) The Welsh Ministers must prepare and publish a remediation plan for category 1 and category 2 buildings identified as requiring remediation work.
- (2) The remediation plan must include—
  - (a) a list and brief description of the works required,
  - (b) a timetable setting out completion dates for the work, and
  - (c) a list of actions to be taken by the Welsh Ministers if completion of remediation works are not completed by the agreed completion dates.
- (3) The Welsh Ministers must publish the first remediation plan before the end of 90 days starting with the day this section comes into force.
- (4) The Welsh Ministers may revise the remediation plan from time to time and must publish the remediation plan as revised.
- (5) The Welsh Ministers must, on every calendar month or until all works are completed, publish a progress report, which monitors and sets out whether work listed under the remediation plan has been completed on time.
- (6) The Welsh Ministers must publish the first progress report before the end of 30 days starting with the day the first remediation plan was published.’.

Tudalen 25, ar ôl llinell 2, mewnosoder adran newydd –

**[ ] Cynllun Cyweirio**

- (1) Rhaid i Weinidogion Cymru lunio a chyhoeddi cynllun cyweirio ar gyfer adeiladau categori 1 a chategori 2 y nodwyd bod angen gwaith cyweirio arnynt.
- (2) Rhaid i'r cynllun cyweirio gynnwys –
  - (a) rhestr a disgrifiad byr o'r gwaith sydd ei angen,
  - (b) amserlen sy'n nodi dyddiadau cwblhau ar gyfer y gwaith, ac
  - (c) rhestr o gamau i'w cymryd gan Weinidogion Cymru os na chwblheir gwaith cyweirio erbyn y dyddiadau cwblhau y cytunwyd arnynt.
- (3) Rhaid i Weinidogion Cymru gyhoeddi'r cynllun cyweirio cyntaf cyn diwedd 90 o ddiwrnodau sy'n dechrau â'r diwrnod y daw'r adran hon i rym.
- (4) Caiff Gweinidogion Cymru ddiwygio'r cynllun cyweirio o bryd i'w gilydd a rhaid iddynt gyhoeddi'r cynllun cyweirio fel y'i diwygiwyd.
- (5) Rhaid i Weinidogion Cymru, bob mis calendr neu hyd nes y bydd yr holl waith wedi ei gwblhau, gyhoeddi adroddiad cynnydd, sy'n monitro ac yn nodi a yw gwaith a restrir o dan y cynllun cyweirio wedi ei gwblhau'n brydlon.
- (6) Rhaid i Weinidogion Cymru gyhoeddi'r adroddiad cynnydd cyntaf cyn diwedd 30 o ddiwrnodau sy'n dechrau â'r diwrnod y cyhoeddwyd y cynllun cyweirio cyntaf.’.

Jayne Bryant

94

Section 38, page 27, line 23, leave out 'as' and insert 'relating'.

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

**Joel James** 167

Section 39, page 27, line 28, after 'building', insert 'or an occupied category 2 building'.

Adran 39, tudalen 27, llinell 28, ar ôl 'feddiennir', mewnosoder 'neu adeilad categori 2 a feddiennir'.

**Jayne Bryant** 5

Section 39, page 28, after line 17, insert –

'() When preparing the residents' engagement strategy the principal accountable person must –

(a) consult relevant persons, and any other persons specified in regulations, about the proposed contents of the strategy, and

(b) take into account any representations made in response to the consultation.'

Adran 39, tudalen 28, ar ôl llinell 19, mewnosoder –

'() Wrth lunio'r strategaeth ymgysylltu â phreswylwyr rhaid i'r prif berson atebol –

(a) ymgynghori â phersonau perthnasol, ac unrhyw bersonau eraill a bennir mewn rheoliadau, ynghylch cynnwys arfaethedig y strategaeth, a

(b) ystyried unrhyw sylwadau a wnaed mewn ymateb i'r ymgynghoriad.'

**Jayne Bryant** 6

Section 39, page 28, line 23, after 'about', insert 'proposed revisions to'.

Adran 39, tudalen 28, llinell 27, hepgorer 'y' a mewnosoder 'diwygiadau arfaethedig i'r'.

**Jayne Bryant** 7

Section 39, page 28, line 24, leave out 'when next reviewing the strategy'.

Adran 39, tudalen 28, llinell 29, hepgorer 'pan adolygir y strategaeth y tro nesaf'.

**Jayne Bryant** 8

Section 39, page 28, line 29, after 'section', insert 'or regulations made under it'.

Adran 39, tudalen 28, llinell 34, ar ôl 'hon', mewnosoder 'neu reoliadau a wneir oddi tani'.

**Jayne Bryant** 95

Page 33, after line 3, insert a new section –

[ ] **Duty to give information and documents to accountable persons**

- (1) Where this subsection applies, a person who is a relevant person in relation to a regulated building must give information or a document to an accountable person (“P”) for the building (see also article 22D of the Fire Safety Order).
- (2) For the purposes of this section a person is a relevant person in relation to a regulated building if the person –
  - (a) is an accountable person for the building;
  - (b) is a duty holder for a relevant HMO in the building;
  - (c) holds a legal estate in any part of the building;
  - (d) holds a legal estate in any part of premises that form part of the same structure or set of structures as the building and are wholly or partly above or below the building.
- (3) Subsection (1) applies where –
  - (a) the information or document is necessary for P to comply with a requirement under this Act or regulations made under it,
  - (b) P gives the relevant person a written request that –
    - (i) states that the request is made pursuant to this section,
    - (ii) explains why P requires the information or document,
    - (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given,
  - (c) it is reasonable for the relevant person to give P the information or document, and
  - (d) in the case of a request for information, P cannot request the information from the relevant person under section 51(4) or 52(4) (duties of residents and owners).
- (4) The disclosure of information or a document in accordance with this section does not breach –
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).
- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).
- (6) In this section, references to an accountable person include a person who is treated as an accountable person by virtue of section 35.’.

Tudalen 33, ar ôl llinell 3, mewnosoder adran newydd –

**[ ] Dyletswydd i roi gwybodaeth a dogfennau i bersonau atebol**

- (1) Pan fo’r is-adran hon yn gymwys, rhaid i berson sy’n berson perthnasol mewn perthynas ag adeilad rheoleiddiedig roi gwybodaeth neu ddogfen i berson atebol (“P”) ar gyfer yr adeilad (gweler hefyd erthygl 22D o’r Gorchymyn Diogelwch Tân).
- (2) At ddibenion yr adran hon, mae person yn berson perthnasol mewn perthynas ag adeilad rheoleiddiedig os yw’r person –
  - (a) yn berson atebol ar gyfer yr adeilad;

- (b) yn ddeiliad dyletswydd ar gyfer tŷ amlfeddiannaeth perthnasol yn yr adeilad;
  - (c) yn dal ystad gyfreithiol yn unrhyw ran o'r adeilad;
  - (d) yn dal ystad gyfreithiol yn unrhyw ran o fangre sy'n ffurfio rhan o'r un strwythur neu set o strwythurau â'r adeilad ac sy'n gyfan gwbl neu'n rhannol uwch ben neu o dan yr adeilad.
- (3) Mae is-adran (1) yn gymwys pan –
- (a) bo'r wybodaeth neu'r ddogfen yn angenrheidiol i P gydymffurfio â gofyniad o dan y Ddeddf hon neu reoliadau a wneir oddi tani,
  - (b) bo P yn rhoi i'r person perthnasol gais ysgrifenedig sy'n –
    - (i) nodi y gwneir y cais yn unol â'r adran hon,
    - (ii) esbonio pam y mae'r wybodaeth neu'r ddogfen yn ofynnol gan P,
    - (iii) datgan y cyfeiriad y mae rhaid rhoi'r wybodaeth neu'r ddogfen iddo, a
    - (iv) datgan bod rhaid rhoi'r wybodaeth neu'r ddogfen cyn diwedd dyddiad penodedig heb fod yn llai na 14 o ddiwrnodau ar ôl y diwrnod y rhoddir y cais,
  - (c) bo'n rhesymol i'r person perthnasol roi i P yr wybodaeth neu'r ddogfen, a
  - (d) yn achos cais am wybodaeth, ni all P wneud cais am yr wybodaeth gan y person perthnasol o dan adran 51(4) neu 52(4) (dyletswyddau preswylwyr a pherchnogion).
- (4) Nid yw datgelu gwybodaeth neu ddogfen yn unol â'r adran hon yn torri –
- (a) unrhyw rwymedigaeth gyfrinachedd sy'n ddyledus gan y person sy'n gwneud y datgeliad, neu
  - (b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth neu ddogfen (sut bynnag y caiff ei osod).
- (5) Ond gweler hefyd adran 183A o Ddeddf Diogelu Data 2018 (p. 12) (diogelu gofynion ar gyfer prosesu data personol).
- (6) Yn yr adran hon, mae cyfeiriadau at berson atebol yn cynnwys person sy'n cael ei drin fel person atebol yn rhinwedd adran 35.'.

**Sian Gwenllian**

**145**

Section 45, page 33, line 5, leave out 'may' and insert 'must'.

Adran 45, tudalen 33, llinell 5, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

**Sian Gwenllian**

**146**

Section 45, page 33, after line 8, insert –

- '() Regulations under section 45(1) must be made within 12 months of the day on which this Act received Royal Assent.'

Adran 45, tudalen 33, ar ôl llinell 8, mewnosoder –

- '() Rhaid i reoliadau o dan adran 45(1) gael eu gwneud o fewn 12 mis i'r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.'

**Sian Gwenllian**

147

Section 46, page 33, line 26, leave out 'may' and insert 'must'.

Adran 46, tudalen 33, llinell 26, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

**Jayne Bryant**

9

Page 39, after line 7, insert a new section –

**[ ] Fire resistance of residential units: duty to repair**

- (1) This section applies to a person who –
  - (a) is aware of damage to a part of a residential unit in an occupied regulated building (whether the damage is wear and tear or other damage) that falls within subsection (3), and
  - (b) falls within subsection (5) in relation to the part.
- (2) A person to whom this section applies must ensure the damage is repaired.
- (3) Damage falls within this subsection if it –
  - (a) gives rise to a significant risk of fire spread, or
  - (b) significantly increases any existing risk of fire spread.
- (4) The reference in subsection (3) to a risk of fire spread means a risk that, if fire breaks out in the residential unit, the fire will spread from the unit.
- (5) A person falls within this subsection in relation to a part of a residential unit if the person is –
  - (a) subject to a requirement under a lease or by virtue of an enactment (other than this section), to repair or maintain the part, or
  - (b) the owner of the residential unit, if there is no person who falls within paragraph (a) in relation to the part.
- (6) This section does not affect a requirement to which the person is subject to repair or maintain the part.'

Tudalen 39, ar ôl llinell 7, mewnosoder adran newydd –

**[ ] Gwrthiant tân unedau preswyl: dyletswydd i atgyweirio**

- (1) Mae'r adran hon yn gymwys i berson sydd –
  - (a) yn ymwybodol o ddifrod i ran o uned breswyl mewn adeilad rheoleiddiedig a feddiennir (pa un a yw'r difrod yn draul neu'n ddifrod arall) sy'n dod o fewn is-adran (3), a
  - (b) yn dod o fewn is-adran (5) mewn perthynas â'r rhan.
- (2) Rhaid i berson y mae'r adran hon yn gymwys iddo sicrhau y caiff y difrod ei atgyweirio.
- (3) Mae difrod yn dod o fewn yr is-adran hon os yw –
  - (a) yn arwain at risg sylweddol o ledaeniad tân, neu
  - (b) yn cynyddu'n sylweddol unrhyw risg bresennol o ledaeniad tân.

- (4) Mae'r cyfeiriad yn is-adran (3) at risg o ledaeniad tân yn golygu risg, os bydd tân yn cychwyn yn yr uned breswyl, y bydd y tân yn lledaenu o'r uned.
- (5) Mae person yn dod o fewn yr is-adran hon mewn perthynas â rhan o uned breswyl os –
  - (a) yw'r person yn ddarostyngedig i ofyniad o dan les neu yn rhinwedd deddfiad (ac eithrio'r adran hon), i atgyweirio neu gynnal a chadw'r rhan, neu
  - (b) y person yw perchennog yr uned breswyl, os nad oes unrhyw berson yn dod o fewn paragraff (a) mewn perthynas â'r rhan.
- (6) Nid yw'r adran hon yn effeithio ar ofyniad y mae'r person yn ddarostyngedig iddo i atgyweirio neu gynnal a chadw y rhan.'

**Jayne Bryant**

**10**

Page 39, after line 7, insert a new section –

**[ ] Entry to residential units for purpose of repairs**

- (1) This section applies where –
  - (a) by virtue of section [section to be inserted by amendment 9], a person (“P”) is under a duty to ensure that damage to a part of a residential unit is repaired,
  - (b) P makes a request to a relevant person for entry to the unit or part of the unit, by P or persons authorised by P, for the purpose of carrying out the repairs,
  - (c) the request complies with subsection (2), and
  - (d) entry to the unit or the part of the unit is not given.
- (2) A request complies with this subsection if it –
  - (a) is in writing,
  - (b) explains that, by virtue of section [section to be inserted by amendment 9], P is under a duty to ensure that damage to a part of the unit is repaired,
  - (c) sets out the repairs to be carried out,
  - (d) requests entry on a date or dates, and at times, that are reasonable, and
  - (e) is given to the relevant person –
    - (i) at least 48 hours before the time at which entry is requested, or
    - (ii) if entry on more than one date is requested, at least 48 hours before the earliest time at which entry is requested.
- (3) P may apply to a residential property tribunal for a repairs access order.
- (4) But P may not apply for a repairs access order unless P has given to the building safety authority and the fire safety authority for the building a notice setting out the intention to apply for a repairs access order in respect of the relevant person and the residential unit (both of which must be specified in the notice).
- (5) A repairs access order is an order that requires the relevant person to allow P or persons authorised by P to –
  - (a) enter the residential unit or part of the residential unit, and
  - (b) carry out the repairs set out in the request under subsection (2)(c).



- (6) A residential property tribunal may make a repairs access order if satisfied that –
  - (a) it is necessary for the repairs set out in the request under subsection (2)(c) to be carried out, and
  - (b) it is necessary to enter the unit or part of the unit to carry out the repairs.
- (7) The repairs access order must specify a date on which, or a period within which, entry to the unit or part of the unit may be made.
- (8) In this section “relevant person” means –
  - (a) in relation to a residential unit –
    - (i) an adult resident of the unit, or
    - (ii) if there is no such resident, any person who has control over entry to the unit;
  - (b) in relation to a part of a residential unit –
    - (i) an adult resident of the unit who has control over entry to the part, or
    - (ii) if there is no such resident, any person who has control over entry to the part.’.

Tudalen 39, ar ôl llinell 7, mewnosoder adran newydd –

**[ ] Mynediad i unedau preswyl at ddiben atgyweirio**

- (1) Mae’r adran hon yn gymwys pan –
  - (a) bo, yn rhinwedd adran [*adran i’w mewnosod gan welliant 9*], person (“P”) o dan ddyletswydd i sicrhau y caiff difrod i ran o uned breswyl ei atgyweirio,
  - (b) bo P yn gwneud cais i berson perthnasol am fynediad i’r uned neu ran o’r uned, gan P neu bersonau a awdurdodir gan P, at y diben o wneud yr atgyweirio,
  - (c) bo’r cais yn cydymffurfio ag is-adran (2), a
  - (d) na roddir mynediad i’r uned neu i’r rhan o’r uned.
- (2) Mae cais yn cydymffurfio â’r is-adran hon os yw –
  - (a) yn ysgrifenedig,
  - (b) yn egluro bod P, yn rhinwedd adran [*adran i’w mewnosod gan welliant 9*], o dan ddyletswydd i sicrhau y caiff difrod i ran o’r uned ei atgyweirio,
  - (c) yn nodi’r atgyweiriadau sydd i’w gwneud,
  - (d) yn gofyn am fynediad ar ddyddiad neu ddyddiadau, ac ar amserau, sy’n rhesymol, ac
  - (e) yn cael ei roi i’r person perthnasol –
    - (i) o leiaf 48 awr cyn yr amser y gofynnir i gael mynediad, neu
    - (ii) os gofynnir am fynediad ar fwy nag un dyddiad, o leiaf 48 awr cyn yr amser cynharaf y gofynnir i gael mynediad.
- (3) Caiff P wneud cais i dribiwnlys eiddo preswyl am orchymyn mynediad ar gyfer atgyweirio.

