



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2022 Rhif 256 (Cy. 78)**

**2022 No. 256 (W. 78)**

**TAI, CYMRU**

**HOUSING, WALES**

**Rheoliadau Rhentu Cartrefi  
(Diogelu Eiddo mewn Anheddau y  
Cefnwyd Arnynt) (Cymru) 2022**

**The Renting Homes (Safeguarding  
Property in Abandoned Dwellings)  
(Wales) Regulations 2022**

**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 gwneud darpariaeth ynghylch y gofyniad i'r landlord ddiogelu eiddo mewn annedd pan fydd contract meddiannaeth yn dod i ben o dan adran 220 (meddiannu anheddau y cefnwyd arnynt) o Ddeddf Rhentu Cartrefi (Cymru) 2016 (dccc 1) ("y Ddeddf").

These Regulations make provision about the landlord's requirement to safeguard property in a dwelling when an occupation contract ends under section 220 (possession of abandoned dwellings) of the Renting Homes (Wales) Act 2016 (anaw 1) ("the Act").

Mae rheoliad 3(1) a (2) yn darparu, pan fo contract meddiannaeth yn dod i ben yn unol ag adran 220 o'r Ddeddf, fod rhaid i'r landlord ddiogelu eiddo a adawyd yn yr annedd am bedair wythnos o'r diwrnod y mae'r contract yn dod i ben. Mae paragraff (3) yn darparu, oni bai bod deiliad y contract (neu berchennog arall yr eiddo) yn trefnu i draddodi'r eiddo hwnnw i'r person perthnasol (o dan reoliad 4), ar ôl y pedair wythnos ragnodedig, y caiff y landlord waredu unrhyw eiddo sy'n parhau i fod o dan ei ofal. Mae paragraff (4) yn pennu amgylchiadau pan na fo'r ddyletswydd i ddiogelu eiddo y cefnwyd arno yn gymwys, ac yn yr achosion hynny caiff y landlord waredu'r eiddo hwnnw ar unrhyw adeg ar ôl i'r contract ddod i ben.

Regulation 3(1) and (2) provide that, where an occupation contract ends pursuant to section 220 of the Act, the landlord must safeguard property left in the dwelling for four weeks from the day on which the contract ends. Paragraph (3) provides that, unless the contract-holder (or other owner of the property) arranges for delivery of that property to the relevant person (under regulation 4), after the prescribed four weeks, the landlord may dispose of any property remaining in their custody. Paragraph (4) specifies circumstances when the duty to safeguard abandoned property does not apply and in those cases the landlord may dispose of that property at any time after the end of the contract.

Mae rheoliad 4(1) a (2) yn darparu, pan fo deiliad y contract neu berchennog yr eiddo yn trefnu i draddodi'r eiddo i'r person hwnnw, fod rhaid i'r landlord ildio gofal o'r eiddo. Mae paragraff (3) yn galluogi'r landlord i'w gwneud yn ofynnol talu'r treuliau yr aeth y landlord iddynt wrth gydymffurfio â'r Rheoliadau hyn cyn bod y landlord yn ildio gofal o'r eiddo.

Regulation 4(1) and (2) provide that, where the contract-holder or property owner, arranges for delivery of the property to that person, the landlord must relinquish custody of the property. Paragraph (3) enables the landlord to require the payment of expenses incurred by the landlord in complying with these Regulations before the landlord relinquishes custody.

Mae rheoliad 5 yn caniatáu i'r landlord ddiwynnu ei dreuliau ac unrhyw ôl-ddyledion rhent sy'n ddyledus o dan y contract meddiannaeth o'r enillion o unrhyw werthiant eiddo o dan y Rheoliadau hyn.

Mae rheoliad 6 yn darparu yr ymdrinnir ag eiddo sydd mewn annedd y cefnwyd arni y mae awdurdod lleol yn berchen arni neu'n ei rheoli yn unol â'r Rheoliadau hyn pan fo'r contract meddiannaeth yn cael ei derfynu o dan adran 220 o'r Ddeddf.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Dai, Llywodraeth Cymru, Parc Busnes Rhyd-y-car, Merthyr Tudful, CF48 1UZ.

Regulation 5 permits the landlord to deduct their expenses and any rent arrears due under the occupation contract from the proceeds of any sale of property under these Regulations.

