



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2012 Rhif 531 (Cy.83)

2012 No. 531 (W.83)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Gweithdrefnau a
Ffioedd Tribiwnlys Eiddo Preswyl
(Cymru) 2012

The Residential Property Tribunal
Procedures and Fees (Wales)
Regulations 2012

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gymwys o ran Cymru yn unig. O dan Ran 2, rheoleiddir y weithdrefn sydd i'w dilyn ar gyfer y ceisiadau ac apelau (y cyfeirir atynt ar y cyd fel ceisiadau) a wneir i dribiwnlys eiddo preswyl ("tribiwnlys") o dan Ddeddf Tai 2004 ("Deddf 2004"), Rhan 9 o Ddeddf Tai 1985 ("Deddf 1985"), sy'n ymwneud â gorchmynion dymchwel, a Deddf Cartrefi Symudol 1983 ("Deddf 1983"). Mae Rhan 3 yn gwneud darpariaeth ar gyfer talu ffioedd mewn perthynas ag apelau a cheisiadau penodol i dribiwnlysoedd.

These Regulations apply to Wales only. Under Part 2 they regulate the procedure to be followed for applications and appeals (jointly referred to as applications) made to a residential property tribunal ("tribunal") under the Housing Act 2004 ("the 2004 Act"), Part 9 of the Housing Act 1985 ("the 1985 Act"), which relates to demolition orders, and the Mobile Homes Act 1983 ("the 1983 Act"). Part 3 makes provision for the payment of fees in respect of certain appeals and applications to tribunals.

Mae rheoliad 1 o Ran 1 yn pennu'r achosion y mae'r Rheoliadau hyn yn gymwys iddynt.

Regulation 1 of Part 1 specifies the proceedings to which the Regulations apply.

Mae rheoliad 2 yn diffinio'r termau a ddefnyddir yn y Rheoliadau hyn.

Regulation 2 defines the terms used in these Regulations.

Mae rheoliad 3 o Ran 2 yn pennu'r prif amcan o ymdrin yn deg a chyfiawn â cheisiadau, a'r gofyniad i gydweithredu.

Regulation 3 of Part 2 sets out the overriding objective of dealing fairly and justly with applications and the requirement to co-operate.

Mae rheoliad 4 yn gwneud darpariaeth mewn cysylltiad â cheisiadau am estyn yr amser ar gyfer gwneud cais, mewn achosion pan fo Deddf 2004 neu Ddeddf 1983 yn rhoi'r pŵer i dribiwnlys ganiatáu estyniad o'r fath.

Regulation 4 makes provision in connection with requests for extension of time to make an application, in those cases where the 2004 Act or the 1983 Act gives a tribunal power to permit such an extension.

Mae rheoliad 5 yn darparu, pan fo cais gan berson o dan Ddeddf 1983 yn ymwneud â mwy nag un llain neu gartref symudol, y caiff y cais gyfeirio at un ddarpariaeth yn Neddf 1983 ac mai'r nifer mwyaf o leiniau neu gartrefi symudol y caiff unrhyw gais unigol ymwneud â hwy fydd 20.

Regulation 5 provides that where a person's application under the 1983 Act relates to more than one pitch or mobile home the application may refer to one provision of the 1983 Act and the maximum number of pitches or mobile homes to which any single application may relate is 20.

Mae rheoliad 6 yn rhoi manylion am yr wybodaeth sydd i'w chynnwys gyda chais, ac yn pennu dogfennau ychwanegol ar gyfer ceisiadau penodol, fel y'u nodir yn is-baragraff (2) o bob paragraff o'r Atodlen i'r Rheoliadau.

Mae rheoliad 7 yn darparu ar gyfer y gweithdrefnau sy'n gymwys pan drosglwyddir mater sy'n codi o dan Ddeddf 1983 o lys i dribiwnlys.

Mae rheoliad 8 yn gwneud darpariaeth ynglŷn â chydabod cais sy'n cyrraedd y tribiwnlys, ac anfon copiâu o'r dogfennau at yr ymatebydd, ynghyd â hysbysiad o'r dyddiad erbyn pryd y dylai'r ymatebydd ateb y tribiwnlys.

Mae rheoliad 9 yn ymdrin ag ymateb yr ymatebydd.

Mae rheoliad 10 yn caniatáu i'r tribiwnlys gynnal gwrandawriad llafar ar fyr rybudd pan fo Awdurdod Tai Lleol wedi gwneud cais am awdurdodi gorchymyn rheoli interim o dan adran 102(4) neu (7) o Ddeddf 2004, a phan yw'n ymddangos i'r tribiwnlys, ar sail yr wybodaeth a gyflwynir gyda'r cais, fod amgylchiadau eithriadol penodedig yn bodoli.

Mae rheoliad 11 yn caniatáu i'r tribiwnlys gynnal gwrandawriad llafar ar fyr rybudd pan fo ceisydd yn gofyn i dribiwnlys ymdrin â chais o dan baragraff 8(1E) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983, neu'n gofyn am benderfyniad perthynol o dan adran 4 o Ddeddf 1983, pan fo perchennog safle a ddiogelir, y lleolir cartref symudol arno, yn gwrthod cydsynio â gwerthu'r cartref symudol neu'i roi yn rhodd.

Mae rheoliad 12 yn disgrifio'r gweithdrefnau ychwanegol sy'n gymwys mewn perthynas â chais a wneir o dan baragraff 5A o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983, am i dribiwnlys benderfynu pa un a yw cartref symudol, o ystyried ei gyflwr, yn cael effaith niweidiol ai peidio ar amwynder y safle a ddiogelir.

Mae rheoliad 13 yn ymdrin â cheisiadau am gael ymuno fel parti i'r achos.

Mae rheoliad 14 yn pennu amgylchiadau pan ganiateir penderfynu dau neu ragor o geisiadau gwahanol ar y cyd, neu benderfynu ar y cyd faterion penodol sy'n codi mewn ceisiadau gwahanol.

Mae rheoliad 15 yn darparu, pan nad yw'r ffi ar gyfer cais wedi ei thalu o fewn 14 diwrnod, y dylid ystyried bod y cais wedi'i dynnu yn ôl onid oes sail resymol dros beidio â gwneud hynny.

Mae rheoliad 16 yn galluogi cyflawni'r ddyletswydd i gyflenwi dogfen drwy'i chyflenwi i gynrychiolydd parti neu i gynrychiolydd person â buddiant, os gofynnir am hynny mewn ysgrifen.

Mae rheoliad 17 yn ei gwneud yn ofynnol bod tribiwnlys yn sicrhau bod personau â buddiant yn cael eu hysbysu ynglŷn â chais, gydag esboniad o'r weithdrefn ar gyfer gwneud cais i ymuno fel parti yn yr achos.

Regulation 6 gives details of the information to be included with an application, and specifies additional documents for particular applications as set out in subparagraph (2) of each paragraph of the Schedule to the Regulations.

Regulation 7 makes provision for the procedures that apply where a matter arising under the 1983 Act is transferred from a court to a tribunal.

Regulation 8 makes provision in respect of the tribunal acknowledging an application and sending to the respondent copy documents and a notice specifying the date by which the respondent should reply to the tribunal.

Regulation 9 deals with the respondent's reply.

Regulation 10 permits a tribunal to hold an urgent oral hearing at short notice where a Local Housing Authority has applied for authorisation of an interim management order under section 102(4) or (7) of the 2004 Act, and where it appears to the tribunal on the basis of information accompanying the application that specified exceptional circumstances exist.

Regulation 11 permits a tribunal to hold an urgent oral hearing at short notice where an applicant requests a tribunal to deal with an application under paragraph 8(1E) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act or related determination under section 4 of the 1983 Act, where the owner of the protected site upon which a mobile home is situated refuses to consent to the sale or gift of the mobile home.

Regulation 12 describes the additional procedures that apply in respect of an application made under paragraph 5A of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act for a determination by a tribunal as to whether, having regard to its condition, the mobile home is having a detrimental effect on the amenity of the protected site.

Regulation 13 deals with applications to be joined as a party to the proceedings.

Regulation 14 specifies circumstances where two or more separate applications, or particular issues arising in separate applications, may be determined together.

Regulation 15 provides that where an application fee is unpaid for 14 days, the application is treated as withdrawn unless there are reasonable grounds not to do so.

Regulation 16 enables the duty to supply a document to be satisfied by supplying it to a party's or interested person's representative where this is requested in writing.

Regulation 17 requires the tribunal to ensure that interested persons are notified of the application together with an explanation of the procedure for applying to be joined as a party.

Mae rheoliad 18 yn ymdrin â dosbarthu dogfennau perthnasol gan y tribiwnlys.

Mae rheoliadau 19 ac 20 yn ymdrin â phwerau'r tribiwnlys i orchymyn cyflenwi gwybodaeth a dogfennau, ac â methiant i gydymffurfio â gorchymyn o'r fath.

Mae rheoliad 21 yn galluogi'r tribiwnlys i benderfynu cais heb gynnal gwrandawriad llafar. Rhaid rhoi rhybudd o 14 diwrnod o leiaf i'r partïon o'r bwriad i weithredu felly. Mae hawl gan y partïon i ofyn am wrandawriad llafar. Caiff aelod cymwysedig unigol o'r panel benderfynu bod cynnal gwrandawriad llafar yn briodol.

Mae rheoliad 22 yn gwneud darpariaeth ar gyfer gorchymynion interim, ac eithrio wrth benderfynu cais o dan adran 102(4) neu (7) o Ddeddf 2004.

Mae rheoliad 23 yn gwneud darpariaeth weithdrefnol mewn perthynas â chyfarwyddiadau o dan bŵer cyffredinol y tribiwnlys yn adran 230(2) o Ddeddf 2004.

Mae rheoliad 24 yn ymdrin ag archwilio'r fangre a'i chyffiniau.

Mae rheoliad 25 yn gwneud darpariaeth ar gyfer rhoi tystiolaeth arbenigol gerbron tribiwnlys.

Mae rheoliad 26 yn galluogi'r tribiwnlys i gynnal cynhadledd rheoli achos (a ddiffinnir fel cynhadledd sy'n cynnwys adolygiad cyn treial) ar ôl rhoi rhybudd o ddim llai na 7 diwrnod i'r partïon.

Mae rheoliad 27 yn rhoi manylion am weddill pwerau'r tribiwnlys o ran rheoli achosion. Mae rheoliad 27(1)(a) yn caniatáu i'r tribiwnlys leihau'r amser a bennir yn y Rheoliadau ar gyfer y gwahanol gamau mewn achos, os yw'r partïon i gyd yn cydsynio i'r cwtogiad sydd dan sylw. Mae rheoliad 27(1)(b) yn caniatáu i'r tribiwnlys estyn yr amser a bennir yn y Rheoliadau ar gyfer gwahanol gamau mewn achos.

Mae rheoliad 28 yn ymdrin â rhoi hysbysiad sy'n pennu dyddiad, amser a lleoliad gwrandawriad, a rheoliad 29 yn rhoi pŵer i'r tribiwnlys ohirio gwrandawriad.

Mae rheoliad 30 yn pennu pwerau'r tribiwnlys yn ystod gwrandawriad, a rheoliad 31 yn gwneud darpariaeth ynghylch pryd y caniateir cynnal gwrandawriad yn breifat, fel eithriad i'r rheol gyffredinol y dylid ei gynnal yn gyhoeddus.

Mae rheoliad 32 yn nodi pwy sydd â hawl i fod yn bresennol mewn gwrandawriad a gynhelir yn breifat, ac yn ystod trafodaethau'r tribiwnlys wrth iddo benderfynu cais.

Mae rheoliad 33 yn galluogi tribiwnlys i fynd ymlaen â gwrandawriad yn absenoldeb parti a fethodd ag ymddangos.

Regulation 18 deals with distribution of relevant documents by a tribunal.

Regulations 19 and 20 deal with a tribunal's powers to order the supply of information and documents, and with failure to comply with such an order.

Regulation 21 enables a tribunal to determine an application without an oral hearing. A minimum of 14 days' notice must be given to the parties of the intention to proceed in this way. The parties have a right to request an oral hearing. A single qualified member of the panel may decide that an oral hearing is appropriate.

Regulation 22 makes provision for interim orders, other than in the case of determination of an application under section 102(4) or (7) of the 2004 Act.

Regulation 23 makes procedural provision in respect of directions under a tribunal's general power in section 230(2) of the 2004 Act.

Regulation 24 deals with inspection of the premises and its neighbourhood.

Regulation 25 makes provision for adducing expert evidence to a tribunal.

Regulation 26 enables a tribunal to hold a case management conference (which is defined to include a pre-trial review) on not less than 7 days' notice to the parties.

Regulation 27 gives details of a tribunal's remaining case management powers. Regulation 27(1)(a) allows a tribunal to reduce the time specified in the Regulations for various steps in the action where all parties agree to the reduction in question. Regulation 27(1)(b) allows a tribunal to extend the time specified in the Regulations for various steps in the action.

Regulation 28 deals with giving notice appointing the date, time and place of a hearing, and regulation 29 gives a tribunal power to postpone a hearing.

Regulation 30 sets out a tribunal's powers at a hearing, and regulation 31 makes provision as to when a hearing may be held in private as an exception to the general rule that it should be held in public.

Regulation 32 sets out those who are entitled to be present at hearings held in private and at the tribunal's deliberations to determine the application.

Regulation 33 enables a tribunal to proceed with a hearing in the absence of a party who fails to appear.

Mae rheoliad 34 yn pennu sut a pha bryd y bydd y tribiwnlys yn rhoi ei benderfyniad.

Mae rheoliad 35 yn darparu na chaiff y tribiwnlys ddyfarnu costau o dan ei bwerau ym mharagraff 12 o Atodlen 13 i Ddeddf 2004 heb roi cyfle i'r parti dan sylw gyflwyno sylwadau.

Mae rheoliad 36 yn pennu sut y gellir tynnu cais yn ôl, yn rhannol neu'n gyfan gwbl, ac yn pennu'r gofynion y mae'n rhaid eu bodloni mewn amgylchiadau penodol fel bod tynnu'r cais yn ôl yn cael effaith.

Mae rheoliad 37 yn darparu ar gyfer gorfodi penderfyniad tribiwnlys yn y llys sirol, gyda chaniatâd y llys.

Mae rheoliad 38 yn cynnwys darpariaethau ynglŷn â cheisiadau i dribiwnlys eiddo preswyl am ganiatâd i apelio i'r Uwch Dribiwnlys (Siambwr Tiroedd).

Mae rheoliad 39 yn ei gwneud yn ofynnol bod tribiwnlys yn gwneud trefniadau priodol os oes angen gwasanaeth cyfieithu, dehongli, neu gymorth arall ar unrhyw berson sy'n cymryd rhan yn yr achos, er mwyn ei alluogi i gyfranogi'n effeithiol yn yr achos.

Mae rheoliad 40 yn gwneud darpariaeth ynglŷn â'r hyn sy'n gyfystyr â chyflenwi dogfen neu hysbysiad o dan y Rheoliadau. Mae'r ddarpariaeth yn cynnwys yr amgylchiadau pan yw'n dderbyniol cyfathrebu drwy ffacs, cyfathrebiad electronig neu wasanaeth dosbarthu preifat.

Mae rheoliad 41 yn darparu ar gyfer unrhyw gyfnodau, a bennir yn y Rheoliadau hyn ar gyfer cyflawni unrhyw weithred, sy'n dod i ben ar benwythnos neu ŵyl gyhoeddus. Ystyrir y bydd y weithred wedi'i chyflawni mewn pryd os cyflawnir hi ar y diwrnod gwaith nesaf sy'n dilyn.

Mae rheoliad 42 yn rhoi pŵer i'r tribiwnlys wrthod, yn rhannol neu'n gyfan gwbl, unrhyw gais a ystyrir yn wacsaw, yn flinderus neu rywffodd arall yn camddefnyddio proses y tribiwnlys, ar ôl rhoi rhybudd o 14 diwrnod o leiaf i'r ceisydd.

Mae rheoliad 43 yn datgan na fydd afreoleidd-dra ar ran y partïon yn cydymffurfio â'r Rheoliadau hyn, yn ei hunan, yn peri bod achos yn ddi-rym.

Mae rheoliad 44 yn caniatáu atgynhyrchu llofnod yn fecanyddol neu rywffodd arall, ar yr amod yr ychwanegir enw'r person sy'n llofnodi o dan y llofnod, mewn modd sy'n caniatáu adnabod y person hwnnw.

Mae Rhan 3 o'r Rheoliadau hyn, sy'n gwneud darpariaeth ar gyfer talu ffioedd mewn perthynas ag apelau a cheisiadau i dribiwnlysoedd eiddo preswyl, yn gymwys mewn perthynas ag apelau a cheisiadau o unrhyw un o'r disgrifiadau a bennir yn rheoliadau 45, 46 a 47.

Regulation 34 sets out how and when a tribunal will give its decision.

Regulation 35 provides that the tribunal must not award costs under its powers contained in paragraph 12 of Schedule 13 to the 2004 Act without giving the party concerned the opportunity to make representations.

Regulation 36 specifies how an application may be withdrawn in whole or part, and stipulates the requirements that must be satisfied in certain circumstances for withdrawal of an application to become effective.

Regulation 37 provides for a decision of a tribunal to be enforced in the county court, with the court's leave.

Regulation 38 contains provisions relating to requests to a residential property tribunal for permission to appeal to the Upper Tribunal (Lands Chamber).

Regulation 39 requires the tribunal to make appropriate arrangements where any person taking part in the proceedings requires translation, interpretation, or other assistance to enable effective participation in the proceedings.

Regulation 40 makes provision about what amounts to supply of a document or notice under the Regulations. The provision includes the circumstances in which communication by fax, electronic communication, or private delivery service, will be acceptable.

Regulation 41 provides that if the time specified by these Regulations for doing any act expires on a weekend or public holiday, the act will be in time if done on the next working day.

Regulation 42 gives the tribunal power to dismiss in whole or in part any application considered frivolous, vexatious, or otherwise an abuse of process after giving notice of at least 14 days to the applicant.

Regulation 43 states that irregularities by parties in complying with these Regulations will not in themselves render the proceedings void.

Regulation 44 allows mechanical or other reproduction of a signature, so long as the name of the person signing is added underneath in a way which enables that person to be identified.

Part 3 of these Regulations, which makes provision for the payment of fees in respect of appeals and applications to residential property tribunals, apply in relation to appeals and applications of any of the descriptions specified in regulations 45, 46 and 47.

Mae rheoliadau 45 a 46 yn ei gwneud yn ofynnol talu ffi o £150 pan wneir cais i dribiwnlys o dan unrhyw un o ddarpariaethau Deddf 2004 neu Ddeddf 1985 a restrir yn y rheoliadau hynny.

Mae rheoliad 47 yn ei gwneud yn ofynnol talu ffi pan wneir cais i dribiwnlys o dan unrhyw un o'r darpariaethau yn Neddf 1983 a restrir yn y rheoliad hwnnw. Mae'r ffi sy'n daladwy yn amrywio rhwng £150 a £500.

Mae rheoliadau 48 a 49 yn darparu mai'r person sy'n gwneud y cais sy'n atebol i dalu'r ffi, ac yn darparu ar gyfer hepgor y ffi os yw'r person hwnnw, neu bartner y person hwnnw, yn cael unrhyw un o'r budd-daliadau a restrir yn rheoliad 49(2).

Mae rheoliad 50 yn pennu'r amgylchiadau pan gaiff y tribiwnlys orchymyn un o'r partiön i'r cais i ad-dalu unrhyw ffioedd a dynnwyd gan y parti arall o dan reoliad 45, 46 neu 47.

Mae'r Atodlen i'r Rheoliadau yn rhestru ceisiadau y caniateir eu gwneud i dribiwnlys ac yn pennu, mewn perthynas â phob math o gais, y dogfennau ychwanegol y mae'n rhaid eu cynnwys gyda'r cais, ac yn nodi'r personau y ceir eu henwi fel ymatebwyr i'r cais.

Mae'r Rheoliadau yn dirymu—

- (a) Rheoliadau Tribiwnlys Eiddo Preswyl (Ffioedd) (Cymru) 2006(1); a
- (b) Rheoliadau Gweithdrefn Tribiwnlys Eiddo Preswyl (Cymru) 2006(2).

Ni pharatowyd asesiad effaith ar gyfer yr offeryn hwn, gan nad yw'n cael effaith sylweddol ar y sectorau preifat a gwirfoddol.

Regulations 45 and 46 require a fee of £150 to be paid when an application is made to a tribunal under any of the provisions of the 2004 Act or the 1985 Act listed in those regulations.

Regulation 47 requires a fee to be paid when an application is made to a tribunal under any of the provisions in the 1983 Act that are listed in that regulation. The fee payable ranges from £150 to £500.

Regulations 48 and 49 provide for the person making the application to be liable for payment of the fee and for the fee to be waived where that person or that person's partner is in receipt of any of the benefits listed in regulation 49(2).

Regulation 50 sets out the circumstances in which the tribunal may order one party to an application to reimburse any fees incurred under regulation 45, 46 or 47 by another party.

The Schedule to the Regulations lists applications which may be made to a tribunal, and in respect of each type of application, specifies the additional documents which must be included with it, and identifies the persons who may be named as respondents to the application.

The Regulations revoke—

- (a) the Residential Property Tribunal (Fees) (Wales) Regulations 2006(1); and
- (b) the Residential Property Tribunal Procedure (Wales) Regulations 2006(2).

An impact assessment has not been prepared for this instrument as it has no significant impact on the private or voluntary sectors.

(1) O.S. 2006/1641 (Cy.156).

(2) O.S. 2006/1642 (Cy.157).

(1) S.I. 2006/1641 (W.156).

(2) S.I. 2006/1642 (W.157).

2012 Rhif 531 (Cy.83)

TAI, CYMRU

**Rheoliadau Gweithdrefnau a
Ffioedd Tribiwnlys Eiddo Preswyl
(Cymru) 2012**

Gwnaed 23 Chwefror 2012

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 28 Chwefror 2012

Yn dod i rym 21 Mawrth 2012

Mae Gweinidogion Cymru, drwy arfer y pwerau a freiniwyd ynddynt(1) gan adran 250(2)(a) o Ddeddf Tai 2004(2) ac Atodlen 13 i'r Ddeddf honno, yn gwneud y Rheoliadau canlynol.

Yn unol â pharagraff 24 o Atodlen 7 i Ddeddf Tribiwnlysoedd, Llysoedd a Gorfodi 2007(3) mae Gweinidogion Cymru wedi ymgynghori â'r Cyngor Cyfiawnder Gweinyddol a Thribiwnlysoedd.

RHAN 1

CYFFREDINOL

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gweithdrefnau a Ffioedd Tribiwnlys Eiddo Preswyl (Cymru) 2012. Deuant i rym ar 21 Mawrth 2012.

(2) Mae'r Rheoliadau hyn yn gymwys i achosion gerbron tribiwnlysoedd eiddo preswyl ar gyfer penderfynu ceisiadau mewn perthynas â mangreoedd yng Nghymru.

(1) Mae'r swyddogaethau roddwyd i Gynulliad Cenedlaethol Cymru gan Ddeddf Tai 2004 yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30(2)(c) o Atodlen 11 i'r Ddeddf honno.

(2) 2004 p.34.

(3) 2007 p.15.

2012 No. 531 (W.83)

HOUSING, WALES

**The Residential Property Tribunal
Procedures and Fees (Wales)
Regulations 2012**

Made 23 February 2012

*Laid before the National
Assembly for Wales* 28 February 2012

Coming into force 21 March 2012

The Welsh Ministers, in exercise of the powers vested in them(1) by section 250(2)(a) of, and Schedule 13 to, the Housing Act 2004(2) make the following Regulations.

In accordance with paragraph 24 of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007(3) the Welsh Ministers have consulted with the Administrative Justice and Tribunals Council.

PART 1

GENERAL

Title, commencement and application

1.—(1) The title of these Regulations is the Residential Property Tribunal Procedures and Fees (Wales) Regulations 2012. They come into force on 21 March 2012.

(2) These Regulations apply to proceedings of residential property tribunals for determining applications in respect of premises in Wales.

(1) The functions conferred on the National Assembly for Wales by the Housing Act 2004 are exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30(2)(c) of Schedule 11 to the Government of Wales Act 2006 (c.32)

(2) 2004 c.34.

(3) 2007 c.15.

Dehongli

2. Yn y Rheoliadau hyn—

mae i "annedd" yr un ystyr a roddir i "dwelling" yn adran 322 o Ddeddf 1985;

ystyr "ATLl" ("*LHA*") yw awdurdod tai lleol(1);

ystyr "cais" ("*application*") yw cais neu apêl i dribiwnlys o dan—

- (a) Deddf 2004;
- (b) Rhan 9 o Ddeddf 1985; neu
- (c) Deddf 1983 (gan gynnwys unrhyw gais a wneir yn dilyn trosglwyddo unrhyw fater yn codi o gais a wnaed i'r llys o dan y Ddeddf honno),

ac y mae i "ceisydd" ("*applicant*") ystyr cyfatebol;

ystyr "cais awdurdodi GRhI" ("*IMO authorisation application*") yw cais am awdurdodiad i wneud gorchymyn rheoli interim o dan adran 102(4) neu (7) o Ddeddf 2004(2);

mae i "cartref symudol" yr un ystyr a roddir i "*mobile home*" yn adran 5(1) o Ddeddf 1983;

ystyr "cymdeithas preswylwyr gymwys" ("*qualifying residents' association*") yw cymdeithas sy'n bodloni'r gofynion a bennir yn Rhan 1 o Atodlen 1 i Ddeddf 1983;

ystyr "cynhadledd rheoli achos" ("*case management conference*") yw adolygiad cyn treial neu unrhyw gyfarfod arall a gynhelir gan dribiwnlys i'r diben o reoli'r achos mewn perthynas â chais;

ystyr "datganiad o resymau" ("*statement of reasons*") yw datganiad o resymau a baratowyd gan yr ATLl o dan adran 8 o Ddeddf 2004 (rhesymau dros benderfyniad i gymryd camau gorfodi);

ystyr "Deddf 1983" ("*the 1983 Act*") yw Deddf Cartrefi Symudol 1983(3);

Interpretation

2. In these Regulations—

"the 2004 Act" ("*Deddf 2004*") means the Housing Act 2004;

"the 1985 Act" ("*Deddf 1985*") means the Housing Act 1985(1);

"the 1983 Act" ("*Deddf 1983*") means the Mobile Homes Act 1983(2);

"application" ("*cais*") means an application or appeal to a tribunal under—

- (a) the 2004 Act;
- (b) Part 9 of the 1985 Act; or
- (c) the 1983 Act (including any application made following the transfer of any matter arising from an application to the court made under that Act),

and "applicant" ("*ceisydd*") bears a corresponding meaning;

"case management conference" ("*cynhadledd rheoli achos*") means a pre-trial review or any other meeting held by a tribunal for the purpose of managing the proceedings in respect of an application;

"dwelling" ("*annedd*") has the same meaning as in section 322 of the 1985 Act;

"dwelling-house" ("*tŷ annedd*") has the same meaning as in section 183 of the 1985 Act;

"EDMO" ("*GRhAG*") means an empty dwelling management order and it has the same meaning as in section 132 of the 2004 Act;

"IMO authorisation application" ("*cais awdurdodi GRhI*") means an application for authorisation to make an interim management order under section 102(4) or (7) of the 2004 Act(3);

(1) Ar gyfer ystyr "local housing authority" gweler adran 261(4) o Ddeddf 2004.

(2) Ar gyfer ystyr "interim management order" gweler adran 101(3) o Ddeddf 2004.

(3) Mae Deddf 1983 yn amgylfred Cymru, Lloegr a'r Alban, a diwygiwyd hi'n sylweddol o ran Cymru a Lloegr gan adrannau 206-208 o Ddeddf Tai 2004; ac o ran Cymru gan Orchymyn Deddf Cartrefi Symudol 1983 (Diwygio Atodlen 1) (Cymru) 2007 (O.S. 2007/3151) a Gorchymyn Deddf Cartrefi Symudol 1983 (Awdurdodaeth Tribiwnlysoedd Eiddo Preswyl) 2012 (O.S. 2012/899 (W.119)) ac o ran Lloegr gan Orchymyn Deddf Cartrefi Symudol 1983 (Awdurdodaeth Tribiwnlysoedd Eiddo Preswyl) (Lloegr) 2011 (O.S. 2011/1005), Gorchymyn Deddf Tai ac Adfywio 2008 (Diwygiadau Canlyniadol i Ddeddf Cartrefi Symudol 1983) 2011 (O.S. 2011/1004), a Gorchymyn Deddf Cartrefi Symudol 1983 (Diwygio Atodlen 1) (Lloegr) 2006 (O.S. 2006/1755) a Gorchymyn Deddf Cartrefi Symudol 1983 (Diwygio Atodlen 1 a Diwygiadau Canlyniadol) (Lloegr) 2011 (O.S. 2011/1003).

(1) 1985 c.68.

(2) The 1983 Act extends to England and Wales and Scotland and has been substantially amended in relation to England and Wales by sections 206-208 of the Housing Act 2004; and in relation to Wales by the Mobile Homes Act 1983 (Amendment of Schedule 1) (Wales) Order 2007 (S.I. 2007/3151) and the Mobile Homes Act 1983 (Jurisdiction of Residential Property Tribunals) (Wales) Order 2012 (S.I. 2012/899 (W.119)) and in relation to England by the Mobile Homes Act 1983 (Jurisdiction of Residential Property Tribunals) (England) Order 2011 (S.I. 2011/1005), the Housing and Regeneration Act 2008 (Consequential Amendments to the Mobile Homes Act 1983) Order 2011 (S.I. 2011/1004) and the Mobile Homes Act 1983 (Amendment of Schedule 1) (England) Order 2006 (S.I. 2006/1755) and the Mobile Homes Act 1983 (Amendment of Schedule 1 and Consequential Amendments) (England) Order 2011 (S.I. 2011/1003).

