

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 22 Ionawr 2026
Tabled on 22 January 2026

Bil Diogelwch Adeiladau (Cymru)

Building Safety (Wales) Bill

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)'.

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.'

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'.

Sian Gwenllian

148

Page 59, after line 10, insert a new section –

[] **Remediation costs under qualifying leases**

Schedule [schedule to be inserted by amendment 149] –

- (a) provides that certain service charge amounts relating to relevant defects in a relevant building are not payable, and
- (b) 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 ailfynediad neu fforffediad, a



- (iv) 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 ragnodi 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 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 ddsbarthu 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 ddiffyg 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.’.

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

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

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

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’.

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’.

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’.

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.’

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’.