- (4) Ond ni chaiff P wneud cais am orchymyn mynediad ar gyfer atgyweirio oni bai bod P wedi rhoi hysbysiad i'r awdurdod diogelwch adeiladau a'r awdurdod diogelwch tân ar gyfer yr adeilad yn nodi'r bwriad i wneud cais am orchymyn mynediad ar gyfer atgyweirio mewn cysylltiad â'r person perthnasol a'r uned breswyl (y mae rhaid i'r ddau ohonynt gael eu pennu yn yr hysbysiad).
- (5) Mae gorchymyn mynediad ar gyfer atgyweirio yn orchymyn sy'n ei gwneud yn ofynnol i'r person perthnasol ganiatáu i P neu bersonau a awdurdodir gan P i—
  - (a) mynd i'r uned breswyl neu ran o'r uned breswyl, a
  - (b) gwneud yr atgyweiriadau a nodir yn y cais o dan is-adran (2)(c).
- (6) Caiff tribiwnlys eiddo preswyl wneud gorchymyn mynediad ar gyfer atgyweirio os yw'n fodlon ei bod—
  - (a) yn angenrheidiol i'r atgyweiriadau a nodir yn y cais o dan is-adran (2)(c) i gael eu pdagwneud, a
  - (b) yn angenrheidiol i fynd i'r uned neu ran o'r uned i wneud yr atgyweiriadau.
- (7) Rhaid i'r gorchymyn mynediad ar gyfer atgyweirio bennu dyddiad y caniateir mynd i'r uned neu ran o'r uned, neu gyfnod y caniateir i'r mynediad ddigwydd ynddo.
- (8) Yn yr adran hon ystyr "person perthnasol" yw—
  - (a) mewn perthynas ag uned breswyl—
    - (i) preswylydd sy'n oedolyn yn yr uned, neu
    - (ii) os nad oes preswylydd o'r fath, unrhyw berson a chanddo reolaeth dros fynediad i'r uned;
  - (b) mewn perthynas â rhan o uned breswyl—
    - (i) preswylydd sy'n oedolyn yn yr uned a chanddo reolaeth dros fynediad i'r rhan, neu
    - (ii) os nad oes preswylydd o'r fath, unrhyw berson a chanddo reolaeth dros fynediad i'r rhan.'

**Jayne Bryant**

**11**

Section 53, page 39, after line 20, insert—

- '( ) enabling the accountable person to determine whether there has been compliance with section [section to be inserted by amendment 9] (repair of fire resistance of residential units);'

Adran 53, tudalen 39, ar ôl llinell 21, mewnosoder—

- '( ) galluogi'r person atebol i benderfynu a gydymffurfiwyd ag adran [adran i'w mewnosod gan welliant 9] (atgyweirio gwrthiant tân unedau preswyl);'

**Jayne Bryant**

**96**

Section 53, page 39, line 35, leave out 'if made for the purpose mentioned in subsection (2)(e), sets out the name of the person who is treated as an accountable person' and insert 'sets out the name of the person who is treated as an accountable person if made for the purpose mentioned in subsection (2)(e)'.

Adran 53, tudalen 39, llinell 37, hepgorer 'yn cael ei wneud at y diben a grybwyllir yn is-adran (2)(e), yn nodi enw'r person sy'n cael ei drin fel person atebol' a mewnosoder 'yn nodi enw'r person sy'n cael ei drin fel person atebol os y'i gwneir at y diben a grybwyllir yn is-adran (2)(e)'.

**Jayne Bryant**

12

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Adran 53, tudalen 39, llinell 39, hepgorer 'fynd i'r fangre' a mewnosoder 'fynediad'.

**Jayne Bryant**

97

Section 53, page 40, line 10, after 'request', insert 'under subsection (3)(d)'.  
Adran 53, tudalen 40, llinell 11, ar ôl 'cais', mewnosoder 'o dan is-adran (3)(d)'.

**Jayne Bryant**

98

Section 53, page 40, line 13, after 'request', insert 'under subsection (3)(b)'.  
Adran 53, tudalen 40, llinell 13, ar ôl 'cais', mewnosoder 'o dan is-adran (3)(b)'.

**Jayne Bryant**

99

Section 53, page 40, line 18, after 'request', insert 'under subsection (3)(b)'.  
Adran 53, tudalen 40, llinell 18, ar ôl 'cais', mewnosoder 'o dan is-adran (3)(b)'.

**Jayne Bryant**

13

Section 53, page 41, after line 1, insert –

- '() in relation to a request made for the purpose mentioned in subsection([*paragraph to be inserted by amendment 11*]) –
- (i) if the request is made by a principal accountable person, a residential unit, or a part of a residential unit, in the building;
  - (ii) if the request is made by any other accountable person, a residential unit, or a part of a residential unit, in the part of the building for which the accountable person is responsible;'

Adran 53, tudalen 40, ar ôl llinell 22, mewnosoder –

- '() mewn perthynas â chais a wneir at y diben a grybwyllir yn is-adran (2)([*paragraff i'w mewnosod gan welliant 11*]) –
- (i) os gwneir y cais gan brif berson atebol, uned breswyl, neu ran o uned breswyl, yn yr adeilad;
  - (ii) os gwneir y cais gan unrhyw berson atebol arall, uned breswyl, neu ran o uned breswyl, yn y rhan o'r adeilad y mae'r person atebol yn gyfrifol amdani;'

**Jayne Bryant** 14

Section 54, page 41, line 21, after 'notice', insert 'under this section'.

Adran 54, tudalen 41, llinell 19, ar ôl 'rhybuddio', mewnosoder 'o dan yr adran hon'.

**Jayne Bryant** 15

Section 54, page 42, line 13, after 'notice' at the first place where it appears, insert 'under this section'.

Adran 54, tudalen 42, llinell 13, ar ôl 'rhybuddio', mewnosoder 'o dan yr adran hon'.

**Jayne Bryant** 16

Section 54, page 42, line 30, after 'notice', insert 'under this section'.

Adran 54, tudalen 42, llinell 30, ar ôl 'rhybuddio', mewnosoder 'o dan yr adran hon'.

**Jayne Bryant** 17

Section 54, page 42, line 34, leave out subsection (10) and insert –

**[ ] Power of accountable person to give warning notice: repair of fire resistance of residential units**

- (1) A warning notice under this section may be given to a person to whom section [section to be inserted by amendment 9] applies in relation to a part of a residential unit in an occupied regulated building.
- (2) A warning notice under this section may be given by –
  - (a) the accountable person who is responsible for the part of the building containing the residential unit;
  - (b) the principal accountable person for the building.
- (3) A warning notice under this section is a notice that –
  - (a) specifies the repairs that the accountable person considers that the person referred to in subsection (1) –
    - (i) has failed to carry out, and
    - (ii) should carry out within a reasonable period specified in the notice, and
  - (b) explains –
    - (i) that if the person does not comply with the notice the accountable person may apply under section 55 for a contravention order, and
    - (ii) the effect of such an order.
- (4) An accountable person who gives a warning notice under this section must ensure that any other person who is an accountable person for the building is informed as soon as reasonably practicable.'

Adran 54, tudalen 42, llinell 34, hepgorer is-adran (10) a mewnosoder –

**[ ] Pŵer person atebol i roi hysbysiad rhybuddio: atgyweirio gwrthiant tân unedau preswyl**

- (1) Caniateir rhoi hysbysiad rhybuddio o dan yr adran hon i berson y mae adran [*adran i'w mewnosod gan welliant 9*] yn gymwys iddo mewn perthynas â rhan o uned breswyl mewn adeilad rheoleiddiedig a feddiennir.
- (2) Caniateir rhoi hysbysiad rhybuddio o dan yr adran hon gan –
  - (a) y person atebol sy'n gyfrifol am y rhan o'r adeilad sy'n cynnwys yr uned breswyl;
  - (b) y prif berson atebol ar gyfer yr adeilad.
- (3) Hysbysiad rhybuddio o dan yr adran hon yw hysbysiad sydd –
  - (a) yn pennu'r atgyweiriadau y mae'r person atebol yn ystyried –
    - (i) bod y person y cyfeirir ato yn is-adran (1) wedi methu eu gwneud, a
    - (ii) y dylai'r person hwnnw eu gwneud o fewn cyfnod rhesymol a bennir yn yr hysbysiad, a
  - (b) yn egluro –
    - (i) os nad yw'r person yn cydymffurfio â'r hysbysiad y caiff y person atebol wneud cais o dan adran 55 am orchymyn torri, a
    - (ii) effaith gorchymyn o'r fath.
- (4) Rhaid i berson atebol sy'n rhoi hysbysiad rhybuddio o dan yr adran hon sicrhau bod unrhyw berson arall sy'n berson atebol ar gyfer yr adeilad yn cael ei hysbysu cyn gynted ag y bo'n rhesymol ymarferol.'.

**Jayne Bryant**

18

Section 55, page 43, after line 8, insert –

- '( ) An accountable person for a regulated building may apply to a residential property tribunal for a contravention order to be made in respect of a person where the accountable person –
- (a) has given a warning notice to the person in accordance with section [*section to be inserted by amendment 17*], and
  - (b) considers that the person has failed to carry out the repairs specified in the notice under section [*section to be inserted by amendment 17*](3)(a).'

Adran 55, tudalen 43, ar ôl llinell 7, mewnosoder –

- '( ) Caiff person atebol ar gyfer adeilad rheoleiddiedig wneud cais i dribiwnlys eiddo preswyl i orchymyn torri gael ei wneud mewn cysylltiad â pherson pan fo'r person atebol –
- (a) wedi rhoi hysbysiad rhybuddio i'r person yn unol ag adran [*adran i'w mewnosod gan welliant 17*], a
  - (b) yn ystyried bod y person wedi methu â gwneud yr atgyweiriadau a bennir yn yr hysbysiad o dan adran [*adran i'w mewnosod gan welliant 17*](3)(a).'

**Jayne Bryant**

19

Section 55, page 43, line 12, after 'is', insert ' –

( ) in a case in which a warning notice was given under section 54,'.

Adran 55, tudalen 43, llinell 11, ar ôl 'torri', mewnosoder ' –

( ) mewn achos pan roddwyd hysbysiad rhybuddio o dan adran 54,'.

**Jayne Bryant**

20

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

Adran 55, tudalen 43, llinell 14, hepgorer 'benodol' a mewnosoder 'benodedig'.

**Jayne Bryant**

21

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

Adran 55, tudalen 43, llinell 16, hepgorer 'benodol' a mewnosoder 'benodedig'.

**Jayne Bryant**

22

Section 55, page 43, after line 16, insert –

'( ) in a case in which a warning notice was given under section [section to be inserted by amendment 17], an order requiring the person in respect of whom it is made to carry out specified repairs.'

Adran 55, tudalen 43, ar ôl llinell 16, mewnosoder –

'( ) mewn achos pan roddwyd hysbysiad rhybuddio o dan adran [adran i'w mewnosod gan welliant 17], yn orchymyn sy'n ei gwneud yn ofynnol i'r person y caiff ei wneud mewn cysylltiad ag ef wneud atgyweiriadau penodedig.'

**Jayne Bryant**

23

Section 55, page 43, line 20, after '54', insert 'or [section to be inserted by amendment 17]'

Adran 55, tudalen 43, llinell 20, ar ôl '54', mewnosoder 'neu [adran i'w mewnosod gan welliant 17]'

**Jayne Bryant**

24

Section 55, page 43, line 23, leave out 'the warning notice' and insert 'a warning notice given under section 54'.

Adran 55, tudalen 43, llinell 23, hepgorer 'yn yr hysbysiad rhybuddio' a mewnosoder 'mewn hysbysiad rhybuddio a roddir o dan adran 54'.

**Jayne Bryant**

25

Page 43, after line 24, insert a new section –

'[ ] Regulations about warning notices

The Welsh Ministers may by regulations make further provision about warning notices under section 54 and [section to be inserted by amendment 17], including provision about –

- (a) the form and content of a notice;
- (b) how a notice must be given.’.

Tudalen 43, ar ôl llinell 25, mewnosoder adran newydd –

**[ ] Rheoliadau ynghylch hysbysiadau rhybuddio**

Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth bellach ynghylch hysbysiadau rhybuddio o dan adran 54 a [adran i'w mewnosod gan welliant 17], gan gynnwys darpariaeth ynghylch –

- (a) ffurf a chynnwys hysbysiad;
- (b) sut y mae rhaid rhoi hysbysiad.’.

**Jayne Bryant**

100

Section 57, page 44, line 19, leave out ‘may’ and insert ‘must’.

Adran 57, tudalen 44, llinell 20, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weiniogion’.

**Jayne Bryant**

101

Section 57, page 44, leave out lines 22 to 24 and insert –

- ‘( ) the deadline for giving a notice.
- ( ) Regulations under subsection (2) may make provision –
  - ( ) about the documents (if any) that must be included with a notice;
  - ( ) for the building safety authority to extend the deadline for giving a notice.’.

Adran 57, tudalen 44, hepgorer llinellau 23 hyd at 25 a mewnosoder –

- ‘( ) y dyddiad cau ar gyfer rhoi hysbysiad.
- ( ) Caiff rheoliadau o dan is-adran (2) wneud darpariaeth –
  - ( ) ynghylch y dogfennau (os oes rhai) y mae rhaid eu cynnwys gyda hysbysiad;
  - ( ) i’r awdurdod diogelwch adeiladau estyn y dyddiad cau ar gyfer rhoi hysbysiad.’.

**Jayne Bryant**

102

Section 57, page 44, line 35, leave out ‘the affected person’ and insert ‘all affected persons’.

Adran 57, tudalen 44, llinell 37, hepgorer ‘person yr effeithir arno’ a mewnosoder ‘holl bersonau yr effeithir arnynt’.

**Jayne Bryant** 103

Section 57, page 45, line 4, leave out 'to comply with subsection (7)' and insert ', before the end of the relevant period, to give notice of the outcome of the review under subsection (7) to the affected person who requested the review'.

Adran 57, tudalen 45, llinell 4, hepgorer 'â chydymffurfio ag is-adran (7)' a mewnosoder ', cyn diwedd y cyfnod perthnasol, â rhoi hysbysiad am ganlyniad yr adolygiad o dan is-adran (7) i'r person yr effeithir arno a ofynnodd am yr adolygiad'.

**Jayne Bryant** 104

Section 57, page 45, line 8, leave out 'the affected person' and insert 'all affected persons'.

Adran 57, tudalen 45, llinell 8, hepgorer 'person yr effeithir arno' a mewnosoder 'holl bersonau yr effeithir arnynt'.

**Jayne Bryant** 105

Section 57, page 45, line 14, after 'person', insert 'who requested the review'.

Adran 57, tudalen 45, llinell 14, ar ôl 'arno', mewnosoder 'a ofynnodd am yr adolygiad'.

**Jayne Bryant** 106

Section 59, page 46, line 23, leave out 'the' and insert 'an'.

Adran 59, tudalen 46, llinell 20, hepgorer 'gallai'r' a mewnosoder 'gallai'.

**Jayne Bryant** 107

Section 59, page 46, line 26, leave out 'the' and insert 'an'.

Adran 59, tudalen 46, llinell 23, hepgorer 'mae'r' a mewnosoder 'mae'.