(3) For the meaning of "interim management order" see section 101(3) of the 2004 Act.

ystyr "Deddf 1985" ("*the 1985 Act*") yw Deddf Tai 1985(1);

ystyr "Deddf 2004" ("*the 2004 Act*") yw Deddf Tai 2004;

ystyr "GRhAG" yw gorchymyn rheoli annedd gwag ac mae iddo yr un ystyr a roddir i "EDMO" yn adran 132 o Ddeddf 2004;

mae i "llain" yr un ystyr a roddir i "pitch" ym Mhennod 1 o Ran 1 o Atodlen 1 i Ddeddf 1983;

ystyr "mangre" ("*premises*") yw—

- (a) mewn unrhyw gais ac eithrio cais a wneir o dan Ddeddf 1983, yr annedd y mae'r cais yn ymwneud â hi neu'r adeilad y mae'n ymwneud ag ef; a
- (b) mewn unrhyw gais a wneir o dan Ddeddf 1983, y llain, y safle a ddiogelir neu'r cartref symudol y mae'r cais yn ymwneud ag ef;

ystyr "meddiannydd" ("*occupier*"), mewn perthynas â chais a wneir o dan Ddeddf 1983, yw'r person sydd â hawl i leoli'r cartref symudol ar dir sy'n ffurfio rhan o'r safle a ddiogelir, ac i feddiannu'r cartref symudol fel unig neu brif breswylfa'r person hwnnw, o dan gytundeb y mae Deddf 1983 yn gymwys iddo;

mae i "perchennog safle" mewn perthynas â safle a ddiogelir, yr un ystyr a roddir i "owner" yn adran 5(1) o Ddeddf 1983;

ystyr "person â buddiant" ("*interested person*") mewn perthynas â chais penodol yw—

- (a) person, ac eithrio'r ceisydd, a fyddai wedi bod â hawl o dan Ddeddf 2004 neu Ddeddf 1985 (yn ôl fel y digwydd) i wneud y cais;
- (b) person y mae'n rhaid i'r ceisydd roi hysbysiad o'r cais iddo yn unol â darpariaethau canlynol Deddf 2004—
 - (i) paragraff 11(2) o Atodlen 1; neu
 - (ii) paragraff 14(2) o Atodlen 3;
- (c) person y mae'n rhaid i'r tribiwnlys roi cyfle iddo gael ei glywed yn unol â'r darpariaethau canlynol—
 - (i) adran 34(4) o Ddeddf 2004; neu
 - (ii) adran 317(2) o Ddeddf 1985;
- (ch) ac eithrio mewn perthynas â chais a wneir o dan Ddeddf 1983, yr Awdurdod Tai Lleol pan nad yw'n barti i'r cais;
- (d) y person y mae'r meddiannydd yn dymuno gwerthu neu roi cartref symudol iddo o dan baragraffau 8 neu 9 o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983; ac

"interested person" ("*person â buddiant*") means in relation to a particular application—

- (a) a person other than the applicant who would have been entitled under the 2004 Act or the 1985 Act (as the case may be) to make the application;
- (b) a person to whom notice of the application must be given by the applicant in accordance with the following provisions of the 2004 Act—
 - (i) paragraph 11(2) of Schedule 1; or
 - (ii) paragraph 14(2) of Schedule 3;
- (c) a person to whom the tribunal must give the opportunity of being heard in accordance with the following provisions—
 - (i) section 34(4) of the 2004 Act; or
 - (ii) section 317(2) of the 1985 Act;
- (d) except in relation to an application made under the 1983 Act, the Local Housing Authority, where it is not a party to the application;
- (e) the person to whom the occupier wants to sell or gift a mobile home under paragraphs 8 or 9 of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act; and
- (f) a qualifying residents' association;

"LHA" ("*ATLI*") means a local housing authority(1);

"mobile home" ("*cartref symudol*") has the same meaning as in section 5(1) of the 1983 Act;

"occupier" ("*meddiannydd*") means, in respect of an application made under the 1983 Act, the person entitled to station the mobile home on land forming part of the protected site and to occupy the mobile home as that person's only or main residence under an agreement to which the 1983 Act applies;

"pitch" ("*llain*") has the same meaning as is given in Chapter 1 of Part 1 of Schedule 1 to the 1983 Act;

"premises" ("*mangre*") means—

- (a) in any application except an application made under the 1983 Act, the dwelling or building to which the application relates; and
- (b) in any application made under the 1983 Act, the pitch, protected site or mobile home to which the application relates;

"protected site" ("*safle a ddiogelir*") has the same meaning as in section 5(1) of the 1983 Act;

"qualifying residents' association" ("*cymdeithas preswylwyr gymwys*") means an association that meets the requirements set out in Part 1 of

(1) 1985 p.68.

(1) For the meaning of "local housing authority" see section 261(4) of the 2004 Act.

(dd) cymdeithas preswylwyr gymwys;

mae i "safle a ddiogelir" yr un ystyr a roddir i "protected site" yn adran 5(1) o Ddeddf 1983;

ystyr "tribiwnlys" ("*tribunal*") yw tribiwnlys eiddo preswyl(1), ac ystyr "y tribiwnlys" ("*the tribunal*") mewn perthynas â chais yw'r tribiwnlys sydd i benderfynu'r cais;

mae i "tŷ annedd" yr un ystyr a roddir i "dwelling-house" yn adran 183 o Ddeddf 1985; ac

ystyr "yr ymatebydd" ("*the respondent*"), mewn perthynas â phob cais y mae paragraff yn yr Atodlen i'r Rheoliadau hyn yn gymwys iddo, yw'r person neu'r personau, neu un o'r personau, a bennir yn is-baragraff (3) o'r paragraff hwnnw.

Schedule 1 to the 1983 Act;

"the respondent" ("*yr ymatebydd*") means, in respect of each application to which a paragraph of the Schedule to these Regulations applies, the person or persons, or one of the persons, specified in sub-paragraph (3) of that paragraph;

"site owner" ("*perchennog safle*") in relation to a protected site, has the same meaning as "owner" in section 5(1) of the 1983 Act;

"statement of reasons" ("*datganiad o resymau*") means a statement of reasons prepared by the LHA under section 8 of the 2004 Act (reasons for decision to take enforcement action); and

"tribunal" ("*tribiwnlys*") means a residential property tribunal(1), and "the tribunal" ("*y tribiwnlys*") in relation to an application means the tribunal by which the application is to be determined.

RHAN 2

GWEITHDREFNAU TRIBIWNLYS EIDDO PRESWYL

Y prif amcan a dyletswydd y partïon i gydweithredu â'r tribiwnlys

3.—(1) Pan fo tribiwnlys—

- (a) yn arfer unrhyw bŵer o dan y Rheoliadau hyn; neu
- (b) yn dehongli unrhyw reoliad,

rhaid i'r tribiwnlys geisio rhoi effaith i'r prif amcan o ymdrin yn deg a chyfiawn â'r ceisiadau sydd i'w penderfynu ganddo.

(2) Mae ymdrin yn deg a chyfiawn â chais yn cynnwys—

- (a) ymdrin â'r cais mewn ffyrdd sy'n gymesur â chymhlethdod y materion sy'n codi ynddo ac ag adnoddau'r partïon;
- (b) sicrhau, hyd y bo'n ymarferol, fod y partïon ar yr un gwastad â'i gilydd o safbwynt y weithdrefn ac y gallant gymryd rhan gyflawn yn yr achos;
- (c) cynorthwyo unrhyw barti gyda chyflwyno achos y parti hwnnw heb argymell pa lwybr y dylai'r parti hwnnw ei ddilyn;

PART 2

RESIDENTIAL PROPERTY TRIBUNAL PROCEDURES

The overriding objective and parties' obligation to co-operate with the tribunal

3.—(1) When a tribunal—

- (a) exercises any power under these Regulations; or
- (b) interprets any regulation,

it must seek to give effect to the overriding objective of dealing fairly and justly with applications which it is to determine.

(2) Dealing with an application fairly and justly includes—

- (a) dealing with it in ways which are proportionate to the complexity of the issues and to the resources of the parties;
- (b) ensuring, so far as practicable, that the parties are on an equal footing procedurally and are able to participate fully in the proceedings;
- (c) assisting any party in the presentation of the party's case without advocating the course the party should take;

(1) Drwy adran 229 o Ddeddf Tai 2004 (p.34) mae unrhyw awdurdodaeth tribiwnlys eiddo preswyl drwy neu o dan unrhyw ddeddfiad yn arferadwy gan bwyllgor asesu rhenti a gyfansoddwyd yn unol ag Atodlen 10 i Ddeddf Rhenti 1977 (p.42).

(1) By section 229 of the Housing Act 2004 (c.34) any jurisdiction of a residential property tribunal by or under any enactment is exercisable by a rent assessment committee constituted in accordance with Schedule 10 to the Rent Act 1977 (c.42).

- (ch) defnyddio arbenigedd neilltuol y tribiwnlys yn effeithiol; a
- (d) osgoi oedi, i'r graddau y mae hynny'n gydnaws â rhoi ystyriaeth briodol i'r materion dan sylw.

(3) Rhaid i'r partïon—

- (a) cynorthwyo'r tribiwnlys i hyrwyddo'r prif amcan; a
- (b) cydweithredu â'r tribiwnlys yn gyffredinol.

Gofyn am estyn yr amser a ganiateir ar gyfer gwneud cais

4.—(1) Mae'r rheoliad hwn yn gymwys pan fo person yn gofyn i dribiwnlys am ganiatâd i wneud cais ar ôl diwedd y cyfnod a bennir yn Neddf 2004 neu Ddeddf 1983 fel y cyfnod mae'n rhaid gwneud y cais oddi mewn iddo.

(2) Yn achos cais am estyniad y mae'r rheoliad hwn yn gymwys iddo, rhaid—

- (a) gwneud y cais am estyniad mewn ysgrifen;
- (b) rhoi'r rhesymau pam na wnaed y cais cyn diwedd y cyfnod hwnnw ac esbonio unrhyw oedi pellach a ddigwyddodd ers hynny;
- (c) cynnwys datganiad bod y person sy'n gwneud y cais am estyniad yn credu bod yr holl ffeithiau a fynegir yn y cais am estyniad yn wir; ac

(ch) dyddio a llofnodi'r cais am estyniad.

(3) Pan wneir cais am estyniad fel y crybwyllir ym mharagraff (1), rhaid i'r ceisydd ar yr un pryd anfon at y tribiwnlys y cais cyflawn y gofynnir am yr estyniad mewn perthynas ag ef.

(4) Caiff aelod cymwysedig unigol o'r panel(1) ganiatáu neu wrthod cais am estyniad a wneir o dan baragraff (1).

Terfyn ar nifer y lleiniau, cartrefi symudol neu gyfeiriadau mewn cais unigol o dan Ddeddf 1983

5.—(1) Pan fo cais i dribiwnlys ar gyfer penderfynu unrhyw gwestiwn sy'n codi o dan Ddeddf 1983 yn ymwneud â mwy nag un llain neu gartref symudol, ni chaiff y cais gyfeirio at fwy nag un ddarpariaeth o Ddeddf 1983.

(2) Ni chaiff cais, a wneir i dribiwnlys ar gyfer penderfynu unrhyw gwestiwn sy'n codi o dan Ddeddf 1983, ymwneud â mwy nag 20 o leiniau neu gartrefi symudol.

- (d) using the tribunal's special expertise effectively; and
- (e) avoiding delay, so far as is compatible with proper consideration of the issues.

(3) Parties must—

- (a) help the tribunal to further the overriding objective; and
- (b) co-operate with the tribunal generally.

Request for extension of time to make an application

4.—(1) This regulation applies where a person makes a request to a tribunal for permission to make an application after the end of the period stipulated in the 2004 Act or the 1983 Act as the period within which the application must be made.

(2) A request to which this regulation applies must—

- (a) be in writing;
- (b) give reasons for the failure to make the application before the end of that period and for any delay since then;
- (c) include a statement that the person making the request believes that the facts stated in it are true; and

(d) be dated and signed.

(3) Where a request mentioned in paragraph (1) is made, the applicant must at the same time send the completed application to which the request relates to the tribunal.

(4) A single qualified member of the panel(1) may grant or refuse a request made under paragraph (1).

Limit on the number of pitches, mobile homes or references on a single application under the 1983 Act

5.—(1) Where an application to a tribunal to determine any question arising under the 1983 Act relates to more than one pitch or mobile home, the application may refer to only one provision of the 1983 Act.

(2) No application to a tribunal to determine any question arising under the 1983 Act may relate to more than 20 pitches or mobile homes.

(1) Ar gyfer ystyr "single qualified member of the panel" gweler paragraff 6(2) i (4) o Atodlen 13 i Ddeddf Tai 2004.

(1) For the meaning of "single qualified member of the panel" see paragraph 6(2) to (4) of Schedule 13 to the Housing Act 2004.

Manylion cais

6.—(1) Rhaid i gais fod mewn ysgrifen, a rhaid iddo gynnwys y manylion canlynol—

- (a) enw a chyfeiriad y ceisydd;
- (b) enw a chyfeiriad yr ymatebydd, os yw'r manylion hynny'n hysbys i'r ceisydd, neu, os nad ydynt yn hysbys, disgrifiad o gysylltiad yr ymatebydd â'r fangre;
- (c) cyfeiriad y fangre;
- (ch) cysylltiad y ceisydd â'r fangre;
- (d) rhesymau'r ceisydd dros wneud y cais, gan gynnwys pa rwymedi a geisir;
- (dd) os ydynt yn hysbys i'r ceisydd, enw a chyfeiriad unrhyw berson â buddiant;
- (e) datganiad bod y ceisydd yn credu bod y ffeithiau a fynegir yn y cais yn wir;
- (f) llofnod y ceisydd a'r dyddiad; ac
- (ff) mewn perthynas â phob cais y mae paragraff yn yr Atodlen i'r Rheoliadau hyn yn gymwys iddo, y dogfennau a bennir yn is-baragraff (2) o'r paragraff hwnnw.

(2) Ceir hepgor unrhyw rai o'r gofynion ym mharagraff (1) neu eu lliniaru os bodlonir y tribiwnlys—

- (a) bod y manylion a'r dogfennau a gynhwysir gyda chais yn ddigonol i ddangos bod y cais yn un y caniateir ei wneud i dribiwnlys; a
- (b) na fyddid yn rhagfarnu, neu nad yw'n debygol y byddid yn rhagfarnu, unrhyw barti i'r cais o ganlyniad i hepgor neu liniaru felly.

(3) Caiff aelod cymwysedig unigol o'r panel arfer y pŵer a roddir gan baragraff (2).

Ceisiadau yn dilyn trosglwyddo cais a wnaed o dan Ddeddf 1983 o'r llys i dribiwnlys

7.—(1) Pan fo llys yn trosglwyddo i dribiwnlys unrhyw fater sy'n codi o gais a wnaed i'r llys o dan Ddeddf 1983, rhaid i'r ceisydd, yn ychwanegol at gydymffurfio â'r gofynion a gynhwysir yn rheoliad 6(1), gynnwys yn y cais gopi o'r gorchymyn llys a drosglwyddodd y mater.

(2) Caiff y tribiwnlys hepgor neu liniaru unrhyw rai o'r gofynion a gynhwysir ym mharagraff (1) os bodlonir y tribiwnlys ei fod wedi cael manylion a dogfennau digonol gan y llys i ddangos bod y cais yn un y caniateir ei wneud i dribiwnlys.

(3) Caiff aelod cymwysedig unigol o'r panel arfer y pŵer a roddir gan baragraff (2).

Particulars of application

6.—(1) An application must be in writing and must contain the following particulars—

- (a) the name and address of the applicant;
- (b) the name and address of the respondent where known to the applicant or, where not known, a description of the respondent's connection with the premises;
- (c) the address of the premises;
- (d) the applicant's connection with the premises;
- (e) the applicant's reasons for making the application including the remedy sought;
- (f) where known to the applicant, the name and address of any interested person;
- (g) a statement that the applicant believes that the facts stated in the application are true;
- (h) be dated and signed; and
- (i) in respect of each application to which a paragraph in the Schedule to these Regulations applies, the documents specified in subparagraph (2) of that paragraph.

(2) Any of the requirements contained in paragraph (1) may be dispensed with or relaxed if the tribunal is satisfied that—

- (a) the particulars and documents contained in an application are sufficient to establish that the application is one which may be made to a tribunal; and
- (b) no prejudice will be, or is likely to be, caused to any party to the application as a result of such dispensation or relaxation.

(3) A single qualified member of the panel may exercise the power conferred by paragraph (2).

Applications following transfer of application made under the 1983 Act from the court to a tribunal

7.—(1) Where a court transfers to a tribunal any matter arising from an application to the court made under the 1983 Act, the applicant must, in addition to complying with the requirements contained in regulation 6(1), include in the application a copy of the court order by which the matter was transferred.

(2) The tribunal may dispense with or relax any of the requirements contained in paragraph (1) if the tribunal is satisfied that it has received sufficient particulars and documents from the court to establish that the application is one which may be made to a tribunal.

(3) A single qualified member of the panel may exercise the power conferred by paragraph (2).

Cydnabod derbyn cais a hysbysu ynghylch cais gan driwlynlys

8.—(1) Cyn gynted ag y bo'n ymarferol ar ôl cael y cais, rhaid i'r triwlynlys—

- (a) anfon at y ceisydd i gydnabod bod y cais wedi dod i law; a
- (b) anfon copi o'r cais ac o bob dogfen a gyflwynwyd gyda'r cais at yr ymatebydd.

(2) Ac eithrio mewn achos y mae rheoliad 10 neu 11 yn gymwys iddo, rhaid i'r triwlynlys anfon hefyd hysbysiad at yr ymatebydd sydd—

- (a) yn pennu erbyn pa ddyddiad y mae'n rhaid i'r ymatebydd anfon yr ateb a grybwyllir yn rheoliad 9;
- (b) yn pennu bod rhaid i unrhyw ymateb gynnwys—
 - (i) datganiad pa un a yw'r ymatebydd yn bwriadu gwrthwynebu'r cais ai peidio;
 - (ii) os na chynhwyswyd hwy eisoes yn y cais, enwau a chyfeiriadau pob person â buddiant sy'n hysbys i'r ymatebydd; a
 - (iii) y cyfeiriad lle dylid anfon dogfennau at ddibenion yr achos; ac
- (c) yn rhybuddio'r ymatebydd, os na fydd yr ymatebydd yn ateb erbyn y dyddiad penodedig, a chyda'r wybodaeth benodedig, y caiff y triwlynlys—
 - (i) rhagdybio nad yw'r ymatebydd yn bwriadu gwrthwynebu'r cais; a
 - (ii) mynd ymlaen â'r mater mewn unrhyw ffordd a ystyrir yn rhesymol gan y triwlynlys o dan amgylchiadau'r achos.

(3) Ni chaiff y dyddiad penodedig yn yr hysbysiad y cyfeirir ato ym mharagraff (2) fod yn llai na 14 diwrnod ar ôl y dyddiad a bennir yn yr hysbysiad fel y dyddiad y gwnaed yr hysbysiad.

Ateb gan yr ymatebydd

9.—(1) Pan fo ymatebydd yn cael yr hysbysiad a grybwyllir yn rheoliad 8(2), rhaid i'r ymatebydd, erbyn y dyddiad a bennir yn yr hysbysiad, anfon ateb ysgrifenedig at y triwlynlys, yn cydnabod iddo gael y copïau o'r dogfennau a anfonwyd yn unol â rheoliad 8(1)(b) ac yn darparu'r wybodaeth sy'n ofynnol o dan reoliad 8(2).

(2) Os yw'r ymatebydd yn peidio ag ateb erbyn y dyddiad a bennir yn yr hysbysiad a grybwyllir yn rheoliad 8(2) neu'n peidio â darparu'r wybodaeth sy'n ofynnol o dan y paragraff hwnnw, caiff y triwlynlys fynd ymlaen â'r mater mewn unrhyw ffordd a ystyrir yn rhesymol gan y triwlynlys o dan amgylchiadau'r achos.

Acknowledgement and notification of application by tribunal

8.—(1) As soon as practicable after receiving the application, the tribunal must—

- (a) send an acknowledgement of receipt to the applicant; and
- (b) send a copy of the application and of each document accompanying it to the respondent.

(2) Except in a case to which regulation 10 or 11 applies, the tribunal must also send to the respondent a notice—

- (a) specifying the date by which the respondent must send the reply mentioned in regulation 9;
- (b) specifying that any response must include—
 - (i) a statement as to whether or not the respondent intends to oppose the application;
 - (ii) where not already included in the application, the name and address of each interested person known to the respondent; and
 - (iii) the address to which documents should be sent for the purposes of the proceedings; and
- (c) warning the respondent that if the respondent does not respond by the date specified, and with the information specified the tribunal may—
 - (i) assume that the respondent does not intend to oppose the application; and
 - (ii) proceed with the matter in any way it considers to be reasonable in the circumstances of the case.

(3) The date specified in the notice referred to in paragraph (2) must not be less than 14 days after the date specified in the notice as the date on which it was made.

Reply by respondent

9.—(1) Where a respondent receives the notice mentioned in regulation 8(2), the respondent must by the date specified in the notice send to the tribunal a written reply acknowledging receipt of the copy documents sent in accordance with regulation 8(1)(b) and provide the information required under regulation 8(2).

(2) Where the respondent fails to respond by the date specified in the notice mentioned in regulation 8(2) or fails to provide the information required under that paragraph, the tribunal may proceed with the matter in any way it considers to be reasonable in the circumstances of the case.

Ceisiadau brys am awdurdodiad GRhI

10.—(1) Mae'r rheoliad hwn yn gymwys pan fo'r ATLL yn gofyn i dribiwnlys ymdrin â chais am awdurdodiad GRhI fel mater brys.

(2) Os yw'n ymddangos i'r tribiwnlys, ar sail yr wybodaeth a gyflwynwyd gyda'r cais, fod yr amgylchiadau eithriadol a grybwyllir ym mharagraff (3) yn bodoli, rhaid i'r tribiwnlys orchymyn cynnal gwrandawriad llafar ("gwrandawriad llafar brys").

(3) Yr amgylchiadau eithriadol yw'r canlynol—

- (a) bod bygythiad di-oed i iechyd a diogelwch meddianwyr y tŷ neu i bersonau sy'n meddiannu, neu sydd ag ystad neu fuddiant mewn, unrhyw fangre yng nghyffiniau'r tŷ; a
- (b) byddai gwneud y gorchymyn rheoli interim cyn gynted ag y bo modd (ynghyd, pan fo'n gymwys, â pha bynnag fesurau eraill y bwriada'r ATLL eu cymryd) yn galluogi'r ATLL i gymryd camau priodol yn ddi-oed i atal y bygythiad neu leihau'r bygythiad yn sylweddol.

(4) Rhaid i'r tribiwnlys, cyn gynted ag y bo'n ymarferol, hysbysu'r partïon, a phob person â buddiant y mae ei enw a'i gyfeiriad yn hysbys i'r tribiwnlys, o'r canlynol—

- (a) yr ymdrinnir â'r cais fel mater brys o dan y rheoliad hwn;
- (b) y rhesymau pam y mae'n ymddangos i'r tribiwnlys fod yr amgylchiadau eithriadol yn bodoli;
- (c) unrhyw ofyniad sydd i'w fodloni gan barti cyn y gwrandawriad; ac
- (ch) y dyddiad pan gynhelir y gwrandawriad llafar brys.

(5) Ni chaiff dyddiad y gwrandawriad fod yn llai na 4 diwrnod, nac yn fwy na 10 diwrnod, ar ôl y dyddiad yr anfonir yr hysbysiad o'r gwrandawriad llafar brys.

(6) Yn y gwrandawriad llafar brys, rhaid i'r tribiwnlys—

- (a) os bodlonir y tribiwnlys, ar ôl clywed tystiolaeth, fod yr amgylchiadau eithriadol yn bodoli, penderfynu'r cais; neu
- (b) os na fodlonir y tribiwnlys felly—
 - (i) gohirio'r gwrandawriad; a
 - (ii) rhoi pa bynnag gyfarwyddiadau a ystyrir yn briodol gan y tribiwnlys.

(7) Caiff aelod cymwysedig unigol o'r panel—

- (a) arfer y pŵer a roddir gan baragraff (2); a
- (b) penderfynu dyddiad y gwrandawriad llafar brys.

Urgent IMO authorisation applications

10.—(1) This regulation applies where the LHA requests a tribunal to deal with an IMO authorisation application as a matter of urgency.

(2) Where it appears to the tribunal, on the basis of information accompanying the application, that the exceptional circumstances mentioned in paragraph (3) exist, it must order that an oral hearing (an "urgent oral hearing") be held.

(3) The exceptional circumstances are that—

- (a) there is an immediate threat to the health and safety of the occupiers of the house or to persons occupying or having an estate or interest in any premises in the vicinity of the house; and
- (b) by making the interim management order as soon as possible (together where applicable with such other measures as the LHA intends to take) the LHA will be able to take immediate appropriate steps to arrest or significantly reduce the threat.

(4) The tribunal must as soon as practicable notify the parties and each interested person whose name and address have been notified to it—

- (a) that the application is being dealt with as a matter of urgency under this regulation;
- (b) of the reasons why it appears to the tribunal that the exceptional circumstances exist;
- (c) of any requirement to be satisfied by a party before the hearing; and
- (d) of the date on which the urgent oral hearing will be held.

(5) The date of the hearing must be not less than 4 days, and not more than 10 days, after the date that notification of the urgent oral hearing is sent.

(6) At the urgent oral hearing the tribunal must—

- (a) if it is satisfied upon hearing evidence that the exceptional circumstance do exist, determine the application; or
- (b) if it is not so satisfied—
 - (i) adjourn the hearing; and
 - (ii) give such directions as it considers appropriate.

(7) A single qualified member of the panel may—

- (a) exercise the power conferred by paragraph (2); and
- (b) decide the date of the urgent oral hearing.

(8) Pan fo'r tribiwnlys yn gorchymyn cynnal gwrandawriad llafar brys o dan baragraff (2), nid yw'r darpariaethau hysbysu a gynhwysir yn y rheoliadau canlynol yn gymwys i'r cais—

- (a) rheoliad 24(5) (hysbysu ynghylch archwiliad); a
- (b) rheoliad 28(2) a (4) (hysbysu ynghylch gwrandawriad).

Ceisiadau brys o dan Ddeddf 1983 mewn perthynas â gwerthu neu roi cartref symudol

11.—(1) Mae'r rheoliad hwn yn gymwys pan fo ceisydd yn gofyn i dribiwnlys, fel mater brys—

- (a) ymdrin â chais o dan baragraff 8(1E) (gwerthu cartref symudol) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 at ddibenion paragraff 8(1) neu 9(1) (gwerthu neu roi cartref symudol) o'r Bennod honno; neu
- (b) penderfynu, o dan adran 4(2) (awdurdodaeth tribiwnlys) o Ddeddf 1983, y cwestiwn pa un a oedd yn rhesymol i'r perchennog wrthod cymeradwyo person at ddibenion paragraff 8(1) neu 9(1) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983.

(2) Os bodlonir tribiwnlys, ar sail tystiolaeth a anfonwyd ynghyd â'r cais, fod yr amgylchiadau eithriadol a grybwyllir ym mharagraff (3) yn bodoli, rhaid i'r tribiwnlys orchymyn cynnal gwrandawriad llafar ("gwrandawriad llafar brys").

(3) Yr amgylchiadau eithriadol yw'r canlynol—

- (a) naill ai—
 - (i) nad yw perchennog y safle wedi ymateb i'r hysbysiad a gyflwynwyd i berchennog y safle ar gyfer cymeradwyo person o dan baragraff 8(1A) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 at ddibenion paragraff 8(1) neu 9(1) o'r Bennod honno; neu
 - (ii) nad yw perchennog y safle wedi rhoi ei gymeradwyaeth at ddibenion paragraff 8(1) neu 9(1) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 ac mae'r ceisydd o'r farn bod gwrthodiad perchennog y safle yn afresymol;
- (b) bod y person y gofynnodd y ceisydd i berchennog y safle ei gymeradwyo o dan baragraff 8 neu 9 yn barod, yn fodlon ac yn abl i fod yn feddiannydd y cartref symudol;
- (c) bodlonwyd y tribiwnlys y cwblheir pryniant y cartref symudol, neu y caiff ei roi a'i aseinio i'r person hwnnw gyda chyn lleied o oedi ag y bo modd, os rhoddir cymeradwyaeth o dan baragraff 8 neu 9; ac
- (ch) bod y ceisydd wedi darparu tystiolaeth i'r tribiwnlys, sy'n dynodi—

(8) Where the tribunal orders an urgent oral hearing under paragraph (2) the notice provisions contained in the following regulations do not apply to the application—

- (a) regulation 24(5) (notice for an inspection); and
- (b) regulation 28(2) and (4) (notice of hearing).

Urgent applications under the 1983 Act relating to sale or gift of a mobile home

11.—(1) This regulation applies where an applicant requests a tribunal, as a matter of urgency—

- (a) to deal with an application under paragraph 8(1E) (sale of mobile home) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act for the purposes of paragraph 8(1) or 9(1) (sale or gift of mobile home) of that Chapter; or
- (b) to determine under section 4(2) (jurisdiction of a tribunal) of the 1983 Act the question whether it was reasonable for the owner not to approve a person for the purposes of paragraph 8(1) or 9(1) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act.

(2) Where a tribunal is satisfied, on the basis of evidence accompanying the application, that the exceptional circumstances mentioned in paragraph (3) exist, it must order that an oral hearing (an "urgent oral hearing") be held.

(3) The exceptional circumstances are that—

- (a) the site owner either—
 - (i) has not responded to the notice served on the site owner to approve a person under paragraph 8(1A) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act for the purposes of paragraph 8(1) or 9(1) of that Chapter; or
 - (ii) did not give approval for the purposes of paragraph 8(1) or 9(1) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act and the applicant considers that the site owner's refusal was unreasonable;
- (b) the person whom the applicant has asked the site owner to approve under paragraph 8 or 9 is ready, willing and able to become the occupier of the mobile home;
- (c) the tribunal is satisfied that, subject to approval being given under paragraph 8 or 9, the purchase or gift of the mobile home and its assignment to that person will be completed with minimum delay; and
- (d) the applicant has provided evidence to the tribunal indicating that—

- (i) bod perchennog y safle, yn flaenorol, wedi gwrthod yn afresymol rhoi cymeradwyaeth o dan baragraff 8 neu 9 mewn perthynas â chartref symudol ar safle a ddiogelir a oedd yn eiddo i'r perchennog safle hwnnw; neu
- (ii) bod person, yn flaenorol, wedi peidio â mynd ymlaen â phrynu neu roi cartref symudol ar y safle a ddiogelir y lleolir y cartref symudol arno, a hynny o ganlyniad i weithredoedd neu eiriau perchennog y safle.

(4) Rhaid i'r tribiwnlys, cyn gynted ag y bo'n ymarferol, hysbysu'r partïon, a phob person â buddiant y mae ei enw a'i gyfeiriad yn hysbys i'r tribiwnlys, o'r canlynol—

- (a) yr ymdrinnir â'r cais fel mater brys o dan y rheoliad hwn;
- (b) y rhesymau pam y mae'n ymddangos i'r tribiwnlys fod yr amgylchiadau eithriadol yn bodoli;
- (c) unrhyw ofyniad sydd i'w fodloni gan barti cyn y gwrandawriad; ac
- (ch) y dyddiad pan gynhelir y gwrandawriad llafar brys.

(5) Rhaid pennu dyddiad y gwrandawriad llafar brys cyntaf ddim llai na 4 diwrnod, a dim mwy na 10 diwrnod, ar ôl y dyddiad yr anfonir yr hysbysiad o'r gwrandawriad llafar brys.

(6) Yn y gwrandawriad llafar brys, rhaid i'r tribiwnlys—

- (a) os bodlonir y tribiwnlys, ar ôl clywed tystiolaeth, fod yr amgylchiadau eithriadol yn bodoli, penderfynu'r cais; neu
- (b) os na fodlonir y tribiwnlys felly—
 - (i) gohirio'r gwrandawriad; a
 - (ii) rhoi pa bynnag gyfarwyddiadau a ystyrir yn briodol gan y tribiwnlys.

(7) Os gohirir gwrandawriad llafar brys a bennwyd o dan baragraff (5), ni chaiff y dyddiad nesaf a bennir ar gyfer unrhyw wrandawriad dilynol fod yn ddiweddarach na 7 diwrnod ar ôl dyddiad y gohiriad blaenorol.

(8) Pan fo'r tribiwnlys yn gorchymyn cynnal gwrandawriad llafar brys, nid yw'r darpariaethau hysbysu a gynhwysir yn y rheoliadau canlynol yn gymwys i'r cais—

- (a) rheoliad 24(5) (hysbysu ynghylch archwiliad); a
- (b) rheoliad 28(2) a (4) (hysbysu ynghylch gwrandawriad).

(9) Caiff aelod cymwysedig unigol o'r panel—

- (a) arfer y pŵer a roddir gan baragraff (2); a

- (i) the site owner has previously unreasonably withheld approval under paragraph 8 or 9 in respect of a mobile home on a protected site belonging to that site owner; or
- (ii) a person has previously declined to proceed with the purchase or gift of a mobile home on the protected site on which the mobile home is situated as a result of the actions or words of the site owner.

(4) The tribunal must as soon as practicable notify the parties and each interested person whose name and address have been notified to it—

- (a) that the application is being dealt with as a matter of urgency under this regulation;
- (b) of the reasons why it appears to the tribunal that the exceptional circumstances exist;
- (c) of any requirement to be satisfied by a party before the hearing; and
- (d) of the date of the urgent oral hearing.

(5) The date of the first urgent oral hearing must be set to take place not less than 4 days, and not more than 10 days, after the date on which notification of the urgent oral hearing is sent.

(6) At the urgent oral hearing the tribunal must—

- (a) if it is satisfied upon hearing evidence that the exceptional circumstances exist, determine the application; or
- (b) if it is not so satisfied—
 - (i) adjourn the hearing; and
 - (ii) give such directions as it considers appropriate.

(7) Where an urgent oral hearing set under paragraph (5) is adjourned, the next date set for any subsequent hearing must be not later than 7 days following the date of the previous adjournment.

