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OFFERYNNAU STATUDOL CYMRU

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**2022 No. 1166**

**Rheoliadau Deddf Rhentu Cartrefi (Cymru)  
2016 (Diwygiadau Canlyniadol) 2022**

**Deddf Tai 1985**

**11.**—(1) Mae Deddf Tai 1985(1) wedi ei diwygio fel a ganlyn.

(2) Yn adran 25(2) (cynyddu rhent pan nad yw tenantiaeth yn ddiogel), yn is-adran (1), ar ôl “introductory tenancy”, mewnosoder “or a dwelling (in Wales) is let by such an authority on a weekly or other periodic tenancy which is not an occupation contract”.

(3) Yn adran 27AB(3) (cytundebau rheoli â sefydliadau rheoli tenantiaid)—

(a) yn is-adran (7)(b)(ii), ar ôl “secure tenants”, mewnosoder “or tenants who are secure contract-holders”;

(b) yn is-adran (8), yn y lleoedd priodol, mewnosoder—

““contract-holder” has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7 of that Act);”;

““secure contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”.

(4) Yn adran 27BA(4) (ymgyngori mewn cysylltiad â rheoli), yn is-adran (8), ar ôl “secure tenants”, mewnosoder “or tenants who are secure contract-holders”.

(5) Yn adran 32(5) (pŵer i waredu tir a ddelir at ddibenion y Rhan hon)—

(a) yn is-adran (2), yn lle “subsection (3)”, rhodder “subsections (3) and (3A)”;

(b) ar ôl is-adran (3), mewnosoder—

“(3A) No consent is required for the letting of land (in Wales) under—

(a) a secure contract,

(b) a supported standard contract,

(c) an introductory standard contract, or

(d) a standard contract—

(i) in relation to which the exception in section 11(2) of the Renting Homes (Wales) Act 2016 (anaw 1) applies (first exception to requirement that contract made by a community landlord is a secure contract), and

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(1) 1985 p. 68.

(2) Diwygiwyd adran 25 gan erthygl 2 o Orchymyn Deddf Tai 1996 (Diwygiadau Canlyniadol) 1997 (O.S. 1997/74) a pharagraff 3(b) o Atodlen 1 iddo.

(3) Mewnosodwyd adran 27AB gan adran 132(1) o Ddeddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993 (p. 28). Mae diwygiadau i adran 27AB nad ydynt yn berthnasol i'r Rheoliadau hyn.

(4) Mewnosodwyd adran 27BA gan adran 222 o Ddeddf Tai 1996 (p. 52) a pharagraff 3(2) o Atodlen 18 iddi.

(5) Diwygiwyd adran 32 gan erthygl 2 o Orchymyn Deddf Tai 1996 (Diwygiadau Canlyniadol) 1997 (O.S. 1997/74) a pharagraff 3(d) o'r Atodlen iddo; mae diwygiadau eraill i adran 32 nad ydynt yn berthnasol i'r Rheoliadau hyn.

- (ii) which is within any of paragraphs 4 and 6 to 14 of Schedule 3 to that Act (occupation contracts made with or adopted by community landlords which may be standard contracts).”
- (6) Yn adran 43(6) (cydsyniad yn ofynnol ar gyfer gwarediadau penodol nad ydynt o fewn adran 32)—
- (a) yn is-adran (1), yn lle “appropriate national body”, rhodder “Secretary of State”;
- (b) ar ôl is-adran (1), mewnosoder—
- “(1A) The consent of the Welsh Ministers is required for the disposal by a local authority of a dwelling belonging to the authority which is subject to a tenancy which is a secure contract or is an introductory standard contract.”;
- (c) yn yr adran hon, ar ôl “house”, ym mhob lle y mae’n digwydd, mewnosoder “or dwelling”;
- (d) yn is-adran (2)(b), ar ôl “houses”, mewnosoder “or dwellings”.
- (7) Yn adran 56(7) (mân ddiffiniadau), ar ôl is-adran (1), mewnosoder—
- “(1A) In this Part, the following terms have the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1)—
- (a) “contract-holder” (see section 7 (see also section 48) of that Act);
- (b) “dwelling” (see section 246 of that Act);
- (c) “introductory standard contract” (see section 16 of that Act);
- (d) “occupation contract” (see section 7 of that Act);
- (e) “secure contract” (see section 8 of that Act);
- (f) “standard contract” (see section 8 of that Act);
- (g) “supported standard contract” (see section 143 of that Act).”
- (8) Yn adran 57(8) (mynegai o ymadroddion diffiniedig: Rhan 2), yn y lleoedd priodol yn y Tabl, mewnosoder—