**Jayne Bryant** 108

Page 46, after line 30, insert a new section –

*'Entry to non-residential premises*

**[ ] Entry to non-residential premises by accountable person**

(1) This section applies where –

- (a) an accountable person for an occupied regulated building makes a request to a relevant person for entry to relevant premises,
- (b) the request is made for a purpose mentioned in subsection (2),
- (c) the request complies with subsection (3), and
- (d) entry to the premises is not given.

- (2) The purposes are –
- (a) where the accountable person is the principal accountable person for the building, enabling that person to comply with sections 28 to 31 or regulations made under those sections (assessment of fire safety risks relating to regulated buildings);
  - (b) enabling the accountable person to comply with section 32 or regulations made under it (management of fire safety risks relating to regulated buildings);
  - (c) enabling the accountable person to comply with section 33 or 34 or regulations made under those sections (assessment and management of structural safety risks relating to category 1 and category 2 buildings);
  - (d) enabling a person who is treated as an accountable person by virtue of section 35 to comply with section 32 or 34 or regulations made under those sections.
- (3) A request complies with this subsection if it –
- (a) is in writing,
  - (b) sets out the purpose for which it is made,
  - (c) explains why it is necessary to enter the relevant premises for that purpose,
  - (d) sets out the name of the person who is treated as an accountable person if made for the purpose mentioned in subsection (2)(d), and
  - (e) requests entry on a date, and at a time, that is reasonable.
- (4) The accountable person may apply to a residential property tribunal for a non-residential premises access order under this section.
- (5) A non-residential premises access order under this section is an order that –
- (a) requires the relevant person to allow (as the case may be) –
    - (i) the accountable person, or a person authorised by the accountable person;
    - (ii) the person treated as an accountable person and named in the request under subsection (3)(d), or a person authorised by that person,to enter the relevant premises at a reasonable time for the purpose set out in the request under subsection (3)(b), and
  - (b) if necessary for that purpose, authorises the person entering the premises in accordance with the order to measure or test anything, or take samples, photographs or recordings.
- (6) A residential property tribunal may make a non-residential premises access order under this section if satisfied that it is necessary to do so for the purpose set out in the request under subsection (3)(b).
- (7) The non-residential premises access order must specify a date on which, or a period within which, entry to the premises may be made.
- (8) In this section –
- “relevant person” (“*person perthnasol*”) means any person who has control over entry to the relevant premises;
  - “relevant premises” (“*mangre perthnasol*”) means any premises that –
    - (a) form part of –
      - (i) the regulated building, or
      - (ii) the same structure or set of structures as the regulated building (see



sections 2 to 4) and are wholly or partly above or below the regulated building, and

(b) are not –

- (i) a residential unit or part of a residential unit, or
- (ii) an area, or part of an area, provided for the use, benefit or enjoyment of residents of a particular residential unit, or particular residential units, in the regulated building, structure or set.’.

Tudalen 46, ar ôl llinell 32, mewnosoder adran newydd –

*‘Mynediad i fangre amhreswyl*

**[ ] Mynediad i fangre amhreswyl gan berson atebol**

(1) Mae’r adran hon yn gymwys pan –

- (a) bo person atebol ar gyfer adeilad rheoleiddiedig a feddiennir yn gwneud cais i berson perthnasol am fynediad i fangre berthnasol,
- (b) bo’r cais yn cael ei wneud at ddiben a grybwyllir yn is-adran (2),
- (c) bo’r cais yn cydymffurfio ag is-adran (3), a
- (d) na roddir mynediad i’r fangre.

(2) Y dibenion yw –

- (a) pan mai’r person atebol yw’r prif berson atebol ar gyfer yr adeilad, galluogi’r person hwnnw i gydymffurfio ag adrannau 28 i 31 neu reoliadau a wneir o dan yr adrannau hynny (asesu risgiau diogelwch tân sy’n ymwneud ag adeiladau rheoleiddiedig);
- (b) galluogi’r person atebol i gydymffurfio ag adran 32 neu reoliadau a wneir oddi tani (rheoli risgiau diogelwch tân sy’n ymwneud ag adeiladau rheoleiddiedig);
- (c) galluogi’r person atebol i gydymffurfio ag adran 33 neu 34 neu reoliadau a wneir o dan yr adrannau hynny (asesu a rheoli risgiau diogelwch strwythurol sy’n ymwneud ag adeiladau categori 1 a chategori 2);
- (d) galluogi person sy’n cael ei drin yn rhinwedd adran 35 fel person atebol i gydymffurfio ag adran 32 neu 34 neu reoliadau a wneir o dan yr adrannau hynny.

(3) Mae cais yn cydymffurfio â’r is-adran hon os yw –

- (a) yn ysgrifenedig,
- (b) yn nodi’r diben y gwneir y cais ar ei gyfer,
- (c) yn egluro pam ei bod yn angenrheidiol mynd i’r fangre berthnasol at y diben hwnnw,
- (d) yn nodi enw’r person sy’n cael ei drin fel person atebol os y’i gwneir at y diben a grybwyllir yn is-adran (2)(d), ac
- (e) yn gofyn am fynediad ar ddyddiad, ac amser, sy’n rhesymol.

(4) Caiff y person atebol wneud cais i dribiwnlys eiddo preswyl am orchymyn mynediad i fangre amhreswyl o dan yr adran hon.

(5) Mae gorchymyn mynediad i fangre amhreswyl o dan yr adran hon yn orchymyn sydd –

- (a) yn ei gwneud yn ofynnol i’r person perthnasol ganiatáu (yn ôl y digwydd) –
  - (i) i’r person atebol, neu berson a awdurdodir gan y person atebol;

- (ii) i'r person sy'n cael ei drin fel person atebol ac a enwir yn y cais o dan is-adran (3)(d), neu berson a awdurdodir gan y person hwnnw, fynd i'r fangre perthnasol ar amser rhesymol at y diben a nodir yn y cais o dan is-adran (3)(b), a
  - (b) os yw'n angenrheidiol at y diben hwnnw, yn awdurdodi'r person sy'n mynd i'r fangre yn unol â'r gorchymyn i fesur neu brofi unrhyw beth, neu gymryd samplau, ffotograffau neu recordiadau.
- (6) Caiff tribiwnlys eiddo preswyl wneud gorchymyn mynediad i fangre amhreswyl o dan yr adran hon os yw'n fodlon ei bod yn angenrheidiol gwneud hynny at y diben a nodir yn y cais o dan is-adran (3)(b).
- (7) Rhaid i'r gorchymyn mynediad i fangre amhreswyl bennu dyddiad y caniateir mynd i'r fangre, neu gyfnod y caniateir i'r mynediad ddigwydd ynddo.
- (8) Yn yr adran hon –
- ystyr “mangre berthnasol” (“*relevant premises*”) yw unrhyw fangre –
    - (a) sy'n ffurfio rhan o –
      - (i) yr adeilad rheoleiddiedig, neu
      - (ii) yr un strwythur neu set o strwythurau â'r adeilad rheoleiddiedig (gweler adrannau 2 i 4) ac sy'n gyfan gwbl neu'n rhannol uwch ben neu o dan yr adeilad rheoleiddiedig, a
    - (b) nad yw –
      - (i) yn uned breswyl neu'n rhan o uned breswyl, neu
      - (ii) yn ardal, neu ran o ardal, a ddarperir at ddefnydd, er budd neu er mwynhad preswylwyr uned breswyl benodol, neu unedau preswyl penodol, yn yr adeilad rheoleiddiedig, y strwythur neu'r set;
  - ystyr “person perthnasol” (“*relevant person*”) yw unrhyw berson a chanddo reolaeth dros fynediad i'r fangre berthnasol.'.

**Jayne Bryant**

109

Section 60, page 47, line 29, leave out 'lie wholly or partly above or below it' and insert 'are wholly or partly above or below the regulated building'.

Adran 60, tudalen 47, llinell 30, hepgorer 'ei ben neu oddi tano' a mewnosoder 'ben neu o dan yr adeilad rheoleiddiedig'.

**Jayne Bryant**

26

Section 60, page 47, after line 32, insert –

- '( ) In this section “accountable person” includes a person who is treated as an accountable person by virtue of section 35.'

Adran 60, tudalen 47, ar ôl llinell 33, mewnosoder –

- '( ) Yn yr adran hon, mae “person atebol” yn cynnwys person sy'n cael ei drin fel person atebol yn rhinwedd adran 35.'

**Jayne Bryant**

27

Page 47, after line 32, insert a new section –

*‘Recovery of relevant costs by principal accountable person*

**[ ] Recovery of relevant costs by principal accountable person**

- (1) The Welsh Ministers may by regulations make provision for and in connection with enabling the principal accountable person for a regulated building to recover relevant costs from any other person who is an accountable person for the building or is treated as an accountable person by virtue of section 35.
- (2) In subsection (1), “relevant costs” means any costs incurred or to be incurred by the principal accountable person in connection with –
  - (a) applying to register a category 1 building or a category 2 building in accordance with section 19 and regulations made under it;
  - (b) notifying the building safety authority for such a building of a change in accordance with section 20 and regulations made under it;
  - (c) giving a declaration to the building safety authority for such a building in accordance with section 23 and regulations made under it;
  - (d) applying to remove a category 1 building or a category 2 building from the register in accordance with section 24 and regulations made under it;
  - (e) ensuring that the fire safety risks relating to a regulated building are assessed, and copies of assessments are given, in accordance with sections 28 to 31 and regulations made under them;
  - (f) in relation to a category 1 building –
    - (i) preparing and revising a safety case report, and giving a copy of the report and notice summarising the revisions to the building safety authority for the building, in accordance with section 36 and regulations made under it;
    - (ii) establishing and operating an occurrence recording system in accordance with section 37 and regulations made under it;
    - (iii) complying with the duties imposed by sections 39 and 40 and regulations made under them (residents’ engagement strategy);
    - (iv) applying for a building certificate in accordance with sections 41 and 42 and regulations made under them;
    - (v) complying with the duties relating to the display of building certificates and other documents imposed by section 44 and regulations made under it;
    - (vi) establishing and operating a system for the investigation of relevant complaints in accordance with section 48 and regulations made under it;
  - (g) in relation to a category 2 or a category 3 building, making and giving effect to arrangements for the consideration of relevant complaints in accordance with regulations under section 49;
  - (h) making a request to enter premises, or applying to a residential property tribunal for an access order, in accordance with section 53;



- (i) giving a warning notice in accordance with section 54 or [section to be inserted by amendment 17] and regulations made under section [section to be inserted by amendment 25];
- (j) applying to a residential property tribunal for a contravention order in accordance with section 55.’.

Tudalen 47, ar ôl llinell 33, mewnosoder adran newydd –

*‘Adennill costau perthnasol gan brif berson atebol*

**[ ] Adennill costau perthnasol gan brif berson atebol**

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer galluogi’r prif berson atebol ar gyfer adeilad rheoleiddiedig i adennill costau perthnasol oddi wrth unrhyw berson arall sy’n berson atebol ar gyfer yr adeilad neu berson sy’n cael ei drin fel person atebol yn rhinwedd adran 35, ac mewn cysylltiad â hynny.
- (2) Yn is-adran (1), ystyr “costau perthnasol” yw unrhyw gostau yr aed iddynt neu yr eir iddynt gan y prif berson atebol mewn cysylltiad â’r hyn a ganlyn –
  - (a) gwneud cais i gofrestru adeilad categori 1 neu adeilad categori 2 yn unol ag adran 19 a rheoliadau a wneir oddi tani;
  - (b) hysbysu’r awdurdod diogelwch adeiladau ar gyfer adeilad o’r fath am newid yn unol ag adran 20 a rheoliadau a wneir oddi tani;
  - (c) rhoi declarasiwn i’r awdurdod diogelwch adeiladau ar gyfer adeilad o’r fath yn unol ag adran 23 a rheoliadau a wneir oddi tani;
  - (d) gwneud cais i ddileu adeilad categori 1 neu adeilad categori 2 o’r gofrestr yn unol ag adran 24 a rheoliadau a wneir oddi tani;
  - (e) sicrhau bod y risgiau diogelwch tân sy’n ymwneud ag adeilad rheoleiddiedig yn cael eu hasesu, ac y rhoddir copïau o asesiadau, yn unol ag adrannau 28 i 31 a rheoliadau a wneir oddi tanynt;
  - (f) mewn perthynas ag adeilad categori 1 –
    - (i) llunio ac adolygu adroddiad achos diogelwch, a rhoi copi o’r adroddiad a hysbysiad yn crynhoi’r diwygiadau i’r awdurdod diogelwch adeiladau ar gyfer yr adeilad, yn unol ag adran 36 a rheoliadau a wneir oddi tani;
    - (ii) sefydlu a gweithredu system cofnodi achlysuron yn unol ag adran 37 a rheoliadau a wneir oddi tani;
    - (iii) cydymffurfio â’r dyletswyddau a osodir gan adrannau 39 a 40 a rheoliadau a wneir oddi tanynt (strategaeth ymgysylltu â phreswylwyr);
    - (iv) gwneud cais am dystysgrif adeilad yn unol ag adrannau 41 a 42 a rheoliadau a wneir oddi tanynt;
    - (v) cydymffurfio â’r dyletswyddau sy’n ymwneud ag arddangos tystysgrifau adeilad a dogfennau eraill a osodir gan adran 44 a rheoliadau a wneir oddi tani;
    - (vi) sefydlu a gweithredu system ar gyfer ymchwilio i gwynion perthnasol yn unol ag adran 48 a rheoliadau a wneir oddi tani;
  - (g) mewn perthynas ag adeilad categori 2 neu adeilad categori 3, gwneud trefniadau ar gyfer ystyried cwynion perthnasol a rhoi effaith i’r trefniadau hynny yn unol â rheoliadau o dan adran 49.



- (h) gwneud cais am fynediad i fangre, neu gwneud cais i dribiwnlys eiddo preswyl am orchymyn mynediad, yn unol ag adran 53;
- (i) rhoi hysbysiad rhybuddio yn unol ag adran 54 neu [adran i'w mewnosod gan welliant 17] a rheoliadau a weir o dan adran [adran i'w mewnosod gan welliant 25];
- (j) gwneud cais i dribiwnlys eiddo preswyl am orchymyn torri yn unol ag adran 55.'.

**Jayne Bryant**

28

Section 61, page 49, line 18, leave out 'Except as provided by subsection (8),'.

Adran 61, tudalen 49, llinell 18, hepgorer 'Except as provided by subsection (8),'.

**Jayne Bryant**

29

Section 61, page 49, leave out lines 24 to 27 and insert –

- '() But see also section 183A of the Data Protection Act 2018 (protection of requirements for processing personal data).'

Adran 61, tudalen 49, hepgorer llinellau 24 hyd at 27 a mewnosoder –

- '() But see also section 183A of the Data Protection Act 2018 (protection of requirements for processing personal data).'

**Joel James**

168

Section 61, page 49, after line 27, insert –

- '() The terms which are implied by virtue of subsections 2-6 do not constitute a change to or variation of any occupation contract for the purposes of sections 109 or 128 of the Renting Homes (Wales) Act (2016) and the terms set out are not fundamental terms or supplementary terms as defined in that Act.'

Adran 61, tudalen 49, ar ôl llinell 27, mewnosoder –

- '() The terms which are implied by virtue of subsections 2-6 do not constitute a change to or variation of any occupation contract for the purposes of sections 109 or 128 of the Renting Homes (Wales) Act (2016) and the terms set out are not fundamental terms or supplementary terms as defined in that Act.'

**Jayne Bryant**

30

Section 61, page 49, leave out lines 29 to 30.

Adran 61, tudalen 49, hepgorer llinellau 29 hyd at 30.

**Jayne Bryant** 31

Section 62, page 51, line 13, after '2026', insert 'and regulations made under it'.

Adran 62, tudalen 51, llinell 13, ar ôl '2026', mewnosoder 'and regulations made under it'.

**Jayne Bryant** 32

Section 62, page 51, line 15, after 'Act', insert 'and regulations made under it'.

Adran 62, tudalen 51, llinell 15, ar ôl 'Act', mewnosoder 'and regulations made under it'.