Regulation 6 provides that property which is in an abandoned dwelling owned or managed by a local authority, will be dealt with in accordance with these Regulations where the occupation contract is ended under section 220 of the Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained at Department of Housing, Welsh Government, Rhydycar Business Park, Merthyr Tydfil, CF48 1UZ.

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Rheoliadau Rhentu Cartrefi  
(Diogelu Eiddo mewn Anheddau y  
Cefnwyd Arnynt) (Cymru) 2022

The Renting Homes (Safeguarding  
Property in Abandoned Dwellings)  
(Wales) Regulations 2022

Gwnaed 8 Mawrth 2022

Made 8 March 2022

Gosodwyd gerbron Senedd  
Cymru 10 Mawrth 2022  
Yn dod i rym yn unol â rheoliad 1

Laid before Senedd Cymru 10 March 2022

Coming into force in accordance with  
regulation 1

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 221(1) a 256(1) o Ddeddf Rhentu Cartrefi (Cymru) 2016(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 221(1) and 256(1) of the Renting Homes (Wales) Act 2016(1).

**Enwi a chychwyn**

1. Enw'r Rheoliadau hyn yw Rheoliadau Rhentu Cartrefi (Diogelu Eiddo mewn Anheddau y Cefnwyd Arnynt) (Cymru) 2022 a deuant i rym ar y diwrnod y mae adran 239 o Ddeddf Rhentu Cartrefi (Cymru) 2016(2) yn dod i rym.

**Title and commencement**

1. The title of these Regulations is the Renting Homes (Safeguarding Property in Abandoned Dwellings) (Wales) Regulations 2022 and they come into force on the day on which section 239 of the Renting Homes (Wales) Act 2016(2) comes into force.

**Dehongli**

2.—(1) Yn y Rheoliadau hyn—

y “cyfnod rhagnodedig” (“*prescribed period*”) yw pedair wythnos o'r diwrnod y daw'r contract meddiannaeth i ben o dan adran 220 o'r Ddeddf;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Rhentu Cartrefi (Cymru) 2016;

ystyr “eiddo” (“*property*”) yw eiddo (heblaw eiddo'r landlord) sydd yn yr annedd pan ddaw'r contract meddiannaeth i ben o dan adran 220 o'r Ddeddf;

**Interpretation**

2.—(1) In these Regulations—

“the Act” (“*y Deddf*”) means the Renting Homes (Wales) Act 2016;

“disposal” (“*gwaredu*”) includes but is not limited to the sale of property;

“prescribed period” (“*cyfnod rhagnodedig*”) is four weeks from the day on which the occupation contract ends under section 220 of the Act;

“property” (“*eiddo*”) is property (other than the landlord's property) that is in the dwelling when

(1) 2016 decc 1.

(2) Daw adran 239 o Ddeddf Rhentu Cartrefi (Cymru) 2016 i rym ar ddiwrnod a bennir gan Weiniogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.

(1) 2016 anaw 1.

(2) Section 239 of the Renting Homes (Wales) Act 2016 will come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.

mae “gwaredu” (“*disposal*”) yn cynnwys gwerthu eiddo, ond nid yw’n gyfyngedig i hynny.

(2) Mae i’r geiriau a’r ymadroddion a ddefnyddir yn y Rheoliadau hyn yr un ystyr ag sydd iddynt yn y Ddeddf.

### **Diogelu a gwaredu eiddo**

3.—(1) Rhaid ymdrin ag eiddo sydd mewn anedd pan ddaw’r contract meddiannaeth i ben o dan adran 220 o’r Ddeddf yn unol â’r Rheoliadau hyn.

(2) Yn ddarostyngedig i baragraff (4), rhaid i’r landlord ddiogelu’r eiddo am y cyfnod rhagnodedig.

(3) Ar ôl i’r cyfnod rhagnodedig ddod i ben, caiff y landlord waredu unrhyw eiddo sy’n weddill.

(4) Nid yw paragraffau (2) a (3) yn gymwys i eiddo—

- (a) sy’n ddarfodus,
- (b) y byddai ei ddiogelu yn ddigonol yn golygu costau neu anhwylostod afresymol, neu
- (c) na fyddai ei werth, ym marn y landlord, yn fwy na’r swm y caiff y landlord ei ddiwynnu o dan reoliad 5(1) o’r enillion o werthu’r eiddo hwnnw,

ac yn yr achosion hynny caiff y landlord waredu’r eiddo hwnnw ar unrhyw adeg ac mewn unrhyw fodd y mae’n meddwl eu bod yn briodol.