(8) Where the tribunal orders an urgent oral hearing the notice provisions contained in the following regulations do not apply to the application—

- (a) regulation 24(5) (notice for an inspection); and
- (b) regulation 28(2) and (4) (notice of hearing).

(9) A single qualified member of the panel may—

- (a) exercise the powers conferred by paragraph (2); and

- (b) penderfynu dyddiad y gwrandawriad llafar brys.

Ceisiadau o dan Ddeddf 1983 mewn perthynas ag effaith niweidiol cartrefi symudol ar amwynder y safle

12.—(1) Mae'r rheoliad hwn yn gymwys pan wneir cais gan berchennog safle am benderfyniad gan dribiwnlys o dan baragraff 5A(2)(a) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 fod cartref symudol, o ystyried ei gyflwr, yn cael effaith niweidiol ar amwynder y safle.

(2) Os yw'r tribiwnlys, yn ystod gwrandawriad, o'r farn bod y cartref symudol yn cael effaith niweidiol ar amwynder y safle ond y byddai'r cartref symudol yn peidio â chael effaith niweidiol o'r fath pe gwneid atgyweiriadau penodol i'r cartref symudol, rhaid i'r tribiwnlys—

- (a) rhoi gwybod i berchennog y safle a'r meddiannydd pa atgyweiriadau, ym marn y tribiwnlys, y dylid eu gwneud;
- (b) gwahodd meddiannydd y cartref symudol a pherchennog y safle i ddynodi, mewn perthynas â'r atgyweiriadau hynny—
 - (i) yr amser y byddai ei angen i'w cyflawni; a
 - (ii) y gost o'u cyflawni; ac
- (c) gwahodd meddiannydd y cartref symudol i ddynodi a fyddai'n fodlon cyflawni'r atgyweiriadau hynny ai peidio.

(3) Rhaid i'r tribiwnlys, gan ystyried unrhyw ddynodiadau a roddir o dan baragraff (2)(b) ac (c), naill ai—

- (a) gwneud penderfyniad o dan baragraff 5A(2)(a) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983; neu
- (b) os yw paragraff 5A(4) o Bennod 2 o Ran 1 o'r Atodlen honno yn gymwys, gwneud gorchymyn interim sy'n gwneud yn ofynnol bod meddiannydd y cartref symudol yn cyflawni atgyweiriadau o'r fath o fewn y cyfryw amser a ystyrir yn rhesymol gan y tribiwnlys.

(4) Pan fo'r tribiwnlys yn gwneud gorchymyn interim o dan baragraff (3)(b), rhaid iddo ohirio'r gwrandawriad a phennu dyddiad ar gyfer gwrandawriad newydd, na chaiff fod yn ddiweddarach na 7 diwrnod ar ôl y dyddiad a bennir yn y gorchymyn fel y dyddiad erbyn pryd y mae'n rhaid cwblhau'r atgyweiriadau.

(5) Wrth bennu dyddiad newydd ar gyfer gwrandawriad o dan baragraff (4), rhaid i'r tribiwnlys—

- (a) rhoi i'r partïon ddim llai na 14 diwrnod o rybudd o ddyddiad y gwrandawriad; a
- (b) gwahodd perchennog y safle a'r meddiannydd i ddynodi, ddim hwyrach na 4 diwrnod cyn dyddiad y gwrandawriad newydd, pa un a yw'r

- (b) decide the date of any urgent oral hearing.

Applications under the 1983 Act relating to detrimental effect of mobile homes on the amenity of the site

12.—(1) This regulation applies where a site owner applies for a determination by a tribunal under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act that, having regard to its condition, the mobile home is having a detrimental effect on the amenity of the site.

(2) Where, in the course of a hearing, the tribunal considers that the mobile home is having a detrimental effect on the amenity of the site, but that if certain repairs to the mobile home were carried out, the mobile home would cease to have such a detrimental effect, it must—

- (a) inform the site owner and the occupier of the repairs which the tribunal considers should be carried out;
- (b) invite both the occupier of the mobile home and the site owner to indicate in relation to those repairs—
 - (i) the time needed to carry them out; and
 - (ii) the cost of carrying them out; and
- (c) invite the occupier of the mobile home to indicate whether or not the occupier would be willing to carry out those repairs.

(3) The tribunal, having regard to any indications given under paragraph (2)(b) and (c) must either—

- (a) make a determination under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act; or
- (b) where paragraph 5A(4) of Chapter 2 of Part 1 of that Schedule applies, make an interim order requiring the occupier of the mobile home to carry out such repairs within such time as the tribunal considers reasonable.

(4) Where the tribunal makes an interim order under paragraph (3)(b), it must adjourn the hearing and set the date of a new hearing, which must be no later than 7 days from the date stipulated in the order as the date by which the repairs must be carried out.

(5) When setting a new hearing date under paragraph (4), the tribunal must—

- (a) give the parties not less than 14 days' notice of the hearing date; and
- (b) invite both the site owner and the occupier to indicate, no later than 4 days before the new hearing date, whether (in their opinion) the

atgyweiriadau a ddisgrifir yn y gorchymyn (yn eu barn hwy) wedi eu cwblhau ai peidio.

(6) Yn y gwrandawriad newydd—

- (a) os yw'r tribiwnlys wedi ei hysbysu, gan feddiannydd y cartref symudol a hefyd gan berchennog y safle, fod yr atgyweiriadau a orchynnwyd o dan baragraff (3)(b) wedi eu cwblhau, rhaid i'r tribiwnlys wrthod y cais;
- (b) os nad yw'r tribiwnlys wedi ei hysbysu felly, rhaid iddo wahodd unrhyw barti sy'n bresennol i wneud sylwadau pellach ynghylch maint yr atgyweiriadau sy'n aros heb eu cwblhau a'r amser y byddai ei angen i'w cyflawni; ac
- (c) ar ôl ystyried unrhyw sylwadau o'r fath, rhaid i'r tribiwnlys naill ai gwneud gorchymyn interim pellach o dan baragraff (3)(b) o'r rheoliad hwn neu wneud penderfyniad o dan baragraff 5A(2)(a) o Bennod 2 o Ran 1 o Atodlen i Ddeddf 1983.

Cais gan berson am gael ei drin fel ceisydd neu ymatebydd

13.—(1) Caiff person ("y parti posibl") wneud cais i'r tribiwnlys am gael ymuno fel parti i'r achos.

(2) Yn achos unrhyw gais am gael ymuno o dan baragraff (1)—

- (a) caniateir ei wneud heb roi rhybudd;
- (b) rhaid iddo fod mewn ysgrifen;
- (c) rhaid iddo gynnwys rhesymau dros wneud y cais am gael ymuno; ac
- (ch) rhaid iddo bennu pa un a yw'r parti posibl yn dymuno cael ei drin—
 - (i) fel ceisydd; neu
 - (ii) fel ymatebydd.

(3) Caiff tribiwnlys wrthod cais am gael ymuno o dan baragraff (1) os na fodlonir y tribiwnlys fod y parti posibl yn berson â buddiant neu'n berson sydd â buddiant digonol yng nghanlyniad yr achos.

(4) Cyn gynted ag y bo'n ymarferol ar ôl cyrraedd ei benderfyniad naill ai i ganiatáu neu wrthod cais am gael ymuno o dan baragraff (1), rhaid i'r tribiwnlys—

- (a) hysbysu'r parti posibl ynghylch y penderfyniad a'r rhesymau drosto; a
- (b) anfon copi o'r hysbysiad at y partiön a oedd eisoes wedi eu cynnwys yn yr achos.

(5) Rhaid trin unrhyw barti posibl, y caniateir ei gais am gael ymuno o dan baragraff (1), fel ceisydd neu ymatebydd at ddibenion y Rheoliadau hyn.

(6) Yn y Rheoliadau hyn, rhaid dehongli unrhyw gyfeiriad at geisydd neu ymatebydd fel pe bai'n cynnwys person a drinnir fel y cyfryw o dan y rheoliad hwn, a rhaid dehongli unrhyw gyfeiriad at barti fel pe

repairs described in the order have been completed.

(6) At the new hearing—

- (a) if the tribunal has received notification from both the occupier of the mobile home and the site owner that the repairs ordered under paragraph (3)(b) have been completed, the tribunal must dismiss the application;
- (b) if the tribunal has not received such notification it must invite any party who is present to make any further representations as to the extent of repairs left to be carried out and the time needed to carry them out; and
- (c) having considered any such representations, it must either make a further interim order under paragraph (3)(b) of this regulation or make a determination under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act.

Request by a person to be treated as an applicant or respondent

13.—(1) A person ("the potential party") may make a request to the tribunal to be joined as a party to the proceedings.

(2) Any request under paragraph (1)—

- (a) may be made without notice;
- (b) must be in writing;
- (c) must give reasons for the request; and
- (d) must specify whether the potential party wishes to be treated as—
 - (i) an applicant; or
 - (ii) a respondent.

(3) A tribunal may refuse a request under paragraph (1) where the tribunal is not satisfied that the potential party is an interested person or a person who has sufficient interest in the outcome of proceedings.

(4) As soon as practicable after reaching its decision whether to grant or refuse a request under paragraph (1), the tribunal must—

- (a) notify the potential party of the decision and the reasons for it; and
- (b) send a copy of the notification to the existing parties.

(5) Any potential party whose request under paragraph (1) is granted must be treated as an applicant or respondent for the purposes of these Regulations.

(6) In these Regulations any reference to an applicant or a respondent must be construed as including a person treated as such under this regulation, and any reference to a party must be

bai'n cynnwys unrhyw berson o'r fath.

(7) Caiff aelod cymwysedig unigol o'r panel ganiatáu neu wrthod cais am gael ymuno o dan baragraff (1).

Penderfynu ceisiadau ar y cyd

14.—(1) Mae'r rheoliad hwn yn gymwys pan fo ceisiadau, sydd wedi eu gwneud ar wahân, ym marn y tribiwnlys—

(a) yn achos ceisiadau a wnaed o dan Ddeddf 2004—

- (i) yn ymwneud â materion cysylltiedig ynglŷn â'r un fangre; neu
- (ii) wedi eu gwneud mewn perthynas â dwy neu ragor o fangreoddedd sydd â'r un person yn eu rheoli, a'r un ATLL naill ai'n geisydd neu'n ymatebydd mewn perthynas â phob un o'r mangreoddedd;

(b) yn achos ceisiadau a wnaed o dan Ddeddf 1983—

- (i) yn ymwneud â materion cysylltiedig ynglŷn â'r un safle a ddiogelir; neu
- (ii) wedi eu gwneud mewn perthynas â dau neu ragor o safleoedd a ddiogelir sydd â'r un perchennog safle.

(2) Pan fo paragraff (1) yn gymwys, caiff y tribiwnlys orchymyn bod—

- (a) rhai neu bob un o'r ceisiadau hynny; neu
- (b) materion penodol neu ystyriaethau sy'n codi yn y ceisiadau hynny,

i gael eu penderfynu ar y cyd.

(3) Caiff aelod cymwysedig unigol o'r panel arfer y pŵer a roddir gan baragraff (2).

Talu ffioedd

15. Os na fydd ffi'n sy'n daladwy o dan Ran 3 o'r Rheoliadau hyn wedi ei thalu o fewn cyfnod o 14 diwrnod ar ôl y dyddiad y cafwyd y cais, rhaid trin y cais fel pe bai wedi ei dynnu'n ôl oni fodlonir y tribiwnlys fod sail resymol dros beidio â gwneud hynny.

Cynrychiolwyr

16.—(1) Mae'r rheoliad hwn—

- (a) yn gymwys pan fo parti, person â buddiant, neu gynrychiolydd parti neu berson â buddiant, yn gwneud cais ysgrifenedig i'r tribiwnlys am gyflenwi gwybodaeth neu ddogfennau i gynrychiolydd y parti neu'r person â buddiant, ond
- (b) mae'n peidio â bod yn gymwys pan fo'r tribiwnlys yn cael hysbysiad ysgrifenedig bod

construed as including any such person.

(7) A single qualified member of the panel may grant or refuse a request under paragraph (1).

Determining applications together

14.—(1) This regulation applies where separate applications have been made which, in the opinion of the tribunal—

(a) in the case of applications made under the 2004 Act—

- (i) involve related issues concerning the same premises; or
- (ii) are made in respect of two or more premises in which the same person is the person having control of each of those premises and the same LHA is either the applicant or respondent in respect of each of those premises;

(b) in the case of applications made under the 1983 Act—

- (i) involve related issues concerning the same protected site; or
- (ii) are made in respect of two or more protected sites and the site owner of each of those sites is the same.

(2) Where paragraph (1) applies, the tribunal may order that—

- (a) some or all of those applications; or
- (b) particular issues or matters raised in the applications,

are determined together.

(3) A single qualified member of the panel may exercise the power conferred by paragraph (2).

Payment of fees

15. Where a fee which is payable under Part 3 of these Regulations is not paid within a period of 14 days from the date on which the application is received, the application is treated as withdrawn unless the tribunal is satisfied that there are reasonable grounds not to do so.

Representatives

16.—(1) This regulation—

- (a) applies where a party, an interested person, or the representative of a party or an interested person, makes a request in writing to the tribunal for information or documents to be supplied to the representative of a party or interested person, but
- (b) ceases to apply when the tribunal receives written notification that the representative has

y cynrychiolydd wedi peidio â chynrychioli'r parti neu'r person â buddiant hwnnw.

(2) Rhaid i gais am gyflenwi gwybodaeth neu ddogfennau a grybwyllir ym mharagraff (1)(a) gynnwys enw a chyfeiriad y cynrychiolydd.

(3) Pan fo'r rheoliad hwn yn gymwys, bodlonir unrhyw ddyletswydd sydd ar y tribiwnlys o dan y Rheoliadau hyn, i ddarparu unrhyw wybodaeth neu ddogfen i'r parti neu'r person â buddiant, os anfonir yr wybodaeth neu'r ddogfen at y cynrychiolydd, neu os rhoddir yr wybodaeth neu'r ddogfen iddo.

Cyflenwi gwybodaeth a dogfennau i bersonau â buddiant.

17.—(1) Pan hysbysir y tribiwnlys o enw a chyfeiriad person â buddiant, rhaid iddo sicrhau cyn gynted ag y bo'n ymarferol y cyflenwir i'r person hwnnw—

- (a) copi o'r cais;
- (b) esboniad o'r weithdrefn ar gyfer gwneud cais am gael ymuno fel ceisydd neu ymatebydd; ac
- (c) unrhyw wybodaeth neu ddogfen arall a ystyrir yn briodol gan y tribiwnlys.

(2) Caiff y tribiwnlys sicrhau y cyflenwir yr wybodaeth neu'r dogfennau o dan baragraff (1) drwy—

- (a) cyflenwi'r wybodaeth neu'r dogfennau i'r person â buddiant, gan y tribiwnlys ei hunan;
- (b) cyflenwi'r wybodaeth neu'r dogfennau i gynrychiolydd y person â buddiant, gan y tribiwnlys ei hunan; neu
- (c) gwneud yn ofynnol, drwy orchymyn a wneir o dan reoliad 23, fod parti yn cyflenwi'r wybodaeth neu'r dogfennau i'r person â buddiant, neu i gynrychiolydd y person â buddiant.

(3) Yn ddarostyngedig i baragraff (4)—

- (a) os cyflenwir gwybodaeth a dogfennau i berson â buddiant yn unol â pharagraff (1); a
- (b) os caiff y tribiwnlys gais gan y person â buddiant hwnnw, i barhau i gyflenwi gwybodaeth a dogfennau i'r person â buddiant,

rhaid i'r tribiwnlys barhau i sicrhau y cyflenwir i'r person â buddiant hwnnw unrhyw wybodaeth neu ddogfen ynglŷn â'r mater y mae'r achos yn ymwneud ag ef, ac a ystyrir yn briodol gan y tribiwnlys.

(4) Bydd y ddyletswydd ar dribiwnlys o dan baragraff (3) yn dod i ben os yw'r person â buddiant yn ymuno fel parti yn yr achos o dan reoliad 13, neu os yw'r person â buddiant yn rhoi hysbysiad i'r perwyl nad yw bellach yn dymuno cael yr wybodaeth neu'r dogfennau.

ceased representing that party or interested person.

(2) A request mentioned in paragraph (1)(a) must contain the name and address of the representative.

(3) Where this regulation applies, any duty of the tribunal under these Regulations to supply any information or document to the party or interested person is satisfied by sending or giving it to the representative.

Supply of information and documents to interested persons

17.—(1) Where the tribunal is notified of the name and address of an interested person, it must ensure that as soon as is practicable that person is supplied with—

- (a) a copy of the application;
- (b) an explanation of the procedure for applying to be joined as an applicant or respondent; and
- (c) any other information or document which the tribunal considers appropriate.

(2) The tribunal may ensure the supply of information or documents under paragraph (1) by—

- (a) itself supplying the interested person with the information or documents;
- (b) itself supplying the information or documents to a representative of the interested person; or
- (c) requiring a party by an order made under regulation 23 to supply the information or documents to the interested person or the interested person's representative.

(3) Subject to paragraph (4), where—

- (a) information and documents are supplied to an interested person in accordance with paragraph (1); and
- (b) the tribunal receives a request from that interested person to continue to supply the interested person with information and documents,

the tribunal must continue to ensure the supply to that interested person of any information or document concerning the matter to which the proceedings relate which the tribunal considers appropriate.

(4) The tribunal's duty under paragraph (3) ceases upon the interested person being joined as a party under regulation 13 or upon notification that the person no longer wishes to receive the information or documents.

Cyflenwi dogfennau gan dribiwnlys

18.—(1) Cyn penderfynu ynghylch cais, rhaid i'r tribiwnlys gymryd pob cam rhesymol i sicrhau y cyflenwir i bob un o'r partion—

- (a) copi o unrhyw ddogfen sy'n berthnasol i'r achos (neu ddetholiadau digonol o'r ddogfen, neu fanylion y ddogfen) a gafwyd gan unrhyw barti arall neu berson â buddiant (ac eithrio dogfen sydd eisoes ym meddiant y parti, neu ddogfen y cyflwynwyd copi ohoni iddo'n flaenorol); a
- (b) copi o unrhyw ddogfen sy'n ymgorffori canlyniadau unrhyw ymchwiliadau perthnasol a wnaed gan neu ar ran y tribiwnlys at ddibenion yr achos.

(2) Mewn gwrandawriad, os nad yw parti wedi cael dogfen berthnasol, neu gopi o ddogfen berthnasol, neu ddetholiadau digonol neu fanylion o ddogfen berthnasol yn flaenorol, yna oni fydd—

- (a) y person hwnnw'n cydsynio i'r gwrandawriad barhau; neu
- (b) y tribiwnlys o'r farn y caiff y person hwnnw gyfle digonol i ymdrin â'r materion y mae'r ddogfen yn ymwneud â hwy heb ohirio'r gwrandawriad,

rhaid i'r tribiwnlys ohirio'r gwrandawriad am gyfnod a fydd, ym marn y tribiwnlys, yn rhoi cyfle digonol i'r person hwnnw ymdrin â'r materion hynny.

Cyflenwi gwybodaeth a dogfennau gan bartion

19.—(1) Yn ddarostyngedig i baragraff (5), caiff y tribiwnlys wneud gorchymyn sy'n ei gwneud yn ofynnol bod parti'n cyflenwi i'r tribiwnlys unrhyw wybodaeth neu ddogfen y mae o fewn pŵer y parti hwnnw i'w cyflenwi, ac a bennir, neu sydd o ddisgrifiad a bennir, yn y gorchymyn.

(2) Caiff y tribiwnlys wneud gorchymyn sy'n ei gwneud yn ofynnol bod parti'n cyflenwi i barti arall neu i berson â buddiant gopiâu o unrhyw ddogfennau a gyflenwyd, neu sydd i'w cyflenwi, i'r tribiwnlys o dan baragraff (1).

(3) Rhaid i barti sy'n ddarostyngedig i orchymyn a wnaed o dan baragraff (1) neu (2) ddarparu'r cyfryw wybodaeth, dogfennau neu gopiâu erbyn pa bynnag amser a bennir yn y gorchymyn neu a benderfynir yn unol â'r gorchymyn.

(4) Yn ddarostyngedig i baragraff (5), caiff y tribiwnlys wneud gorchymyn sy'n ei gwneud yn ofynnol bod unrhyw berson yn bresennol mewn gwrandawriad llafar, i roi tystiolaeth ac i ddangos unrhyw ddogfennau a bennir yn y gorchymyn, neu sydd o ddisgrifiad a bennir yn y gorchymyn, ac sydd o fewn pŵer y person hwnnw i'w dangos.

Supply of documents by tribunal

18.—(1) Before determining an application, the tribunal must take all reasonable steps to ensure that each of the parties is supplied with—

- (a) a copy of any document relevant to the proceedings (or sufficient extracts from or particulars of the document) which has been received from any other party or from an interested person (other than a document already in that party's possession or one of which that party has previously been supplied with a copy); and
- (b) a copy of any document which embodies the results of any relevant enquiries made by or for the tribunal for the purposes of the proceedings.

(2) At a hearing, if a party has not previously received a relevant document or a copy of, or sufficient extracts from or particulars of, a relevant document, then unless—

- (a) that person consents to the continuation of the hearing; or
- (b) the tribunal considers that that person has a sufficient opportunity to deal with the matters to which the document relates without an adjournment of the hearing,

the tribunal must adjourn the hearing for a period which it considers will give that person sufficient opportunity to deal with those matters.

Supply of information and documents by parties

19.—(1) Subject to paragraph (5), the tribunal may make an order requiring a party to supply to the tribunal any information or document which it is in the power of that party to supply and which is specified, or is of a description specified, in the order.

(2) The tribunal may make an order requiring a party to supply to another party, or to an interested person, copies of any documents supplied or to be supplied to the tribunal under paragraph (1).

(3) A party who is subject to an order made under paragraph (1) or (2) must supply such information, documents or copies by such time as may be specified in, or determined in accordance with, the order.

(4) Subject to paragraph (5) the tribunal may make an order requiring any person to attend an oral hearing to give evidence and produce any documents specified, or of a description specified, in the order which it is in the power of that person to produce.

(5) Nid yw paragraffau (1) a (4) yn gymwys mewn perthynas ag unrhyw ddogfen na ellid gorfodi person i'w dangos mewn triail o achos mewn llys barn yng Nghymru a Lloegr.

(6) Caiff aelod cymwysedig unigol o'r panel wneud gorchymyn o dan baragraff (1), (2) neu (4) sydd—

- (a) yn rhagarweiniol i wrandawriad llafar; neu
- (b) yn rhagarweiniol i benderfyniad, neu'n gysylltiedig â phenderfyniad.

Methiant i gydymffurfio â gorchymyn i gyflenwi gwystiolaeth a dogfennau

20. Os yw parti wedi peidio â chydymffurfio â gorchymyn a wnaed o dan reoliad 19(1), (2) neu (4), caiff y tribiwnlys—

- (a) dynnu pa bynnag gasgliadau y tybia'n briodol; neu
- (b) gwneud gorchymyn sy'n gwrthod neu'n caniatáu'r cyfan neu ran o'r cais.

Penderfynu heb wrandawriad

21.—(1) Yn ddarostyngedig i baragraffau (2) a (7) caiff y tribiwnlys benderfynu cais heb wrandawriad llafar os bydd wedi hysbysu'r partïon mewn ysgrifen, ddim llai na 14 diwrnod ymlaen llaw, o'i fwriad i wneud hynny.

(2) Ar unrhyw adeg cyn penderfynu'r cais—

- (a) caiff y ceisydd neu'r ymatebydd ofyn am wrandawriad llafar; neu
- (b) caiff y tribiwnlys hysbysu'r partïon ei fod yn bwriadu cynnal gwrandawriad llafar.

(3) Pan wneir cais am wrandawriad neu pan roddir hysbysiad o dan baragraff (2), rhaid i'r tribiwnlys roi rhybudd o wrandawriad yn unol â rheoliad 28.

(4) Yn ddarostyngedig i baragraff (5), ceir gwneud penderfyniad heb wrandawriad llafar yn absenoldeb unrhyw sylwadau gan yr ymatebydd.

(5) Mewn perthynas â chais a wneir o dan baragraffau 4, 5, 5A neu 10 o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983, ni chaniateir gwneud penderfyniad heb wrandawriad llafar ac eithrio—

- (a) pan fo'r ymatebydd wedi hysbysu'r tribiwnlys nad yw'r ymatebydd yn gwrthwynebu'r cais; neu
- (b) pan fo'r partïon i gyd wedi hysbysu'r tribiwnlys eu bod yn cydsynio i'r cais gael ei benderfynu heb wrandawriad.

(6) Caiff aelod cymwysedig unigol o'r panel benderfynu pa un a yw gwrandawriad llafar yn briodol ai peidio ar gyfer penderfynu cais.

(7) Nid yw'r rheoliad hwn yn gymwys i gais y mae

(5) Paragraphs (1) and (4) do not apply in relation to any document which a person could not be compelled to produce on the trial of an action in a court of law in England and Wales.

(6) A single qualified member of the panel may make an order under paragraph (1), (2) or (4) which is—

- (a) preliminary to an oral hearing; or
- (b) preliminary or incidental to a determination.

Failure to comply with an order to supply information and documents

20. Where a party has failed to comply with an order made under regulation 19(1), (2) or (4) the tribunal may—

- (a) draw such inferences as it thinks fit; or
- (b) make an order dismissing or allowing the whole or part of the application.

Determination without a hearing

21.—(1) Subject to paragraphs (2) and (7) the tribunal may determine an application without an oral hearing if it has given the parties not less than 14 days' notice in writing of its intention to do so.

(2) At any time before the application is determined—

- (a) the applicant or the respondent may request an oral hearing; or
- (b) the tribunal may give notice to the parties that it intends to hold an oral hearing.

(3) Where a request is made or a notice given under paragraph (2) the tribunal must give notice of a hearing in accordance with regulation 28.

(4) Subject to paragraph (5), a determination without an oral hearing may be made in the absence of any representations by the respondent.

(5) In respect of an application made under paragraphs 4, 5, 5A or 10 of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act, a determination without an oral hearing may only be made—

- (a) where the respondent has notified the tribunal that the respondent does not oppose the application; or
- (b) all parties have notified the tribunal that they consent to the application being determined without a hearing.

(6) A single qualified member of the panel may decide whether an oral hearing is or is not appropriate to determine an application.

(7) This regulation does not apply to an application

rheoliad 10 (ceisiadau brys am awdurdodiad GRhI) neu reoliad 11 (ceisiadau brys o dan Ddeddf 1983 mewn perthynas â gwerthu neu roi cartref symudol) yn gymwys iddo.

Gorchymynion interim

22.—(1) Caiff tribiwnlys wneud gorchymyn ar sail interim ("gorchymyn interim") sydd—

- (a) yn atal, yn gyfan gwbl neu'n rhannol, effaith unrhyw benderfyniad, hysbysiad, gorchymyn neu drwydded sy'n destun achos ger ei fron; neu
- (b) yn caniatáu dros dro unrhyw rwymedi y byddai gan y tribiwnlys bŵer i'w ddyfarnu yn ei benderfyniad terfynol.

(2) Pan fo'r tribiwnlys yn gwneud gorchymyn interim heb yn gyntaf ganiatáu cyfle i'r partïon wneud sylwadau ynghylch gwneud y gorchymyn, caiff parti ofyn am i'r gorchymyn interim gael ei amrywio neu ei ddiddymu.

(3) Ceir gwneud unrhyw gais o'r fath am amrywio neu ddiddymu—

- (a) ar lafar mewn gwrandawriad;
- (b) mewn ysgriften; neu
- (c) drwy unrhyw ddull arall a ganiateir gan y tribiwnlys.

(4) Rhaid i'r tribiwnlys, cyn gynted ag y bo'n rhesymol ymarferol ar ôl gwneud gorchymyn interim, ddarparu i bob un o'r partïon hysbysiad o'r gorchymyn interim; a rhaid i'r hysbysiad, ac eithrio yn achos gorchymyn a wneir gyda chydysyniad pob un o'r partïon, roi'r rhesymau dros y penderfyniad i wneud y gorchymyn.

(5) Nid yw'r rheoliad hwn yn gymwys i gais y mae rheoliad 10 (ceisiadau brys am awdurdodiad GRhI) neu reoliad 11 (ceisiadau brys o dan Ddeddf 1983 mewn perthynas â gwerthu neu roi cartref symudol) yn gymwys iddo.

Cyfarwyddiadau

23.—(1) Caiff parti ofyn i'r tribiwnlys roi cyfarwyddyd drwy wneud gorchymyn o dan ei bŵer cyffredinol yn adran 230(2) o Ddeddf 2004.

(2) Caiff parti y cyfeirir cyfarwyddyd gweithdrefnol ato ofyn i'r tribiwnlys i amrywio'r cyfarwyddyd neu ei osod o'r neilltu.

(3) Ceir gwneud unrhyw gais y cyfeirir ato ym mharagraff (1) neu (2)—

- (a) ar lafar mewn cynhadledd rheoli achos neu wrandawriad;
- (b) mewn ysgriften; neu
- (c) drwy unrhyw ddull arall a ganiateir gan y tribiwnlys.

to which regulation 10 (urgent IMO authorisation applications) or regulation 11 (urgent applications under the 1983 Act relating to sale or gift of a mobile home) applies.

Interim orders

22.—(1) A tribunal may make an order on an interim basis (an "interim order")—

- (a) suspending, in whole or in part, the effect of any decision, notice, order or licence which is the subject matter of proceedings before it; or
- (b) for the time being granting any remedy which it would have had power to grant in its final decision.

(2) Where the tribunal makes an interim order without first giving the parties the opportunity to make representations with regard to making it, a party may request that the interim order be varied or set aside.

(3) Any such request may be made—

- (a) orally at a hearing;
- (b) in writing; or
- (c) by such other means as the tribunal may permit.

(4) The tribunal must provide to each party as soon as reasonably practicable after making an interim order a notice setting out the order and, except in the case of an order made with the consent of all parties, giving reasons for the decision to make the order.

(5) This regulation does not apply to an application to which regulation 10 (urgent IMO authorisation applications) or regulation 11 (urgent applications under the 1983 Act relating to sale or gift of a mobile home) applies.

Directions

23.—(1) A party may request the tribunal to give a direction by order under its general power in section 230(2) of the 2004 Act.

(2) A party to whom a procedural direction is addressed may request the tribunal to vary it or set it aside.

(3) A request referred to in paragraph (1) or (2) may be made—

- (a) orally at a case management conference or hearing;
- (b) in writing; or
- (c) by such other means as the tribunal may permit.

(4) Rhaid i barti sy'n gwneud cais am gyfarwyddyd o dan baragraff (1) bennu pa gyfarwyddiadau gweithdrefnol a geisir, a'r rhesymau dros eu ceisio.

(5) Caiff aelod cymwysedig unigol o'r panel roi cyfarwyddyd gweithdrefnol ynglŷn ag unrhyw fater sydd—

- (a) yn rhagarweiniol i wrandawriad llafar; neu
- (b) yn rhagarweiniol i benderfyniad, neu'n gysylltiedig â phenderfyniad.

(6) Ym mharagraffau (2), (4) a (5), ystyr "cyfarwyddyd gweithdrefnol" ("*procedural direction*") yw unrhyw gyfarwyddyd ac eithrio cyfarwyddyd fel a bennir ym mharagraffau (a) i (e) o adran 230(5) neu baragraffau (a) i (d) o adran 230(5A) o Ddeddf 2004.

Archwilio mangreoedd a'u cyffiniau

24.—(1) Yn ddarostyngedig i baragraff (3), caiff y tribiwnlys archwilio—

- (a) y fangre;
- (b) unrhyw fangre arall y gallai ei harchwilio gynorthwyo'r tribiwnlys i benderfynu'r cais;
- (c) yr ardal o amgylch y fangre.

(2) Yn ddarostyngedig i baragraff (3)—

- (a) rhaid i'r tribiwnlys roi cyfle i'r partïon fod yn bresennol yn ystod archwiliad; a
- (b) caiff aelod o'r Cyngor Cyfiawnder Gweinyddol a Thribiwnlysoedd sy'n gweithredu yn rhinwedd y swydd honno fod yn bresennol yn ystod unrhyw archwiliad.