**Jayne Bryant** 33

Section 62, page 51, line 17, after 'Act', insert 'and regulations made under it'.

Adran 62, tudalen 51, llinell 17, ar ôl 'Act', mewnosoder 'and regulations made under it'.

**Jayne Bryant** 34

Section 62, page 51, line 22, after 'assessed', insert ', and copies of assessments are given,'.

Adran 62, tudalen 51, llinell 22, ar ôl 'assessed', mewnosoder ', and copies of assessments are given,'.

**Jayne Bryant** 35

Section 62, page 51, line 24, after 'Act', insert 'and regulations made under it'.

Adran 62, tudalen 51, llinell 24, ar ôl 'Act', mewnosoder 'and regulations made under it'.

**Jayne Bryant** 36

Section 62, page 51, line 28, after 'assessed', insert ', and copies of assessments are given,'.

Adran 62, tudalen 51, llinell 28, ar ôl 'assessed', mewnosoder ', and copies of assessments are given,'.

**Jayne Bryant** 37

Section 62, page 51, line 30, after 'Act', insert 'and regulations made under it'.

Adran 62, tudalen 51, llinell 30, ar ôl 'Act', mewnosoder 'and regulations made under it'.

**Jayne Bryant** 110

Section 62, page 51, after line 36, insert—

( ) giving information and documents to an accountable person in accordance with section [section to be inserted by amendment 95] of that Act;'

Adran 62, tudalen 51, ar ôl llinell 36, mewnosoder —

- '( ) giving information and documents to an accountable person in accordance with section [*adran i'w mewnosod gan welliant 95*] of that Act;'

**Jayne Bryant**

38

Section 62, page 52, line 1, leave out –

' , or applying to a residential property tribunal for a contravention order, in accordance with sections 54 and 55 of that Act (enforcement of duties of residents and owners of residential units)'

and insert –

'in accordance with section 54 or [*section to be inserted by amendment 17*] of that Act (enforcement of duties relating to residents etc. and residential units) and regulations made under section [*section to be inserted by amendment 25*] of that Act;

- (m) applying to a residential property tribunal for a contravention order in accordance with section 55 of that Act (enforcement of duties relating to residential units and residents etc.)'.

Adran 62, tudalen 52, llinell 1, hepgorer –

' , or applying to a residential property tribunal for a contravention order, in accordance with sections 54 and 55 of that Act (enforcement of duties of residents and owners of residential units)'

a mewnosoder –

'in accordance with section 54 or [*adran i'w mewnosod gan welliant 17*] of that Act (enforcement of duties relating to residents etc. and residential units) and regulations made under section [*adran i'w mewnosod gan welliant 25*] of that Act;

- (m) applying to a residential property tribunal for a contravention order in accordance with section 55 of that Act (enforcement of duties relating to residential units and residents etc.)'.

**Jayne Bryant**

111

Section 62, page 52, after line 4, insert –

- '( ) making a request to enter premises, or applying to a residential property tribunal for a non-residential premises access order, in accordance with section [*section to be inserted by amendment 108*] of that Act;
- ( ) giving information and documents to a duty holder in accordance with section [*section to be inserted by amendment 113*] of that Act.'

Adran 62, tudalen 52, ar ôl llinell 4, mewnosoder –

- '() making a request to enter premises, or applying to a residential property tribunal for a non-residential premises access order, in accordance with section [adran i'w mewnosod gan welliant 108] of that Act;
- () giving information and documents to a duty holder in accordance with section [adran i'w mewnosod gan welliant 113] of that Act.'

**Jayne Bryant**

39

Section 62, page 52, line 7, after 'copy', insert 'of the report and notice summarising the revisions'.

Adran 62, tudalen 52, llinell 7, ar ôl 'copy', mewnosoder 'of the report and notice summarising the revisions'.

**Jayne Bryant**

40

Section 62, page 52, line 12, after 'authority', insert 'and fire safety authority'.

Adran 62, tudalen 52, llinell 12, ar ôl 'authority', mewnosoder 'and fire safety authority'.

**Jayne Bryant**

41

Section 62, page 52, line 13, after 'Act', insert 'and regulations made under them'.

Adran 62, tudalen 52, llinell 13, ar ôl 'Act', mewnosoder 'and regulations made under them'.

**Jayne Bryant**

42

Section 62, page 52, line 21, after 'Act', insert 'and regulations made under it'.

Adran 62, tudalen 52, llinell 21, ar ôl 'Act', mewnosoder 'and regulations made under it'.

**Jayne Bryant**

43

Section 63, page 52, after line 37, insert –

- '() In section 20(1)(b) (limitation of service charges: consultation requirements), after "section 20D" insert "or section 20DA".
- () In section 20ZA (consultation requirements: supplementary), in subsection (5A) –
  - (a) in the opening words, after "section 20D" insert "(limitation of service charges relating to remediation works: England) or section 20DA (limitation of variable service charges relating to building safety works: Wales)";
  - (b) in paragraph (a), after "section 20D(2)" insert "or section 20DA(2)".
- () After section 20D (limitation of service charges: remediation works), insert –

**"20DA Wales: limitation of variable service charges relating to building safety works**

- (1) This section applies in relation to a lease to which section 301B (regulated buildings in Wales: liability for building safety costs) applies.
- (2) The relevant person must –
  - (a) take reasonable steps to ascertain whether any grant is payable in respect of building safety works and, if so, to obtain the grant;
  - (b) take reasonable steps to ascertain whether monies may be obtained from a third party in connection with the undertaking of building safety works and, if so, to obtain monies from the third party;
  - (c) take prescribed steps relating to any other prescribed kind of funding.
- (3) In subsection (2)(b) the reference to obtaining monies from a third party includes obtaining monies –
  - (a) under a policy of insurance;
  - (b) under a guarantee or indemnity;
  - (c) pursuant to a claim made against –
    - (i) a developer,
    - (ii) a person involved in the design of the building or of works to the building, or
    - (iii) a person involved in the carrying out of works in relation to the building.
- (4) Where any funding of a kind mentioned in subsection (2) is obtained, the amount of the funding is to be deducted from the building safety costs (and the amount of any variable service charge is to be reduced accordingly).
- (5) In the case of a failure to comply with subsection (2), a tenant may make an application to the appropriate tribunal for an order that all or any of the building safety costs are not to be regarded as relevant costs to be taken into account in determining the amount of any variable service charge payable by –
  - (a) the tenant, or
  - (b) anyone else specified in the application.
- (6) The tribunal may make such order on the application as it considers just and equitable in the circumstances.
- (7) Nothing in this section requires the relevant person to do anything mentioned in subsection (2) before carrying out the building safety works.
- (8) The Welsh Ministers may issue guidance about the taking of steps under subsection (2), and may revise or withdraw any issued guidance.
- (9) Where on an application under this section it is alleged that a person failed to comply with subsection (2) –

- (a) proof of a failure to comply with any applicable guidance may be relied on as tending to establish that there was such a failure, and
  - (b) proof of compliance with any applicable guidance may be relied on as tending to establish that there was no such failure.
- (10) In this section –
- “building safety costs” means costs incurred or to be incurred in carrying out building safety works;
  - “building safety works” has the meaning given by section 20DB;
  - “developer”, in relation to a building, means a person who undertakes or commissions the construction or conversion of the building with a view to granting or disposing of interests in the building (or parts of it);
  - “prescribed” means prescribed by regulations made by the Welsh Ministers;
  - “regulated building” has the meaning given by sections 2 and 7 of the Building Safety (Wales) Act 2026;
  - “relevant person” means –
    - (a) the landlord, if the landlord is an accountable person for the building;
    - (b) otherwise, any superior landlord who is an accountable person for the building;
  - “third party” means a person other than a tenant.
- (11) In subsection (10), “accountable person” has the meaning given by section 8 of the Building Safety (Wales) Act 2026.
- (12) Regulations under subsection (2)(c) are to be made by Welsh statutory instrument and are subject to the Senedd annulment procedure.

**20DB Meaning of “building safety works”**

- (1) This section applies for the purposes of section 20DA.
- (2) “Building safety works” means –
  - (a) in relation to a regulated building, works as referred to in section 32(3) of the Building Safety (Wales) Act 2026;
  - (b) in relation to a category 1 or a category 2 building, works as referred to in section 34(2) of that Act.
- (3) The Welsh Ministers may by regulations prescribe for the purposes of subsection (2) works that are not to be regarded as “building safety works” despite those works falling within subsection (2).
- (4) In this section –
  - “category 1 building” and “category 2 building” have the meanings given by sections 6 and 7 of the Building Safety (Wales) Act 2026;

“regulated building” has the meaning given by sections 2 and 7 of that Act.

- (5) Regulations under subsection (3) are to be made by Welsh statutory instrument and are subject to the Senedd annulment procedure.”.

Adran 63, tudalen 52, ar ôl llinell 37, mewnosoder –

- ( ) Yn adran 20(1)(b) (cyfyngiadau taliadau gwasanaeth: gofynion ymgynghori), ar ôl “section 20D” mewnosoder “or section 20DA”.
- ( ) Yn adran 20ZA (gofynion ymgynghori: atodol), yn is-adran (5A) –
- (a) yn y geiriau agoriadol, ar ôl “section 20D” mewnosoder “(limitation of service charges relating to remediation works: England) or section 20DA (limitation of variable service charges relating to building safety works: Wales)”;
- (b) ym mharagraff (a), ar ôl “section 20D(2)” mewnosoder “or section 20DA(2)”.
- ( ) Ar ôl adran 20D (cyfyngiadau taliadau gwasanaeth: gwaith cyweirio), mewnosoder –

**“20DA Wales: limitation of variable service charges relating to building safety works**

- (1) This section applies in relation to a lease to which section 30IB (regulated buildings in Wales: liability for building safety costs) applies.
- (2) The relevant person must –
- (a) take reasonable steps to ascertain whether any grant is payable in respect of building safety works and, if so, to obtain the grant;
- (b) take reasonable steps to ascertain whether monies may be obtained from a third party in connection with the undertaking of building safety works and, if so, to obtain monies from the third party;
- (c) take prescribed steps relating to any other prescribed kind of funding.
- (3) In subsection (2)(b) the reference to obtaining monies from a third party includes obtaining monies –
- (a) under a policy of insurance;
- (b) under a guarantee or indemnity;
- (c) pursuant to a claim made against –
- (i) a developer,
- (ii) a person involved in the design of the building or of works to the building, or
- (iii) a person involved in the carrying out of works in relation to the building.
- (4) Where any funding of a kind mentioned in subsection (2) is obtained, the amount of the funding is to be deducted from the building safety costs (and the amount of any variable service charge is to be reduced accordingly).

- (5) In the case of a failure to comply with subsection (2), a tenant may make an application to the appropriate tribunal for an order that all or any of the building safety costs are not to be regarded as relevant costs to be taken into account in determining the amount of any variable service charge payable by –
- (a) the tenant, or
  - (b) anyone else specified in the application.
- (6) The tribunal may make such order on the application as it considers just and equitable in the circumstances.
- (7) Nothing in this section requires the relevant person to do anything mentioned in subsection (2) before carrying out the building safety works.
- (8) The Welsh Ministers may issue guidance about the taking of steps under subsection (2), and may revise or withdraw any issued guidance.
- (9) Where on an application under this section it is alleged that a person failed to comply with subsection (2) –
- (a) proof of a failure to comply with any applicable guidance may be relied on as tending to establish that there was such a failure, and
  - (a) proof of compliance with any applicable guidance may be relied on as tending to establish that there was no such failure.
- (10) In this section –
- “building safety costs” means costs incurred or to be incurred in carrying out building safety works;
  - “building safety works” has the meaning given by section 20DB;
  - “developer”, in relation to a building, means a person who undertakes or commissions the construction or conversion of the building with a view to granting or disposing of interests in the building (or parts of it);
  - “prescribed” means prescribed by regulations made by the Welsh Ministers;
  - “regulated building” has the meaning given by sections 2 and 7 of the Building Safety (Wales) Act 2026;
  - “relevant person” means –
    - (a) the landlord, if the landlord is an accountable person for the building;
    - (b) otherwise, any superior landlord who is an accountable person for the building;
  - “third party” means a person other than a tenant.
- (11) In subsection (10), “accountable person” has the meaning given by section 8 of the Building Safety (Wales) Act 2026.
- (12) Regulations under subsection (2)(c) are to be made by Welsh statutory instrument and are subject to the Senedd annulment procedure.

**20DB Meaning of “building safety works”**

- (1) This section applies for the purposes of section 20DA.
- (2) “Building safety works” means –
  - (a) in relation to a regulated building, works as referred to in section 32(3) of the Building Safety (Wales) Act 2026;
  - (b) in relation to a category 1 or a category 2 building, works as referred to in section 34(2) of that Act.
- (3) The Welsh Ministers may by regulations prescribe for the purposes of subsection (2) works that are not to be regarded as “building safety works” despite those works falling within subsection (2).
- (4) In this section –

“category 1 building” and “category 2 building” have the meanings given by sections 6 and 7 of the Building Safety (Wales) Act 2026;

“regulated building” has the meaning given by sections 2 and 7 of that Act.
- (5) Regulations under subsection (3) are to be made by Welsh statutory instrument and are subject to the Senedd annulment procedure.”.

**Sian Gwenllian**

**148**

Page 59, after line 10, insert new section –

**[ ] Remediation costs under qualifying leases**

Schedule [*schedule to be inserted by amendment 149*] –

- ( ) provides that certain service charge amounts relating to relevant defects in a relevant building are not payable, and
- ( ) makes provision for the recovery of those amounts from persons who are landlords under leases of the building (or any part of it).’.

Tudalen 59, ar ôl llinell 10, mewnosoder adran newydd –

**[ ] Costau cyweirio o dan lesioedd cymhwysol**

Mae Atodlen [*atodlen i’w mewnosod gan welliant 149*] –

- (a) yn darparu nad yw symiau tâl gwasanaeth penodol sy’n ymwneud â diffygion perthnasol mewn adeilad perthnasol yn daladwy, a
- (b) yn gwneud darpariaeth ar gyfer adennill y symiau hynny oddi wrth bersonau sy’n landlordiaid o dan lesioedd yr adeilad (neu unrhyw ran ohono).’.

**Sian Gwenllian**

**149**

Page 97, after line 25, insert a new schedule –

‘SCHEDULE [ ]

(introduced by section [section to be inserted by amendment 148])

REMEDICATION COSTS UNDER QUALIFYING LEASES

*Interpretation*

1 In this Schedule –

“associated” (“*cysylltiedig*”) has the meaning given by paragraph 2 of this Schedule;

“joint venture” (“*cyd-fenter*”) includes a partnership (as defined by paragraph 2 of this Schedule);

“prescribed” (“*rhagnodedig*”) means prescribed by regulations made by the Welsh Ministers;

“qualifying lease” (“*les gymhwysol*”) 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
- (iii) does not include an occupation contract;

“the qualifying time” (“*yr adeg gymhwyso*”) will be prescribed in regulations made by Welsh Ministers;

“relevant building” (“*adeilad perthnasol*”) means –

- (i) a category 1 building or category 2 building as defined in section 6 of this Act, and
- (ii) does not include any building excluded by Schedule 1 to this Act.

“relevant defect” (“*diffyg perthnasol*”) has the meaning given paragraph 3 of this Schedule;

“relevant measure” (“*mesur perthnasol*”), in relation to a relevant defect, means –

- (i) a measure taken to remedy the relevant defect, or
- (ii) a relevant step taken in relation to the relevant defect.

“relevant step” (“*cam perthnasol*”) has the meaning given by paragraph 3 of this Schedule;

“service charge” (“*tâl gwasanaeth*”) has the meaning given by section 18 of the Landlord and Tenant Act 1985.

*Associated persons*

2 (1) For the purposes of this Schedule, a partnership or body corporate is associated with another person in the circumstances mentioned in subparagraphs (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 in this Schedule 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.Subparagraphs (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 subparagraph (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 paragraph "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 subparagraph (1) to anyone associated with another person, subparagraphs (2) to (5) have effect with prescribed modifications.

