



Mesur Tai (Cymru) 2011

2011 mccc 5

RHAN 2

LANDLORDIAID CYMDEITHASOL COFRESTREDIG

PENNOD 4

GORFODI

Hysbysiad gorfodi

52 Seiliau ar gyfer rhoi hysbysiad

Ar ôl adran 50B o Ddeddf Tai 1996 mewnosoder—

“Enforcement notice

50C Grounds for giving notice

- (1) The Welsh Ministers may give an enforcement notice to a registered social landlord if they are satisfied that—
 - (a) any of the following cases applies, and
 - (b) giving an enforcement notice is appropriate (whether it is likely to be sufficient in itself or a prelude to further action).
- (2) Case 1 is where the registered social landlord has failed to meet a standard applicable to it under section 33A.
- (3) Case 2 is where there has been misconduct or mismanagement in the affairs of the registered social landlord.
- (4) Case 3 is where the registered social landlord has failed to comply with an earlier enforcement notice.

Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Mesur Tai (Cymru) 2011, Croes Bennawd: Hysbysiad gorfodi. (See end of Document for details)

- (5) Case 4 is where the registered social landlord has failed to publish information in accordance with a requirement under section 50I(3) or 50Q(3).
- (6) Case 5 is where the interests of tenants of the registered social landlord require protection.
- (7) Case 6 is where the registered social landlord’s assets require protection.
- (8) Case 7 is where the registered social landlord has given an undertaking under section 6A and failed to comply with it.
- (9) Case 8 is where an offence under this Part has been committed by the registered social landlord.
- (10) Case 9 is where the registered social landlord has failed to implement a recommendation made by the Public Services Ombudsman for Wales in a report prepared under section 16 of the Public Services Ombudsman (Wales) Act 2005.
- (11) Where the Welsh Ministers are satisfied that an offence under this Part has been committed in respect of a registered social landlord but by another person (such as a member, employee or agent of the registered social landlord)—
 - (a) Case 8 applies,
 - (b) the Welsh Ministers may give an enforcement notice to the other person, and
 - (c) this Chapter applies with the substitution of references to that other person for references to the registered social landlord.”

Gwybodaeth Cychwyn

- I1** A. 52 ddim mewn grym ar Gymeradwyaeth Frenhinol, gweler **a. 90(2)**
- I2** A. 52 mewn grym ar 18.10.2011 at ddibenion penodedig gan **O.S. 2011/2475, erglau. 1(2), 2(i)**
- I3** A. 52 mewn grym ar 2.12.2011 i'r graddau nad yw eisoes mewn grym gan **O.S. 2011/2475, erglau. 1(2), 3(e)**

53 Cynnwys

Ar ôl adran 50C o Ddeddf Tai 1996 mewnosoder—

“50D Content

- (1) An enforcement notice must—
 - (a) specify the grounds on which it is given,
 - (b) specify the action the Welsh Ministers want the registered social landlord to take in response to the notice,
 - (c) specify when the action is to be taken (which may be immediately on receipt of the notice), and
 - (d) explain the effect of sections 50E to 50G.
- (2) The action specified in an enforcement notice may include publishing the notice in a specified manner.”

Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Mesur Tai (Cymru) 2011, Croes Bennawd: Hysbysiad gorfodi. (See end of Document for details)

Gwybodaeth Cychwyn

- I4** A. 53 ddim mewn grym ar Gymeradwyaeth Frenhinol, gweler **a. 90(2)**
I5 A. 53 mewn grym ar 18.10.2011 gan O.S. 2011/2475, **erglau. 1(2), 2(j)**

54 **Apelio**

Ar ôl adran 50D o Ddeddf Tai 1996 mewnosoder—

“50E Appeal

A registered social landlord who is given an enforcement notice may appeal to the High Court.”

Gwybodaeth Cychwyn

- I6** A. 54 ddim mewn grym ar Gymeradwyaeth Frenhinol, gweler **a. 90(2)**
I7 A. 54 mewn grym ar 18.10.2011 gan O.S. 2011/2475, **erglau. 1(2), 2(j)**

55 **Tynnu'n ôl**

Ar ôl adran 50E o Ddeddf Tai 1996 mewnosoder—

“50F Withdrawal

The Welsh Ministers may withdraw an enforcement notice by notice to the registered social landlord.”

Gwybodaeth Cychwyn

- I8** A. 55 ddim mewn grym ar Gymeradwyaeth Frenhinol, gweler **a. 90(2)**
I9 A. 55 mewn grym ar 18.10.2011 gan O.S. 2011/2475, **erglau. 1(2), 2(j)**

56 **Sanctsiwn**

Ar ôl adran 50F o Ddeddf Tai 1996 mewnosoder—

“50G Sanction

- (1) In the case of an enforcement notice given to a person other than the registered social landlord by virtue of section 50C(11), the Welsh Ministers may only—
 - (a) exercise the power to issue a penalty notice to the person in accordance with the next group of sections, or
 - (b) take steps to have the person prosecuted for the offence by reference to which the enforcement notice was given.
- (2) A person to whom an enforcement notice is given on the ground in Case 8 of section 50C may not be prosecuted for the offence by reference to which

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the enforcement notice was given unless the person fails to comply with the enforcement notice.”

Gwybodaeth Cychwyn

- I10** A. 56 ddim mewn grym ar Gymeradwyaeth Frenhinol, gweler **a. 90(2)**
I11 A. 56 mewn grym ar 18.10.2011 gan O.S. 2011/2475, **erglau. 1(2)**, 2(j)

Newidiadau i ddeddfwriaeth:

Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Mesur Tai (Cymru) 2011, Croes Bennawd: Hysbysiad gorfodi.