(3) Mae gwneud archwiliad, a bod yn bresennol mewn archwiliad, yn ddarostyngedig i unrhyw ganiatâd y mae'n ofynnol ei gael.

(4) Pan gynhelir gwrandawriad llafar, ceir cyflawni archwiliad cyn, yn ystod, neu ar ôl y gwrandawriad.

(5) Yn ddarostyngedig i baragraff (6), rhaid i'r tribiwnlys roi i'r partïon dim llai na 14 diwrnod o rybudd o ddyddiad, amser a lleoliad yr archwiliad.

(6) Ceir hepgor neu liniaru'r gofyniad i roi hysbysiad ym mharagraff (5) os bodlonir y tribiwnlys fod y partïon wedi cael rhybudd digonol.

(7) Os cynhelir archwiliad ar ôl cau gwrandawriad llafar, caiff y tribiwnlys ailagor y gwrandawriad oherwydd unrhyw fater sy'n codi o'r archwiliad, ar ôl rhoi rhybudd rhesymol i'r partïon ynglŷn â dyddiad amser a lleoliad y gwrandawriad a ail agorir.

(8) Os yw cais i gael ei benderfynu gan aelod cymwysedig unigol o'r panel, caiff yr aelod hwnnw arfer swyddogaethau'r tribiwnlys o dan y rheoliad hwn.

(4) A party making a request under paragraph (1) must specify the procedural directions which are sought and the reasons for seeking them.

(5) A single qualified member of the panel may give a procedural direction as to any matter which is—

- (a) preliminary to an oral hearing; or
- (b) preliminary or incidental to a determination.

(6) In paragraphs (2), (4) and (5) "procedural direction" ("*cyfarwyddyd gweithdrefnol*") means any direction other than a direction set out in paragraphs (a) to (e) of section 230(5) or paragraphs (a) to (d) of section 230(5A) of the 2004 Act.

Inspection of premises and neighbourhood

24.—(1) Subject to paragraph (3) the tribunal may inspect—

- (a) the premises;
- (b) any other premises inspection of which may assist the tribunal in determining the application;
- (c) the locality of the premises.

(2) Subject to paragraph (3)—

- (a) the tribunal must give the parties an opportunity to attend an inspection; and
- (b) a member of the Administrative Justice and Tribunals Council who is acting in that capacity may attend any inspection.

(3) The making of and attendance at an inspection is subject to any necessary consent being obtained.

(4) Where there is an oral hearing, an inspection may be carried out before, during, or after the hearing.

(5) Subject to paragraph (6), the tribunal must give the parties not less than 14 days' notice of the date, time and place of the inspection.

(6) The requirement for notice in paragraph (5) may be dispensed with or relaxed if the tribunal is satisfied that the parties have received sufficient notice.

(7) Where an inspection is made after the close of an oral hearing, the tribunal may reopen the hearing on account of any matter arising from the inspection, after giving reasonable notice of the date, time and place of the reopened hearing to the parties.

(8) Where an application is to be determined by a single qualified member of the panel, the functions of the tribunal under this regulation may be exercised by that member.

Tystiolaeth arbenigol

25.—(1) Yn y rheoliad hwn, ystyr "arbenigwr" ("*expert*") yw arbenigwr annibynnol nad yw'n gyflogai unrhyw un o'r partïon.

(2) Yn ddarostyngedig i baragraff (4), caiff parti roi tystiolaeth arbenigol gerbron y tribiwnlys, ac wrth wneud hynny rhaid iddo—

- (a) darparu i'r tribiwnlys grynodedb ysgrifenedig o'r dystiolaeth; a
- (b) yn ddarostyngedig i baragraff (5), cyflenwi copi o'r crynodeb ysgrifenedig hwnnw i bob parti arall, o leiaf 7 diwrnod cyn—
 - (i) dyddiad y gwrandawriad llafar perthnasol y rhoddwyd hysbysiad ohono mewn perthynas â'r cais o dan reoliad 28; neu
 - (ii) y dyddiad a hysbyswyd o dan reoliad 21 fel y dyddiad pan benderfynir y cais heb wrandawriad llafar.

(3) Rhaid i grynodedb ysgrifenedig o dystiolaeth yr arbenigwr—

- (a) bod wedi'i gyfeirio at y tribiwnlys;
- (b) cynnwys manylion o gymwysterau'r arbenigwr;
- (c) cynnwys crynodeb o'r cyfarwyddiadau a gafodd yr arbenigwr ar gyfer gwneud yr adroddiad; ac
- (ch) cynnwys datganiad bod yr arbenigwr yn deall, ac wedi cydymffurfio â'r ddyletswydd sydd arno i gynorthwyo'r tribiwnlys ynglŷn â materion sydd o fewn ei arbenigedd, a bod y ddyletswydd honno'n drech nag unrhyw rwymedigaeth i'r person y cafodd yr arbenigwr ei gyfarwyddiadau ganddo neu sy'n ei gyflogi, neu sy'n talu iddo.

(4) Pan fo tribiwnlys, o dan ei bŵer cyffredinol yn adran 230(2) o Ddeddf 2004, yn rhoi cyfarwyddyd na chaiff parti roi tystiolaeth arbenigol gerbron y tribiwnlys heb ganiatâd y tribiwnlys, caiff bennu, fel amod ar y caniatâd hwnnw—

- (a) bod rhaid cyfyngu tystiolaeth yr arbenigwr i'r materion hynny a gyfarwyddir gan y tribiwnlys;
- (b) bod rhaid i'r arbenigwr fod yn bresennol mewn gwrandawriad i roi tystiolaeth ar lafar; neu
- (c) bod yn rhaid i'r partïon gyfarwyddo'r arbenigwr ar y cyd.

(5) Ceir hepgor neu liniaru'r terfyn amser ym mharagraff (2)(b) os bodlonir y tribiwnlys fod y partïon wedi cael rhybudd digonol.

Cynhadledd rheoli achos

26.—(1) Caiff y tribiwnlys gynnal cynhadledd rheoli achos.

Expert evidence

25.—(1) In this regulation "expert" ("*arbenigwr*") means an independent expert who is not an employee of a party.

(2) Subject to paragraph (4) a party may adduce expert evidence, and in doing so must—

- (a) provide the tribunal with a written summary of the evidence; and
- (b) subject to paragraph (5), supply a copy of that written summary to each other party at least 7 days before—
 - (i) the date of the relevant oral hearing notified in relation to the application under regulation 28; or
 - (ii) the date notified under regulation 21 upon which the application will be determined without an oral hearing.

(3) An expert's written summary of evidence must—

- (a) be addressed to the tribunal;
- (b) include details of the expert's qualifications;
- (c) contain a summary of the instructions the expert has received for the making of the report; and
- (d) contain a statement that the expert understands and has complied with the duty to assist the tribunal on the matters within the expert's expertise, overriding any obligation to the person from whom the expert has received instructions or by whom the expert is employed or paid.

(4) Where the tribunal gives a direction, under its general power in section 230(2) of the 2004 Act, that a party may not adduce expert evidence without its permission, it may specify as a condition of that permission that—

- (a) the expert's evidence must be limited to such matters as the tribunal directs;
- (b) the expert must attend a hearing to give oral evidence; or
- (c) the parties must jointly instruct the expert.

(5) The time limit in paragraph (2)(b) may be dispensed with or relaxed if the tribunal is satisfied that the parties have received sufficient notice.

Case management conference

26.—(1) The tribunal may hold a case management conference.

(2) Rhaid i'r tribiwnlys roi rhybudd i'r partïon o ddim llai na 7 diwrnod ynglŷn â dyddiad, amser a lleoliad y gynhadledd rheoli achos.

(3) Yn y gynhadledd rheoli achos, caiff y tribiwnlys orchymyn y partïon i gymryd pa bynnag gamau, neu wneud pa bynnag bethau sy'n ymddangos i'r tribiwnlys yn angenrheidiol neu'n ddymunol, er mwyn sicrhau y penderfynir cais mewn modd cyfiawn, prydlon a darbodus.

(4) Caiff y tribiwnlys ohirio cynnal cynhadledd rheoli achos, neu ei gohirio ar ei chanol.

(5) Mae hawl gan barti i gael ei gynrychioli mewn cynhadledd rheoli achos.

(6) Caiff aelod cymwysedig unigol o'r panel arfer y pŵer a roddir gan baragraff (1), (3) neu (4).

Pwerau rheoli achos eraill

27.—(1) Caiff y tribiwnlys—

- (a) cwtogi'r amser a bennir gan neu o dan y Rheoliadau hyn ar gyfer cyflawni unrhyw weithred, os yw pob un o'r partïon yn cytuno i'r cwtogiad sydd dan sylw;
- (b) estyn yr amser a bennir gan neu o dan y Rheoliadau hyn ar gyfer cyflawni unrhyw weithred, hyd yn oed pan fo'r amser a bennwyd wedi dod i ben, os—
 - (i) na fyddai'n rhesymol disgwyl i'r person dan sylw gydymffurfio, neu fod wedi cydymffurfio, o fewn yr amser hwnnw; neu
 - (ii) byddai peidio ag estyn yr amser yn arwain at anghyfiawnder sylweddol;
- (c) caniatáu defnyddio teleffon, cyswllt fideo, neu unrhyw ddull cyfathrebu arall—
 - (i) i wneud sylwadau gerbron y tribiwnlys; neu
 - (ii) at ddibenion cynhadledd rheoli achos neu wrandawriad;
- (ch) gwneud yn ofynnol bod unrhyw berson sy'n rhoi tystiolaeth ysgrifenedig yn cynnwys gyda'r dystiolaeth honno ddatganiad llofnodedig bod y person yn credu bod y ffeithiau a ddatgenir yn y dystiolaeth yn wir;
- (d) cymryd unrhyw gam arall neu wneud unrhyw benderfyniad arall sydd, ym marn y tribiwnlys, yn angenrheidiol neu'n ddymunol at y diben o reoli'r achos.

(2) Caiff y tribiwnlys arfer ei bwerau o dan y Rheoliadau hyn wrth ymateb i gais am iddo wneud hynny, neu ar gymhelliad ei hunan.

(3) Caiff aelod cymwysedig unigol o'r panel arfer y pwerau o dan y rheoliad hwn ynglŷn ag unrhyw fater

(2) The tribunal must give the parties not less than 7 days' notice of the date, time and place of the case management conference.

(3) At the case management conference the tribunal may order the parties to take such steps or do such things as appear to it to be necessary or desirable for securing the just, expeditious and economical determination of the application.

(4) The tribunal may postpone or adjourn a case management conference.

(5) A party may be represented at a case management conference.

(6) A single qualified member of the panel may exercise the power conferred by paragraph (1), (3) or (4).

Other case management powers

27.—(1) The tribunal may—

- (a) reduce the time appointed by or under these Regulations for doing any act where all parties agree the reduction in question;
- (b) extend the time appointed by or under these Regulations for doing any act, even if the time appointed has expired, where—
 - (i) it would not be reasonable to expect the person in question to comply or have complied within that time; or
 - (ii) not to extend the time would result in substantial injustice;
- (c) permit the use of telephone, video link, or any other method of communication—
 - (i) to make representations to the tribunal; or
 - (ii) for the purposes of a case management conference or hearing;
- (d) require any person giving written evidence to include with that evidence a signed statement that the person believes the facts stated in the evidence are true;
- (e) take any other step or make any other decision which the tribunal considers necessary or desirable for the purpose of managing the case.

(2) The tribunal may exercise its powers under these Regulations in response to a request to do so or on its own initiative.

(3) A single qualified member of the panel may exercise the powers under this regulation as to any

sy'n rhagarweiniol i—

- (a) gwrandawriad llafar; neu
- (b) penderfyniad sydd i'w wneud heb wrandawriad llafar.

Hysbysu ynghylch gwrandawriad

28.—(1) Rhaid i'r tribiwnlys hysbysu'r partïon o ddyddiad, amser a lleoliad unrhyw wrandawriad.

(2) Yn ddarostyngedig i baragraff (3), rhaid rhoi hysbysiad o'r gwrandawriad ddim llai nag 21 diwrnod cyn y dyddiad penodedig.

(3) Mewn amgylchiadau eithriadol, caiff y tribiwnlys, heb gytundeb y partïon, roi llai nag 21 diwrnod o rybudd o ddyddiad, amser a lleoliad y gwrandawriad; ond rhaid rhoi hysbysiad o'r fath cyn gynted ag y bo'n ymarferol cyn y dyddiad penodedig, a rhaid i'r hysbysiad ddatgan beth yw'r amgylchiadau eithriadol.

(4) Caiff aelod cymwysedig unigol o'r panel arfer y pŵer ym mharagraff (3).

Gohirio gwrandawriad

29.—(1) Yn ddarostyngedig i baragraff (3), caiff y tribiwnlys ohirio gwrandawriad llafar.

(2) Rhaid i'r tribiwnlys roi rhybudd rhesymol i'r partïon o'r amser a'r dyddiad pan gynhelir gwrandawriad gohiriedig.

(3) Os gofynnwyd am ohiriad gan un o'r partïon, rhaid i'r tribiwnlys beidio â gohirio'r gwrandawriad onid yw o'r farn y byddai'n rhesymol gwneud hynny, o ystyried—

- (a) sail y cais am ohirio;
- (b) yr adeg y gwneir y cais am ohirio; ac
- (c) cyfleustra'r partïon.

(4) Caiff aelod cymwysedig unigol o'r panel arfer swyddogaethau'r tribiwnlys o dan y rheoliad hwn.

Y gwrandawriad

30.—(1) Mewn gwrandawriad—

- (a) rhaid i'r tribiwnlys (yn ddarostyngedig i'r Rheoliadau hyn) benderfynu ar weithdrefn y gwrandawriad a'r modd y'i cynhelir;
- (b) caiff unrhyw berson sy'n ymddangos gerbron y tribiwnlys wneud hynny naill ai'n bersonol neu drwy gynrychiolydd;
- (c) mae hawl gan y partïon—
 - (i) i roi tystiolaeth berthnasol;
 - (ii) i alw tystion;
 - (iii) i holi unrhyw dyst; a

matter which is preliminary to—

- (a) an oral hearing; or
- (b) a determination which is to be made without an oral hearing.

Notice of hearing

28.—(1) The tribunal must give notice to the parties of the date, time and place of any hearing.

(2) Subject to paragraph (3), notice of the hearing must be given not less than 21 days before the appointed date.

(3) In exceptional circumstances the tribunal may, without the agreement of the parties, give less than 21 days' notice of the appointed date, time and place of the hearing; but any such notice must be given as soon as practicable before the appointed date and the notice must specify what the exceptional circumstances are.

(4) A single qualified member of the panel may exercise the power in paragraph (3).

Postponement of hearing

29.—(1) Subject to paragraph (3), the tribunal may postpone an oral hearing.

(2) The tribunal must give reasonable notice to the parties of the time and date to which a hearing is postponed.

(3) Where postponement has been requested by a party the tribunal must not postpone the hearing except where it considers it is reasonable to do so having regard to—

- (a) the grounds for the request;
- (b) the time at which the request is made; and
- (c) the convenience of the parties.

(4) A single qualified member of the panel may exercise the functions of the tribunal under this regulation.

Hearing

30.—(1) At a hearing—

- (a) the tribunal must (subject to these Regulations) determine the procedure and conduct;
- (b) any person appearing before the tribunal may do so either in person or through a representative;
- (c) the parties are entitled to—
 - (i) give relevant evidence;
 - (ii) call witnesses;
 - (iii) question any witness; and

(iv) i annerch y tribiwnlys ynglŷn â'r dystiolaeth a'r gyfraith ac yn gyffredinol ar bwnc y cais; a

(ch) caiff y tribiwnlys gymryd dystiolaeth o unrhyw faith neu unrhyw farn sy'n ymddangos i'r tribiwnlys yn berthnasol, hyd yn oed os na fyddai'r dystiolaeth neu'r farn honno'n dderbyniadwy mewn achos gerbron llys barn, ac ni chaiff y tribiwnlys wrthod cymryd unrhyw dystiolaeth neu farn a gyflwynir mewn da bryd os yw'n dderbyniadwy o dan y gyfraith ac yn berthnasol ac angenrheidiol, ac os nad yw wedi ei chael mewn ffordd amhriodol.

(2) Mewn gwrandawriad, os bodlonir tribiwnlys ei bod yn gyfiawn a rhesymol gwneud hynny, caiff y tribiwnlys ganiatáu i barti ddibynnu ar resymau nas datganwyd o'r blaen ac ar dystiolaeth nad oedd ar gael o'r blaen neu na roddwyd gerbron o'r blaen.

(3) Caiff y tribiwnlys ohirio gwrandawriad, ond os gwneir hynny ar gais un o'r partïon, rhaid i'r tribiwnlys fod o'r farn ei bod yn rhesymol gwneud hynny o ystyried—

- (a) sail y cais am ohirio;
- (b) yr adeg y gwneir y cais am ohirio; ac
- (c) cyfleustra'r partïon.

Gwrandawriad cyhoeddus neu breifat

31.—(1) Rhaid i wrandawriad fod yn gyhoeddus ac eithrio pan fodlonir y tribiwnlys, yn amgylchiadau'r achos ac yn ddarostyngedig i'r prif amcan a ddisgrifir yn rheoliad 3, y dylid cynnal y gwrandawriad yn breifat.

(2) Caiff y tribiwnlys benderfynu o dan baragraff (1)—

- (a) bod rhaid cynnal rhan yn unig o'r gwrandawriad yn breifat; neu
- (b) bod rhaid peidio â chyhoeddi unrhyw un o'r materion canlynol—
 - (i) gwybodaeth am yr achos sydd gerbron y tribiwnlys;
 - (ii) enwau a manylion adnabod personau sy'n ymwneud â'r achos; neu
 - (iii) dystiolaeth benodedig a roddir yn yr achos.

Personau sydd â hawl i fod yn bresennol mewn gwrandawriad a gynhelir yn breifat

32.—(1) Yn ddarostyngedig i baragraffau (2) a (3) mae gan y personau canlynol hawl i fod yn bresennol mewn gwrandawriad a gynhelir yn breifat ac i fod yn bresennol yn ystod trafodaethau'r tribiwnlys ynglŷn â phenderfynu'r cais—

- (a) llywydd neu gadeirydd neu aelod arall o'r panel, nad yw'n rhan o'r tribiwnlys at ddiben y gwrandawriad;

(iv) address the tribunal on the evidence and on the law and generally on the subject matter of the application; and

(d) the tribunal may receive evidence of any fact or any opinion which seems to it to be relevant, even if the evidence or opinion would be inadmissible in proceedings before a court of law, and must not refuse to admit any evidence or opinion presented in due time which is admissible at law and is relevant and necessary and has not been improperly obtained.

(2) At a hearing the tribunal may, if it is satisfied that it is just and reasonable to do so, permit a party to rely on reasons not previously stated and on evidence not previously available or not previously adduced.

(3) The tribunal may adjourn a hearing, but if this is done at the request of a party it must consider that it is reasonable to do so having regard to—

- (a) the grounds for the request;
- (b) the time at which the request is made; and
- (c) the convenience of the parties.

Hearing in public or private

31.—(1) A hearing must be in public except where the tribunal is satisfied that in the circumstances of the case, and subject to the overriding objective described in regulation 3 the hearing should be held in private.

(2) The tribunal may decide under paragraph (1) that—

- (a) part only of the hearing must be in private; or
- (b) any of the following matters must not be made public—
 - (i) information about the proceedings before the tribunal;
 - (ii) the names and identifying characteristics of persons concerned in the proceedings; or
 - (iii) specified evidence given in the proceedings.

Persons entitled to be present at a hearing held in private

32.—(1) Subject to paragraphs (2) and (3), the following persons are entitled to attend a hearing held in private and to be present at the tribunal's deliberations with respect to the determination of the application—

- (a) a president or chair or other panel member not forming part of the tribunal for the purpose of the hearing;

- (b) aelod o'r Cyngor Cyfiawnder Gweinyddol a Thribiwnlysoedd sy'n gweithredu yn rhinwedd y swydd honno;
- (c) staff y tribiwnlys;
- (ch) unrhyw berson arall a ganiateir gan y tribiwnlys, gyda chydysyniad y partïon.

(2) Ni chaiff yr un o'r personau a bennir ym mharagraff (1) gymryd unrhyw ran yn y gwrandawriad nac yn y cyfryw drafodaethau.

(3) Caiff y tribiwnlys ganiatáu i bersonau fod yn bresennol mewn gwrandawriad a gynhelir yn breifat ar ba bynnag delerau ac amodau a ystyrir yn briodol gan y tribiwnlys.

Methiant parti i ymddangos mewn gwrandawriad

33. Os yw parti yn methu ag ymddangos mewn gwrandawriad, caiff y tribiwnlys fynd ymlaen â'r gwrandawriad—

- (a) os yw'r tribiwnlys wedi ei fodloni bod y parti hwnnw wedi ei hysbysu o'r gwrandawriad yn unol â'r Rheoliadau hyn; a
- (b) nad yw'r tribiwnlys wedi ei fodloni bod rheswm da pam y methodd ymddangos.

Penderfyniadau tribiwnlys wrth ddyfarnu ynghylch ceisiadau

34.—(1) Mae'r rheoliad hwn yn gymwys i benderfyniad sy'n dyfarnu ynghylch cais.

(2) Os cynhaliwyd gwrandawriad, ceir cyhoeddi'r penderfyniad ar lafar ar ddiwedd y gwrandawriad.

(3) Rhaid i'r tribiwnlys, cyn gynted ag y bo'n rhesymol ymarferol ar ôl gwneud penderfyniad sy'n dyfarnu'n derfynol ynghlŷn â chais, ddarparu i bob un o'r partïon hysbysiad sy'n datgan penderfyniad y tribiwnlys ("dogfen penderfyniad").

(4) Rhaid i'r ddogfen penderfyniad—

- (a) bod wedi ei llofnodi a'i dyddio gan berson priodol;
- (b) nodi—
 - (i) y penderfyniad a wnaed gan y tribiwnlys;
 - (ii) y rhesymau pam y cyrhaeddwyd y penderfyniad hwnnw;
 - (iii) dyddiad y penderfyniad;
 - (iv) unrhyw gamau y mae'n rhaid i unrhyw barti yn yr achos eu cymryd, ac erbyn pa ddyddiad y mae'n rhaid cymryd y camau hynny; ac
- (c) rhoi esboniad o hawl parti i apelio yn erbyn y penderfyniad.

(5) Caiff person priodol, drwy gyfrwng tystysgrif wedi ei llofnodi a'i dyddio gan y person priodol,

- (b) a member of the Administrative Justice and Tribunals Council who is acting in that capacity;
- (c) staff of the tribunal;
- (d) any other person permitted by the tribunal, with the consent of the parties.

(2) None of the persons specified in paragraph (1) may take any part in the hearing or such deliberations.

(3) The tribunal may admit persons to a hearing held in private on such terms and conditions as it considers appropriate.

Failure of a party to appear at a hearing

33. Where a party fails to appear at a hearing the tribunal may proceed with the hearing if—

- (a) it is satisfied that notice of the hearing has been given to that party in accordance with these Regulations; and
- (b) it is not satisfied that there is a good reason for the failure to appear.

Decisions of a tribunal in determining applications

34.—(1) This regulation applies to a decision determining an application.

(2) If a hearing was held, the decision may be given orally at the hearing.

(3) The tribunal must provide to each party, as soon as reasonably practicable after making a decision which finally disposes of an application, a notice stating the tribunal's decision ("decision document").

(4) The decision document must—

- (a) be signed and dated by an appropriate person;
- (b) set out—
 - (i) the decision the tribunal has made;
 - (ii) the reasons for reaching the decision;
 - (iii) the date of the decision;
 - (iv) any action that any party to the proceedings must take and the date by which that action must be taken; and
- (c) give an explanation of the right of a party to appeal against the decision.

(5) An appropriate person may, by means of a certificate signed and dated by the appropriate person,

gywiro unrhyw wallau clerigol mewn dogfen penderfyniad neu unrhyw wallau neu amwyseddau sy'n digwydd ynnddi oherwydd llithriad neu hepgoriad damweiniol.

(6) Rhaid anfon copi at bob un o'r partïon, o unrhyw gywiriad a ardystir o dan baragraff (5).

(7) Yn y rheoliad hwn ystyr "person priodol" ("*appropriate person*") yw—

- (a) Cadeirydd y tribiwnlys; neu
- (b) yn absenoldeb neu analluogrwydd Cadeirydd y tribiwnlys, aelod arall o'r tribiwnlys.

Penderfynu ynghylch costau

35.—(1) Rhaid i'r tribiwnlys beidio â gwneud penderfyniad o dan baragraff 12 o Atodlen 13 i Ddeddf 2004 mewn perthynas â pharti heb yn gyntaf roi cyfle i'r parti hwnnw gyflwyno sylwadau i'r tribiwnlys.

(2) Pan benderfynir cais gan aelod cymwysedig sengl o'r panel, caiff yr aelod hwnnw wneud penderfyniad ynghylch costau, mewn perthynas â pharti i'r achos ynghylch y cais hwnnw.

Tynnu cais yn ôl

36.—(1) Yn ddarostyngedig i baragraff (3), caiff ceisydd ("y parti sy'n tynnu'n ôl") ("the withdrawing party") dynnu'n ôl y cyfan neu ran o'r cais a wnaed gan y ceisydd hwnnw, yn unol â pharagraff (2)—

- (a) ar unrhyw adeg cyn i'r tribiwnlys ddechrau ystyried y dystiolaeth ynglŷn â'r cais (pa un ai mewn gwrandawriad llafar ai peidio); a
- (b) ar unrhyw adeg wedi i'r tribiwnlys ddechrau ystyried y dystiolaeth ynglŷn â'r cais (pa un ai mewn gwrandawriad llafar ai peidio), ar yr amod—
 - (i) y bodlonir y tribiwnlys fod y partïon eraill yn cydsynio â thynnu'r cais yn ôl; a
 - (ii) bod y tribiwnlys yn cydsynio â thynnu'r cais yn ôl.

(2) Rhaid i'r parti sy'n tynnu'n ôl hysbysu ei fod yn tynnu'r cais yn ôl drwy gyflwyno i'r tribiwnlys hysbysiad wedi ei lofnodi a'i ddyddio, sy'n—

- (a) rhoi manylion digonol i alluogi adnabod y cais neu'r rhan o'r cais a dynnir yn ôl;
- (b) datgan a oes unrhyw ran o'r cais yn weddill ac eto i'w benderfynu, ac os felly, pa ran; ac
- (c) cadarnhau bod copi o'r hysbysiad bod y cais wedi ei dynnu'n ôl wedi ei gyflenwi i bob un o'r partïon eraill, a'i fod yn nodi'r dyddiad y gwnaed hynny.

(3) Os bydd unrhyw un o'r amgylchiadau ym mharagraff (4) yn bodoli, ni fydd tynnu'r cais yn ôl yn

correct any clerical mistakes in a decision document or any errors or ambiguities arising in it from an accidental slip or omission.

(6) A copy of any correction certified under paragraph (5) must be sent to each party.

(7) In this regulation "appropriate person" ("*person priodol*") means—

- (a) the Chair of the tribunal; or
- (b) in the event of the absence or incapacity of the Chair of the tribunal, another member of the tribunal.

Determination of costs

35.—(1) The tribunal must not make a determination under paragraph 12 of Schedule 13 to the 2004 Act in respect of a party without first giving that party an opportunity of making representations to the tribunal.

(2) Where an application is determined by a single qualified member of the panel that member may make a costs determination in respect of a party to the proceedings on the application.

Withdrawal of application

36.—(1) Subject to paragraph (3), an applicant ("the withdrawing party") ("*y parti sy'n tynnu'n ôl*") may withdraw the whole or a part of the applicant's application in accordance with paragraph (2)—

- (a) at any time before a tribunal begins considering the evidence of the application (whether or not at any oral hearing); and
- (b) at any time after the tribunal begins considering the evidence of the application (whether or not at any oral hearing), provided that—
 - (i) the tribunal is satisfied that the other parties to the application consent to the application being withdrawn; and
 - (ii) the tribunal consents to the application being withdrawn.

(2) The withdrawing party must notify withdrawal of that application by a signed and dated notice supplied to the tribunal—

- (a) sufficiently identifying the application or part of the application which is withdrawn;
- (b) stating whether any part of the application, and if so what, remains to be determined; and
- (c) confirming that a copy of the notice of the withdrawal has been supplied to all other parties and stating the date on which this was done.

(3) If any of the circumstances in paragraph (4) exist, withdrawal of the application does not take effect until

cael effaith hyd nes cyflawnir un o'r ffyrdd o weithredu ym mharagraff (6).

(4) Yr amgylchiadau a grybwyllir ym mharagraff (3) yw—

- (a) bod y tribiwnlys wedi gwahodd y partïon yn yr achos—
 - (i) i gyflwyno sylwadau i'r tribiwnlys ynglŷn ag a ddylid gwneud ad-daliad i unrhyw barti ar ffurf digollediad, iawndal, costau neu ad-daliad ffioedd; a
 - (ii) i ymateb i unrhyw sylwadau a gafwyd gan y tribiwnlys o dan baragraff (i);

ac ar ôl ystyried unrhyw sylwadau a wnaed i'r tribiwnlys gan unrhyw barti o dan yr is-baragraff hwn, bod y tribiwnlys wedi gwneud pa bynnag orchymyn, o ran talu digollediad, iawndal, costau neu ad-daliad ffioedd, y dylid ei wneud, ym marn resymol y tribiwnlys, ar ôl ystyried holl amgylchiadau'r achos;

- (b) bod gorchymyn interim er budd un o'r partïon wedi ei wneud; neu
- (c) bod parti wedi rhoi ymrwymiad i'r tribiwnlys.

(5) Wrth wahodd sylwadau gan y partïon o dan is-baragraff (4)(a), caiff y tribiwnlys roi cyfarwyddyd i'r partïon ynglŷn â'r amser a ganiateir ar gyfer darparu sylwadau o'r fath.

(6) Y ffyrdd o weithredu a grybwyllir ym mharagraff (3) yw—

- (a) bod y parti sy'n tynnu'n ôl wedi anfon at y tribiwnlys ddatganiad ysgrifenedig, a lofnodwyd gan bob un o'r partïon eraill, sy'n pennu'r modd yr ymdrinnir ag unrhyw orchymyn a wnaed o dan baragraff (4)(a), unrhyw orchymyn interim a wnaed o dan baragraff (4)(b) neu unrhyw ymrwymiad a roddwyd o dan baragraff (4)(c), sy'n gymwys i'r achos; neu
- (b) bod y parti sy'n tynnu'n ôl wedi rhoi hysbysiad o'r bwriad i dynnu'n ôl i bob un o'r partïon, ac—
 - (i) bod y parti sy'n tynnu'n ôl wedi gofyn i'r tribiwnlys roi cyfarwyddiadau ynghylch o dan ba amodau y ceir tynnu'r cais yn ôl; a
 - (ii) bod y tribiwnlys wedi rhoi cyfarwyddiadau o'r fath.

(7) Wrth roi cyfarwyddiadau o dan baragraff (6)(b)(ii) caiff y tribiwnlys osod pa bynnag amodau a ystyria'n briodol.

(8) Caiff aelod cymwysedig unigol o'r panel wneud gorchymyn o dan baragraff (4)(b), neu roi cyfarwyddiadau o dan baragraff (5) neu (6)(b)(ii).

one of the courses of action in paragraph (6) has been carried out.

(4) The circumstances mentioned in paragraph (3) are that—

- (a) the tribunal has invited the parties to the proceedings—
 - (i) to make representations to it as to whether any payment by way of compensation, damages, costs or reimbursement of fees should be repaid to any party; and
 - (ii) to respond to any representations the tribunal receives under paragraph (i);

and having regard to any representations made to the tribunal by any party under this sub-paragraph, the tribunal has made such order as to payment by way of compensation, damages, costs or reimbursement of fees it reasonably considers should be paid, having regard to all the circumstances of the case;

- (b) an interim order in favour of a party has been made; or
- (c) a party has given an undertaking to the tribunal.

(5) When inviting representations from the parties under sub-paragraph (4)(a) the tribunal may direct the parties as to the time within which such representations must be provided.