*Meaning of “relevant defect” and “relevant steps”*

- 3 (1) This paragraph applies for the purposes of this Schedule.
- (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 subparagraph (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 subparagraph (3) “The relevant period” means the period of 30 years ending with the time this paragraph comes into force.
- (5) In subparagraph (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 paragraph –
- (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 qualifying 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.

*Service charges relating to relevant defects*

- 4 The Welsh Ministers must by regulations make provision for and in connection with service charges relating to relevant defects in a relevant building.

*No service charge payable for defect for which landlord or associate responsible*

- 5 (1) This paragraph applies in relation to a qualifying lease of any premises in a relevant building.
- (2) No service charge is payable under the qualifying lease in respect of a relevant measure relating to a relevant defect if a relevant landlord –
- (a) is responsible for the relevant defect, or
  - (b) is associated with a person responsible for a relevant defect.
- (3) For the purposes of this paragraph a person is “responsible for” a relevant defect if –
- (a) in the case of an initial defect, the person was, or was in a joint venture with, the developer or undertook or commissioned works relating to the defect;
  - (b) in any other case, the person undertook or commissioned works relating to the defect.
- (4) In this paragraph –
- (a) “developer” 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;
  - (b) “initial defect” means a defect which is a relevant defect by virtue of works relating to the construction or conversion of the building, if the construction or conversion was completed in the relevant period;
  - (c) “relevant landlord” means the landlord under the qualifying lease at the qualifying time or any superior landlord at that time.

*No service charge payable for cladding remediation*

- 6 (1) No service charge is payable under a qualifying lease in respect of cladding remediation.
- (2) In this paragraph “cladding remediation” means the removal or replacement of any part of a cladding system that –
- (a) forms the outer wall of an external wall system, and
  - (b) is unsafe.

*Recovery of service charge amounts from landlords*

- 7 (1) The Welsh Ministers may by regulations make provision for and in connection with the recovery, from a prescribed relevant landlord, of any amount that is not recoverable under a qualifying lease as a result of this Schedule.
- (2) In this paragraph “relevant landlord”, in relation to a qualifying lease, means the landlord under the lease or any superior landlord.’.

Tudalen 97, ar ôl llinell 27, mewnosoder Atodlen newydd –

'ATODLEN [ ]

(a gyflwynir gan adran [adran i'w mewnosod gan welliant 148])

## COSTAU CYWEIRIO O DAN LESOEDD CYMHWYSOL

Dehongli

1 Yn yr Atodlen hon –

bydd “yr adeg gymhwyso” (“*the qualifying time*”) wedi ei rhagnodi mewn rheoliadau a wneir gan Weinidogion Cymru;

ystyr “adeilad perthnasol” (“*relevant building*”) yw –

(i) adeilad categori 1 neu adeilad categori 2 fel y'i diffinnir yn adran 6 o'r Ddeddf hon; a

(ii) nid yw'n cynnwys unrhyw adeilad sydd wedi ei eithrio gan Atodlen 1 i'r Ddeddf hon;

mae i “cam perthnasol” (“*relevant step*”) yr ystyr a roddir gan baragraff 3 o'r Atodlen hon;

mae “cyd-fenter” (“*joint venture*”) yn cynnwys partneriaeth (fel y'i diffinnir gan baragraff 2 o'r Atodlen hon);

mae i “cysylltiedig” (“*associated*”) yr ystyr a roddir gan baragraff 2 o'r Atodlen hon;

mae i “diffyg perthnasol” (“*relevant defect*”) yr ystyr a roddir gan baragraff 3 o'r Atodlen hon;

ystyr “les gymhwysol” (“*qualifying lease*”) yw les –

(iii) 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

(ivi) 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

(iii) nid yw'n cynnwys contract meddiannaeth;

ystyr “mesur perthnasol” (“*relevant measure*”), mewn perthynas â diffyg perthnasol, yw –

(i) mesur a gymerir i gyweirio'r diffyg perthnasol, neu

(ii) cam perthnasol a gymerir mewn perthynas â'r diffyg perthnasol;

ystyr “rhagnodedig” (“*prescribed*”) yw wedi ei rhagnodi mewn rheoliadau a wneir gan Weinidogion Cymru;

mae i “tâl gwasanaeth” yr ystyr a roddir i “service charge” gan adran 18 o Ddeddf Landlord a Tenant 1985.



Personau cysylltiedig

- 2 (1) At ddibenion yr Atodlen hon, mae partneriaeth neu gorff corfforedig yn gysylltiedig â pherson arall o dan yr amgylchiadau a grybwyllir yn is-baragraffau (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 yn yr Atodlen hon 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-baragraffau (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 y paragraff hwn, 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 "partner 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-baragraff (1) at unrhyw un sy'n gysylltiedig â pherson arall, fod is-baragraffau (2) i (5) yn cael effaith gydag addasiadau rhagnodedig.

*Ystyr "diffyg perthnasol" a "camau perthnasol"*

- 3 (1) Mae'r paragraff hwn yn gymwys at ddibenion yr Atodlen hon.
- (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-baragraff (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 ddifffyg perthnasol yn rhinwedd y paragraff hwn).
- (4) Yn is-baragraff (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-baragraff (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 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 y paragraff hwn –
- (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 gymhwysol ar yr adeilad neu unrhyw ran ohono neu unrhyw berson sy'n rhan o les o'r fath ac eithrio fel landlord neu denant.

*Taliadau gwasanaeth sy'n ymwneud â diffygion perthnasol*

- 4 Rhaid i Weinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer taliadau gwasanaeth sy'n ymwneud â diffygion perthnasol mewn adeilad perthnasol, ac mewn cysylltiad â hynny.

*Dim tâl gwasanaeth yn daladwy am ddiffyg y mae'r landlord neu'r person cysylltiedig yn gyfrifol amdano*

- 5 (1) Mae'r paragraff hwn yn gymwys mewn perthynas â les gymhwysol unrhyw fangre mewn adeilad perthnasol.
- (2) Nid oes tâl gwasanaeth yn daladwy o dan y les gymhwysol mewn cysylltiad â mesur perthnasol sy'n ymwneud â diffyg perthnasol os yw landlord perthnasol –
- (a) yn gyfrifol am y diffyg perthnasol, neu
- (b) yn gysylltiedig â pherson sy'n gyfrifol am ddiffyg perthnasol.
- (3) At ddibenion y paragraff hwn, mae person yn “gyfrifol am” ddiffyg perthnasol –
- (a) yn achos diffyg cychwynnol, os y person oedd y datblygwr, neu os oedd y person mewn cyd-fenter â'r datblygwr, neu os ymgymerodd â gwaith sy'n ymwneud â'r diffyg neu os comisiynodd y gwaith hwnnw;
- (b) mewn unrhyw achos arall, os ymgymerodd y person â gwaith sy'n ymwneud â'r diffyg neu os comisiynodd y gwaith hwnnw.
- (4) Yn y paragraff hwn –
- (a) ystyr “datblygwr” yw person a ymgymerodd 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;
- (b) ystyr “diffyg cychwynnol” yw diffyg sy'n ddiffyg perthnasol yn rhinwedd gwaith sy'n ymwneud â'r adeiladwaith neu waith trosi'r adeilad, os cwblhawyd yr adeiladwaith neu'r gwaith trosi yn y cyfnod perthnasol;
- (c) ystyr “landlord perthnasol” yw'r landlord o dan y les gymhwysol ar yr adeg gymhwyso neu unrhyw uwchlandlord ar yr adeg honno.

*Dim tâl gwasanaeth yn daladwy am gyweirio cladin*

- 6 (1) Nid oes tâl gwasanaeth yn daladwy o dan les gymhwysol mewn cysylltiad â chyweirio cladin.
- (2) Yn y paragraff hwn, ystyr “cyweirio cladin” yw tynnu neu amnewid unrhyw ran o system gladin sydd –
- (a) yn ffurfio wal allanol system waliau allanol, a
  - (b) yn anniogel.

*Adennill symiau tâl gwasanaeth oddi wrth landlordiaid*

- 7 (1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer adennill, ac mewn cysylltiad ag adennill, oddi wrth landlord perthnasol rhagnodedig, unrhyw swm nad yw’n adenilladwy o dan les gymhwysol o ganlyniad i’r Atodlen hon.
- (2) Yn y paragraff hwn, ystyr “landlord perthnasol”, mewn perthynas â les gymhwysol, yw’r landlord o dan y les neu unrhyw uwchlandlord.’.

**Jayne Bryant**

**112**

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

*‘Regulations under sections 16 and 27(2)*

**[ ] Regulations under sections 16 and 27(2): initial procedure**

- (1) The Welsh Ministers may not lay a draft of a Welsh statutory instrument containing regulations under section 16 or 27(2) before Senedd Cymru in accordance with section 110(4) unless –
- (a) they have laid the required documents before Senedd Cymru, and
  - (b) a period of 60 days beginning with the day on which the required documents were laid (“the 60-day period”) has expired.
- (2) The “required documents” are –
- (a) a proposed draft of the regulations, and
  - (b) a statement that –
    - (i) gives details of the consultation carried out under section 16(3) or 27(7) (as applicable), and
    - (ii) explains why the Welsh Ministers consider that the regulations are necessary.
- (3) In calculating the 60-day period, no account is to be taken of any time during which Senedd Cymru is dissolved or is in recess for more than four days.
- (4) If the Welsh Ministers, having complied with subsection (1), lay a draft Welsh statutory instrument containing regulations under section 16 or 27(2) before Senedd Cymru in accordance with section 110(4), they must include with the draft a statement that gives details of –
- (a) any representations they received during the 60-day period, and
  - (b) any differences between the proposed draft of the regulations and the regulations in the draft Welsh statutory instrument.



- (5) This section does not apply to regulations made only for the purpose of amending provision made by regulations under section 27(2) which relates to the matters set out in section 27(4) or (5).'

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

*'Rheoliadau o dan adrannau 16 a 27(2)*

**[ ] Rheoliadau o dan adrannau 16 a 27(2): gweithdrefn gychwynnol**

- (1) Ni chaiff Gweinidogion Cymru osod drafft o offeryn statudol Cymreig sy'n cynnwys rheoliadau o dan adran 16 neu 27(2) gerbron Senedd Cymru yn unol ag adran 110(4) oni bai –
- (a) eu bod wedi gosod y dogfennau gofynnol gerbron Senedd Cymru, a
  - (b) bod cyfnod o 60 o ddiwrnodau sy'n dechrau â'r diwrnod y gosodwyd y dogfennau gofynnol ("y cyfnod o 60 o ddiwrnodau") wedi dod i ben.
- (2) Y "dogfennau gofynnol" yw –
- (a) drafft arfaethedig o'r rheoliadau, a
  - (b) datganiad –
    - (i) sy'n rhoi manylion yr ymgynghoriad a gynhaliwyd o dan adran 16(3) neu 27(7) (fel y bo'n gymwys), a
    - (ii) sy'n egluro pam y mae Gweinidogion Cymru yn ystyried bod y rheoliadau'n angenrheidiol.
- (3) Wrth gyfrifo'r cyfnod o 60 o ddiwrnodau, rhaid diystyru unrhyw adeg pan fo Senedd Cymru wedi ei diddymu neu'n cymryd toriad am fwy na phedwar diwrnod.
- (4) Os yw Gweinidogion Cymru, ar ôl cydymffurfio ag is-adran (1), yn gosod offeryn statudol Cymreig drafft sy'n cynnwys rheoliadau o dan adran 16 neu 27(2) gerbron Senedd Cymru yn unol ag adran 110(4), rhaid iddynt gynnwys gyda'r drafft ddatganiad sy'n rhoi manylion y canlynol –
- (a) unrhyw sylwadau a gafwyd ganddynt yn ystod y cyfnod o 60 o ddiwrnodau, a
  - (b) unrhyw wahaniaethau rhwng y drafft arfaethedig o'r rheoliadau a'r rheoliadau yn yr offeryn statudol Cymreig drafft.
- (5) Nid yw'r adran hon yn gymwys i reoliadau a wneir yn unig at y diben o ddiwygio darpariaeth a wneir gan reoliadau o dan adran 27(2) sy'n ymwneud â'r materion a nodir yn adran 27(4) neu (5).'

**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 DIFFYGION 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**

65

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 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.'.

## Rhys ab Owen

67

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

### [ ] 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 ddsbarthu 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**

68

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**

69

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 dribiwnlys 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 gorchymyn.
- (7) Mae penderfyniad gan y tribiwnlys eiddo preswyl a wneir o dan yr adran hon neu mewn cysylltiad â hi (ac eithrio un sy'n gorchymyn talu swm) yn orfodadwy gyda chaniatâd y llys sirol yn yr un modd â gorchymyn 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

70

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” (“*dathblygwr*”), 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 gorchmyn cyfrannu at waith cyweirio mewn perthynas ag adeilad perthnasol os yw'n ystyried ei bod yn gyfiawn ac yn deg gwneud hynny.
- (2) Ystyr “gorchmyn cyfrannu at waith cyweirio”, mewn perthynas ag adeilad perthnasol, yw gorchmyn 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 gorfodi (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 Thenant 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.'

**Jayne Bryant**

44

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

Adran 67, tudalen 61, llinell 22, hepgorer 'bod personau eraill yn cael budd ohono neu ohoni neu bod personau eraill yn ei fwynhau neu ei mwynhau' a mewnosoder 'y caiff personau eraill fudd ohono neu ohoni neu y caiff personau eraill fwynhad ohono neu ohoni'.

**Jayne Bryant**

45

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

Adran 67, tudalen 61, llinell 28, hepgorer 'bod personau eraill yn cael budd ohoni neu bod personau eraill yn ei mwynhau' a mewnosoder 'y caiff personau eraill fudd ohoni neu y caiff personau eraill fwynhad ohoni'.

**Joel James**

169

Section 72, page 64, line 19, leave out 'to adapt any part of the relevant HMO' and insert 'for the first time in relation to the relevant HMO to adapt any part of it'.

Adran 72, tudalen 64, llinell 22, hepgorer 'i addasu unrhyw ran o'r tŷ amlfeddiannaeth perthnasol' a mewnosoder 'am y tro cyntaf mewn perthynas â'r tŷ amlfeddiannaeth perthnasol i addasu unrhyw ran ohono'.

**Jayne Bryant**

113

Page 67, after line 1, insert a new section—

**[ ] Requirement to give information and documents to duty holder**

- (1) Where this subsection applies, a person who is a relevant person in relation to a building must give information or a document to a duty holder for a relevant HMO in the building (see also article 22E of the Fire Safety Order).
- (2) For the purposes of this section a person is a relevant person in relation to a building if –
  - (a) the building is a regulated building and the person –
    - (i) is an accountable person for the building;
    - (ii) is a duty holder for a relevant HMO in the building;
  - (b) the person –
    - (i) holds a legal estate in any part of the building;
    - (ii) holds a legal estate in any part of premises that form part of the same structure or set of structures as the building and are wholly or partly above or below the building.
- (3) Subsection (1) applies where –
  - (a) the information or document is necessary for the duty holder to comply with a requirement under this Act or regulations made under it,
  - (b) the duty holder gives the relevant person a written request that –
    - (i) states that the request is made pursuant to this section,
    - (ii) explains why the duty holder requires the information or document,
    - (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given,
  - (c) it is reasonable for the relevant person to give the duty holder the information or document, and
  - (d) in the case of a request for information, the duty holder cannot request the information from the relevant person under section 76(4).
- (4) The disclosure of information or a document in accordance with this section does not breach –
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).
- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).
- (6) In this section, references to an accountable person include a person who is treated as an accountable person by virtue of section 35.7.