### **Traddodi eiddo i berchennog**

4.—(1) Ar unrhyw adeg cyn gwaredu unrhyw eiddo o dan baragraff (3) neu (4) o reoliad 3, caiff deiliad y contract, neu unrhyw berson yr ymddengys i’r landlord fod ganddo hawl perchnogaeth neu feddiant yn yr eiddo, drefnu i draddodi’r eiddo hwnnw i ddeiliad y contract neu’r person arall hwnnw.

(2) Yn ddarostyngedig i baragraff (3), pan drefnir traddodi o dan baragraff (1), rhaid i’r landlord ildio gofal o’r eiddo hwnnw.

(3) Caiff y landlord ei gwneud yn ofynnol i unrhyw swm, fel y gwêl y landlord yn addas, sy’n gyfwerth â, neu’n llai na, swm unrhyw dreuliau yr aeth y landlord iddynt wrth gydymffurfio â’r Rheoliadau hyn, gael ei dalu iddo cyn ildio gofal o eiddo o dan y rheoliad hwn.

### **Treuliau’r landlord a symiau sy’n ddyledus o dan y contract meddiannaeth**

5.—(1) Caiff y landlord ddefnyddio unrhyw enillion o waredu eiddo o dan baragraff (3) neu (4) o reoliad 3 i dalu treuliau yr aeth y landlord iddynt wrth gydymffurfio â’r Rheoliadau hyn.

the occupation contract ends under section 220 of the Act.

(2) The words and expressions used in these Regulations have the same meaning as they have in the Act.

### **Safeguarding and disposal of property**

3.—(1) Property that is in a dwelling when the occupation contract ends under section 220 of the Act must be dealt with in accordance with these Regulations.

(2) Subject to paragraph (4), the landlord must safeguard the property for the prescribed period.

(3) After expiry of the prescribed period, the landlord may dispose of any remaining property.

(4) Paragraphs (2) and (3) do not apply to property—

- (a) which is perishable,
- (b) where to safeguard it adequately would involve unreasonable expense or inconvenience, or
- (c) the value of which would not, in the opinion of the landlord, exceed the amount which the landlord may deduct under regulation 5(1) from the proceeds of sale of such property,

in which case the landlord may dispose of such property at such time and in such manner as the landlord thinks fit.

### **Delivery of property to owner**

4.—(1) At any time prior to the disposal of any property under paragraph (3) or (4) of regulation 3, the contract-holder, or any person who appears to the landlord to have a right of ownership or possession in the property, may arrange for delivery of that property to the contract-holder or that other person.

(2) Subject to paragraph (3), where delivery has been arranged under paragraph (1), the landlord must relinquish custody of that property.

(3) The landlord may require payment of such sum, as the landlord sees fit, equal to or less than the amount of any expenses incurred by the landlord in complying with these Regulations, before relinquishing custody of property under this regulation.

### **Landlord expenses and amounts due under the occupation contract**

5.—(1) The landlord may apply any proceeds of disposal of property under paragraph (3) or (4) of regulation 3, in satisfaction of expenses incurred by the landlord in complying with these Regulations.

(2) Os oes unrhyw swm yn weddill, yn dilyn defnyddio'r enillion o dan baragraff (1), caiff y landlord, ar ôl i'r cyfnod rhagnodedig ddod i ben, ei ddefnyddio ar gyfer unrhyw ôl-ddyledion rhent sy'n ddyledus o dan y contract meddiannaeth.

### **Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982**

6. Nid yw adran 41 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982(1) yn gymwys i eiddo sydd mewn annedd y mae awdurdod lleol yn berchen arni neu'n ei rheoli pan fydd contract meddiannaeth mewn perthynas â'r annedd honno yn dod i ben o dan adran 220 o'r Ddeddf.

(2) If there is any remainder, following the application of proceeds under paragraph (1), the landlord may, after the end of the prescribed period, apply it towards any arrears of rent due under the occupation contract.

### **Local Government (Miscellaneous Provisions) Act 1982**

6. Section 41 of the Local Government (Miscellaneous Provisions) Act 1982(1) does not apply to property which is in a dwelling owned or managed by a local authority when an occupation contract in relation to that dwelling ends under section 220 of the Act.