(6) The courses of action mentioned in paragraph (3) are that—

- (a) the withdrawing party has sent to the tribunal a written statement signed by all other parties setting out how any order made under paragraph (4)(a), any interim order made under paragraph (4)(b) or any undertaking given under paragraph (4)(c) which apply to the case are to be dealt with; or
- (b) the withdrawing party has given notice of the intended withdrawal to all parties and—
 - (i) the withdrawing party has requested the tribunal to give directions as to the conditions on which the withdrawal may be made; and
 - (ii) the tribunal has given such directions.

(7) In giving directions under paragraph (6)(b)(ii) the tribunal may impose such conditions as it considers appropriate.

(8) A single qualified member of the panel may make an order under paragraph (4)(b), or give directions under paragraph (5) or (6)(b)(ii).

Gorfodi

37. Ceir gorfodi unrhyw benderfyniad gan y tribiwnlys, gyda chaniatâd y llys sirol, yn yr un modd ag y gorfodir gorchmynion gan lys o'r fath.

Caniatâd i apelio

38.—(1) Yn y rheoliad hwn, ystyr "apelio" ("*to appeal*") yw gwneud apêl yn erbyn penderfyniad gan y tribiwnlys i'r Uwch Dribiwnlys (Siambwr Tiroedd), ac mae ystyr cyfatebol i "apelydd" ("*appellant*").

(2) Pan fo parti'n gwneud cais i'r tribiwnlys am ganiatâd i apelio, caiff wneud y cais—

- (a) ar lafar yn y gwrandawriad lle cyhoeddir y penderfyniad gan y tribiwnlys; neu
- (b) yn ddiweddarach i swyddfa'r tribiwnlys, mewn ysgrifen.

(3) Rhaid gwneud cais am ganiatâd i apelio o fewn y cyfnod o 21 diwrnod sy'n cychwyn gyda'r dyddiad a bennir yn yr hysbysiad o'r penderfyniad fel y dyddiad y rhoddwyd y penderfyniad.

(4) Pan wneir y cais am ganiatâd i apelio mewn ysgrifen, rhaid i'r cais am ganiatâd gael ei lofnodi gan yr apelydd neu gynrychiolydd yr apelydd a rhaid iddo—

- (a) nodi enw a chyfeiriad yr apelydd ac enw a chyfeiriad unrhyw gynrychiolydd yr apelydd;
- (b) nodi pa benderfyniad a pha dribiwnlys y mae'r cais am ganiatâd i apelio yn cyfeirio atynt; ac
- (c) datgan ar ba seiliau y mae'r apelydd yn bwriadu dibynnu yn yr apêl.

(5) Rhaid i'r tribiwnlys, o fewn y cyfnod o 14 diwrnod sy'n cychwyn gyda'r diwrnod y mae'r tribiwnlys yn cael y cais am ganiatâd i apelio—

- (a) anfon copi o'r cais am ganiatâd i apelio at y parti arall i'r cais sy'n destun y cais am ganiatâd i apelio; a
- (b) os yw'r apelydd yn tynnu'n ôl y cais am ganiatâd i apelio, rhoi gwybod i'r parti arall fod y cais am ganiatâd i apelio wedi ei dynnu'n ôl.

(6) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl gwneud penderfyniad ynghylch cais am ganiatâd i apelio, rhaid i'r tribiwnlys anfon hysbysiad sy'n cynnwys rhesymau dros y penderfyniad, at yr apelydd ac at y parti eraill i'r cais sy'n destun yr apêl

(7) Rhaid trin penderfyniad neu orchymyn interim gan dribiwnlys o dan reoliad 12(3) fel penderfyniad y tribiwnlys at ddibenion y rheoliad hwn.

(8) Rhaid i benderfyniad o dan baragraff (6) gynnwys datganiad o unrhyw ddarpariaeth statudol, rheol neu ganllawiau perthnasol, mewn perthynas ag unrhyw gais pellach i'r Uwch Dribiwnlys (Siambwr

Enforcement

37. Any decision of the tribunal may, with the permission of the county court, be enforced in the same way as orders of such a court.

Permission to appeal

38.—(1) In this regulation "to appeal" ("*apelio*") means to make an appeal from a decision of the tribunal to the Upper Tribunal (Lands Chamber) and "appellant" ("*apelydd*") bears a corresponding meaning.

(2) Where a party makes a request to the tribunal for permission to appeal the request may be made—

- (a) orally at the hearing at which the decision is announced by the tribunal; or
- (b) subsequently in writing to the office of the tribunal.

(3) A request for permission to appeal must be made within 21 days of the date specified in the decision notice as the date the decision was given.

(4) Where a request for permission to appeal is made in writing it must be signed by the appellant or the appellant's representative and must—

- (a) state the name and address of the appellant and of any representative of the appellant;
- (b) identify the decision and the tribunal to which the request for permission to appeal relates; and
- (c) state the grounds on which the appellant intends to rely in the appeal.

(5) The tribunal must within the period of 14 days starting with the day the tribunal receives the request for permission to appeal—

- (a) send a copy of that request to the other party to the application which is the subject of the request; and
- (b) where the appellant withdraws the request for permission to appeal, inform the other party of that withdrawal.

(6) As soon as reasonably practicable after making a decision on a request for permission to appeal the tribunal must send a notice, including reasons for the decision, to the appellant and to the other parties to the application which is the subject of the appeal.

(7) A determination or interim order of a tribunal under regulation 12(3) is treated as a decision of the tribunal for the purposes of this regulation.

(8) A decision under paragraph (6) must include a statement of any relevant statutory provision, rule or guidance relating to any further request to the Upper Tribunal (Lands Chamber) for permission to appeal

Tiroedd) am ganiatâd i apelio, ac o'r amser a'r lle ar gyfer gwneud y cais pellach am ganiatâd neu ar gyfer rhoi hysbysiad o apêl.

Cymorth i gyfranogwyr

39.—(1) Yn y rheoliad hwn, ystyr "cyfranogwr" ("*participant*") yw unrhyw geisydd neu barti neu dyst neu berson arall sy'n cymryd rhan mewn achos sy'n ymwneud â chais, neu y cyfeirir ato orchymyn gan y tribiwnlys.

(2) Os yw cyfranogwr yn rhoi gwybod i'r tribiwnlys na all y cyfranogwr ddarllen, siarad na deall yr iaith Gymraeg na'r iaith Saesneg, rhaid i'r tribiwnlys wneud trefniadau i ddarparu i'r cyfranogwr, yn ddi-dâl, y cyfieithiadau a'r cymorth gan gyfieithydd ar y pryd, sy'n angenrheidiol i alluogi'r cyfranogwr i gymryd rhan effeithiol yn yr achos.

(3) Os yw cyfranogwr yn rhoi gwybod i'r tribiwnlys na all y cyfranogwr ddarllen Cymraeg na Saesneg oherwydd ei fod yn ddall neu'n rhannol ddall, dros dro neu'n barhaol, rhaid i'r tribiwnlys wneud trefniadau i ddarparu'r cymorth angenrheidiol i'r cyfranogwr hwnnw yn ddi-dâl, (caiff hyn gynnwys darparu dogfennau mewn Braille neu brint bras, neu ddarllenwr dogfennau, ond nid yw'n gyfyngedig i hynny) i alluogi'r cyfranogwr i gymryd rhan effeithiol yn yr achos.

(4) Os yw cyfranogwr yn rhoi gwybod i'r tribiwnlys y gall y cyfranogwr siarad Cymraeg neu Saesneg, ond na all ddarllen nac ysgrifennu Cymraeg na Saesneg, rhaid i'r tribiwnlys ddarparu i'r cyfranogwr wasanaeth person ar gyfer darllen ac esbonio natur a chynnwys unrhyw ddogfennau, ac ysgrifennu unrhyw ddogfennau ar ran y cyfranogwr, fel y bo'n ofynnol yn rhesymol gan y cyfranogwr, er mwyn ei alluogi i gymryd rhan effeithiol yn yr achos.

(5) Nid yw'r gofyniad bod y tribiwnlys yn darparu i gyfranogwr wasanaeth person ar gyfer darllen, ysgrifennu neu esbonio natur a chynnwys dogfennau o dan baragraff (4) yn cynnwys gofyniad bod y tribiwnlys yn rhoi unrhyw gyngor cyfreithiol, ond mae'n cynnwys gofyniad i esbonio'r camau gweithdrefnol yn yr achos.

(6) Os yw cyfranogwr yn analluog i glywed na siarad, rhaid i'r tribiwnlys wneud trefniadau i ddarparu i'r cyfranogwr hwnnw, yn ddi-dâl, wasanaeth dehonglydd iaith arwyddion, gwefuslefarydd neu balanteipydd, i alluogi'r cyfranogwr i gymryd rhan effeithiol yn yr achos.

(7) Mae gan gyfranogwr hawl i gael cymorth o dan y rheoliad hwn pa un a gynrychiolir y cyfranogwr gan rywun arall ai peidio.

(8) Rhaid i gyfranogwr y mae arno angen cymorth o dan y rheoliad hwn ond sydd heb ei dderbyn, hysbysu'r tribiwnlys o'r angen hwnnw am gymorth cyn gynted ag y bo modd.

and of the time and place for making the further request or for giving notice of appeal.

Assistance to participants

39.—(1) In this regulation "participant" ("*cyfranogwr*") means an applicant or a party or witness or other person taking part in proceedings relating to an application or to whom an order of the tribunal is addressed.

(2) If a participant informs the tribunal that the participant is unable to read or speak or understand the English language or the Welsh language, the tribunal must make arrangements for the participant to be provided, free of charge, with the necessary translations and assistance of an interpreter to enable the participant's effective participation in the proceedings.

(3) If a participant informs the tribunal that the participant is unable to read English or Welsh as a consequence of being temporarily or permanently blind or partially sighted, the tribunal must make arrangements for that participant to be provided, free of charge, with the necessary assistance (which may include, but is not limited to, the provision of documents in Braille or in large print, or a reader of the documents) to enable the participant's effective participation in the proceedings.

(4) If a participant informs the tribunal that the participant is able to speak in English or Welsh, but is unable to read or write in English or Welsh, the tribunal must provide the participant with the services of a person to read and explain the nature and content of any documents, and to write any documents on behalf of the participant that the participant reasonably requires for the purpose of enabling the participant's effective participation in the proceedings.

(5) The requirement for a tribunal to provide a participant with the services of a person to read, write or explain the nature and content of documents under paragraph (4) does not include a requirement for a tribunal to give any legal advice, but includes a requirement to explain the procedural steps in the proceedings.

(6) If a participant is without hearing or speech, the tribunal must make arrangements for that participant to be provided, free of charge, with the services of a sign language interpreter, lip speaker, or palantypist, to enable that participant's effective participation in the proceedings.

(7) A participant is entitled to assistance under this regulation whether or not the participant is represented by someone else.

(8) A participant requiring assistance under this regulation, but not receiving it, must at the earliest opportunity notify the requirement for assistance to the tribunal.

(9) Nid yw'r rheoliad hwn yn cyfyngu mewn unrhyw fodd ar brif amcan tribiwnlys fel y'i disgrifir yn rheoliad 3.

Gofynion ynghylch darparu hysbysiadau a dogfennau

40.—(1) Ystyrir bod unrhyw ddogfen neu hysbysiad y mae'r Rheoliadau hyn yn awdurdodi neu'n gwneud yn ofynnol ei darparu neu'i ddarparu i unrhyw berson, corff neu awdurdod, wedi ei darparu neu'i ddarparu'n briodol i'r person, corff neu awdurdod hwnnw—

- (a) os anfonir y ddogfen neu hysbysiad i gyfeiriad priodol y person, corff neu awdurdod hwnnw drwy'r post dosbarth cyntaf, neu drwy ddanfoniad arbennig, neu drwy ddanfoniad cofnodedig;
- (b) os danfonir y ddogfen neu hysbysiad drwy unrhyw ddull arall i gyfeiriad priodol y person, corff neu awdurdod hwnnw;
- (c) os, gyda chydysyniad ysgrifenedig y person, corff neu awdurdod, anfonir y ddogfen neu hysbysiad at y person, corff neu awdurdod—
 - (i) drwy ffacs, e-bost neu gyfathrebiad electronig arall sy'n cynhyrchu testun y gellir ei gael mewn ffurf ddarllenadwy; neu
 - (ii) drwy wasanaeth danfon dogfennau preifat.

(2) Y cyfeiriad priodol at ddibenion paragraff (1) yw—

- (a) yn achos y tribiwnlys, cyfeiriad swyddfa'r tribiwnlys;
- (b) yn achos cwmni corfforedig neu gorff arall a gofrestrwyd yn y Deyrnas Unedig, cyfeiriad y swyddfa gofrestredig neu brif swyddfa'r cwmni neu'r corff;
- (c) yn achos unrhyw berson, corff neu awdurdod arall, ei gyfeiriad arferol neu ei gyfeiriad olaf sy'n hysbys.

(3) Mae'r paragraff hwn yn gymwys—

- (a) yn achos derbynnnydd arfaethedig dogfen neu hysbysiad—
 - (i) pan na ellir dod o hyd iddo ar ôl gwneud pob ymholiad dyfal;
 - (ii) os fu farw ac nad oes ganddo gynrychiolydd personol; neu
 - (iii) os yw y tu allan i'r Deyrnas Unedig; neu
- (b) os, am unrhyw reswm arall, na ellir yn rhwydd ddarparu hysbysiad neu ddogfen arall yn unol â'r Rheoliadau hyn.

(4) Pan fo paragraff (3) yn gymwys, caiff y tribiwnlys —

- (a) hepgor darparu'r hysbysiad neu'r ddogfen arall; neu
- (b) rhoi cyfarwyddiadau ar gyfer dull amgen o

(9) This regulation does not in any way restrict the overriding objective of a tribunal described in regulation 3.

Requirements for supply of notices and documents

40.—(1) Any document or notice required or authorised by these Regulations to be supplied to any person, body or authority is deemed to have been duly supplied to that person, body or authority—

- (a) if it is sent to the proper address of that person, body or authority by first class post or by special delivery or recorded delivery;
- (b) if it is delivered by any other means to the proper address of that person, body or authority;
- (c) if with the written consent of the person, body or authority, it is sent to that person, body or authority—
 - (i) by fax, email or other electronic communication which produces a text received in legible form; or
 - (ii) by a private document delivery service.

(2) The proper address for the purposes of paragraph (1) is—

- (a) in the case of the tribunal, the address of the office of the tribunal;
- (b) in the case of an incorporated company or other body registered in the United Kingdom, the address of the registered or principal office of the company or body;
- (c) in the case of any other person, body or authority, the usual or last known address of that person, body or authority.

(3) This paragraph applies where—

- (a) an intended recipient of a document or notice—
 - (i) cannot be found after all diligent enquiries have been made;
 - (ii) has died and has no personal representative; or
 - (iii) is out of the United Kingdom; or
- (b) for any other reason a notice or other document cannot readily be supplied in accordance with these Regulations.

(4) Where paragraph (3) applies, the tribunal may—

- (a) dispense with supplying the notice or other document; or
- (b) give directions for substituted service in such

gyflwyno, ym mha ffurf neu ddull bynnag arall (drwy hysbysebu mewn papur newydd neu fel arall) a ystyrir yn briodol gan y tribiwnlys.

(5) Pan yw'n ofynnol, o dan Ddeddf 2004, Deddf 1985, Deddf 1983 neu'r Rheoliadau hyn, bod parti'n darparu tystiolaeth ei fod wedi cyflenwi dogfen i unrhyw berson, caiff y parti fodloni'r gofyniad hwnnw drwy ddarparu tystysgrif, wedi ei llofnodi gan y parti, yn cadarnhau bod y ddogfen wedi ei chyflwyno yn unol â gofynion y rheoliad hwn.

Amser

41.—(1) Pan fo'r amser a bennir yn y Rheoliadau hyn ar gyfer cyflawni unrhyw weithred yn dod i ben ar ddydd Sadwrn, neu ddydd Sul neu ar ŵyl gyhoeddus, ystyrir ei fod yn dod i ben ar y diwrnod dilynol nesaf nad yw'n ddydd Sadwrn, neu'n ddydd Sul neu'n ŵyl gyhoeddus.

(2) Ystyr gŵyl gyhoeddus yw Dydd Nadolig, Dydd Gwener y Groglith neu ddiwrnod sy'n ŵyl banc o dan Ddeddf Bancio a Thrafodion Ariannol 1971(1).

Ceisiadau gwacsaw a blinderus etc.

42.—(1) Yn ddarostyngedig i baragraff (2), os yw'n ymddangos i'r tribiwnlys fod cais yn—

- (a) wacsaw;
- (b) blinderus; neu
- (c) yn camddefnyddio proses y tribiwnlys,

caiff y tribiwnlys wrthod y cais yn gyfan gwbl neu'n rhannol.

(2) Cyn gwrthod cais o dan baragraff (1), rhaid i'r tribiwnlys hysbysu'r ceisydd o'i fwriad i wneud hynny, yn unol â pharagraff (3).

(3) Rhaid i unrhyw hysbysiad o dan baragraff (2) ddatgan—

- (a) bod y tribiwnlys â'i fryd ar wrthod y cais;
- (b) ar ba sail y rhoddodd ei fryd ar wrthod y cais;
- (c) bod hawl gan y ceisydd i gael ei glywed gan y tribiwnlys ar y cwestiwn pa un a ddylid gwrthod y cais; ac
- (ch) y dyddiad olaf pan gaiff y ceisydd ofyn am gael ei glywed gan y tribiwnlys, sef dyddiad nad yw'n llai na 14 diwrnod ar ôl y dyddiad yr anfonwyd yr hysbysiad.

(4) Ni cheir gwrthod cais o dan baragraff (1) ac eithrio—

- (a) pan nad yw'r ceisydd wedi gofyn i'r tribiwnlys, cyn y dyddiad a grybwyllir ym mharagraff (3)(c), am gael ei glywed gan y tribiwnlys; neu

other form (whether by advertisement in a newspaper or otherwise) or manner as the tribunal thinks fit.

(5) Where it is required under the 2004 Act, the 1985 Act, the 1983 Act or these Regulations that a party must provide evidence that the party has supplied any person with a document, a party may satisfy the requirement by providing a certificate signed by the party confirming that the document was served in accordance with the requirements of this regulation.

Time

41.—(1) Where the time specified by these Regulations for doing any act expires on a Saturday or Sunday or public holiday, it is treated as expiring on the next following day which is not a Saturday or Sunday or public holiday.

(2) A public holiday means Christmas Day, Good Friday or day which under the Banking and Financial Dealings Act 1971(1) is a bank holiday.

Frivolous and vexatious etc applications

42.—(1) Subject to paragraph (2), where it appears to the tribunal that an application is—

- (a) frivolous;
- (b) vexatious; or
- (c) an abuse of process,

the tribunal may dismiss the application in whole or in part.

(2) Before dismissing an application under paragraph (1) the tribunal must give notice of its intention to do so to the applicant in accordance with paragraph (3).

(3) Any notice under paragraph (2) must state—

- (a) that the tribunal is minded to dismiss the application;
- (b) the grounds on which it is minded to dismiss the application;
- (c) that the applicant is entitled to be heard by the tribunal on the question of whether the application should be dismissed, and
- (d) the latest date by which the applicant may request to be heard by the tribunal, being not less than 14 days after the date that the notice was sent.

(4) An application may not be dismissed under paragraph (1) unless—

- (a) the applicant makes no request to the tribunal before the date mentioned in paragraph (3)(c); or

(1) 1971 p.80.

(1) 1971 c.80.

- (b) pan fo'r ceisydd wedi gofyn am gael ei glywed gan y tribiwnlys a'r tribiwnlys wedi clywed y ceisydd a'r ymatebydd, neu'r cyfryw rai ohonynt a oedd bresennol yn y gwrandawriad, ar y cwestiwn pa un a ddylid gwrthod y cais.

Afreoleidd-dra

43. Nid fydd unrhyw afreoleidd-dra sy'n deillio o fethiant gan barti i gydymffurfio ag unrhyw ddarpariaeth yn y Rheoliadau hyn, neu fethiant i gydymffurfio ag unrhyw gyfarwyddyd gan y tribiwnlys cyn bo'r tribiwnlys wedi penderfynu'r cais, ohono'i hunan yn gwneud yr achos yn ddi-rym.

Llofnodi dogfennau

44. Pan fo'r Rheoliadau hyn yn ei gwneud yn ofynnol bod dogfen yn cael ei llofnodi, bodlonir y gofyniad hwnnw os yw—

- (a) y llofnod naill ai wedi ei ysgrifennu neu wedi ei gynhyrchu gan gyfrifiadur neu ddull mecanyddol arall; a
- (b) enw'r llofnodwr yn ymddangos o dan y llofnod mewn modd sy'n galluogi adnabod y llofnodwr.

- (b) where the applicant makes such a request, the tribunal has heard the applicant and the respondent, or such of them as attend the hearing, on the question of the dismissal of the application.

Irregularities

43. Any irregularity resulting from failure by a party to comply with any provision of these Regulations or of any direction of the tribunal before the tribunal has determined the application does not of itself render the proceedings void.

Signature of documents

44. Where these Regulations require a document to be signed, that requirement is satisfied—

- (a) if the signature is either written or produced by computer or other mechanical means; and
- (b) the name of the signatory appears beneath the signature in such a way that the signatory may be identified.

RHAN 3

FFIOEDD TRIBIWNLISOEDD EIDDO PRESWYL

Ffioedd am geisiadau a wneir o dan Ddeddf 2004

45.—(1) Yn ddarostyngedig i reoliad 49(2), mae ffi o £150 yn daladwy am gais i dribiwnlys o dan ddarpariaethau canlynol Deddf 2004—

- (i) adran 22(9) (gwrthod cymeradwyo defnydd o fangre sy'n destun gorchymyn gwahardd);
- (ii) adran 62(7) (trwyddedu tai amlfeddiannaeth: gwrthod caniatáu hysbysiad esemptio dros dro);
- (iii) adran 86(7) (trwyddedu detholus: gwrthod caniatáu hysbysiad esemptio dros dro);
- (iv) adran 126(4) (effaith gorchymynion rheoli: dodrefn);
- (v) adran 138 (digollediad sy'n daladwy i drydydd partïon);
- (vi) paragraff 10 o Atodlen 1 (hysbysiad gwella);
- (vii) paragraff 13 o Atodlen 1 (penderfyniad ATLI i amrywio, neu wrthod dirymu neu amrywio, gorchymyn gwella);
- (viii) paragraff 7 o Atodlen 2 (gorchymyn

PART 3

RESIDENTIAL PROPERTY TRIBUNAL FEES

Fees for applications made under the 2004 Act

45.—(1) Subject to regulation 49(2), a fee of £150 is payable for an application to a tribunal under the following provisions of the 2004 Act—

- (i) section 22(9) (refusal to approve use of premises subject to a prohibition order);
- (ii) section 62(7) (HMO licensing: refusal to grant temporary exemption notice);
- (iii) section 86(7) (selective licensing: refusal to grant temporary exemption notice);
- (iv) section 126(4) (effect of management orders: furniture);
- (v) section 138 (compensation payable to third parties);
- (vi) paragraph 10 of Schedule 1 (improvement notice);
- (vii) paragraph 13 of Schedule 1 (LHA's decision to vary, or to refuse to revoke or vary, an improvement notice);
- (viii) paragraph 7 of Schedule 2 (prohibition

- gwahardd);
- (ix) paragraff 9 o Atodlen 2 (penderfyniad ATLL i amrywio, neu wrthod dirymu neu amrywio, gorchymyn gwahardd);
 - (x) paragraff 11 o Atodlen 3 (hysbysiad gwella: galwad am ad-dalu treuliau);
 - (xi) paragraff 31 o Atodlen 5 (rhoi neu wrthod trwydded);
 - (xii) paragraff 32 o Atodlen 5 (trwyddedu tai amlfeddiannaeth: penderfyniad i amrywio neu ddirymu, neu wrthod amrywio neu ddirymu, trwydded);
 - (xiii) paragraff 28 o Atodlen 6 (penderfyniad ATLL i amrywio neu ddirymu, neu wrthod amrywio neu ddirymu, gorchymyn rheoli);
 - (xiv) paragraff 32 o Atodlen 6 (gorchymyn rheoli: digolledu trydydd parti);
 - (xv) paragraff 26(1)(a) a (b) o Atodlen 7 (GRhAG terfynol);
 - (xvi) paragraff 30 o Atodlen 7 (penderfyniad ATLL i amrywio neu ddirymu, neu wrthod amrywio neu ddirymu, GRhAG interim neu derfynol);
 - (xvii) paragraff 34(2) o Atodlen 7 (GRhAG: digolledu trydydd parti).

(2) Yn ddarostyngedig i baragraff (3) a rheoliad 49(2), mae ffi o £150 yn daladwy am gais i dribiwnlys o dan baragraff 24 o Atodlen 6 i Ddeddf 2004 (gorchymyn rheoli interim a therfynol).

(3) Nid oes ffi yn daladwy pan wneir cais o dan is-baragraff (1)(b) o baragraff 24 o Atodlen 6 i Ddeddf 2004 ar y seiliau a bennir yn is-baragraff (3) o'r paragraff hwnnw.

Ffioedd am geisiadau a wneir o dan Ddeddf 1985

46. Yn ddarostyngedig i reoliad 49(2), mae ffi o £150 yn daladwy am gais i dribiwnlys o dan ddarpariaethau canlynol Deddf 1985—

- (a) adran 269(1) (gorchymynion dymchwel);
- (b) adran 318(1) (pŵer tribiwnlys i awdurdodi cyflawni gwaith ar fangre anaddas neu waith gwella).

Ffioedd am geisiadau a wneir o dan Ddeddf 1983

47.—(1) Yn ddarostyngedig i baragraff (5) a rheoliad 49(2), mae ffi o £150 yn daladwy am gais i dribiwnlys o dan baragraff 28(1)(h) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (cymdeithas preswylwyr gymwys i gael ei chydnabod gan berchennog safle a ddiogelir).

(2) Yn ddarostyngedig i baragraff (5) a rheoliad 49(2), mae ffi yn daladwy am gais i dribiwnlys o dan ddarpariaethau canlynol Deddf 1983—

- order);
- (ix) paragraph 9 of Schedule 2 (LHA's decision to vary, or to refuse to revoke or vary, a prohibition order);
 - (x) paragraph 11 of Schedule 3 (improvement notice: demand for recovery of expenses);
 - (xi) paragraph 31 of Schedule 5 (grant or refusal of licence);
 - (xii) paragraph 32 of Schedule 5 (HMO licensing: decision to vary or revoke, or to refuse to vary or revoke licence);
 - (xiii) paragraph 28 of Schedule 6 (LHA's decision to vary or revoke, or to refuse to vary or revoke, a management order);
 - (xiv) paragraph 32 of Schedule 6 (management order: third party compensation);
 - (xv) paragraph 26(1)(a) and (b) of Schedule 7 (final EDMO);
 - (xvi) paragraph 30 of Schedule 7 (LHA's decision to vary or revoke, or to refuse to vary or revoke, an interim or final EDMO);
 - (xvii) paragraph 34(2) of Schedule 7 (EDMO: third party compensation).

(2) Subject to paragraph (3) and regulation 49(2), a fee of £150 is payable for an application to a tribunal under paragraph 24 of Schedule 6 to the 2004 Act (interim and final management order).

(3) No fee is payable where an application under sub-paragraph (1)(b) of paragraph 24 of Schedule 6 to the 2004 Act is made on the grounds set out in sub-paragraph (3) of that paragraph.

Fees for applications made under the 1985 Act

46. Subject to regulation 49(2), a fee of £150 is payable for an application to a tribunal under the following provisions of the 1985 Act—

- (a) section 269(1) (demolition orders);
- (b) section 318(1) (power of tribunal to authorise execution of works on unfit premises or for improvement).

Fees for applications made under the 1983 Act

47.—(1) Subject to paragraph (5) and regulation 49(2) a fee of £150 is payable for an application to a tribunal under paragraph 28(1)(h) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (qualifying residents' association to be acknowledged by owner of protected site).

(2) Subject to paragraph (5) and regulation 49(2), a fee is payable for an application to a tribunal under the following provisions of the 1983 Act—

- (a) adran 2(2) (telerau ynglŷn â materion a grybwyllir yn Rhan 2 o Atodlen 1 i Ddeddf 1983 yn oblygedig mewn cytundeb);
- (b) adran 2(3) (amrywio neu ddileu telerau datganedig mewn cytundeb);
- (c) adran 4 (penderfynu unrhyw gwestiwn sy'n codi o dan Ddeddf 1983 neu unrhyw gytundeb y mae Deddf 1983 yn gymwys iddo);
- (ch) paragraffau 4, 5 neu 5A(2) o Bennod 2 o Ran 1 o Atodlen 1 (terfynu gan y perchennog);
- (d) paragraff 10(1) o Bennod 2 o Ran 1 o Atodlen 1 (adleoli cartref symudol).

(3) Y ffi sy'n daladwy am bob cais y cyfeirir ato ym mharagraff (2) yw—

- (a) pan fo'r cais yn cynnwys un cyfeiriad, £150;
- (b) pan fo'r cais yn cynnwys dau gyfeiriad, £200;
- (c) pan fo'r cais yn cynnwys tri neu bedwar cyfeiriad, £400;
- (ch) pan fo'r cais yn cynnwys pum cyfeiriad neu ragor, £500.

(4) At ddibenion paragraff (3), y nifer o gyfeiriadau sy'n gynnwysedig mewn cais yw—

- (a) yn achos cais a wneir mewn perthynas ag un llain neu gartref symudol, y nifer o ddarpariaethau o Ddeddf 1983 y mae'r cais hwnnw'n ymwneud â hwy; a
- (b) yn achos cais a wneir mewn perthynas â mwy nag un llain neu gartref symudol, y nifer o leiniau neu gartrefi symudol y mae'r cais yn ymwneud â hwy.

(5) Nid oes ffi yn daladwy i dribiwnlys mewn perthynas â chais a wnaed o dan Ddeddf 1983 ac sydd wedi ei drosglwyddo o lys i dribiwnlys.

Talu ffioedd

48. Rhaid anfon unrhyw ffi sy'n daladwy o dan reoliad 45, 46 neu 47 gyda'r cais, a rhaid ei thalu gyda sic a wnaed yn daladwy i Weinidogion Cymru, neu gydag archeb bost a lanwyd er budd Gweinidogion Cymru.

Atebolrwydd i dalu ffi a hepgor ffioedd

49.—(1) Y ceisydd sy'n atebol i dalu unrhyw ffi sy'n daladwy o dan reoliad 45, 46 neu 47.

(2) Nid oes ffi yn daladwy o dan reoliad 45, 46 neu 47 os yw'r ceisydd neu bartner y person hwnnw, ar y dyddiad y gwneir y cais, yn cael—

- (a) section 2(2) (terms concerning matters mentioned in Part 2 of Schedule 1 to the 1983 Act to be implied in agreement);
- (b) section 2(3) (variation or deletion of express terms in agreement);
- (c) section 4 (determination of any question arising under the 1983 Act or any agreement to which the 1983 Act applies);
- (d) paragraphs 4, 5 or 5A(2) of Chapter 2 of Part 1 of Schedule 1 (termination by owner);
- (e) paragraph 10(1) of Chapter 2 of Part 1 of Schedule 1 (re-siting of mobile home).

(3) The fee payable for each application referred to in paragraph (2) is—

- (a) where the application contains one reference, £150;
- (b) where the application contains two references, £200;
- (c) where the application contains three or four references, £400;
- (d) where the application contains five or more references, £500.

(4) For the purpose of paragraph (3), the number of references contained in an application is—

- (a) in the case of an application made in respect of one pitch or mobile home, the number of provisions of the 1983 Act to which that application relates; and
- (b) in the case of an application made in respect of more than one pitch or mobile home, the number of pitches or mobile homes to which the application relates.

(5) No fee is payable to a tribunal in relation to an application made under the 1983 Act that has been transferred from a court to a tribunal.

Payment of fees

48. Any fee payable under regulation 45, 46 or 47 must accompany the application and must be paid by a cheque made payable to, or postal order drawn in favour of, the Welsh Ministers.