Tudalen 67, ar ôl llinell 1, mewnosoder adran newydd –

**[ ] Gofyniad i roi gwybodaeth a dogfennau i ddeiliad dyletswydd**

- (1) Pan fo'r is-adran hon yn gymwys, rhaid i berson sy'n berson perthnasol mewn perthynas ag adeilad roi gwybodaeth neu ddogfen i ddeiliad dyletswydd ar gyfer tŷ amlfeddiannaeth perthnasol yn yr adeilad (gweler hefyd erthygl 22E o'r Gorchymyn Diogelwch Tân).

- (2) At ddibenion yr adran hon, mae person yn berson perthnasol mewn perthynas ag adeilad os—
- (a) yw'r adeilad yn adeilad rheoleiddiedig a bod y person—
    - (i) yn berson atebol ar gyfer yr adeilad;
    - (ii) yn ddeiliad dyletswydd ar gyfer tŷ amlfeddiannaeth perthnasol yn yr adeilad;
  - (b) yw'r person—
    - (i) yn dal ystad gyfreithiol yn unrhyw ran o'r adeilad;
    - (ii) yn dal ystad gyfreithiol yn unrhyw ran o fangre sy'n ffurfio rhan o'r un strwythur neu set o strwythurau â'r adeilad ac sy'n gyfan gwbl neu'n rhannol uwch ben neu o dan yr adeilad.
- (3) Mae is-adran (1) yn gymwys pan—
- (a) bo'r wybodaeth neu'r ddogfen yn angenrheidiol i'r deiliad dyletswydd gydymffurfio â gofyniad o dan y Ddeddf hon neu reoliadau a wneir oddi tani,
  - (b) bo'r deiliad dyletswydd yn rhoi i'r person perthnasol gais ysgrifenedig sy'n—
    - (i) datgan y gwneir y cais yn unol â'r adran hon,
    - (ii) esbonio pam y mae'r wybodaeth neu'r ddogfen yn ofynnol gan y deiliad dyletswydd,
    - (iii) datgan y cyfeiriad y mae rhaid rhoi'r wybodaeth neu'r ddogfen iddo, a
    - (iv) datgan bod rhaid rhoi'r wybodaeth neu'r ddogfen cyn diwedd dyddiad penodedig heb fod yn llai na 14 o ddiwrnodau ar ôl y diwrnod y rhoddir y cais,
  - (c) bo'n rhesymol i'r person perthnasol roi i'r deiliad dyletswydd yr wybodaeth neu'r ddogfen, a
  - (d) yn achos cais am wybodaeth, ni all y deiliad dyletswydd wneud cais am yr wybodaeth gan y person perthnasol o dan adran 76(4).
- (4) Nid yw datgelu gwybodaeth neu ddogfen yn unol â'r adran hon yn torri—
- (a) unrhyw rwymedigaeth gyfrinachedd sy'n ddyledus gan y person sy'n gwneud y datgeliad, neu
  - (b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth neu ddogfen (sut bynnag y caiff ei osod).
- (5) Ond gweler hefyd adran 183A o Ddeddf Diogelu Data 2018 (p. 12) (diogelu gofynion ar gyfer prosesu data personol).
- (6) Yn yr adran hon, mae cyfeiriadau at berson atebol yn cynnwys person sy'n cael ei drin fel person atebol yn rhinwedd adran 35.'.

**Jayne Bryant**

**114**

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

Adran 77, tudalen 68, llinell 29, hepgorer 'fo'r deiliad dyletswydd yn landlord i'r' a mewnosoder 'mai'r deiliad dyletswydd yw landlord y'.

**Jayne Bryant**

**115**

Section 77, page 69, line 8, after 'request', insert 'under subsection (3)(b)'.

Adran 77, tudalen 69, llinell 11, ar ôl 'cais', mewnosoder 'o dan is-adran (3)(b)'.

**Jayne Bryant**

**116**

Section 77, page 69, line 13, after 'request', insert 'under section (3)(b)'.

Adran 77, tudalen 69, llinell 16, ar ôl 'cais', mewnosoder 'o dan is-adran (3)(b)'.

**Jayne Bryant**

**117**

Page 69, after line 15, insert a new section –

*'Entry to non-residential premises*

**[ ] Entry to non-residential premises by duty holder**

- (1) This section applies where –
  - (a) a duty holder for a relevant HMO makes a request to a relevant person for entry to relevant premises,
  - (b) the request is made for a purpose mentioned in subsection (2),
  - (c) the request complies with subsection (3), and
  - (d) entry to the premises is not given.
- (2) The purposes are –
  - (a) where the duty holder is the landlord of the relevant HMO, enabling that person to comply with sections 70 to 73 or regulations made under those sections (assessment of fire safety risks);
  - (b) enabling the duty holder to comply with section 74 or regulations made under it (management of fire safety risks).
- (3) A request complies with this subsection if it –
  - (a) is in writing,
  - (b) sets out the purpose for which it is made,
  - (c) explains why it is necessary to enter the relevant premises for that purpose, and
  - (d) requests entry on a date, and at a time, that is reasonable.
- (4) The duty holder may apply to a residential property tribunal for a non-residential premises access order under this section.
- (5) A non-residential premises access order under this section is an order that –
  - (a) requires the relevant person to allow the duty holder to enter the relevant premises at a reasonable time for the purpose set out in the request under subsection (3)(b), and

- (b) if necessary for that purpose, authorises the person entering the premises in accordance with the order to measure or test anything, or take samples, photographs or recordings.
- (6) A residential property tribunal may make a non-residential premises access order under this section if satisfied that it is necessary to do so for the purpose set out in the request under subsection (3)(b).
- (7) The non-residential premises access order must specify a date on which, or a period within which, entry to the premises may be made.
- (8) In this section –
- “relevant person” (“*person perthnasol*”) means any person who has control over entry to the relevant premises;
- “relevant premises” (“*mangre perthnasol*”) means any premises that –
- (a) are wholly or partly above or below the relevant HMO, and
- (b) are not –
- (i) a residential unit or part of a residential unit, or
- (ii) an area, or part of an area, provided for the use, benefit or enjoyment of residents of a particular residential unit, or particular residential units.’.

Tudalen 69, ar ôl llinell 19, mewnosoder adran newydd –

*‘Mynediad i fangre amhreswyl*

**[ ] Mynediad i fangre amhreswyl gan ddeiliad dyletswydd**

- (1) Mae’r adran hon yn gymwys pan –
- (a) bo deiliad dyletswydd ar gyfer tŷ amlfeddiannaeth perthnasol yn gwneud cais i berson perthnasol am fynediad i fangre berthnasol,
- (b) bo’r cais yn cael ei wneud at ddiben a grybwyllir yn is-adran (2),
- (c) bo’r cais yn cydymffurfio ag is-adran (3), a
- (d) na roddir mynediad i’r fangre.
- (2) Y dibenion yw –
- (a) pan mai’r deiliad dyletswydd yw landlord y tŷ amlfeddiannaeth perthnasol, galluogi’r person hwnnw i gydymffurfio ag adrannau 70 i 73 neu reoliadau a wneir o dan yr adrannau hynny (asesu risgiau diogelwch tân);
- (b) galluogi’r deiliad dyletswydd i gydymffurfio ag adran 74 neu reoliadau a wneir oddi tani (rheoli risgiau diogelwch tân).
- (3) Mae cais yn cydymffurfio â’r is-adran hon os yw –
- (a) yn ysgrifenedig,
- (b) yn nodi’r diben y gwneir y cais ar ei gyfer,
- (c) yn esbonio pam ei bod yn angenrheidiol mynd i’r fangre berthnasol at y diben hwnnw, a
- (d) yn gofyn am fynediad ar ddyddiad, ac amser, sy’n rhesymol.
- (4) Caiff y deiliad dyletswydd wneud cais i dribiwnlys eiddo preswyl am orchymyn mynediad i fangre amhreswyl o dan yr adran hon.



- (5) Mae gorchymyn mynediad i fangre amhreswyl o dan yr adran hon yn orchymyn sydd –
- (a) yn ei gwneud yn ofynnol i'r person perthnasol ganiatáu i'r deiliad dyletswydd fynd i'r fangre berthnasol ar amser rhesymol at y diben a nodir yn y cais o dan is-adran (3)(b), a
  - (b) os yw'n angenrheidiol at y diben hwnnw, yn awdurdodi'r person sy'n mynd i'r fangre yn unol â'r gorchymyn i fesur neu brofi unrhyw beth, neu gymryd samplau, ffotograffau neu recordiadau.
- (6) Caiff tribiwnlys eiddo preswyl wneud gorchymyn mynediad i fangre amhreswyl o dan yr adran hon os yw'n fodlon ei bod yn angenrheidiol gwneud hynny at y diben a nodir yn y cais o dan is-adran (3)(b).
- (7) Rhaid i'r gorchymyn mynediad i fangre amhreswyl bennu dyddiad y caniateir mynd i'r fangre, neu gyfnod y caniateir i'r mynediad ddigwydd ynddo.
- (8) Yn yr adran hon –
- ystyr “mangre berthnasol” (“*relevant premises*”) yw unrhyw fangre –
- (a) sy'n gyfan gwbl neu'n rhannol uwchben neu o dan y tŷ amlfeddiannaeth perthnasol, a
  - (b) nad yw –
    - (i) yn uned breswyl neu ran o uned breswyl, neu
    - (ii) yn ardal, neu ran o ardal, a ddarperir at ddefnydd, er budd neu er mwynhad preswylwyr uned breswyl benodol, neu unedau preswyl penodol;
- ystyr “person perthnasol” (“*relevant person*”) yw unrhyw berson a chanddo reolaeth dros fynediad i'r fangre berthnasol.’.

**Jayne Bryant**

**118**

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

Adran 78, tudalen 69, llinell 33, hepgorer ‘i bob’ a mewnosoder ‘i’r’.

**Jayne Bryant**

**119**

Section 81, page 71, line 16, after ‘by’, insert ‘ –

- (i) section [section to be inserted by amendment 95](giving information and documents);
- (ii) ‘.

Adran 81, tudalen 71, llinell 18, ar ôl ‘gan’, mewnosoder ‘ –

- (i) adran [adran i'w mewnosod gan welliant 95](rhoi gwybodaeth a dogfennau);
- (ii) ‘.

**Jayne Bryant**

**46**

Section 81, page 71, after line 16, insert –

- ‘( ) a requirement imposed on a person by section [section inserted by amendment 9] (repair of fire resistance of residential units).’.

Adran 81, tudalen 71, ar ôl llinell 19, mewnosoder –

- '( ) gofyniad a osodir ar berson gan adran [*adran a fewnosodir gan welliant 9*] (atgyweirio gwrthiant tân unedau preswyl).'

WITHDRAWN / TYNNWYD YN ÔL

**Jayne Bryant**

47

Section 81, page 71, after line 16, insert –

- '( ) a requirement imposed on a responsible person by article 22C of the Fire Safety Order (including where such a requirement is imposed by virtue of article 5(3) of that Order).'

Adran 81, tudalen 71, ar ôl llinell 19, mewnosoder –

- '( ) gofyniad a osodir ar berson cyfrifol gan erthygl 22C o'r Gorchymyn Diogelwch Tân (gan gynnwys pan osodir gofyniad o'r fath yn rhinwedd erthygl 5(3) o'r Gorchymyn hwnnw).'

**Jayne Bryant**

120

Section 81, page 71, after line 16, insert –

- '( ) a requirement imposed on a responsible person by article 22C, 22D or 22E of the Fire Safety Order (co-operation and information) (including where such a requirement is imposed by virtue of article 5(3) of that Order).'

Adran 81, tudalen 71, ar ôl llinell 19, mewnosoder –

- '( ) gofyniad a osodir ar berson cyfrifol gan erthygl 22C, 22D neu 22E o'r Gorchymyn Diogelwch Tân (cydweithredu a gwybodaeth) (gan gynnwys pan osodir gofyniad o'r fath yn rhinwedd erthygl 5(3) o'r Gorchymyn hwnnw).'

**Jayne Bryant**

121

Section 81, page 71, line 23, after 'by', insert ' –

- (i) section [*section to be inserted by amendment 95*](giving information and documents);  
(ii) '.

Adran 81, tudalen 71, llinell 25, ar ôl 'gan', mewnosoder ' –

- (i) adran [*adran i'w mewnosod gan welliant 95*](rhoi gwybodaeth a dogfennau);  
(ii) '.

WITHDRAWN / TYNNWYD YN ÔL

**Jayne Bryant**

48

Section 81, page 71, after line 24, insert –

- '( ) a requirement imposed on a responsible person by article 22C of the Fire Safety Order (including where such a requirement is imposed by virtue of article 5(3) of that Order).'

Adran 81, tudalen 71, ar ôl llinell 26, mewnosoder –

- '( ) gofyniad a osodir ar berson cyfrifol gan erthygl 22C o'r Gorchymyn Diogelwch Tân (gan gynnwys pan osodir gofyniad o'r fath yn rhinwedd erthygl 5(3) o'r Gorchymyn hwnnw).'

**Jayne Bryant**

**122**

Section 81, page 71, after line 24, insert –

- '( ) a requirement imposed on a responsible person by article 22C, 22D or 22E of the Fire Safety Order (including where such a requirement is imposed by virtue of article 5(3) of that Order).'

Adran 81, tudalen 71, ar ôl llinell 26, mewnosoder –

- '( ) gofyniad a osodir ar berson cyfrifol gan erthygl 22C, 22D neu 22E o'r Gorchymyn Diogelwch Tân (gan gynnwys pan osodir gofyniad o'r fath yn rhinwedd erthygl 5(3) o'r Gorchymyn hwnnw).'

**Jayne Bryant**

**123**

Section 81, page 71, line 31, after 'by', insert ' –

- (i) section [*section to be inserted by amendment 113*](giving information and documents);  
(iii) '.

Adran 81, tudalen 71, llinell 33, ar ôl 'gan', mewnosoder ' –

- (i) adran [*adran i'w mewnosod gan welliant 113*](rhoi gwybodaeth a dogfennau);  
(ii) '.

**Jayne Bryant**

**124**

Section 81, page 71, after line 31, insert –

- '( ) a requirement imposed on a responsible person by article 22C, 22D or 22E of the Fire Safety Order (including where such a requirement is imposed by virtue of article 5(3) of that Order).'

Adran 81, tudalen 71, ar ôl llinell 34, mewnosoder –

- '( ) gofyniad a osodir ar berson cyfrifol gan erthygl 22C, 22D neu 22E o'r Gorchymyn Diogelwch Tân (gan gynnwys pan osodir gofyniad o'r fath yn rhinwedd erthygl 5(3) o'r Gorchymyn hwnnw).'

**Jayne Bryant**

**125**

Section 82, page 72, line 30, leave out 'as' and insert 'relating'.

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

**Jayne Bryant** **126**

Section 90, page 79, line 3, leave out 'other' and insert 'to a'.

Adran 90, tudalen 79, llinell 3, hepgorer 'i'r person arall' a mewnosoder 'i berson'.

**Jayne Bryant** **127**

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

Adran 90, tudalen 79, llinell 15, hepgorer 'cais i fynd i fangre' a mewnosoder 'mynediad'.

**Jayne Bryant** **128**

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

Adran 91, tudalen 79, llinell 38, hepgorer 'cais i fynd i fangre' a mewnosoder 'mynediad'.

**Jayne Bryant** **49**

Section 94, page 81, leave out lines 23 to 24.

Adran 94, tudalen 81, hepgorer llinell 25.

**Jayne Bryant** **129**

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

Adran 96, tudalen 83, llinell 37, ar ôl 'roddir', mewnosoder 'i "commonhold land"'.