*Julie James*

Y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru  
8 Mawrth 2022

Minister for Climate Change, one of the Welsh Ministers  
8 March 2022

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(1) 1982 p. 30. Diwygiwyd adran 41 gan erthygl 2 o S.O. 2003/1615, a pharagraff 11 o Ran 1 o Atodlen 1 iddo; adran 4 o Ddeddf Cynllunio (Darpariaethau Canlyniadol) 1990 (p. 11), a pharagraff 56(3) o Atodlen 2 iddi; adran 120 o Ddeddf yr Amgylchedd 1995 (p. 25), ac Atodlen 24 iddi; adran 21 o Ddeddf Llynnoedd Norfolk a Suffolk 1988 (p. 4), a pharagraff 23 o Atodlen 6 iddi; adran 84 o Ddeddf Llywodraeth Leol 1985 (p. 51), a pharagraff 61 o Atodlen 14 iddi; adran 99 o Ddeddf Diwygio'r Heddlu a Chyfrifoldeb Cymdeithasol 2011 (p. 13), a pharagraffau 155 a 157 o Ran 3 o Atodlen 16 iddi; adran 88 o Ddeddf yr Heddlu 1997 (p. 50), a pharagraff 18 o Atodlen 6 iddi; adrannau 128(1) a 137 o Ddeddf Cyfiawnder Troseddol a'r Heddlu 2001 (p. 16), a pharagraff 40 o Ran 2 o Atodlen 6 a Rhan 5(1) o Atodlen 7 iddi; adran 119 o Ddeddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009 (p. 20), a pharagraff 56 o Atodlen 6 iddi; adrannau 6 a 9 o Ddeddf Plismona a Throseddau 2017 (p. 3), a pharagraffau 44 a 46 o Ran 2 o Atodlen 1 a pharagraffau 65 a 67 o Ran 2 o Atodlen 2 iddi; adran 209(2) o Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (p. 28), a pharagraff 38 o Ran 2 o Atodlen 13 iddi; adran 59 o Ddeddf Dadreoleiddio 2015 (p. 20), a pharagraff 6(1), (16)(c) o Ran 3 o Atodlen 13 iddi; adran 43 o Ddeddf yr Heddlu a Llysoedd Ynadon 1994 (p. 29), a pharagraff 24 o Atodlen 4 iddi; adrannau 325 a 328 o Ddeddf Awdurdod Llundain Fwyaf 1999 (p. 29), a pharagraff 45(1) a (3) o Atodlen 27 a pharagraff 36 o Ran 1 o Atodlen 29 iddi.

(1) 1982 c. 30. Section 41 is amended by article 2 of, and paragraph 11 of Part 1 of Schedule 1 to, S.I. 2003/1615; section 4 of, and paragraph 56(3) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11); section 120 of, and Schedule 24 to, the Environment Act 1995 (c. 25); section 21 of, and paragraph 23 of Schedule 6 to, the Norfolk and Suffolk Broads Act 1988 (c. 4); section 84 of, and paragraph 61 of Schedule 14 to, the Local Government Act 1985 (c. 51); section 99 of, and paragraphs 155 and 157 of Part 3 of Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c. 13); section 88 of, and paragraph 18 of Schedule 6 to, the Police Act 1997 (c. 50); sections 128(1) and 137 of, and paragraph 40 of Part 2 of Schedule 6 and Part 5(1) of Schedule 7 to, the Criminal Justice and Police Act 2001 (c. 16); section 119 of, and paragraph 56 of Schedule 6 to, the Local Democracy, Economic Development and Construction Act 2009 (c. 20); sections 6 and 9 of, and paragraphs 44 and 46 of Part 2 of Schedule 1 and paragraphs 65 and 67 of Part 2 of Schedule 2 to, the Policing and Crime Act 2017 (c. 3); section 209(2) of, and paragraph 38 of Part 2 of Schedule 13 to, the Local Government and Public Involvement in Health Act 2007 (c. 28); section 59 of, and paragraph 6(1), (16)(c) of Part 3 of Schedule 13 to, the Deregulation Act 2015 (c. 20); section 43 of, and paragraph 24 of Schedule 4 to, the Police and Magistrates Court Act 1994 (c. 29); sections 325 and 328 of, and paragraph 45(1) and (3) of Schedule 27 and paragraph 36 of Part 1 of Schedule 29 to, the Greater London Authority Act 1999 (c. 29).





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