Liability to pay fee and waiver of fees

49.—(1) The applicant is liable to pay any fee payable under regulation 45, 46 or 47.

(2) No fee is payable under regulation 45, 46 or 47 where, on the date that the application is made, the applicant or that person's partner is in receipt of—

- (a) y naill neu'r llall o'r budd-daliadau canlynol o dan Ran 7 o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(1)—
- (i) cymhorthdal incwm; neu
 - (ii) budd-dal tai;
- (b) lwfans ceisio gwaith yn seiliedig ar incwm, o fewn ystyr adran 1 o Ddeddf Ceiswyr Gwaith 1995(2);
- (c) credyd treth gwaith o dan Ran 1 o Ddeddf Credydau Treth 2002(3) y mae paragraff (3) yn gymwys iddo;
- (ch) credyd gwarant o dan Ddeddf Credyd Pensiynau'r Wladwriaeth 2002(4);
- (d) lwfans cyflogaeth a chymorth yn seiliedig ar incwm sy'n daladwy o dan Ran 1 o Ddeddf Diwygio Lles 2007(5).
- (3) Mae'r paragraff hwn yn gymwys—
- (a) naill ai—
 - (i) pan fo elfen anabled neu elfen anabled difrifol (neu'r ddau)(6) yn y credyd treth gwaith y mae'r person, neu bartner y person, yn ei gael; neu
 - (ii) pan fo'r person neu bartner y person hefyd yn cael credyd treth plant(7); a
 - (b) pan fo'r incwm blynyddol gros a gymerir i ystyriaeth ar gyfer cyfrifo'r credyd treth gwaith yn £16,190 neu lai.
- (4) Yn y rheoliad hwn ac yn rheoliad 50, ystyr "partner" ("*partner*"), mewn perthynas â pherson, yw—
- (a) pan fo'r person yn aelod o gwpl, yr aelod arall o'r cwpl hwnnw; neu
 - (b) pan fo'r person yn briod mewn priodas amlbriod(8) â dau neu ragor o aelodau o aelwyd, unrhyw aelod o'r fath.

- (a) either of the following benefits under Part 7 of the Social Security Contributions and Benefits Act 1992(1)—
- (i) income support; or
 - (ii) housing benefit;
- (b) an income-based jobseeker's allowance within the meaning of section 1 of the Jobseekers Act 1995(2);
- (c) a working tax credit under Part 1 of the Tax Credits Act 2002(3) to which paragraph (3) applies;
- (d) a guarantee credit under the State Pensions Credit Act 2002(4);
- (e) an income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007(5).
- (3) This paragraph applies where—
- (a) either—
 - (i) there is a disability element or severe disability element (or both)(6) to the working tax credit received by the person or the person's partner; or
 - (ii) the person or the person's partner is also in receipt of child tax credit(7); and
 - (b) the gross annual income taken into account for the calculation of the working tax credit is £16,190 or less.
- (4) In this regulation and in regulation 50, "partner" ("*partner*"), in relation to a person, means—
- (a) where the person is a member of a couple, the other member of that couple; or
 - (b) where the person is polygamously married(8) to two or more members of a household, any such member.

(1) 1992 p.4. Diwygiwyd Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 gan Ddeddf Credydau Treth 2002 (p.21), adran 60 ac Atodlen 6. Gwnaed diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) 1995 p.18. Diwygiwyd Deddf Ceiswyr Gwaith 1995 gan Ddeddf Diwygio Lles a Phensiynwyr 1999 (p.30), adrannau 59 ac 88 ac Atodlenni 7 a 13.

(3) 2002 p.21.

(4) 2002 p.16.

(5) 2007 p.5.

(6) *Gweler* adran 11(3), (4) a (6) o Ddeddf Credydau Treth 2002.

(7) *Gweler* adran 8 o Ddeddf Credydau Treth 2002.

(8) Ystyr "priodas amlbriod" yw unrhyw briodas lle yn ystod bodolaeth y briodas y mae parti iddi yn briod â mwy nag un person a chynhaliwyd y seremoni briodas o dan gyfraith gwlad oedd yn caniatáu amlbriodas.

(1) 1992 c.4. The Social Security Benefits and Contributions Act 1992 was amended by the Tax Credits Act 2002 (c.21), section 60 and Schedule 6. There are other amendments not relevant to these Regulations.

(2) 1995 c.18. The Jobseekers Act 1995 was amended by the Welfare Reform and Pensioners Act 1999 (c.30), sections 59 and 88 and Schedules 7 and 13.

(3) 2002 c.21.

(4) 2002 c.16.

(5) 2007 c.5.

(6) *See* section 11(3), (4) and (6) of the Tax Credits Act 2002.

(7) *See* section 8 of the Tax Credits Act 2002.

(8) A "polygamous marriage" means any marriage during the subsistence of which a party to it is married to more than one person and the ceremony of marriage took place under the law of a country which permits polygamy.

(5) Ym mharagraff (4), ystyr "cwpl" ("*couple*") yw—

- (a) dyn a menyw sy'n briod â'i gilydd ac yn aelodau o'r un aelwyd;
- (b) dyn a menyw nad ydynt yn briod â'i gilydd ond sy'n byw gyda'i gilydd fel gŵr a gwraig;
- (c) dau berson o'r un rhyw sy'n bartneriaid sifil i'w gilydd ac yn aelodau o'r un aelwyd; neu
- (ch) dau berson o'r un rhyw nad ydynt yn bartneriaid sifil i'w gilydd ond sy'n byw gyda'i gilydd fel pe baent yn bartneriaid sifil,

ac at ddibenion is-baragraff (ch), rhaid ystyried bod dau berson o'r un rhyw yn byw gyda'i gilydd fel pe baent yn bartneriaid sifil pe byddid yn ystyried, ond dim ond pe byddid yn ystyried, eu bod yn byw gyda'i gilydd fel gŵr a gwraig, pe baent, yn hytrach, yn ddau berson o wahanol ryw.

Ad-dalu ffioedd

50.—(1) Yn ddarostyngedig i baragraff (2), mewn perthynas ag unrhyw gais y mae ffi'n daladwy amdano o dan reoliad 45, 46 neu 47, caiff tribiwnlys ei gwneud yn ofynnol fod unrhyw barti i'r cais yn ad-dalu i unrhyw barti arall hyd at y cyfan neu ran o unrhyw ffi a dalwyd gan y parti arall hwnnw mewn perthynas â'r cais.

(2) Ni chaiff tribiwnlys ei gwneud yn ofynnol fod parti yn gwneud ad-daliad o'r fath os bodlonir y tribiwnlys, ar yr adeg pan fo'r tribiwnlys yn ystyried pa un a fydd yn gwneud hynny ai peidio, fod y parti neu bartner y parti hwnnw'n cael cymorth o unrhyw ddisgrifiad a grybwyllir yn rheoliad 49(2).

Dirymu

51. Dirymir y Rheoliadau canlynol—

- (a) Rheoliadau Tribiwnlys Eiddo Preswyl (Ffioedd) (Cymru) 2006(1); a
- (b) Rheoliadau Gweithdrefn Tribiwnlys Eiddo Preswyl (Cymru) 2006(2).

Y Gweinidog Tai, Adfywio a Threftadaeth, un o Weinidogion Cymru

23 Chwefror 2012

(1) O.S. 2006/1641(Cy.156).

(2) O.S. 2006/1642 (Cy.157).

(5) In paragraph (4), "couple" ("*cwpl*") means—

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as husband and wife;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners,

and for the purposes of sub-paragraph (d), two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.

Reimbursement of fees

50.—(1) Subject to paragraph (2), in relation to any application in respect of which a fee is payable under regulation 45, 46 or 47, a tribunal may require any party to the application to reimburse any other party to the extent of the whole or part of any fee paid by that party in respect of the application.

(2) A tribunal may not require a party to make such reimbursement if, at the time the tribunal is considering whether or not to do so, the tribunal is satisfied that the party or a partner of the party is in receipt of assistance of any description mentioned in regulation 49(2).

Revocation

51. The following Regulations are revoked—

- (a) The Residential Property Tribunal (Fees) (Wales) Regulations 2006(1); and
- (b) The Residential Property Tribunal Procedure (Wales) Regulations 2006(2).

Huw Lewis

Minister for Housing, Regeneration and Heritage, one of the Welsh Ministers

23 February 2012

(1) S.I. 2006/1641 (W. 156).

(2) S.I. 2006/1642 (W. 157).

**Manylion ychwanegol ynglŷn â rhai
ceisiadau****Ceisiadau a wneir o dan Ddeddf 2004***Ceisiadau sy'n ymwneud â hysbysiadau gwella*

1.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 10(1) o Atodlen 1 i Ddeddf 2004 (apêl yn erbyn hysbysiad gwella) ac eithrio cais y cyfeirir ato ym mharagraff 2.

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad gwella (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau; ac
- (c) os sail y cais, neu un o'i seiliau, yw mai un o'r ffyrdd o weithredu a grybwyllir ym mharagraff 12(2) o Atodlen 1 i Ddeddf 2004 yw'r ffordd orau o weithredu ynglŷn â'r perygl, datganiad yn nodi beth yw'r ffordd honno o weithredu, ynghyd â rhesymau'r ceisydd dros ystyried mai honno yw'r ffordd orau o weithredu.

(3) Yr ymatebydd penodedig yw'r ATLL.

2.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 10 o Atodlen 1 i Ddeddf 2004 sydd ar y sail a nodir ym mharagraff 11(1) o'r Atodlen honno (sail apêl yn ymwneud â phersonau eraill), neu sy'n cynnwys y sail honno.

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad gwella (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau;
- (c) os un o'r seiliau ar gyfer y cais yw mai ffordd arall o weithredu a grybwyllir ym mharagraff 12(2) o Atodlen 1 i Ddeddf 2004 yw'r ffordd orau o weithredu ynglŷn â'r perygl, datganiad yn nodi beth yw'r ffordd honno o weithredu, ynghyd â rhesymau'r ceisydd dros ystyried mai dyna'r ffordd orau o weithredu;
- (ch) enw a chyfeiriad unrhyw berson a ddylai, fel un o berchnogion y fangre, ym marn y ceisydd, weithredu fel sy'n ofynnol o dan yr hysbysiad gwella neu dalu'r cyfan neu ran o gostau'r gweithredu hwnnw ("y perchennog arall");
- (d) prawf bod copi o'r cais wedi ei gyflwyno i'r perchennog arall; ac

(dd) datganiad yn cynnwys y manylion canlynol—

- (i) natur buddiant y perchennog arall yn y fangre;
- (ii) y rheswm pam y mae'r ceisydd yn tybio y

**Additional details with regard to certain
Applications****Applications made under the 2004 Act***Applications relating to improvement notices*

1.—(1) This paragraph applies to an application under paragraph 10(1) of Schedule 1 to the 2004 Act (appeal against improvement notice) other than an application referred to in paragraph 2.

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);
- (b) the statement of reasons; and
- (c) where the ground or one of the grounds of the application is that one of the courses of action mentioned in paragraph 12(2) of Schedule 1 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course.

(3) The specified respondent is the LHA.

2.—(1) This paragraph applies to an application under paragraph 10 of Schedule 1 to the 2004 Act which consists of or includes the ground set out in paragraph 11(1) of that Schedule (ground of appeal relating to other persons).

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);
- (b) the statement of reasons;
- (c) where one of the grounds of the application is that another course of action mentioned in paragraph 12(2) of Schedule 1 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course;
- (d) the name and address of any person who as an owner of the premises, in the applicant's opinion ought to take the action required by the improvement notice or pay the whole or part of the costs of taking that action ("the other owner");
- (e) proof of service of a copy of the application on the other owner; and
- (f) a statement containing the following details—
 - (i) the nature of the other owner's interest in the premises;
 - (ii) the reason the applicant considers the other

dylai'r perchennog arall weithredu fel sydd dan sylw, neu dalu'r cyfan neu ran o gost gweithredu felly; a

- (iii) os sail y cais yw y dylai'r perchennog arall dalu'r cyfan neu ran o gost y gweithredu, amcangyfrif o gost y gweithredu a'r gyfran o'r gost honno, ym marn y ceisydd, y dylai'r perchennog arall ei thalu.

(3) Yr ymatebydd penodedig yw'r ATLI.

3.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 13(1) o Atodlen 1 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLI i amrywio neu wrthod amrywio neu ddirymu hysbysiad gwella).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad gwella (gan gynnwys unrhyw atodlen iddo);
(b) y datganiad o resymau; ac
(c) copi o benderfyniad yr ATLI i amrywio neu wrthod amrywio neu ddirymu (gan gynnwys unrhyw ddogfennau a ddyroddwyd gan yr ATLI mewn cysylltiad â'i hysbysiad o benderfyniad).

(3) Yr ymatebydd penodedig yw'r ATLI.

4.—(1) Mae'r paragraff hwn yn gymwys i gais o dan—

- (a) paragraff 11(1) o Atodlen 3 i Ddeddf 2004 (apêl yn erbyn galwad gan yr ATLI am ad-dalu costau a dynnwyd gan yr ATLI wrth weithredu pan fo hysbysiad gwella wedi ei gyflwyno); a
(b) y paragraff hwnnw fel y'i cymhwysir gydag addasiadau gan adran 42 o Ddeddf 2004 (apêl yn erbyn galwad gan yr ATLI am ad-dalu costau a dynnwyd wrth gymryd camau adferol brys).

(2) Y dogfennu penodedig yw—

- (a) copi o'r hysbysiad gwella neu (yn ôl y digwydd) yr hysbysiad o weithredu adferol brys (gan gynnwys unrhyw atodlen iddo);
(b) yr hysbysiad o ddatganiad o resymau;
(c) copi o'r hysbysiad a gyflwynwyd gan yr ATLI o dan baragraff 4 o Atodlen 3 i Ddeddf 2004 (hysbysiad ynghylch bwriad ATLI i fynd i mewn i fangre i gymryd camau gweithredu penodol heb gytundeb);
(ch) copi o alwad yr ATLI am gostau; a
(d) pan wneir y cais ar y sail a grybwyllir ym mharagraff 11(4) o'r Atodlen honno, manylion y cynnydd y dibynnir ar iddo gael ei wneud tuag at gydymffurfio â'r hysbysiad.

(3) Yr ymatebydd penodedig yw'r ATLI.

owner ought to take the action concerned or pay the whole or part of the cost of taking that action; and

- (iii) where the ground of the application is that the other owner ought to pay the whole or part of the cost of taking the action, the estimated cost of taking the action and the proportion of that cost which the applicant considers the other owner ought to pay.

(3) The specified respondent is the LHA.

3.—(1) This paragraph applies to an application under paragraph 13(1) of Schedule 1 to the 2004 Act (appeal against LHA's decision to vary, or to refuse to vary or revoke, an improvement notice).

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);
(b) the statement of reasons; and
(c) a copy of the LHA's decision to vary, or to refuse to vary or revoke (including any documentation issued by the LHA in connection with its notice of decision).

(3) The specified respondent is the LHA.

4.—(1) This paragraph applies to an application under—

- (a) paragraph 11(1) of Schedule 3 to the 2004 Act (appeal against demand by the LHA for recovery of expenses incurred by the LHA in taking action where improvement notice has been served); and
(b) that paragraph as applied with modifications by section 42 of the 2004 Act (an appeal against a demand by the LHA for recovery of expenses incurred by taking emergency remedial action).

(2) The specified documents are—

- (a) a copy of the improvement notice or (as the case may be) the notice of emergency remedial action (including any schedule to it);
(b) the statement of reasons notice;
(c) a copy of the notice served by the LHA under paragraph 4 of Schedule 3 to the 2004 Act (notice of LHA's intention to enter premises to carry out specified actions without agreement);
(d) a copy of the LHA's demand for expenses; and
(e) where the application is made on the ground mentioned in paragraph 11(4) of that Schedule, details of the progress relied upon as being made towards compliance with the notice.

(3) The specified respondent is the LHA.

Ceisiadau sy'n ymwneud â gorchmynion gwahardd

5.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 22(9) o Ddeddf 2004 (apêl yn erbyn gwrthodiad gan ATLL i gymeradwyo defnydd penodol o dan adran 22(4)).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchmyn gwahardd (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau; ac
- (c) hysbysiad o benderfyniad yr ATLL i wrthod caniatáu defnydd penodol o'r cyfan neu ran o'r fangre.

(3) Yr ymatebydd penodedig yw'r ATLL.

6.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 34(2) o Ddeddf 2004 (cais gan lesydd neu lesddeiliad am orchymyn yn terfynu neu'n amrywio les pan fo gorchmyn gwahardd wedi dod yn weithredol).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchmyn gwahardd (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau;
- (c) copi o'r les berthnasol; ac
- (ch) datganiad o enw a chyfeiriad unrhyw barti arall i'r les ac enw a chyfeiriad unrhyw barti i les isradd.

(3) Yr ymatebydd penodedig yw'r parti arall i'r les.

7.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 7(1) o Atodlen 2 i Ddeddf 2004 (apêl yn erbyn gorchmyn gwahardd).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchmyn gwahardd (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau; ac
- (c) os un o seiliau'r cais yw mai un o'r ffyrdd o weithredu a grybwyllir ym mharagraff 8(2) o Atodlen 2 i Ddeddf 2004 yw'r ffordd orau o weithredu ynglŷn â'r perygl, datganiad yn nodi beth yw'r ffordd honno o weithredu a rhesymau'r ceisydd dros farnu mai honno yw'r ffordd orau.

(3) Yr ymatebydd penodedig yw'r ATLL.

8.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 9 o Atodlen 2 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i amrywio neu wrthod amrywio neu ddirymu gorchmyn gwahardd).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchmyn gwahardd (gan gynnwys unrhyw atodlen iddo);

Applications relating to prohibition orders

5.—(1) This paragraph applies to an application under section 22(9) of the 2004 Act (appeal against LHA's refusal to give approval of particular use under section 22(4)).

(2) The specified documents are—

- (a) a copy of the prohibition order (including any schedule to it);
- (b) the statement of reasons; and
- (c) notice of the LHA's decision to refuse a particular use of the whole or part of the premises.

(3) The specified respondent is the LHA.

6.—(1) This paragraph applies to an application under section 34(2) of the 2004 Act (application by lessor or lessee for order determining or varying lease where a prohibition order has become operative).

(2) The specified documents are—

- (a) a copy of the prohibition order (including any schedule to it);
- (b) the statement of reasons;
- (c) a copy of the relevant lease; and
- (d) a statement of the name and address of any other party to the lease and of any party to an inferior lease.

(3) The specified respondent is the other party to the lease.

7.—(1) This paragraph applies to an application under paragraph 7(1) of Schedule 2 to the 2004 Act (appeal against prohibition order).

(2) The specified documents are—

- (a) a copy of the prohibition order (including any schedule to it);
- (b) the statement of reasons; and
- (c) where one of the grounds of the application is that one of the courses of action mentioned in paragraph 8(2) of Schedule 2 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course.

(3) The specified respondent is the LHA.

8.—(1) This paragraph applies to an application under paragraph 9 of Schedule 2 to the 2004 Act (appeal against LHA's decision to vary, or to refuse to vary or revoke, a prohibition order).

(2) The specified documents are—

- (a) a copy of the prohibition order (including any schedule to it);

- (b) y datganiad o resymau; ac
- (c) copi o benderfyniad yr ATLI i amrywio neu wrthod amrywio neu ddirymu (gan gynnwys unrhyw ddogfennau a ddyroddwyd gan yr ATLI mewn cysylltiad â'i hysbysiad o benderfyniad).

(3) Yr ymatebydd penodedig yw'r ATLI.

Ceisiadau sy'n ymwneud â gweithredu adferol brys

9.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 45(1) o Ddeddf 2004 (apêl gan berson y cyflwynwyd hysbysiad iddo o dan adran 41 o Ddeddf 2004 yn erbyn penderfyniad ATLI i gymryd camau gweithredu adferol brys).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad o weithredu adferol brys (gan gynnwys unrhyw atodlen iddo); a
- (b) y datganiad o resymau.

(3) Yr ymatebydd penodedig yw'r ATLI.

10.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 45(2) o Ddeddf 2004 (apêl gan berson perthnasol yn erbyn gorchymyn gwahardd brys).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad o orchymyn gwahardd brys a wnaed o dan adran 43 o Ddeddf 2004 (gan gynnwys unrhyw atodlen iddo); a
- (b) y datganiad o resymau.

(3) Yr ymatebydd penodedig yw'r ATLI.

11.—(1) Mae'r paragraff hwn yn gymwys i gais o dan—

- (a) paragraff 14 o Atodlen 3 i Ddeddf 2004 (cais gan ATLI am orchymyn i adennill treuliau a llog oddi wrth berson sy'n elwa o weithredu heb gytundeb); a
- (b) y paragraff hwnnw fel y'i cymhwysir gydag addasiadau gan adran 42 o Ddeddf 2004 (adennill treuliau am weithredu adferol brys)).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad gwella neu, yn ôl fel y digwydd, yr hysbysiad o weithredu adferol brys (gan gynnwys unrhyw atodlen iddo);
- (b) y datganiad o resymau;
- (c) copi o'r galwad am dreuliau a gyflwynwyd o dan baragraff 9 o'r Atodlen honno;
- (ch) copi o unrhyw hysbysiad a gyflwynwyd o dan baragraff 12 o'r Atodlen honno; a
- (d) prawf bod yr hysbysiad wedi'i gyflwyno i'r person dan sylw fel y crybwyllir ym

- (b) the statement of reasons; and
- (c) a copy of the LHA's decision to vary, or to refuse to vary or revoke (including any documentation issued by the LHA in connection with its notice of decision).

(3) The specified respondent is the LHA.

Applications relating to emergency remedial action

9.—(1) This paragraph applies to an application under section 45(1) of the 2004 Act (appeal by person upon whom a notice under section 41 of the 2004 Act has been served against LHA's decision to take emergency remedial action).

(2) The specified documents are—

- (a) a copy of the notice of emergency remedial action (including any schedule to it); and
- (b) the statement of reasons.

(3) The specified respondent is the LHA.

10.—(1) This paragraph applies to an application under section 45(2) of the 2004 Act (appeal by relevant person against emergency prohibition order).

(2) The specified documents are—

- (a) a copy of the notice of emergency prohibition order made under section 43 of the 2004 Act (including any schedule to it); and
- (b) the statement of reasons.

(3) The specified respondent is the LHA.

11.—(1) This paragraph applies to an application under—

- (a) paragraph 14 of Schedule 3 to the 2004 Act (application by LHA for order for recovery of expenses and interest from person profiting from the taking of action without agreement); and
- (b) that paragraph as applied with modifications by section 42 of the 2004 Act (recovery of expenses of taking emergency remedial action).

(2) The specified documents are—

- (a) a copy of the improvement notice or, as the case may be, the notice of emergency remedial action (including any schedule to it);
- (b) the statement of reasons;
- (c) a copy of the demand for expenses served under paragraph 9 of that Schedule;
- (d) a copy of any notice served under paragraph 12 of that Schedule; and
- (e) proof of service of notice of the application on the person concerned as mentioned in

mharagraff 14(2) o'r Atodlen honno.

(3) Yr ymatebydd penodedig yw'r person y mae'r ATLL yn ceisio adennill treuliau a llog oddi wrtho.

Ceisiadau sy'n ymwneud â thrwyddedu tai amlfeddiannaeth

12.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 62(7) o Ddeddf 2004 (apel yn erbyn gwrthodiad gan ATLL i gyflwyno hysbysiad esemptio dros dro).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad i'r ATLL o dan adran 62(1) o Ddeddf 2004; a
- (b) copi o'r hysbysiad o benderfyniad yr ATLL o dan adran 62(6) o Ddeddf 2004.

(3) Yr ymatebydd penodedig yw'r ATLL.

13.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 73(5) o Ddeddf 2004 (cais gan ATLL neu feddiannydd am orchymyn ad-dalu rhent).

(2) Y dogfennau penodedig yw—

- (a) pan wneir y cais gan yr ATLL—
 - (i) copi o'r hysbysiad o'r bwriad i ddwyn achos o dan adran 73(7) o Ddeddf 2004;
 - (ii) copi o unrhyw sylwadau a gafwyd mewn perthynas â'r hysbysiad;
 - (iii) naill ai—
 - (aa) datganiad yn cynnwys y manylion y dibynnir arnynt ar gyfer gwneud yr honiad bod tramgwydd o dan adran 72(1) o Ddeddf 2004 wedi ei chyflawni; neu
 - (bb) pan fo'r ATLL yn dibynnu ar ddarpariaethau adran 74 o Ddeddf 2004, prawf bod y person priodol wedi'i gael yn euog o dramgwydd o dan adran 72(1) o Ddeddf 2004; a
 - (iv) dogfen sy'n dangos y budd-dal tai a dalwyd gan yr ATLL mewn cysylltiad â meddiant y fangre yn ystod y cyfnod pryd yr honnir i dramgwydd o'r fath gael ei chyflawni;

(b) pan wneir y cais gan feddiannydd(1)—

- (i) tystiolaeth bod y person priodol wedi'i gael yn euog o drosedd o dan adran 72(1) o Ddeddf 2004 neu y gwnaed yn ofynnol drwy orchymyn ad-dalu rhent ei fod yn gwneud taliad mewn perthynas â budd-dal tai; a
- (ii) tystiolaeth bod y meddiannydd wedi talu taliadau cyfnodol mewn perthynas â meddiant o'r fangre yn ystod y cyfnod pryd

paragraph 14(2) of that Schedule.

(3) The specified respondent is the person from whom the LHA seeks to recover expenses and interest.

Applications relating to HMO licensing

12.—(1) This paragraph applies to an application under section 62(7) of the 2004 Act (appeal against refusal by LHA to serve a temporary exemption notice).

(2) The specified documents are—

- (a) a copy of the notification to the LHA under section 62(1) of the 2004 Act; and
- (b) a copy of the LHA's decision notice under section 62(6) of the 2004 Act.

(3) The specified respondent is the LHA.

13.—(1) This paragraph applies to an application under section 73(5) of the 2004 Act (application by LHA or occupier for rent repayment order).

(2) The specified documents are—

- (a) where the application is made by the LHA—
 - (i) a copy of the notice of intending proceedings under section 73(7) of the 2004 Act;
 - (ii) a copy of any representation received in respect of the notice;
 - (iii) either—
 - (aa) a statement containing the details relied on in making the allegation that an offence under section 72(1) of the 2004 Act was committed; or
 - (bb) where the LHA relies on the provisions of section 74 of the 2004 Act, proof that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act; and
 - (iv) a document showing the housing benefit paid by the LHA in connection with occupation of the premises during the period in which it is alleged such an offence was committed;
- (b) where the application is made by an occupier(1)—
 - (i) evidence that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act or has been required by a rent repayment order to make a payment in respect of housing benefit; and
 - (ii) evidence that the occupier has paid periodical payments in respect of occupation of the premises during a period

(1) *Gweler* adran 262 o Ddeddf 2004 am y diffiniad o "occupier".

(1) *See* section 262 of the 2004 Act for the definition of "occupier".

yr honnir bod tramgwydd o'r fath yn cael ei chyflawni.

(3) Yr ymatebydd penodedig yw'r person priodol(1).

14.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 255(9) o Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i gyflwyno datganiad tŷ amlfeddiannaeth).

(2) Y ddogfen benodedig yw copi o'r datganiad tŷ amlfeddiannaeth.

(3) Yr ymatebydd penodedig yw'r ATLL.

15.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 256(4) o Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i wrthod dirymu datganiad tŷ amlfeddiannaeth).

(2) Y dogfennau penodedig yw—

- (a) copi o'r datganiad tŷ amlfeddiannaeth; a
- (b) copi o hysbysiad yr ATLL o'i benderfyniad i beidio â dirymu'r datganiad tŷ amlfeddiannaeth.

(3) Yr ymatebydd penodedig yw'r ATLL.

16.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 31(1) o Atodlen 5 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i ganiatáu, neu wrthod caniatáu, trwydded o dan Ran 2 o Ddeddf 2004, neu yn erbyn unrhyw un o delerau'r drwydded).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â chaniatáu trwydded neu â thelerau trwydded—
 - (i) copi o hysbysiadau'r ATLL o dan baragraffau 1 a 7 o Atodlen 5 i Ddeddf 2004, ac o unrhyw hysbysiad o dan baragraff 3 o'r Atodlen honno; a
 - (ii) copi o'r drwydded; a
- (b) pan fo'r cais yn ymwneud â gwrthodiad i ganiatáu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 5 ac 8 o'r Atodlen honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

17.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 32(1) o Atodlen 5 i Ddeddf 2004 (apêl gan ddeiliad trwydded neu unrhyw berson perthnasol yn erbyn penderfyniad gan ATLL ynglŷn ag amrywio neu ddirymu trwydded).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â phenderfyniad i amrywio trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 14 a 16 o Atodlen 5 i Ddeddf 2004;

in which it is alleged that such an offence was being committed.

(3) The specified respondent is the appropriate person(1).

14.—(1) This paragraph applies to an application under section 255(9) of the 2004 Act (appeal against decision of LHA to serve an HMO declaration).

(2) The specified document is a copy of the HMO declaration.

(3) The specified respondent is the LHA.

15.—(1) This paragraph applies to an application under section 256(4) of the 2004 Act (appeal against decision of LHA to refuse to revoke an HMO declaration).

(2) The specified documents are—

- (a) a copy of the HMO declaration; and
- (b) a copy of the LHA's notice of decision not to revoke the HMO declaration.

(3) The specified respondent is the LHA.

16.—(1) This paragraph applies to an application under paragraph 31(1) of Schedule 5 to the 2004 Act (appeal against decision by LHA to grant, or refuse to grant, a licence under Part 2 of the 2004 Act, or against any of the terms of the licence).

(2) The specified documents are—

- (a) where the application relates to the grant or terms of a licence—
 - (i) a copy of the LHA's notices under paragraphs 1 and 7 of Schedule 5 to the 2004 Act, and of any notice under paragraph 3 of that Schedule; and
 - (ii) a copy of the licence; and
- (b) where the application relates to a refusal to grant a licence, a copy of the LHA's notices under paragraphs 5 and 8 of that Schedule.

(3) The specified respondent is the LHA.

17.—(1) This paragraph applies to an application under paragraph 32(1) of Schedule 5 to the 2004 Act (appeal by licence holder or any relevant person against decision by LHA with regard to the variation or revocation of licence).

(2) The specified documents are—

- (a) where the application relates to a decision to vary a licence, a copy of the LHA's notices under paragraphs 14 and 16 of Schedule 5 to the 2004 Act;

(1) *Gweler* adran 73(1) o Ddeddf 2004 am y diffiniad o "the appropriate person".

(1) *See* section 73(1) of the 2004 Act for the definition of "the appropriate person".

- (b) pan fo'r cais yn ymwneud â gwrthodiad i amrywio trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 19 a 21 o'r Atodlen honno;
 - (c) pan fo'r cais yn ymwneud â phenderfyniad i ddirymu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 22 a 24 o'r Atodlen honno;
 - (ch) pan fo'r cais yn ymwneud â gwrthodiad i ddirymu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 26 a 28 o'r Atodlen honno; a
 - (d) ym mhob achos, copi o'r drwydded.
- (3) Yr ymatebydd penodedig yw'r ATLL.

Ceisiadau sy'n ymwneud â thrwyddedu llety preswyl arall yn ddetholus

18.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 86(7) o Ddeddf 2004 (apêl yn erbyn gwrthodiad gan yr ATLL i gyflwyno hysbysiad esemptio dros dro).

- (2) Y dogfennau penodedig yw—
 - (a) copi o'r hysbysiad i'r ATLL o dan adran 86(1) o Ddeddf 2004; a
 - (b) copi o hysbysiad yr ATLL o'i benderfyniad o dan adran 86(6) o Ddeddf 2004.
- (3) Yr ymatebydd penodedig yw'r ATLL.

19.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 96(5) o Ddeddf 2004 (cais gan ATLL neu feddiannydd am orchymyn ad-dalu rhent).