**Jayne Bryant** **50**

Page 84, after line 16, insert a new section –

*'Power of building safety authority to give fixed penalty notices*

**[ ] Power of building safety authority to give fixed penalty notices**

- (1) The building safety authority for a category 1 building or a category 2 building may give a fixed penalty notice to the principal accountable person for the building if the authority considers that the person has committed an offence under –
  - (a) section 18(1) (failure to register a regulated building);
  - (b) section 23(8) (failure to give the building safety authority a relevant declaration).
- (2) The building safety authority for a category 1 building to which section 41 applies may give a fixed penalty notice to the principal accountable person for the building if the authority considers that the person has committed an offence under –
  - (a) section 41(5) (failure to apply for a building certificate);

- (b) section 44(5) (failure to display building certificate and related information).
- (3) A fixed penalty notice is a notice offering the person the opportunity to discharge any liability to conviction for the offence to which the notice relates by paying the building safety authority an amount specified in regulations made by the Welsh Ministers.
- (4) Where a fixed penalty notice is given to a person, no proceedings for the offence to which the notice relates may be brought before the end of the period of 28 days beginning with the day after the day on which the person is given the notice.
- (5) Regulations under subsection (3) may provide for a reduced amount to be payable within the period of 21 days beginning with the day after the day on which the person is given the notice.
- (6) Where a person makes payment in accordance with the terms of a fixed penalty notice, no proceedings for the offence to which the notice relates may be brought.
- (7) A fixed penalty notice must state –
- (a) the name and address of the building safety authority;
  - (b) the alleged offence and give particulars of the circumstances alleged to constitute it;
  - (c) that the notice offers the recipient the opportunity to discharge liability for a criminal offence without prosecution, but that the person may instead choose to exercise their right to be tried for the alleged offence (and how that right may be exercised);
  - (d) the amount of the penalty and the period for paying the penalty (including the amount of any reduced penalty and the period for paying the reduced penalty);
  - (e) the consequences of not paying the penalty before the end of the period for paying the penalty;
  - (f) how the penalty or reduced penalty may be paid;
  - (g) how any representations relating to the notice may be made.
- (8) The Welsh Ministers may by regulations make provision about the withdrawal of fixed penalty notices, including –
- (a) the circumstances in which a notice can be withdrawn;
  - (b) the repayment of any sum paid before a notice is withdrawn;
  - (c) the circumstances in which proceedings for an offence may not be brought despite the withdrawal of a notice.
- (9) Regulations under subsection (3) may not make provision for the amount payable under a notice to exceed four times level 4 on the standard scale.
- (10) Payments received by an authority by virtue of this section may only be used for the purpose of –
- (a) the authority's functions relating to the enforcement of this Act and regulations made under it;
  - (b) such other functions of the authority as may be specified in regulations.'

Tudalen 84, ar ôl llinell 18, mewnosoder adran newydd –

*'Pŵer awdurdod diogelwch adeiladau i roi hysbysiadau cosb benodedig*

**[ ] Pŵer awdurdod diogelwch adeiladau i roi hysbysiadau cosb benodedig**

- (1) Caiff yr awdurdod diogelwch adeiladau ar gyfer adeilad categori 1 neu adeilad categori 2 roi hysbysiad cosb benodedig i'r prif berson atebol ar gyfer yr adeilad os yw'r awdurdod yn ystyried bod y person wedi cyflawni trosedd o dan –
  - (a) adran 18(1) (methiant i gofrestru adeilad rheoleiddiedig);
  - (b) adran 23(8) (methiant i roi declarasiwn perthnasol i'r awdurdod diogelwch adeiladau).
- (2) Caiff yr awdurdod diogelwch adeiladau ar gyfer adeilad categori 1 y mae adran 41 yn gymwys iddo roi hysbysiad cosb benodedig i'r prif berson atebol ar gyfer yr adeilad os yw'r awdurdod yn ystyried bod y person wedi cyflawni trosedd o dan –
  - (a) adran 41(5) (methiant i wneud cais am dystysgrif adeilad);
  - (b) adran 44(5) (methiant i arddangos tystysgrif adeilad a gwybodaeth gysylltiedig).
- (3) Mae hysbysiad cosb benodedig yn hysbysiad sy'n cynnig y cyfle i'r person ryddhau unrhyw atebolrwydd am euogfarn am y drosedd y mae'r hysbysiad yn ymwneud â hi drwy dalu i'r awdurdod diogelwch adeiladau swm a bennir mewn rheoliadau a wneir gan Weinidogion Cymru.
- (4) Pan roddir hysbysiad cosb benodedig i berson, ni chaniateir dwyn achos am y drosedd y mae'r hysbysiad yn ymwneud â hi cyn diwedd y cyfnod o 28 o ddiwrnodau sy'n dechrau â'r diwrnod drannoeth y diwrnod y rhoddir yr hysbysiad i'r person.
- (5) Caiff rheoliadau o dan is-adran (3) ddarparu i swm gostyngedig fod yn daladwy o fewn y cyfnod o 21 o ddiwrnodau sy'n dechrau â'r diwrnod drannoeth y diwrnod y rhoddir yr hysbysiad i'r person.
- (6) Pan fo person yn gwneud taliad yn unol â thelerau hysbysiad cosb benodedig, ni chaniateir dwyn achos am y drosedd y mae'r hysbysiad yn ymwneud â hi.
- (7) Rhaid i hysbysiad cosb benodedig nodi –
  - (a) enw a chyfeiriad yr awdurdod diogelwch adeiladau;
  - (b) y drosedd honedig a rhoi manylion am yr amgylchiadau yr honnir eu bod yn ffurfio'r drosedd;
  - (c) bod yr hysbysiad yn cynnig i'r derbynnydd y cyfle i ryddhau atebolrwydd am drosedd heb erlyniad, ond y caiff y person ddewis yn hytrach na hynny i arfer ei hawl i sefyll prawf am y drosedd honedig (a sut y caniateir arfer yr hawl hwnnw);
  - (d) swm y gosb a'r cyfnod ar gyfer talu'r gosb (gan gynnwys swm unrhyw gosb ostyngedig a'r cyfnod ar gyfer talu'r gosb ostyngedig);
  - (e) canlyniadau peidio â thalu'r gosb cyn diwedd y cyfnod ar gyfer talu'r gosb;
  - (f) sut y caniateir talu'r gosb neu'r gosb ostyngedig;
  - (g) sut y caniateir gwneud unrhyw sylwadau yn ymwneud â'r hysbysiad.
- (8) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ynghylch tynnu hysbysiadau cosb benodedig yn ôl, gan gynnwys –
  - (a) yr amgylchiadau y gellir tynnu hysbysiad yn ôl ynddynt;
  - (b) ad-dalu unrhyw swm a dalwyd cyn tynnu hysbysiad yn ôl;
  - (c) yr amgylchiadau na chaniateir dwyn achos am drosedd er gwaethaf bod yr hysbysiad wedi ei dynnu yn ôl.
- (9) Ni chaiff rheoliadau o dan is-adran (3) wneud darpariaeth i'r swm sy'n daladwy o dan hysbysiad fod yn fwy na phedair gwaith lefel 4 ar y raddfa safonol.



- (10) Ni chaniateir defnyddio taliadau a geir gan awdurdod yn rhinwedd yr adran hon ond ar gyfer y dibenion a ganlyn –
- (a) swyddogaethau'r awdurdod sy'n ymwneud â gorfodi'r Ddeddf hon a rheoliadau a wneir oddi tani;
  - (b) swyddogaethau eraill yr awdurdod fel y cânt eu pennu mewn rheoliadau.'

**Jayne Bryant**

140

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

Atodlen 2, tudalen 102, llinell 18, hepgorer 'mewn' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ar'.

**Jayne Bryant**

141

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

Atodlen 2, tudalen 102, llinell 20, hepgorer 'mewn' a mewnosoder 'ar'.

**Jayne Bryant**

51

Page 84, after line 29, insert a new section –

*'Promotion of participation in relation to the exercise of Welsh Ministers' functions etc.*

**[ ] Welsh Ministers' strategy for promoting participation in relation to the exercise of their functions etc.**

- (1) The Welsh Ministers must prepare a strategy for promoting the participation of relevant persons in relation to the exercise by the Welsh Ministers of their functions under this Act or regulations made under it.
- (2) The Welsh Ministers must publish the strategy and keep it under review.
- (3) The strategy must include information about –
  - (a) the matters (including any proposed regulations or guidance) on which the Welsh Ministers propose to consult relevant persons,
  - (b) how the Welsh Ministers propose to carry out consultations, and
  - (c) the names of any persons representing the interests of relevant persons, that the Welsh Ministers propose to invite to participate in consultations.
- (4) The strategy may include information about –
  - (a) other ways in which the Welsh Ministers may promote the participation of relevant persons in relation to the exercise by the Welsh Ministers of their functions under this Act or regulations made under it;
  - (b) the participation by relevant persons in relation to other matters that relate to this Act or regulations made under it.
- (5) The Welsh Ministers may revise the strategy if they consider it appropriate to do so.
- (6) In deciding whether to revise the strategy the Welsh Ministers must have regard to any representations received by them about the contents of the strategy.
- (7) In this section "relevant persons" means –

- (a) residents of regulated buildings who are aged 18 or over,
- (b) owners of residential units in regulated buildings, and
- (c) occupiers of relevant HMOs who are aged 18 or over.’.

Tudalen 84, ar ôl llinell 32, mewnosoder adran newydd –

*‘Hyrwyddo cyfranogiad mewn perthynas ag arfer swyddogaethau Gweinidogion Cymru etc.*

**[ ] Strategaeth Gweinidogion Cymru ar gyfer hyrwyddo cyfranogiad mewn perthynas ag arfer eu swyddogaethau etc.**

- (1) Rhaid i Weinidogion Cymru lunio strategaeth ar gyfer hyrwyddo cyfranogiad personau perthnasol mewn perthynas ag arfer, gan Weinidogion Cymru, eu swyddogaethau o dan y Ddeddf hon neu reoliadau a wneir oddi tani.
- (2) Rhaid i Weinidogion Cymru gyhoeddi’r strategaeth a’i chadw o dan adolygiad.
- (3) Rhaid i’r strategaeth gynnwys gwybodaeth am –
  - (a) y materion (gan gynnwys unrhyw reoliadau neu ganllawiau arfaethedig) y mae Gweinidogion Cymru yn cynnig ymgynghori â phersonau perthnasol yn eu cylch,
  - (b) sut y mae Gweinidogion Cymru yn cynnig cynnal ymgynghoriadau, ac
  - (c) enwau unrhyw bersonau sy’n cynrychioli buddiannau personau perthnasol, y mae Gweinidogion Cymru yn cynnig eu gwahodd i gymryd rhan mewn ymgynghoriadau.
- (4) Caiff y strategaeth gynnwys gwybodaeth am –
  - (a) ffyrdd eraill y caiff Gweinidogion Cymru hyrwyddo cyfranogiad personau perthnasol mewn perthynas ag arfer, gan Weinidogion Cymru, eu swyddogaethau o dan y Ddeddf hon neu reoliadau a wneir oddi tani;
  - (b) cyfranogiad gan bersonau perthnasol mewn perthynas â materion eraill sy’n ymwneud â’r Ddeddf hon neu reoliadau a wneir oddi tani.
- (5) Caiff Gweinidogion Cymru ddiwygio’r strategaeth os ydynt yn ystyried ei bod yn briodol gwneud hynny.
- (6) Wrth benderfynu pa un ai i ddiwygio’r strategaeth, rhaid i Weinidogion Cymru roi sylw i unrhyw sylwadau a ddaeth i law ynghylch cynnwys y strategaeth.
- (7) Yn yr adran hon ystyr “personau perthnasol” yw –
  - (a) preswylwyr adeiladau rheoleiddiedig sy’n 18 oed neu’n hŷn,
  - (b) perchnogion unedau preswyl mewn adeiladau rheoleiddiedig, ac
  - (c) meddianwyr tai amlfeddiannaeth perthnasol sy’n 18 oed neu’n hŷn.’.

**Jayne Bryant**

**130**

Section 98, page 84, line 32, leave out ‘may issue or approve guidance’ and insert ‘must issue or approve such guidance as they consider appropriate’.

Adran 98, tudalen 84, llinell 35, hepgorer ‘Caiff Gweinidogion Cymru ddyroddi neu gymeradwyo canllawiau’ a mewnosoder ‘Rhaid i Weinidogion Cymru ddyroddi neu gymeradwyo canllawiau o’r fath y maent yn ystyried eu bod yn briodol’.

**Jayne Bryant**

**131**

Section 98, page 85, line 1, leave out 'issue or approve' and insert 'ensure that guidance issued or approved by them under this section includes'.

Adran 98, tudalen 85, llinell 1, hepgorer 'ddyroddi neu gymeradwyo' a mewnosoder 'sicrhau bod canllawiau a ddyroddir neu a gymeradwyir ganddynt o dan yr adran hon yn cynnwys'.

**Jayne Bryant**

**132**

Section 98, page 85, at the beginning of line 11, insert 'without prejudice to subsections (1) and (2),'.

Adran 98, tudalen 85, llinell 11, hepgorer 'tynnu'n' a mewnosoder 'heb ragfarnu is-adrannau (1) a (2), dynnu'n'.

**Jayne Bryant**

**133**

Section 98, page 85, line 12, leave out '(but if the guidance was issued or approved under subsection (2), they must issue or approve further guidance under that subsection)'.

Adran 98, tudalen 85, llinell 12, hepgorer '(ond os dyroddwyd neu gymeradwywyd y canllawiau o dan is-adran (2), rhaid iddynt ddyroddi neu gymeradwyo canllawiau pellach o dan yr is-adran honno)'.

**Jayne Bryant**

**52**

Section 99, page 86, after line 9, insert –

- '( ) If P becomes aware that a person is treated as an accountable person for the building by virtue of section 35 of the Building Safety (Wales) Act 2026, P must co-operate with the person for the purpose of the person carrying out their duties under that Act.'

Adran 99, tudalen 86, ar ôl llinell 9, mewnosoder –

- '( ) If P becomes aware that a person is treated as an accountable person for the building by virtue of section 35 of the Building Safety (Wales) Act 2026, P must co-operate with the person for the purpose of the person carrying out their duties under that Act.'

**Jayne Bryant**

**134**

Section 99, page 86, line 10, after 'article', insert ', article 22D and article 22E'.

Adran 99, tudalen 86, llinell 10, ar ôl 'article', mewnosoder ', article 22D and article 22E'.

**Jayne Bryant**

**135**

Section 99, page 86, after line 17, insert –

**'22D Wales: sharing information with accountable persons**

- (1) This article applies in relation to premises forming part of a building where the building, or any part of it, is a regulated building.
- (2) A responsible person in relation to the premises must give information or a document to a person (“A”) who—
  - (a) is either—
    - (i) an accountable person for the building, or
    - (ii) a person treated as an accountable person for the building by virtue of section 35 of the Building Safety (Wales) Act 2026, and
  - (b) makes a request in accordance with paragraph (3).
- (3) A request is made in accordance with this paragraph if—
  - (a) the information or document is necessary for A to comply with a requirement under the Building Safety (Wales) Act 2026 or regulations made under it,
  - (b) A gives the relevant person a written request that—
    - (i) states that the request is made pursuant to this article,
    - (ii) explains why A requires the information or document,
    - (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given, and
  - (c) it is reasonable for the relevant person to give A the information or document.
- (4) The disclosure of information or a document in accordance with this section does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).
- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).

**22E Wales: provision of information to duty holders**

- (1) This article applies in relation to premises forming part of a building where any part of the building is a relevant HMO.
- (2) A responsible person in relation to the premises must give information or a document to a person (“D”) who—
  - (a) is a duty holder for a relevant HMO in the building, and
  - (b) makes a request in accordance with paragraph (3).
- (3) A request is made in accordance with this paragraph if—

- (a) the information or document requested is necessary for D to comply with a requirement under the Building Safety (Wales) Act 2026 or regulations made under it,
  - (b) D gives the responsible person a written request that –
    - (i) states that the request is made pursuant to this article,
    - (ii) explains why D requires the information or document,
    - (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given, and
  - (c) it is reasonable for the responsible person to give D the information or document.
- (4) The disclosure of information or a document in accordance with this section does not breach –
- (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).
- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).”.

Adran 99, tudalen 86, ar ôl llinell 17, mewnosoder –

**‘22D Wales: sharing information with accountable persons**

- (1) This article applies in relation to premises forming part of a building where the building, or any part of it, is a regulated building.
- (2) A responsible person in relation to the premises must give information or a document to a person (“A”) who–
  - (a) is either –
    - (i) an accountable person for the building, or
    - (ii) a person treated as an accountable person for the building by virtue of section 35 of the Building Safety (Wales) Act 2026, and
  - (b) makes a request in accordance with paragraph (3).
- (3) A request is made in accordance with this paragraph if –
  - (a) the information or document is necessary for A to comply with a requirement under the Building Safety (Wales) Act 2026 or regulations made under it,
  - (b) A gives the relevant person a written request that –
    - (i) states that the request is made pursuant to this article,
    - (ii) explains why A requires the information or document,

- (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given, and
  - (c) it is reasonable for the relevant person to give A the information or document.
- (4) The disclosure of information or a document in accordance with this section does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).
- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).

**22E Wales: provision of information to duty holders**

- (1) This article applies in relation to premises forming part of a building where any part of the building is a relevant HMO.
- (2) A responsible person in relation to the premises must give information or a document to a person (“D”) who—
  - (a) is a duty holder for a relevant HMO in the building, and
  - (b) makes a request in accordance with paragraph (3).
- (3) A request is made in accordance with this paragraph if—
  - (a) the information or document requested is necessary for D to comply with a requirement under the Building Safety (Wales) Act 2026 or regulations made under it,
  - (b) D gives the responsible person a written request that—
    - (i) states that the request is made pursuant to this article,
    - (ii) explains why D requires the information or document,
    - (iii) states the address to which the information or document must be given, and
    - (iv) states that the information or document must be given before the end of a specified date no less than 14 days after the day on which the request is given, and
  - (c) it is reasonable for the responsible person to give D the information or document.
- (4) The disclosure of information or a document in accordance with this section does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information or a document (however imposed).



- (5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).”.

**Jayne Bryant**

136

Section 99, page 86, line 19, leave out ‘22C’ and insert ‘22E’.

Adran 99, tudalen 86, llinell 19, hepgorer ‘22C’ a mewnosoder ‘22E’.

**Jayne Bryant**

53

Section 99, page 86, leave out line 21.

Adran 99, tudalen 86, hepgorer llinell 21.

WITHDRAWN / TYNNWYD YN ÔL

**Jayne Bryant**

54

Section 99, page 86, after line 22, insert –

‘() In article 26, after paragraph (3), insert –

“(4) In paragraph (1), the reference to “this Order” does not include Article 22C (but see section 81 of the Building Safety (Wales) Act 2026).”

() In article 27, after paragraph (5), insert –

“(6) In paragraph (1), references to “this Order” do not include Article 22C.”

() In article 30, after paragraph (7), insert –

“(8) In paragraphs (1) and (4), references to “this Order” do not include Article 22C.”

() In article 36, after paragraph (6), insert –

“(7) In paragraph (1)(a), the reference to “this Order” does not include Article 22C.”.

Adran 99, tudalen 86, ar ôl llinell 22, mewnosoder –

‘() Yn erthygl 26, ar ôl paragraff (3), mewnosoder –

“(4) In paragraph (1), the reference to “this Order” does not include Article 22C (but see section 81 of the Building Safety (Wales) Act 2026).”

() Yn erthygl 27, ar ôl paragraff (5), mewnosoder –

“(6) In paragraph (1), references to “this Order” do not include Article 22C.”

() Yn erthygl 30, ar ôl paragraff (7), mewnosoder –

“(8) In paragraphs (1) and (4), references to “this Order” do not include Article 22C.”

() Yn erthygl 36, ar ôl paragraff (6), mewnosoder –

“(7) In paragraph (1)(a), the reference to “this Order” does not include Article 22C.”.

**Jayne Bryant**

137

Section 99, page 86, after line 22, insert –

- '( ) In article 26, after paragraph (3), insert –
  - “(4) In paragraph (1), the reference to “this Order” does not include Articles 22C to 22E (but see section 81 of the Building Safety (Wales) Act 2026).”
- ( ) In article 27, after paragraph (5), insert –
  - “(6) In paragraph (1), references to “this Order” do not include Articles 22C to 22E.”
- ( ) In article 30, after paragraph (7), insert –
  - “(8) In paragraphs (1) and (4), references to “this Order” do not include Articles 22C to 22E.”
- ( ) In article 36, after paragraph (6), insert –
  - “(7) In paragraph (1)(a), the reference to “this Order” does not include Articles 22C to 22E.”.

Adran 99, tudalen 86, ar ôl llinell 22, mewnosoder –

- '( ) Yn erthygl 26, ar ôl paragraff (3), mewnosoder –
  - “(4) In paragraph (1), the reference to “this Order” does not include Articles 22C to 22E (but see section 81 of the Building Safety (Wales) Act 2026).”
- ( ) Yn erthygl 27, ar ôl paragraff (5), mewnosoder –
  - “(6) In paragraph (1), references to “this Order” do not include Articles 22C to 22E.”
- ( ) Yn erthygl 30, ar ôl paragraff (7), mewnosoder –
  - “(8) In paragraphs (1) and (4), references to “this Order” do not include Articles 22C to 22E.”
- ( ) Yn erthygl 36, ar ôl paragraff (6), mewnosoder –
  - “(7) In paragraph (1)(a), the reference to “this Order” does not include Articles 22C to 22E.”.

**Lee Waters**

142

Section 100, page 86, line 26, leave out ‘for an area in Wales’ and insert –

- ‘designated as such in regulations made by the Welsh Ministers in accordance with this section.
- ( ) Regulations under this section must, for the area of each fire and rescue authority in Wales, designate one county council or county borough council in the area as the building safety authority for that area.
- ( ) Before making regulations under this section, the Welsh Ministers must consult –
  - (a) each county council and county borough council in Wales,
  - (b) each fire safety authority, and
  - (c) such other persons as they consider appropriate.

- ( ) Regulations under this section may make further provision in connection with the exercise of functions by a building safety authority (including provision requiring another county council or county borough council to make payments, or provide services or facilities, to the authority)‘.

Adran 100, tudalen 86, hepgorer ‘ar gyfer ardal yng Nghymru’ a mewnosoder –

‘a ddynodir felly mewn rheoliadau a wneir gan Weinidogion Cymru yn unol â’r adran hon.

- ( ) Rhaid i reoliadau o dan yr adran hon, ar gyfer ardal pob awdurdod tân ac achub yng Nghymru, ddynodi un cyngor sir neu gyngor bwrdeistref sirol yn yr ardal fel yr awdurdod diogelwch adeiladau ar gyfer yr ardal honno.
- ( ) Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori ag –
- (a) pob cyngor sir a chyngor bwrdeistref sirol yng Nghymru,
  - (b) pob awdurdod diogelwch tân, ac
  - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- ( ) Caiff rheoliadau o dan yr adran hon wneud darpariaeth bellach mewn cysylltiad ag arfer swyddogaethau gan awdurdod diogelwch adeiladau (gan gynnwys darpariaeth sy’n ei gwneud yn ofynnol i gyngor sir neu gyngor bwrdeistref sirol arall wneud taliadau, neu ddarparu gwasanaethau neu gyfleusterau, i’r awdurdod)‘.

**Jayne Bryant**

55

Section 100, page 86, after line 31, insert –

- ‘( ) The functions of a council as a building safety authority are not to be the responsibility of an executive of the council under executive arrangements.
- ( ) In this section –
- “the 2000 Act” (“*Deddf 2000*”) means the Local Government Act 2000 (c. 22);
  - “executive” (“*gweithrediaeth*”) is to be interpreted in accordance with section 11 of the 2000 Act;
  - “executive arrangements” (“*trefniadau gweithrediaeth*”) has the meaning given by section 10 of the 2000 Act.’.

Adran 100, tudalen 86, ar ôl llinell 32, mewnosoder –

- ‘( ) Nid yw swyddogaethau cyngor fel awdurdod diogelwch adeiladau i fod yn gyfrifoldeb i weithrediaeth y cyngor o dan drefniadau gweithrediaeth.
- ( ) Yn yr adran hon –
- ystyr “*Deddf 2000*” (“*the 2000 Act*”) yw *Deddf Llywodraeth Leol 2000* (p. 22);
  - mae “*gweithrediaeth*” (“*executive*”) i’w ddehongli yn unol ag adran 11 o *Ddeddf 2000*;
  - mae i “*trefniadau gweithrediaeth*” yr ystyr a roddir i “*executive arrangements*” gan adran 10 o *Ddeddf 2000*.’.

**Jayne Bryant**

56

Section 102, page 87, line 5, after ‘two’, insert ‘or more’.

Adran 102, tudalen 87, llinell 6, hepgorer 'awdurdod' a mewnosoder 'neu ragor o awdurdodau'.

**Jayne Bryant**

57

Section 102, page 87, line 7, after 'authority' at the first place where it appears, insert 'or authorities'.

Adran 102, tudalen 87, llinell 8, ar ôl 'arall', mewnosoder 'neu'r awdurdodau eraill'.

**Jayne Bryant**

58

Section 102, page 87, line 8, leave out 'both' and insert 'the'.

Adran 102, tudalen 87, llinell 10, hepgorer 'ddau awdurdod' a mewnosoder 'awdurdodau'.

**Jayne Bryant**

59

Page 88, after line 34, insert a new section –

*'Exercise of functions by building safety authorities and fire safety authorities*

**[ ] Issue of guidance by the Welsh Ministers about the exercise of functions**

- (1) The Welsh Ministers must issue guidance about the exercise of relevant functions by –
  - (a) a building safety authority;
  - (b) a fire safety authority.
- (2) A building safety authority and a fire safety authority must have regard to guidance issued by the Welsh Ministers under subsection (1).
- (3) Before issuing guidance under this section, the Welsh Ministers must consult –
  - (a) each building safety authority,
  - (b) each fire safety authority, and
  - (c) such other persons as they consider appropriate.
- (4) In this Part, "relevant function" means a function under this Act or regulations made under it'.

Tudalen 88, ar ôl llinell 35, mewnosoder adran newydd –

*'Arfer swyddogaethau gan awdurdodau diogelwch adeiladau ac awdurdodau diogelwch tân*

**[ ] Dyroddi canllawiau gan Weinidogion Cymru ynghylch arfer swyddogaethau**

- (1) Rhaid i Weinidogion Cymru ddyroddi canllawiau ynghylch arfer swyddogaethau perthnasol gan –
  - (a) awdurdod diogelwch adeiladau;
  - (b) awdurdod diogelwch tân.
- (2) Rhaid i awdurdod diogelwch adeiladau ac awdurdod diogelwch tân roi sylw i ganllawiau a ddyroddir gan Weinidogion Cymru o dan is-adran (1).
- (3) Cyn dyroddi canllawiau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori ag –
  - (a) pob awdurdod diogelwch adeiladau,



- (b) pob awdurdod diogelwch tân, ac
  - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (4) Yn y Rhan hon, ystyr “swyddogaeth berthnasol” yw swyddogaeth o dan y Ddeddf hon neu reoliadau a wneir oddi tani.’.

Jayne Bryant

60

Page 88, after line 34, insert a new section –

**[ ] Co-operation between building safety authorities and fire safety authorities**

- (1) A building safety authority and a fire safety authority to which this section applies must so far as possible co-operate in the exercise of their relevant functions.
- (2) This section applies to a building safety authority and a fire safety authority that have relevant functions in relation to the same regulated building or regulated buildings.
- (3) Guidance under section [section to be inserted by amendment 59] may include guidance about how a building safety authority and a fire safety authority are to comply with this section.’.

Tudalen 88, ar ôl llinell 35, mewnosoder adran newydd –

**[ ] Cydweithredu rhwng awdurdodau diogelwch adeiladau ac awdurdodau diogelwch tân**

- (1) Rhaid i awdurdod diogelwch adeiladau ac awdurdod diogelwch tân y mae’r adran hon yn gymwys iddynt gydweithredu wrth arfer eu swyddogaethau perthnasol, i’r graddau y bo hynny’n bosibl.
- (2) Mae’r adran hon yn gymwys i awdurdod diogelwch adeiladau ac awdurdod diogelwch tân a chanddynt swyddogaethau perthnasol mewn perthynas â’r un adeilad rheoleiddiedig neu’r un adeiladau rheoleiddiedig.
- (3) Caiff canllawiau o dan adran [adran i’w mewnosod gan welliant 59] gynnwys canllawiau ynghylch sut y mae awdurdod diogelwch adeiladau ac awdurdod diogelwch tân i gydymffurfio â’r adran hon.’.

Jayne Bryant

61

Page 88, after line 34, insert a new section –

**[ ] Sharing of information**

- (1) A relevant authority may disclose information it holds in connection with a relevant function to another relevant authority for the purposes of a relevant function of either authority.
- (2) The disclosure of information in accordance with subsection (1) does not breach –
  - (a) any obligation of confidence owed by the authority making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (3) But see also section 183A of the Data Protection Act 2018 (protection of requirements for processing personal data).
- (4) In subsection (1), “relevant authority” means –
  - (a) a building safety authority;

(b) a fire safety authority.’.

Tudalen 88, ar ôl llinell 35, mewnosoder adran newydd –

**[1] Rhannu gwybodaeth**

- (1) Caiff awdurdod perthnasol ddatgelu gwybodaeth a ddelir ganddo mewn cysylltiad â swyddogaeth berthnasol i awdurdod perthnasol arall at ddibenion swyddogaeth berthnasol y naill awdurdod neu’r llall.
- (2) Nid yw datgelu gwybodaeth yn unol ag is-adran (1) yn torri –
  - (a) unrhyw rwymedigaeth gyfrinachedd sy’n ddyledus gan yr awdurdod sy’n gwneud y datgeliad, neu
  - (b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth (sut bynnag y caiff ei osod).
- (3) Ond gweler hefyd adran 183A o Ddeddf Diogelu Data 2018 (diogelu gofynion ar gyfer prosesu data personol).
- (4) Yn is-adran (1), ystyr “awdurdod perthnasol” yw –
  - (a) awdurdod diogelwch adeiladau;
  - (b) awdurdod diogelwch tân.’.

**Jayne Bryant**

62

Section 109, page 91, line 24, leave out subsections (2) to (3) and insert –

- ‘( ) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).’.

Adran 109, tudalen 91, llinell 26, hepgorer is-adrannau (2) hyd at (3) a mewnosoder –

- ‘( ) Ond gweler hefyd adran 183A o Ddeddf Diogelu Data 2018 (p. 12) (diogelu gofynion ar gyfer prosesau data personol).’.

**Jayne Bryant**

138

Section 110, page 92, line 15, after ‘16’, insert ‘(see also section [section to be inserted by amendment 112] for further provision about a Welsh statutory instrument containing regulations under section 16)’.

Adran 110, tudalen 92, llinell 18, ar ôl ‘16’, mewnosoder ‘(gweler hefyd adran [adran i'w mewnosod gan welliant 112] am ddarpariaeth bellach ynghylch offeryn statudol Cymreig sy’n cynnwys rheoliadau o dan adran 16)’.

**Jayne Bryant**

139

Section 110, page 92, line 16, after ‘27(2)’, insert ‘(see also section [section to be inserted by amendment 112] for further provision about a Welsh statutory instrument containing regulations under section 27(2))’.

Adran 110, tudalen 92, llinell 19, ar ôl '27(2)', mewnosoder '(gweler hefyd adran [adran i'w mewnosod gan welliant 112] am ddarpariaeth bellach ynghylch offeryn statudol Cymreig sy'n cynnwys rheoliadau o dan adran 27(2))'.

**Jayne Bryant**

63

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

'() section [section to be inserted by amendment 27];'.

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

'() adran [adran i'w mewnosod gan welliant 27];'.

**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];'.

**Jayne Bryant**

82

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

Teitl hir, tudalen 1, llinell 1, hepgorer 'ynglŷn' a mewnosoder 'sy'n ymwneud'.