- (2) Y dogfennau penodedig yw—
 - (a) pan wneir y cais gan yr ATLL—
 - (i) copi o'r hysbysiad o'r achos arfaethedig o dan adran 96(7) o Ddeddf 2004;
 - (ii) copi o unrhyw sylwadau a gafwyd mewn perthynas â'r hysbysiad;
 - (iii) naill ai—
 - (aa) datganiad sy'n cynnwys y manylion y dibynnir arnynt wrth wneud yr honiad bod tramgwydd wedi ei chyflawni o dan adran 95(1) o Ddeddf 2004; neu
 - (bb) pan fo'r ATLL yn dibynnu ar ddarpariaethau adran 97 o Ddeddf 2004, prawf bod y person priodol wedi'i gael yn euog o dramgwydd o dan adran 95(1) o Ddeddf 2004; a
 - (iv) dogfen sy'n dangos y budd-dal tai a dalwyd gan yr ATLL mewn cysylltiad â meddiant y fangre yn ystod y cyfnod pryd yr honnir bod tramgwydd o'r fath wedi ei chyflawni;
 - (b) pan wneir y cais gan feddiannydd—

- (b) where the application relates to refusal to vary a licence, a copy of the LHA's notices under paragraphs 19 and 21 of that Schedule;
 - (c) where the application relates to a decision to revoke a licence, a copy of the LHA's notices under paragraphs 22 and 24 of that Schedule;
 - (d) where the application relates to refusal to revoke a licence, a copy of the LHA's notices under paragraphs 26 and 28 of that Schedule; and
 - (e) in all cases a copy of the licence.
- (3) The specified respondent is the LHA.

Applications relating to selective licensing of other residential accommodation

18.—(1) This paragraph applies to an application under section 86(7) of the 2004 Act (appeal against refusal by the LHA to serve a temporary exemption notice).

- (2) The specified documents are—
 - (a) a copy of the notification to the LHA under section 86(1) of the 2004 Act; and
 - (b) a copy of the LHA's decision notice under section 86(6) of the 2004 Act.
- (3) The specified respondent is the LHA.

19.—(1) This paragraph applies to an application under section 96(5) of the 2004 Act (application by LHA or occupier for a rent repayment order).

- (2) The specified documents are—
 - (a) where the application is made by the LHA—
 - (i) a copy of the notice of intended proceedings under section 96(7) of the 2004 Act;
 - (ii) a copy of any representation received in respect of the notice;
 - (iii) either—
 - (aa) a statement containing the details relied on in making the allegation that an offence under section 95(1) of the 2004 Act was committed; or
 - (bb) where the LHA relies on the provisions of section 97 of the 2004 Act, proof that the appropriate person has been convicted of an offence under section 95(1) of the 2004 Act; and
 - (iv) a document showing the housing benefit paid by the LHA in connection with occupation of the premises during the period in which it is alleged such an offence was committed;
 - (b) where the application is made by an occupier—

- (i) tystiolaeth bod y person priodol wedi ei gael yn euog o dramgwydd o dan adran 95(1) o Ddeddf 2004 neu y gwnaed yn ofynnol drwy orchymyn ad-dalu rhent ei fod yn gwneud taliad mewn perthynas â budd-dal tai; a
- (ii) tystiolaeth fod y meddiannydd wedi talu taliadau cyfnodol mewn perthynas â meddiant o'r fangre yn ystod y cyfnod pryd yr honnir bod tramgwydd o'r fath yn cael ei chyflawni.

(3) Yr ymatebydd penodedig yw'r person priodol.

20.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 31 o Atodlen 5 i Ddeddf 2004 (apêl yn erbyn penderfyniad gan ATLL i ganiatáu, neu wrthod caniatáu, trwydded o dan Ran 3, neu sy'n ymwneud â thelerau trwydded).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â chaniatáu trwydded neu â thelerau trwydded —
 - (i) copi o hysbysiadau'r ATLL o dan baragraffau 1 a 7 o Atodlen 5 i Ddeddf 2004, ac o unrhyw hysbysiad o dan baragraff 3 o'r Atodlen honno; a
 - (ii) copi o'r drwydded; a
- (b) pan fo'r cais yn ymwneud â gwrthodiad i ganiatáu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 5 ac 8 o'r Atodlen honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

21.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 32(1) o dan Atodlen 5 i Ddeddf 2004 (apêl gan ddeiliad trwydded neu berson perthnasol yn erbyn penderfyniad gan ATLL ynglŷn ag amrywio neu ddirymu trwydded).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â phenderfyniad i amrywio trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 14 ac 16 o Atodlen 5 i Ddeddf 2004;
- (b) pan fo'r cais yn ymwneud â gwrthodiad i amrywio trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 19 a 21 o'r Atodlen honno;
- (c) pan fo'r cais yn ymwneud â phenderfyniad i ddirymu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 22 a 24 o'r Atodlen honno;
- (ch) pan fo'r cais yn ymwneud â gwrthodiad i ddirymu trwydded, copi o hysbysiadau'r ATLL o dan baragraffau 26 a 28 o'r Atodlen honno; a

(d) ym mhob achos, copi o'r drwydded.

(3) Yr ymatebydd penodedig yw'r ATLL.

- (i) evidence that the appropriate person has been convicted of an offence under section 95(1) of the 2004 Act or has been required by a rent repayment order to make a payment in respect of housing benefit; and
- (ii) evidence that the occupier has paid periodical payments in respect of occupation of the premises for a period during which it is alleged that such an offence was being committed.

(3) The specified respondent is the appropriate person.

20.—(1) This paragraph applies to an application under paragraph 31 of Schedule 5 to the 2004 Act (appeal against decision by LHA to grant or refuse licence under Part 3 or relating to terms of licence).

(2) The specified documents are—

- (a) where the application relates to the grant or terms of a licence—
 - (i) a copy of the LHA's notices under paragraphs 1 and 7 of Schedule 5 to the 2004 Act, and of any notice under paragraph 3 of that Schedule; and
 - (ii) a copy of the licence; and
- (b) where the application relates to a refusal to grant a licence, a copy of the LHA's notices under paragraphs 5 and 8 of that Schedule.

(3) The specified respondent is the LHA.

21.—(1) This paragraph applies to an application under paragraph 32(1) of Schedule 5 to the 2004 Act (appeal by licence holder or relevant person against decision by LHA relating to variation or revocation of licence).

(2) The specified documents are—

- (a) where the application relates to a decision to vary a licence, a copy of the LHA's notices under paragraphs 14 and 16 of Schedule 5 to the 2004 Act;
- (b) where the application relates to refusal to vary a licence, a copy of the LHA's notices under paragraphs 19 and 21 of that Schedule;
- (c) where the application relates to a decision to revoke a licence, a copy of the LHA's notices under paragraphs 22 and 24 of that Schedule;
- (d) where the application relates to refusal to revoke a licence, a copy of the LHA's notices under paragraphs 26 and 28 of that Schedule; and
- (e) in all cases a copy of the licence.

(3) The specified respondent is the LHA.

Ceisiadau sy'n ymwneud â gorchymynion rheoli interim a therfynol

22.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 102(4) o Ddeddf 2004 (cais gan ATLI am awdurdod i wneud gorchymyn rheoli interim).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn drafft;
- (b) datganiad o'r materion sy'n berthnasol i ystyriaeth y tribiwnlys o—
 - (i) pa un a yw'r amod iechyd a diogelwch yn adran 104 o Ddeddf 2004 wedi ei fodloni; a
 - (ii) i ba raddau y cydymffurfiwyd ag unrhyw god ymarfer cymwys a gymeradwywyd o dan adran 233 o Ddeddf 2004; a
 - (iii) pan fo'r ATLI yn gofyn am ymdrin â'r cais fel mater brys o dan reoliad 10, datganiad sy'n rhoi manylion digonol i alluogi'r tribiwnlys i ffurfio barn ynglŷn ag a yw'n ymddangos bod yr amgylchiadau eithriadol a grybwyllir ym mharagraff (3) o'r rheoliad hwnnw yn bodoli.

(3) Yr ymatebydd penodedig yw person perthnasol yn ôl diffiniad "relevant person" ym mharagraffau 8(4) a 35 o Atodlen 6 i Ddeddf 2004.

23.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 102(7) o Ddeddf 2004 (cais gan ATLI am awdurdod i wneud gorchymyn rheoli interim mewn perthynas â thŷ y mae adran 103 o Ddeddf 2004 yn gymwys iddo).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn drafft;
- (b) datganiad o'r materion sy'n berthnasol i ystyriaeth y tribiwnlys ynglŷn ag a yw'r amodau yn adran 103(3) a (4) o Ddeddf 2004 wedi eu bodloni; ac
- (c) pan fo'r ATLI yn gofyn am ymdrin â'r cais fel mater brys o dan reoliad 10, datganiad sy'n rhoi manylion digonol i alluogi'r tribiwnlys i ffurfio barn ynglŷn ag a yw'n ymddangos bod yr amgylchiadau eithriadol a grybwyllir ym mharagraff (3) o'r rheoliad hwnnw yn bodoli.

(3) Yr ymatebydd penodedig yw person perthnasol yn ôl diffiniad "relevant person" ym mharagraffau 8(4) a 35 o Atodlen 6 i Ddeddf 2004.

24.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 105(10) o Ddeddf 2004 (cais gan ATLI am orchymyn bod gorchymyn rheoli interim yn parhau mewn grym hyd nes byddir wedi penderfynu apêl).

(2) Y dogfennau penodedig yw—

Applications relating to interim and final management orders

22.—(1) This paragraph applies to an application under section 102(4) of the 2004 Act (LHA application for authorisation to make an interim management order).

(2) The specified documents are—

- (a) a copy of the draft order;
- (b) a statement of matters relevant to the tribunal's consideration of—
 - (i) whether the health and safety condition in section 104 of the 2004 Act is satisfied; and
 - (ii) the extent to which any applicable code of practice approved under section 233 of the 2004 Act has been complied with; and
 - (iii) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.

(3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

23.—(1) This paragraph applies to an application under section 102(7) of the 2004 Act (LHA application for authorisation to make an interim management order in respect of a house to which section 103 of the 2004 Act applies).

(2) The specified documents are—

- (a) a copy of the draft order;
- (b) a statement of matters relevant to the tribunal's consideration as to whether the conditions in section 103(3) and (4) of the 2004 Act are satisfied; and
- (c) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.

(3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

24.—(1) This paragraph applies to an application under section 105(10) of the 2004 Act (LHA application for order that an interim management order continue in force pending disposal of appeal).

(2) The specified documents are—

- (a) copi o'r gorchymyn rheoli interim; a
- (b) copi o'r hysbysiad o apêl o dan baragraff 24 o Atodlen 6 i Ddeddf 2004 yn erbyn gwneud gorchymyn rheoli terfynol.

(3) Yr ymatebydd penodedig yw'r ceisydd sydd wedi gwneud yr apêl berthnasol.

25.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 110(7) o Ddeddf 2004 (cais gan landlord perthnasol am orchymyn mewn perthynas â threfniadau ariannol tra bo gorchymyn rheoli interim mewn grym).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn rheoli interim; a
- (b) copi o'r cyfrifon a gadwyd gan yr ATLI yn unol ag adran 110(6) o Ddeddf 2004.

(3) Yr ymatebydd penodedig yw'r ATLI.

26.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 114(7) o Ddeddf 2004 (cais gan ATLI am orchymyn bod gorchymyn rheoli terfynol sy'n bodoli eisoes i barhau mewn grym hyd nes penderfynir apêl yn erbyn gorchymyn rheoli terfynol newydd).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn rheoli terfynol sy'n bodoli eisoes;
- (b) copi o'r gorchymyn rheoli terfynol newydd a wnaed i ddisodli'r gorchymyn sy'n bodoli eisoes; ac
- (c) copi o'r hysbysiad o apêl o dan baragraff 24 o Atodlen 6 i Ddeddf 2004 yn erbyn gwneud y gorchymyn rheoli terfynol newydd.

(3) Yr ymatebydd penodedig yw'r ceisydd sydd wedi gwneud yr apêl berthnasol.

27.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 120(1) o Ddeddf 2004 (cais gan berson yr effeithir arno am orchymyn bod yr ATLI yn rheoli yn unol â'r cynllun rheoli yn y gorchymyn rheoli terfynol).

(2) Y ddogfen benodedig yw copi o'r gorchymyn rheoli terfynol sy'n cynnwys y cynllun rheoli y cyfeirir ato yn y cais.

(3) Yr ymatebydd penodedig yw'r ATLI.

28.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 126(4) o Ddeddf 2004 (cais am addasu hawliau a rhwymedigaethau mewn perthynas â dodrefn a freinir yn yr ATLI tra bo gorchymyn rheoli mewn grym).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn rheoli perthnasol; a
- (b) datganiad sy'n rhoi manylion am briod hawliau

- (a) a copy of the interim management order; and
- (b) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of a final management order.

(3) The specified respondent is the applicant who has made the relevant appeal.

25.—(1) This paragraph applies to an application under section 110(7) of the 2004 Act (application by relevant landlord for order regarding financial arrangements while interim management order in force).

(2) The specified documents are—

- (a) a copy of the interim management order; and
- (b) a copy of the accounts kept by the LHA in accordance with section 110(6) of the 2004 Act.

(3) The specified respondent is the LHA.

26.—(1) This paragraph applies to an application under section 114(7) of the 2004 Act (LHA application for order that existing final management order continue in force pending disposal of appeal against new final management order).

(2) The specified documents are—

- (a) a copy of the existing final management order;
- (b) a copy of the new final management order made in order to replace it; and
- (c) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of the new final management order.

(3) The specified respondent is the applicant who has made the relevant appeal.

27.—(1) This paragraph applies to an application under section 120(1) of the 2004 Act (application by an affected person for order that LHA manage in accordance with management scheme in final management order).

(2) The specified document is a copy of the final management order which contains the management scheme to which the application relates.

(3) The specified respondent is the LHA.

28.—(1) This paragraph applies to an application under section 126(4) of the 2004 Act (application for adjustment of rights and liabilities with regard to furniture vested in LHA while management order in force).

(2) The specified documents are—

- (a) a copy of the relevant management order; and
- (b) a statement giving details of the respective

a rhwymedigaethau (gan gynnwys perchnogaeth) pob un o'r personau sydd â buddiant yn y dodrefn.

(3) Yr ymatebydd penodedig yw'r person arall sydd â buddiant yn y dodrefn.

29.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 130(9) o Ddeddf 2004 (cais i benderfynu pwy yw "y landlord perthnasol" ("*the relevant landlord*") at ddibenion adran 130 pan ddaw'r gorchymyn rheoli i ben).

(2) Y ddogfen benodedig yw copi o'r gorchymyn rheoli.

(3) Yr ymatebydd penodedig yw'r landlord perthnasol arall(1).

30.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 24 o Atodlen 6 i Ddeddf 2004 (apêl yn erbyn gwneud gorchymyn rheoli, neu yn erbyn amodau'r gorchymyn neu'r cynllun rheoli cysylltiedig).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn rheoli (gan gynnwys y cynllun rheoli);
- (b) copi o'r hysbysiad a gyflwynwyd gan yr ATLL o dan baragraff 7(2)(b) o Atodlen 6 i Ddeddf 2004;
- (c) pan fo'r cais yn ymwneud â thelerau'r gorchymyn rheoli, datganiad sy'n pennu pob un o'r telerau a wrthwynebir, ynghyd â'r rhesymau dros y gwrthwynebiad; ac
- (ch) pan wneir y cais ar y sail a bennir ym mharagraff 24(3) o Atodlen 6 i Ddeddf 2004, datganiad o'r materion yn adran 110(5) o Ddeddf 2004 (sy'n ymwneud â thalu rhenti dros ben, etc) sy'n berthnasol i'r sail honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

31.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 28 o Atodlen 6 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i amrywio neu ddirymu gorchymyn rheoli, neu wrthod newid neu ddirymu gorchymyn rheoli).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â phenderfyniad i amrywio gorchymyn rheoli, copi o hysbysiadau'r ATLL o dan baragraffau 9 ac 11 o Atodlen 6 i Ddeddf 2004;
- (b) pan fo'r cais yn ymwneud â gwrthodiad i amrywio gorchymyn rheoli, copi o hysbysiadau'r ATLL o dan baragraffau 14 ac 16 o'r Atodlen honno;

rights and liabilities (including ownership) of the persons interested in the furniture.

(3) The specified respondent is the other person interested in the furniture.

29.—(1) This paragraph applies to an application under section 130(9) of the 2004 Act (application to determine who is "the relevant landlord" ("*the relevant landlord*") for the purposes of section 130 on termination of management order).

(2) The specified document is a copy of the management order.

(3) The specified respondent is the other relevant landlord(1).

30.—(1) This paragraph applies to an application under paragraph 24 of Schedule 6 to the 2004 Act (appeal against making of a management order, or against the terms of the order or of associated management scheme).

(2) The specified documents are—

- (a) a copy of the management order (including the management scheme);
- (b) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the 2004 Act;
- (c) where the application relates to the terms of the management order, a statement specifying each term to which objection is made, with reasons for the objection; and
- (d) where the application is made on the ground specified in paragraph 24(3) of Schedule 6 to the 2004 Act, a statement of the matters in section 110(5) of the 2004 Act (which relates to payments of surplus rents etc) relevant to that ground.

(3) The specified respondent is the LHA.

31.—(1) This paragraph applies to an application under paragraph 28 of Schedule 6 to the 2004 Act (appeal against LHA's decision to vary or revoke, or to refuse to vary or revoke a management order).

(2) The specified documents are—

- (a) where the application relates to a decision to vary a management order, a copy of the LHA's notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act;
- (b) where the application relates to refusal to vary a management order, a copy of the LHA's notices under paragraphs 14 and 16 of that Schedule;

(1) *Gweler* adran 130(11) o Ddeddf 2004 am y diffiniad o "relevant landlord".

(1) *See* section 130(11) of the 2004 Act for the definition of "relevant landlord".

- (c) pan fo'r cais yn ymwneud â phenderfyniad i ddirymu gorchymyn rheoli, copi o hysbysiadau'r ATLL o dan baragraffau 17 ac 19 o'r Atodlen honno;
- (ch) pan fo'r cais yn ymwneud â gwrthodiad i ddirymu gorchymyn rheoli, copi o hysbysiadau'r ATLL o dan baragraffau 20 a 22 o'r Atodlen honno; a
- (d) ym mhob achos—
 - (i) copi o'r gorchymyn rheoli; a
 - (ii) copi o'r hysbysiad a gyflwynwyd gan yr ATLL o dan baragraff 7(2)(b) o'r Atodlen honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

32.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 32(2) o Atodlen 6 i Ddeddf 2004 (apêl gan drydydd parti yn erbyn penderfyniad gan ATLL o dan adran 128 o Ddeddf 2004 ynglŷn â'r digollediad sy'n daladwy i drydydd partïon).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn rheoli (gan gynnwys y cynllun rheoli);
- (b) copi o hysbysiad yr ATLL i'r trydydd parti, o benderfyniad yr ATLL yn unol ag adran 128(2) o Ddeddf 2004; ac
- (c) datganiad sy'n rhoi manylion llawn o'r canlynol—
 - (i) yr hawliau yr honnir yr ymyrrwyd â hwy o ganlyniad i'r gorchymyn rheoli; a
 - (ii) swm y digollediad a hawlir oherwydd yr ymyrraeth honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

Ceisiadau sy'n ymwneud â gorchymynion rheoli anheddau gwag

33.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 133(1) o Ddeddf 2004 (cais gan ATLL am awdurdodiad i wneud GRhAG interim).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG interim drafft;
- (b) datganiad o dystiolaeth—
 - (i) mewn perthynas â'r materion y mae'n rhaid bodloni'r tribiwnlys yn eu cylch o dan adran 134(2) o Ddeddf 2004;
 - (ii) ynglŷn ag ystyriaeth yr ATLL o'r hawliau a'r buddiannau a bennir yn adran 133(4) o Ddeddf 2004; ac
- (c) pan fo'r ATLL, yn unol ag adran 133(3) o Ddeddf 2004, wedi hysbysu'r perchennog perthnasol ei fod yn ystyried gwneud GRhAG interim, copi o'r hysbysiad hwnnw.

- (c) where the application relates to a decision to revoke a management order, a copy of the LHA's notices under paragraphs 17 and 19 of that Schedule;
- (d) where the application relates to refusal to revoke a management order, a copy of the LHA's notices under paragraphs 20 and 22 of that Schedule; and
- (e) in any case—
 - (i) a copy of the management order; and
 - (ii) a copy of the notice served by the LHA under paragraph 7(2)(b) of that Schedule.

(3) The specified respondent is the LHA.

32.—(1) This paragraph applies to an application under paragraph 32(2) of Schedule 6 to the 2004 Act (appeal by third party against LHA's decision under section 128 of the 2004 Act regarding compensation payable to third parties).

(2) The specified documents are—

- (a) a copy of the management order (including the management scheme);
- (b) a copy of the LHA's notification of its decision to the third party in accordance with section 128(2) of the 2004 Act; and
- (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the management order; and
 - (ii) the amount of compensation claimed in respect of that interference.

(3) The specified respondent is the LHA.

Applications in relation to empty dwelling management orders

33.—(1) This paragraph applies to an application under section 133(1) of the 2004 Act (LHA application for authorisation to make interim EDMO).

(2) The specified documents are—

- (a) a copy of the draft interim EDMO;
- (b) a statement of evidence—
 - (i) in respect of the matters as to which the tribunal must be satisfied under section 134(2) of the 2004 Act;
 - (ii) of the LHA's consideration of the rights and interests specified in section 133(4) of the 2004 Act; and
- (c) where the LHA in accordance with section 133(3) of the 2004 Act notified the relevant proprietor that it was considering making an interim EDMO, a copy of the notification.

(3) Yr ymatebydd penodedig yw'r perchennog perthnasol(1).

34.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 138(1) o Ddeddf 2004 (cais, tra bo GRhAG interim mewn grym, am orchymyn bod yr ATLI i dalu digollediad i drydydd parti am ymyrryd â'i hawliau).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG interim;
- (b) copi o hysbysiad yr ATLI i'r trydydd parti o benderfyniad yr ATLI, yn unol ag adran 138(4) o Ddeddf 2004; ac
- (c) datganiad sy'n rhoi manylion llawn o'r canlynol—
 - (i) yr hawliau yr honnir yr ymyrrwyd â hwy o ganlyniad i'r GRhAG interim; a
 - (ii) swm y digollediad a hawlrir mewn perthynas â'r ymyrraeth honno.

(3) Yr ymatebydd penodedig yw'r ATLI.

35.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 1(7) o Atodlen 7 i Ddeddf 2004 (cais gan ATLI am orchymyn bod GRhAG interim i barhau mewn grym hyd nes penderfynir apêl o dan baragraff 26 o'r Atodlen honno).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG interim; a
- (b) copi o'r hysbysiad o apêl o dan baragraff 26 o Atodlen 7 i Ddeddf 2004 yn erbyn gwneud GRhAG interim.

(3) Yr ymatebydd penodedig yw'r ceisydd a wnaeth yr apêl berthnasol.

36.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 2(3)(d) neu baragraff 10(3)(d) o Atodlen 7 i Ddeddf 2004 (cais gan ATLI am orchymyn o dan baragraff 22 o'r Atodlen honno i derfynu les neu drwydded tra bo GRhAG interim neu derfynol mewn grym).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG interim neu derfynol (gan gynnwys unrhyw gynllun rheoli);
- (b) copi o'r les neu'r drwydded berthnasol, neu os nad oes copi ohoni ar gael, tystiolaeth o fodolaeth y les neu'r drwydded; ac
- (c) datganiad yn cynnwys y manylion canlynol—
 - (i) enw a chyfeiriad, os ydynt yn hysbys, unrhyw lesydd, lesddeiliad, is-lesydd, is-lesddeiliad, neu drwyddedai;

(3) The specified respondent is the relevant proprietor(1).

34.—(1) This paragraph applies to an application under section 138(1) of the 2004 Act (application while interim EDMO in force for order that the LHA pay compensation to third party for interference with rights).

(2) The specified documents are—

- (a) a copy of the interim EDMO;
- (b) a copy of the LHA's notification of its decision to the third party in accordance with section 138(4) of the 2004 Act; and
- (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the interim EDMO; and
 - (ii) the amount of compensation claimed in respect of that interference.

(3) The specified respondent is the LHA.

35.—(1) This paragraph applies to an application under paragraph 1(7) of Schedule 7 to the 2004 Act (LHA application for order that interim EDMO continue in force pending disposal of appeal under paragraph 26 of that Schedule).

(2) The specified documents are—

- (a) a copy of the interim EDMO; and
- (b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of an interim EDMO.

(3) The specified respondent is the applicant who has made the relevant appeal.

36.—(1) This paragraph applies to an application under paragraph 2(3)(d) or paragraph 10(3)(d) of Schedule 7 to the 2004 Act (LHA's application for order under paragraph 22 of that Schedule determining a lease or licence while interim or final EDMO is in force).

(2) The specified documents are—

- (a) a copy of the interim or final EDMO (including any management scheme);
- (b) a copy of the relevant lease or licence, or if not available, evidence of the existence of the lease or licence; and
- (c) a statement containing the following details—
 - (i) the name and address where known of any lessor, lessee, sub-lessor, sub-lessee or licensee;

(1) *Gweler* adran 132(4)(c) o Ddeddf 2004 am y diffiniad o "relevant proprietor".

(1) *See* section 132(4)(c) of the 2004 Act for the definition of "relevant proprietor".

- (ii) tystiolaeth o'r materion y mae'n rhaid bodloni'r tribiwnlys yn eu cylch o dan baragraff 22(1)(b) o Atodlen 7 i Ddeddf 2004; a
- (iii) swm y digollediad (os oes rhywfaint) y mae'r ATLL yn fodlon ei dalu mewn perthynas â therfynu'r les neu'r drwydded, gan gynnwys manylion o'r modd y cyfrifwyd swm y digollediad hwnnw.

(3) Yr ymatebwyr penodedig yw'r partion i'r les neu'r drwydded.

37.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 5(7) o Atodlen 7 i Ddeddf 2004 (cais gan berchennog perthnasol am orchymyn mewn cysylltiad â threfniadau ariannol tra bo GRhAG interim mewn grym).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG interim; a
- (b) copi o'r cyfrifon a gedwir gan yr ATLL yn unol â pharagraff 5(6) o Atodlen 7 i Ddeddf 2004.

(3) Yr ymatebydd penodedig yw'r ATLL.

38.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 9(8) o Atodlen 7 i Ddeddf 2004 (cais gan ATLL am orchymyn bod GRhAG terfynol i barhau mewn grym hyd nes penderfynir apêl o dan baragraff 26 o'r Atodlen honno).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG terfynol; a
- (b) copi o'r hysbysiad o apêl o dan baragraff 26 o Atodlen 7 i Ddeddf 2004 yn erbyn gwneud GRhAG terfynol.

(3) Yr ymatebydd penodedig yw'r ceisydd a wnaeth yr apêl berthnasol.

39.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 14(1) o Atodlen 7 i Ddeddf 2004 (cais gan berson yr effeithir arno am orchymyn bod ATLL i reoli annedd yn unol â chynllun rheoli mewn GRhAG terfynol).

(2) Y ddogfen benodedig yw copi o'r GRhAG terfynol (gan gynnwys y cynllun rheoli).

(3) Yr ymatebydd penodedig yw'r ATLL.

40.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 26(1) o Atodlen 7 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLL i wneud GRhAG terfynol, neu yn erbyn telerau'r gorchymyn neu'r cynllun rheoli cysylltiedig).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG terfynol (gan gynnwys y cynllun rheoli);
- (b) pan fo'r cais yn ymwneud â thelerau'r

- (ii) evidence of matters in respect of which the tribunal must be satisfied under paragraph 22(1)(b) of Schedule 7 to the 2004 Act; and
- (iii) the amount of compensation (if any) which the LHA is willing to pay in respect of the determination of the lease or licence, including details of how such compensation has been calculated.

(3) The specified respondents are the parties to the lease or licence.

37.—(1) This paragraph applies to an application under paragraph 5(7) of Schedule 7 to the 2004 Act (application by relevant proprietor for order in connection with financial arrangements while interim EDMO in force).

(2) The specified documents are—

- (a) a copy of the interim EDMO; and
- (b) a copy of the accounts kept by the LHA in accordance with paragraph 5(6) of Schedule 7 to the 2004 Act.

(3) The specified respondent is the LHA.

38.—(1) This paragraph applies to an application under paragraph 9(8) of Schedule 7 to the 2004 Act (application by LHA for order that final EDMO should continue in force pending disposal of an appeal under paragraph 26 of that Schedule).

(2) The specified documents are—

- (a) a copy of the final EDMO; and
- (b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of a final EDMO.

(3) The specified respondent is the applicant who has made the relevant appeal.

39.—(1) This paragraph applies to an application under paragraph 14(1) of Schedule 7 to the 2004 Act (application by an affected person for order that LHA manage dwelling in accordance with management scheme in final EDMO).

(2) The specified document is a copy of the final EDMO (including the management scheme).

(3) The specified respondent is the LHA.

40.—(1) This paragraph applies to an application under paragraph 26(1) of Schedule 7 to the 2004 Act (appeal against LHA's decision to make final EDMO or against terms of the order or of associated management scheme).

(2) The specified documents are—

- (a) a copy of the final EDMO (including the management scheme);
- (b) where the application relates to the terms of the

gorchymyn rheoli, datganiad yn pennu pob un o'r telerau a wrthwynebir, ynghyd â'r rhesymau dros y gwrthwynebiad; ac

- (c) pan wneir y cais ar y sail a bennir ym mharagraff 26(1)(c) o Atodlen 7 i Ddeddf 2004, datganiad o'r materion ym mharagraff 5(5)(a) a (b) o'r Atodlen honno (sy'n ymwneud â thalu rhenti dros ben etc) sy'n berthnasol i'r sail honno.

(3) Yr ymatebydd penodedig yw'r ATLI.

41.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 30 o Atodlen 7 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLI i amrywio neu ddirymu GRhAG interim neu derfynol, neu wrthod i amrywio neu ddirymu gorchymyn o'r fath).

(2) Y dogfennau penodedig yw—

- (a) pan fo'r cais yn ymwneud â phenderfyniad i amrywio GRhAG interim neu derfynol, copi o hysbysiadau'r ATLI o dan baragraffau 9 ac 11 o Atodlen 6 i Ddeddf 2004 (fel y'u cymhwysir gan baragraff 17 o Atodlen 7 i'r Ddeddf honno);
- (b) pan fo'r cais yn ymwneud â gwrthodiad i amrywio GRhAG interim neu derfynol, copi o hysbysiadau'r ATLI o dan baragraffau 14 ac 16 o'r Atodlen honno;
- (c) pan fo'r cais yn ymwneud â phenderfyniad i ddirymu GRhAG interim neu derfynol, copi o hysbysiadau'r ATLI o dan baragraffau 17 ac 19 o'r Atodlen honno; ac
- (ch) pan fo'r cais yn ymwneud â gwrthodiad i ddirymu GRhAG interim neu derfynol, copi o hysbysiadau'r ATLI o dan baragraffau 20 a 22 o'r Atodlen honno; a
- (d) ym mhob achos, copi o'r GRhAG interim neu derfynol (yn ôl fel y digwydd).

(3) Yr ymatebydd penodedig yw'r ATLI.

42.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 34(2) o Atodlen 7 i Ddeddf 2004 (apêl yn erbyn penderfyniad ATLI o dan adran 136(4) neu 138(3) o Ddeddf 2004 mewn perthynas â'r digollediad sy'n daladwy i drydydd partion am ymyrraeth â'u hawliau o ganlyniad i GRhAG terfynol).

(2) Y dogfennau penodedig yw—

- (a) copi o'r GRhAG terfynol (gan gynnwys y cynllun rheoli);
- (b) pan fo'r trydydd parti wedi gofyn am ei ddigolledu o dan adran 138 o Ddeddf 2004, copi o hysbysiad yr ATLI o'i benderfyniad i'r trydydd parti yn unol ag is-adran (4) o'r adran honno; ac
- (c) datganiad sy'n rhoi manylion llawn o'r canlynol—
 - (i) yr hawliau yr honnir yr ymyrrwyd â hwy o

management order, a statement specifying each term to which objection is made, with reasons for the objection; and

- (c) where the application is made on the ground specified in paragraph 26(1)(c) of Schedule 7 to the 2004 Act, a statement of the matters in paragraph 5(5)(a) and (b) of that Schedule (which relate to payments of surplus rents etc) relevant to that ground.

(3) The specified respondent is the LHA.

41.—(1) This paragraph applies to an application under paragraph 30 of Schedule 7 to the 2004 Act (appeal against LHA's decision to vary or revoke, or to refuse to vary or revoke interim or final EDMO).

(2) The specified documents are—

- (a) where the application relates to a decision to vary an interim or final EDMO, a copy of the LHA's notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act (as applied by paragraph 17 of Schedule 7 to that Act);
- (b) where the application relates to refusal to vary an interim or final EDMO, a copy of the LHA's notices under paragraphs 14 and 16 of that Schedule;
- (c) where the application relates to a decision to revoke an interim or final EDMO, a copy of the LHA's notices under paragraphs 17 and 19 of that Schedule; and
- (d) where the application relates to refusal to revoke an interim or final EDMO, a copy of the LHA's notices under paragraphs 20 and 22 of that Schedule; and
- (e) in any case a copy of the interim or final EDMO (as the case may be).

(3) The specified respondent is the LHA.

42.—(1) This paragraph applies to an application under paragraph 34(2) of Schedule 7 to the 2004 Act (appeal against LHA's decision under section 136(4) or 138(3) of the 2004 Act in respect of compensation payable to third parties for interference with rights in consequence of final EDMO).

(2) The specified documents are—

- (a) a copy of the final EDMO (including the management scheme);
- (b) where the third party has requested compensation under section 138 of the 2004 Act, a copy of the LHA's notification of its decision to the third party in accordance with subsection (4) of that section; and
- (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed

ganlyniad i'r GRhAG terfynol; a

- (ii) swm y digollediad a hawllir oherwydd yr ymyrraeth honno.

(3) Yr ymatebydd penodedig yw'r ATLL.

Ceisiadau mewn perthynas â hysbysiadau gorlenwi

43.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 143(1) o Ddeddf 2004 (apêl gan berson a dramgwyddwyd gan hysbysiad gorlenwi).

(2) Y ddogfen benodedig yw copi o'r hysbysiad gorlenwi, neu ddatganiad gan y ceisydd yn esbonio'r amgylchiadau sydd wedi peri na all y ceisydd ddarparu copi o'r hysbysiad hwnnw.

(3) Yr ymatebydd penodedig yw'r ATLL.

44.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 144(2) o Ddeddf 2004 (apêl gan berson perthnasol yn erbyn gwrthodiad ATLL i ddirymu neu amrywio hysbysiad gorlenwi, neu yn erbyn methiant yr ATLL i ymateb mewn pryd i gais am ddirymu neu amrywio hysbysiad o'r fath).

(2) Y dogfennau penodedig yw—

- (a) copi o'r hysbysiad gorlenwi; a
- (b) os gwrthododd yr ATLL amrywio hysbysiad gorlenwi, copi o benderfyniad yr ATLL.

(3) Yr ymatebydd penodedig yw'r ATLL.

Ceisiadau a wneir o dan Ddeddf 1985

Ceisiadau sy'n ymwneud â gorchymynion dymchwel

45.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 269(1) o Ddeddf 1985(1) (apêl gan berson a dramgwyddwyd gan orchymyn dymchwel).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn dymchwel a wnaed o dan adran 265 o Ddeddf 1985 (gan gynnwys unrhyw atodlen i'r gorchymyn); a
- (b) y datganiad o resymau; ac
- (c) os sail y cais, neu un o'i seiliau, yw mai un o'r ffyrdd o weithredu a grybwyllir yn adran 269A(2)(2) o Ddeddf 1985 yw'r ffordd orau o weithredu ynglŷn â'r perygl, datganiad yn nodi beth yw'r ffordd honno o weithredu, ynghyd â rhesymau'r ceisydd dros ystyried mai honno yw'r ffordd orau o weithredu.

that there has been interference in consequence of the final EDMO; and

- (ii) the amount of compensation claimed in respect of that interference.

(3) The specified respondent is the LHA.

Applications in relation to overcrowding notices

43.—(1) This paragraph applies to an application under section 143(1) of the 2004 Act (appeal by a person aggrieved by overcrowding notice).

(2) The specified document is a copy of the overcrowding notice, or a statement by the applicant explaining the circumstances by reason of which the applicant is not able to provide a copy of this notice.

(3) The specified respondent is the LHA.

44.—(1) This paragraph applies to an application under section 144(2) of the 2004 Act (appeal by relevant person against LHA's refusal to revoke or vary an overcrowding notice, or against failure by the LHA to respond in time to an application to revoke or vary it).

(2) The specified documents are—

- (a) a copy of the overcrowding notice; and
- (b) where the LHA refused to vary an overcrowding notice, a copy of the LHA's decision.

(3) The specified respondent is the LHA.

Applications made under the 1985 Act

Applications relating to demolition orders

45.—(1) This paragraph applies to an application under section 269(1) of the 1985 Act(1) (appeal by person aggrieved by demolition order).

(2) The specified documents are—

- (a) a copy of the demolition order made under section 265 of the 1985 Act (including any schedule to it); and
- (b) the statement of reasons; and
- (c) where the ground or one of the grounds of the application is that one of the courses of action mentioned in section 269A(2)(2) of the 1985 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course.

(1) Diwygiwyd adrannau 269, 272 a 317 o Ddeddf 1985 gan adran 48 o Ddeddf 2004.

(2) Mewnosodwyd adran 269A o Ddeddf 1985 gan baragraff 15 o Atodlen 15 i Ddeddf 2004.

(1) Sections 269, 272 and 317 of the 1985 Act were amended by section 48 of the 2004 Act.

(2) Section 269A of the 1985 Act was inserted by paragraph 15 of Schedule 15 to the 2004 Act.

(3) Yr ymatebydd penodedig yw'r ATLL.

46.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 272(1) neu (2)(a) o Ddeddf 1985 (cais mewn cysylltiad ag adennill treuliau ATLL wrth gyflawni gorchymyn dymchwel o dan adran 271 o Ddeddf 1985 gan gynnwys penderfynu'r cyfraniadau gan gydberchnogion).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn dymchwel a wnaed o dan adran 265 o Ddeddf 1985 (gan gynnwys unrhyw atodlen i'r gorchymyn);
- (b) y datganiad o resymau; ac
- (c) datganiad o'r canlynol—
 - (i) y treuliau a dynnwyd gan yr ATLL o dan adran 271 o Ddeddf 1985 (gweithredu gorchymyn dymchwel);
 - (ii) y swm (os oes un) a dderbyniwyd drwy werthu defnyddiau; a
 - (iii) y swm y mae'r ATLL yn ceisio'i adennill oddi wrth unrhyw berchennog y fangre.

(3) Yr ymatebydd penodedig yw perchennog y fangre(1).

47.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 272(2)(b) o Ddeddf 1985 (cais gan un o berchnogion mangre am benderfynu'r cyfraniad i dreuliau ATLL, sydd i'w dalu gan berchennog arall).

(2) Y dogfennau penodedig yw—

- (a) copi o'r gorchymyn dymchwel a wnaed o dan adran 265 o Ddeddf 1985 (gan gynnwys unrhyw atodlen i'r gorchymyn);
- (b) y datganiad o resymau; ac
- (c) datganiad o'r canlynol—
 - (i) priod fuddiannau'r perchnogion yn y fangre; a
 - (ii) eu priod rhwymedigaethau ac atebolrwyddau o ran cynnal ac atgyweirio, o dan unrhyw gyfamod neu gytundeb, penodol neu oblygedig.

(3) Yr ymatebydd penodedig yw'r perchennog y mae'r ceisydd yn ceisio cyfraniad ganddo tuag at dreuliau'r ATLL.

48.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 317(1) o Ddeddf 1985 (cais gan lesydd neu lesddeiliad mangre y daeth gorchymyn dymchwel yn weithredol mewn perthynas â hi, am orchymyn yn amrywio neu'n terfynu les).

(2) Y dogfennau penodedig yw—

(3) The specified respondent is the LHA.

46.—(1) This paragraph applies to an application under section 272(1) or (2)(a) of the 1985 Act (application in connection with recovery of LHA's expenses in executing demolition order under section 271 of the 1985 Act including determination of contributions by joint owners).

(2) The specified documents are—

- (a) a copy of the demolition order made under section 265 of the 1985 Act (including any schedule to it);
- (b) the statement of reasons; and
- (c) a statement of—
 - (i) the expenses incurred by the LHA under section 271 of the 1985 Act (execution of demolition order);
 - (ii) the amount (if any) realised by the sale of materials; and
 - (iii) the amount the LHA seeks to recover from an owner of the premises.

(3) The specified respondent is the owner of the premises(1).

47.—(1) This paragraph applies to an application under section 272(2)(b) of the 1985 Act (application by owner of premises for determination of contribution to LHA's expenses to be paid by another owner).

(2) The specified documents are—

- (a) a copy of the demolition order made under section 265 of the 1985 Act (including any schedule to it);
- (b) the statement of reasons; and
- (c) a statement of—
 - (i) the owners' respective interests in the premises; and
 - (ii) their respective obligations and liabilities in respect of maintenance and repair under any covenant or agreement, whether express or implied.

(3) The specified respondent is the owner from whom the applicant seeks a contribution to the LHA's expenses.

48.—(1) This paragraph applies to an application under section 317(1) of the 1985 Act (application by lessor or lessee of premises in respect of which demolition order has become operative, for an order varying or determining lease).

(2) The specified documents are—

(1) *Gweler* adran 322 o Ddeddf 1985, sy'n diffinio "owner" mewn perthynas â mangre. Diwygiwyd adran 322 gan adran 65(1) o Ddeddf 2004 a pharagraff 26 o Atodlen 15 i'r Ddeddf honno.

(1) *See* section 322 of the 1985 Act, which defines "owner" in relation to premises. Section 322 was amended by section 65(1) of, and paragraph 26 of Schedule 15 to, the 2004 Act.

- (a) copi o'r gorchymyn dymchwel a wnaed o dan adran 265 o Ddeddf 1985 (gan gynnwys unrhyw atodlen i'r gorchymyn);
- (b) y datganiad o resymau;
- (c) copi o'r les berthnasol; ac
- (ch) datganiad o enw a chyfeiriad unrhyw barti arall i'r les, ac enw a chyfeiriad unrhyw barti i les isradd.

(3) Yr ymatebydd penodedig yw'r parti arall i'r les.

Ceisiadau sy'n ymwneud â gwaith ar fangreodd anaddas

49.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 318(1)(1) o Ddeddf 1985 (cais gan berson sydd â buddiant mewn mangre am awdurdodiad gan dribiwnlys i gyflawni gwaith ar fangre anaddas, neu waith ar gyfer gwella).

(2) Y dogfennau penodedig yw—

- (a) manylion o'r gwaith y mae'r ceisydd yn bwriadu eu cyflawni, gan gynnwys—
 - (i) enwau a chyfeiriadau contractwyr arfaethedig pan fo'n berthnasol;
 - (ii) amcangyfrif o gostau'r gwaith; a
 - (iii) amserlen ar gyfer cychwyn a chwblhau'r gwaith;
- (b) pan wneir y cais ar y sail a grybwyllir yn adran 318(1)(b) o Ddeddf 1985, manylion o'r canlynol—
 - (i) y cynllun gwella neu ailadeiladu y mae'r ceisydd yn dymuno'i gyflawni; a
 - (ii) y gymeradwyaeth o'r cynllun gan yr ATLI;
- (c) datganiad o statws ariannol y ceisydd, gan gynnwys datgeliad o'r cyllid sydd ar gael i ddiwallu costau amcangyfrifedig y gwaith; ac
- (ch) pan fo'r cais yn cynnwys cais am orchymyn yn terfynu les a ddelir oddi wrth y ceisydd neu les ddeilliannol, copi o'r les honno.

(3) Yr ymatebwyr penodedig yw—

- (a) y person sydd â hawl i feddiannu'r fangre;
- (b) perchennog y fangre(2).

- (a) a copy of the demolition order made under section 265 of the 1985 Act (including any schedule to it);
- (b) the statement of reasons;
- (c) a copy of the relevant lease; and
- (d) a statement of the name and address of any other party to the lease and of any party to an inferior lease.

(3) The specified respondent is the other party to the lease.

Applications relating to work on unfit premises

49.—(1) This paragraph applies to an application under section 318(1)(1) of the 1985 Act (application by person with interest in premises for authorisation by tribunal of execution of works on unfit premises or for improvement).

(2) The specified documents are—

- (a) details of the work which the applicant proposes to carry out including—
 - (i) names and addresses of proposed contractors where relevant;
 - (ii) an estimate of the costs of the work; and
 - (iii) a timetable for starting and completing the work;
- (b) where the application is made on the ground mentioned in section 318(1)(b) of the 1985 Act, details of—
 - (i) the scheme of improvement or reconstruction which the applicant wishes to carry out; and
 - (ii) the LHA's approval of the scheme;
- (c) a statement of the financial standing of the applicant including disclosure of funds available to meet the estimated costs of the work; and
- (d) where the application includes a request for an order determining a lease held from the applicant or a derivative lease, a copy of that lease.

(3) The specified respondents are—

- (a) the person with a right to possession of the premises;
- (b) the owner of the premises(2).

(1) Diwygiwyd adran 318 o Ddeddf 1985 gan adran 48 o Ddeddf 2004.

(2) *Gweler* adran 322 o Ddeddf 1985, sy'n diffinio "owner" mewn perthynas â mangre.

(1) Section 318 of the 1985 Act was amended by section 48 of the 2004 Act.

(2) *See* section 322 of the 1985 Act which defines "owner" in relation to premises.

Ceisiadau a wneir o dan Ddeddf 1983

Ceisiadau sy'n ymwneud â methiant i roi datganiad ysgrifenedig

50.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 1(6) o Ddeddf 1983 (hawl i gael datganiad ysgrifenedig).

(2) Y dogfennau penodedig yw unrhyw ddogfennau a roddir gan berchennog y safle i'r meddiannydd, y mae'n ofynnol o dan adran 1(2) o Ddeddf 1983 bod perchennog y safle yn eu rhoi.

(3) Yr ymatebydd penodedig yw perchennog y safle.

Ceisiadau sy'n ymwneud â thelerau goblygedig ychwanegol neu amrywio neu ddileu telerau goblygedig

51.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 2(2) o Ddeddf 1983 (telerau a grybwyllir yn Rhan 2 o Atodlen 1 i Ddeddf 1983 yn oblygedig).

(2) Y ddogfen benodedig yw datganiad sy'n pennu'r rhesymau pam y mae'r ceisydd yn gwneud cais am gael unrhyw rai o'r materion a grybwyllir yn Rhan 2 o Atodlen 1 i Ddeddf 1983 yn oblygedig yn y cytundeb rhwng perchennog y safle a'r meddiannydd.

(3) Yr ymatebydd penodedig yw—

- (a) os y ceisydd yw perchennog y safle, y meddiannydd; a
- (b) os y ceisydd yw'r meddiannydd, perchennog y safle.

52.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 2(3)(a) o Ddeddf 1983 (amrywio neu ddileu unrhyw un o delerau datganedig y cytundeb)—

(2) Y dogfennau penodedig yw—

- (a) copi o'r cytundeb; a
- (b) datganiad yn pennu—
 - (i) pa un o delerau datganedig y cytundeb y mae'r ceisydd yn gofyn i'r tribiwnlys ei amrywio neu ei ddileu, neu, yn achos un o'r telerau datganedig y mae adran 1(6) o Ddeddf 1983 yn gymwys iddynt, pa un y mae'r ceisydd yn dymuno rhoi effaith lawn iddo; a
 - (ii) y rhesymau pam y mae'r ceisydd yn gwneud cais am amrywio neu ddileu unrhyw un o delerau datganedig y cytundeb, neu, yn achos un o'r telerau datganedig y mae adran 1(6) o Ddeddf 1983 yn gymwys iddynt, y rhesymau dros ddymuno rhoi effaith lawn iddo.

(3) Yr ymatebydd penodedig yw—

- (a) os y ceisydd yw perchennog y safle, y meddiannydd; a
- (b) os y ceisydd yw'r meddiannydd, perchennog y safle.

Applications made under the 1983 Act

Applications relating to failure to give a written statement

50.—(1) This paragraph applies to an application under section 1(6) of the 1983 Act (right to have a written statement).

(2) The specified documents are any documents given by the site owner to the occupier that the site owner is required to give under section 1(2) of the 1983 Act.

(3) The specified respondent is the site owner.

Applications relating to additional implied terms or variation or deletion of implied terms

51.—(1) This paragraph applies to an application under section 2(2) of the 1983 Act (terms mentioned in Part 2 of Schedule 1 to the 1983 Act to be implied).

(2) The specified document is a statement specifying the reasons for the applicant applying to have any of the matters mentioned in Part 2 of Schedule 1 to the 1983 Act implied in the agreement between the site owner and the occupier.

(3) The specified respondent is—

- (a) where the applicant is the site owner, the occupier; and
- (b) where the applicant is the occupier, the site owner.

52.—(1) This paragraph applies to an application under section 2(3)(a) of the 1983 Act (varying or deleting any express term of the agreement)—

(2) The specified documents are—

- (a) a copy of the agreement; and
- (b) a statement specifying—
 - (i) which express term of the agreement the applicant is asking the tribunal to vary or delete or, in the case of any express term to which section 1(6) of the 1983 Act applies, which term the applicant wants to be given full effect; and
 - (ii) the reasons for the applicant applying to vary or delete any express term of the agreement, or in the case of any express term to which section 1(6) of the 1983 Act applies, the reasons for wanting that term to be given full effect.

(3) The specified respondent is—

- (a) where the applicant is the site owner, the occupier; and
- (b) where the applicant is the occupier, the site owner.

Ceisiadau sy'n ymwneud ag unrhyw gwestiwn o dan Ddeddf 1983

53.—(1) Mae'r paragraff hwn yn gymwys i gais o dan adran 4 o Ddeddf 1983 (penderfynu unrhyw gwestiwn sy'n codi o dan Ddeddf 1983 neu o dan gytundeb y mae'r Ddeddf honno'n gymwys iddo).

(2) Y dogfennau penodedig yw—

- (a) copi o'r cytundeb; a
- (b) unrhyw ohebiaeth berthnasol a roddodd neu a gafodd y ceisydd mewn cysylltiad â'r cwestiwn sydd i'w benderfynu.

(3) Yr ymatebydd penodedig yw—

- (a) os y ceisydd yw perchennog y safle, y meddiannydd; a
- (b) os y ceisydd yw'r meddiannydd, perchennog y safle.

Ceisiadau sy'n ymwneud ag effaith niweidiol cartrefi symudol ar amwynder y safle

54.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 5A(2)(a) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (penderfyniad gan dribiwnlys ynghylch effaith niweidiol cartref symudol).

(2) Y dogfennau penodedig yw—

- (a) unrhyw ddogfennau a gyflwynwyd i'r meddiannydd gan berchennog y safle, sy'n hysbysu'r meddiannydd o fwriad perchennog y safle i wneud cais o dan baragraff 5A(2) o Bennod 2 o Ran 1 o'r Atodlen honno;
- (b) unrhyw adroddiad sydd wedi ei baratoi, sy'n disgrifio cyflwr y cartref symudol; ac
- (c) unrhyw ddogfennau perthnasol eraill sy'n cefnogi'r cais.

(3) Yr ymatebydd penodedig yw'r meddiannydd.

Ceisiadau sy'n ymwneud â therfynu gan berchennog y safle

55.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 4, 5 neu 5A(2)(b) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (terfynu gan berchennog y safle).

(2) Y dogfennau penodedig yw—

- (a) copi o'r cytundeb;
- (b) unrhyw ddogfennau a gyflwynwyd i'r meddiannydd gan berchennog y safle, sy'n hysbysu'r meddiannydd o fwriad perchennog y safle i wneud cais o dan baragraff 4, 5 neu 5A(2) o Bennod 2 o Ran 1 o'r Atodlen honno;
- (c) yn achos cais o dan baragraff 4 o Bennod 2 o Ran 1 o'r Atodlen honno, os y toriad honedig yw methiant i dalu'r ffi am y llain, datganiad o'r ffioedd llain a oedd yn ddyledus ac o'r ffioedd a dderbyniwyd yn ystod y cyfnod dan sylw;

Applications relating to any question under the 1983 Act

53.—(1) This paragraph applies to an application under section 4 of the 1983 Act (determination of any question arising under the 1983 Act or agreement to which it applies).

(2) The specified documents are—

- (a) a copy of the agreement; and
- (b) any relevant correspondence that the applicant has given or received in connection with the question to be determined.

(3) The specified respondent is—

- (a) where the applicant is the site owner, the occupier; and
- (b) where the applicant is the occupier, the site owner.

Applications relating to detrimental effect of mobile homes on the amenity of the site

54.—(1) This paragraph applies to an application under paragraph 5A(2)(a) of Chapter 2, of Part 1 of Schedule 1 to the 1983 Act (determination by tribunal of detrimental effect of mobile home).

(2) The specified documents are—

- (a) any documents served on the occupier by the site owner giving the occupier notice of the site owner's intention to make an application under paragraph 5A(2) of Chapter 2 of Part 1 of that Schedule;
- (b) any report that may have been prepared which describes the condition of the mobile home; and
- (c) any other relevant documents supporting the application.

(3) The specified respondent is the occupier.

Applications relating to termination by the site owner

55.—(1) This paragraph applies to an application under paragraph 4, 5 or 5A(2)(b) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (termination by site owner).

(2) The specified documents are—

- (a) a copy of the agreement;
- (b) any documents served on the occupier by the site owner giving the occupier notice of the site owner's intention to make an application under paragraph 4, 5 or 5A(2) of Chapter 2 of Part 1 of that Schedule;
- (c) in the case of an application under paragraph 4 of Chapter 2 of Part 1 of that Schedule where the alleged breach is failure to pay the pitch fee, a statement of pitch fees due and received during the period in question;

- (ch) unrhyw ddogfennau perthnasol eraill sy'n cefnogi'r cais; a
- (d) yn achos cais o dan baragraff 5A(2) o Bennod 2 o Ran 1 o'r Atodlen honno, copi o benderfyniad y tribiwnlys o dan y paragraff hwnnw.

(3) Yr ymatebydd penodedig yw'r meddiannydd.

Ceisiadau sy'n ymwneud â chymeradwyo person wrth werthu neu roi cartrefi symudol

56.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 8(1E) (gwerthu cartref symudol) neu 9(2) (rhoi cartref symudol) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983.

(2) Y dogfennau penodedig yw—

- (a) copi o unrhyw ddogfennau a gyflwynwyd i berchennog y safle gan y meddiannydd o dan baragraff 8(1A) o Bennod 2 o Ran 1 o'r Atodlen honno;
- (b) unrhyw ohebiaeth berthnasol a gafodd y meddiannydd gan berchennog y safle, i'r perwyl nad oedd perchennog y safle yn cymeradwyo'r gwerthiant neu'r rhodd; ac
- (c) yn achos cais brys o dan baragraff 8 neu 9 o Bennod 2 o Ran 1 o'r Atodlen honno, unrhyw ddogfennau sy'n cynnwys y dystiolaeth a anfonwyd ynghyd â'r cais o dan baragraff (2) o reoliad 11 (ceisiadau brys o dan Ddeddf 1983 mewn perthynas â gwerthu neu roi cartref symudol).

(3) Yr ymatebydd penodedig yw perchennog y safle.

Ceisiadau mewn perthynas ag adleoli cartrefi symudol

57.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 10(1) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (adleoli cartref symudol).

(2) Y dogfennau penodedig yw—

- (a) unrhyw ddogfen sy'n nodi'r rheswm dros ei gwneud yn ofynnol bod hawl y meddiannydd i leoli'r cartref symudol yn arferadwy am unrhyw gyfnod mewn perthynas â llain arall, ac yn darparu disgrifiad, amwynder a maint y llain bresennol yn ogystal â'r llain amgen arfaethedig;
- (b) copi o'r cytundeb mewn perthynas â'r llain bresennol a drafft o'r cytundeb arfaethedig mewn perthynas â'r llain amgen; ac
- (c) yr hysbysiad (os oes un) a gyflwynwyd i'r meddiannydd gan berchennog y safle, ac sy'n nodi bwriad perchennog y safle i wneud cais i'r tribiwnlys o dan baragraff 10(1) o Bennod 2 o Ran 1 o'r Atodlen honno, ynghyd ag unrhyw ddogfennau ategol nas cyflwynwyd eisoes i'r tribiwnlys ac sy'n berthnasol i'r cais.

- (d) any other relevant documents supporting the application; and
- (e) in the case of an application under paragraph 5A(2) of Chapter 2 of Part 1 of that Schedule, a copy of the tribunal determination under that paragraph.

(3) The specified respondent is the occupier.

Applications relating to approval of person on sale or gift of mobile homes

56.—(1) This paragraph applies to an application under paragraph 8(1E) (sale of mobile home) or 9(2) (gift of mobile home) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act.

(2) The specified documents are—

- (a) a copy of any documents served on the site owner by the occupier under paragraph 8(1A) of Chapter 2 of Part 1 of that Schedule;
- (b) any relevant correspondence that the occupier has received from the site owner in which the site owner does not give approval to the sale or gift; and
- (c) in the case of an urgent application under paragraph 8 or 9 of Chapter 2 of Part 1 of that Schedule, any documents containing the evidence accompanying the application under paragraph (2) of regulation 11 (urgent applications under the 1983 Act relating to sale or gift of a mobile home).

(3) The specified respondent is the site owner.

Applications relating to re-siting of mobile homes

57.—(1) This paragraph applies to an application under paragraph 10(1) of Chapter 2, of Part 1 of Schedule 1 to the 1983 Act (re-siting of mobile home).

(2) The specified documents are—

- (a) any document that specifies the reason for requiring that the occupier's right to station the mobile home be exercisable for any period in relation to another pitch and providing the description, amenity and size of both the existing pitch and the proposed alternative pitch;
- (b) a copy of the agreement relating to the existing pitch and a draft of the proposed agreement relating to the alternative pitch; and
- (c) the notification (if any) served by the site owner on the occupier specifying the site owner's intention to apply to the tribunal under paragraph 10(1) of Chapter 2, of Part 1 of that Schedule and any accompanying documents not already supplied to the tribunal relevant to the application.

(3) Yr ymatebydd penodedig yw'r meddiannydd.

Ceisiadau sy'n ymwneud â dychwelyd cartrefi symudol a adleolwyd

58.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 10(2) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (adleoli cartref symudol).

(2) Y dogfennau penodedig yw—

- (a) unrhyw gais gan y meddiannydd i berchennog y safle am dychwelyd y cartref symudol i'r llain wreiddiol ac unrhyw ymateb a gafwyd i'r cais hwnnw;
- (b) copi o'r cytundeb mewn perthynas â'r llain bresennol ac o'r cytundeb mewn perthynas â'r llain amgen; ac
- (c) yr hysbysiad (os oes un) a gyflwynwyd gan y meddiannydd i berchennog y safle, ac sy'n nodi bwriad y meddiannydd i wneud cais i'r tribiwnlys o dan baragraff 10(2) o Bennod 2 o Ran 1 o'r Atodlen honno.

(3) Yr ymatebydd penodedig yw perchennog y safle.

Ceisiadau sy'n ymwneud â'r ffi llain

59.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraffau 16(b), 17(4) ac 17(8) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (y ffi llain).

(2) Y ddogfen benodedig yw'r hysbysiad a gyflwynwyd i'r meddiannydd gan berchennog y safle o dan baragraff 17(2) o Bennod 2 o Ran 1 o'r Atodlen honno (pa un a'i cyflwynwyd erbyn yr amser sy'n ofynnol o dan y paragraff hwnnw ai peidio).

(3) Yr ymatebydd penodedig yw—

- (a) os y ceisydd yw perchennog y safle, y meddiannydd; a
- (b) os y ceisydd yw'r meddiannydd, perchennog y safle.

Ceisiadau sy'n ymwneud â gwelliannau sydd i'w cymryd i ystyriaeth yn y ffi llain

60.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 18(1)(a)(iii) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (y ffi llain).

(2) Y dogfennau penodedig yw—

- (a) datganiad o'r gwaith gwella arfaethedig;
- (b) amcangyfrif o'r costau;
- (c) datganiad o ba bryd y bydd y gwaith yn cychwyn ac am ba hyd y bydd yn parhau; a
- (ch) manylion yr ymgynghori a wnaed gyda'r meddianwyr o dan baragraff 22(e) ac (f) o Bennod 2 o Ran 1 o'r Atodlen honno, a chopïau o'u hymatebion.

(3) Yr ymatebydd penodedig yw'r meddiannydd.

(3) The specified respondent is the occupier.

Applications relating to the return of re-sited mobile homes

58.—(1) This paragraph applies to an application under paragraph 10(2) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (re-siting of mobile home).

(2) The specified documents are—

- (a) any request by the occupier to the site owner to return the mobile home to the original pitch and any response received to that request;
- (b) a copy of the agreement relating to the existing pitch and the agreement relating to the alternative pitch; and
- (c) the notification (if any) served by the occupier on the site owner specifying the occupier's intention to apply to the tribunal under paragraph 10(2) of Chapter 2 of Part 1 of that Schedule.

(3) The specified respondent is the site owner.

Applications relating to the pitch fee

59.—(1) This paragraph applies to an application under paragraphs 16(b), 17(4) and 17(8) of Chapter 2, of Part 1 of Schedule 1 to the 1983 Act (the pitch fee).

(2) The specified document is the notice served on the occupier by the site owner under paragraph 17(2) of Chapter 2 of Part 1 of that Schedule (whether served by the time required under that paragraph or not).

(3) The specified respondent is—

- (a) where the applicant is the site owner, the occupier; and
- (b) where the applicant is the occupier, the site owner.

Applications relating to improvements to be taken into account in the pitch fee

60.—(1) This paragraph applies to an application under paragraph 18(1)(a)(iii) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (the pitch fee).

(2) The specified documents are—

- (a) a statement of the proposed improvement works;
- (b) an estimate of the costs;
- (c) a statement of when the works will begin and their duration; and
- (d) details of the consultation undertaken with the occupiers under paragraph 22(e) and (f) of Chapter 2 of Part 1 of that Schedule and copies of their responses.

(3) The specified respondent is the occupier.

*Ceisiadau sy'n ymwneud â chymdeithasau
preswylwyr cymwys*

61.—(1) Mae'r paragraff hwn yn gymwys i gais o dan baragraff 28(1)(h) o Bennod 2 o Ran 1 o Atodlen 1 i Ddeddf 1983 (cymdeithas preswylwyr gymwys).

(2) Y dogfennau penodedig yw—

- (a) unrhyw gais a wnaed gan gadeirydd, ysgrifennydd neu drysorydd y gymdeithas preswylwyr i berchennog y safle am i'r perchennog safle gydnabod y gymdeithas fel cymdeithas preswylwyr gymwys;
- (b) unrhyw ymateb gan berchennog y safle i'r cais am gydnabod y gymdeithas, y cyfeirir ato ym mharagraff (a);
- (c) copi o gyfansoddiad y gymdeithas; ac
- (ch) tystiolaeth o'r nifer o feddianwyr cartrefi symudol ar y safle sy'n berchnogion y cartrefi symudol a feddiennir ganddynt ac sy'n aelodau o'r gymdeithas preswylwyr.

(3) Yr ymatebydd penodedig yw perchennog y safle.

*Applications relating to qualifying residents'
associations*

61.—(1) This paragraph applies to an application under paragraph 28(1)(h) of Chapter 2, of Part 1 of Schedule 1 to the 1983 Act (qualifying residents' association).

(2) The specified documents are—

- (a) any request made by the chairman, secretary or treasurer of the residents' association to the site owner that the site owner recognise the association as a qualifying residents' association;
- (b) any response by the site owner to the request referred to in paragraph (a);
- (c) a copy of the constitution of the association; and
- (d) evidence of the number of occupiers of mobile homes on the site who own the mobile home they are occupying and who are members of the residents' association.

(3) The specified respondent is the site owner.

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