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|---------------------------------|-------------|
| “contract-holder                | section 56” |
| “dwelling                       | section 56” |
| “introductory standard contract | section 56” |
| “occupation contract            | section 56” |
| “secure contract                | section 56” |

- (6) Diwygiwyd adran 43 gan adran 311 o Ddeddf Tai ac Adfywio 2008 (p. 17) a pharagraff 1 o Atodlen 14 iddi, adrannau 132 a 140 o Ddeddf Tai 1988 (p. 50) a pharagraff 39 o Ran 1 o Atodlen 17 iddi, adran 227 o Ddeddf Tai 1996 (p. 52) a Rhan 9 o Atodlen 19 iddi, adran 77 o Ddeddf Tai a Chynllunio 2016 (p. 22), adran 194 o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42) a Rhan 1 o Atodlen 12 iddi, adran 78 o Ddeddf yr Amgylchedd 1995 (p. 25) a pharagraff 24 o Atodlen 10 iddi, erthygl 2 o Orchymyn Deddf Tai 1996 (Diwygiadau Canlyniadol) 1997 (O.S. 1997/74) a pharagraff 3 o'r Atodlen iddo, ac erthygl 6 o Orchymyn Deddf Tai ac Adfywio 2008 (Cofrestru Awdurdodau Lleol) 2010 (O.S. 2010/844) a pharagraffau 3 a 15 o Atodlen 2 iddo.
- (7) Diwygiwyd adran 56 gan erthygl 2 o Orchymyn Deddf Tai 1996 (Diwygiadau Canlyniadol) 1997 (O.S. 1997/74) a pharagraff 3(f) o'r Atodlen iddo, erthygl 6 o Orchymyn Deddf Tai ac Adfywio 2008 (Cofrestru Awdurdodau Lleol) 2010 (O.S. 2010/844) a pharagraffau 3 ac 16 o Atodlen 2 iddo.
- (8) Mae diwygiadau i adran 57 nad ydynt yn berthnasol i'r Rheoliadau hyn.

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|------------------------------|-------------|
| “standard contract           | section 56” |
| “supported standard contract | section 56” |

- (9) Yn adran 79 (tenantiaethau diogel)—
- (a) yn is-adran (1), ar ôl “dwelling-house”, mewnosoder “in England”, a
  - (b) yn is-adran (3), ar ôl “dwelling-house”, mewnosoder “in England”.
- (10) Yn adran 84A(9) (sail absoliwt ar gyfer meddiannu am ymddygiad gwrthgymdeithasol)—
- (a) hepgorer is-adran (11),
  - (b) yn is-adran (12), ar ôl “(10)” hepgorer “or (11)”, ac
  - (c) yn is-adran (13)—
    - (i) ar ôl “(10)” hepgorer “or (11)”, a
    - (ii) hepgorer paragraff (b) a’r “, or” sy’n dod o’i flaen.
- (11) Yn adran 85ZA(10) (adolygu penderfyniad i geisio meddiannu ar sail absoliwt am ymddygiad gwrthgymdeithasol)—
- (a) hepgorer is-adran (8),
  - (b) yn is-adran (9), yn lle “subsections (7) and (8)”, rhodder “subsection (7)”, ac
  - (c) yn is-adran (10)(b), hepgorer is-baragraff (ii).
- (12) Hepgorer adran 87(11) (personau sy’n gymwys i olynu tenant: Cymru).
- (13) Yn adran 92(12) (aseinio drwy gyfnewid)—
- (a) yn lle is-adran (1), rhodder—
 

“(1) It is a term of every secure tenancy that the tenancy may, with the written consent of the landlord, assign the tenancy to—

    - (a) another secure tenant who satisfies the condition in subsection (2),
    - (b) an assured tenant who satisfies the conditions in subsection (2A), or
    - (c) a tenant who is a secure contract-holder and who satisfies the conditions in subsection (2B).”;
  - (b) ar ôl is-adran (2A), mewnosoder—
 

“(2B) The conditions to be satisfied with respect to a tenant who is a secure contract-holder are that—

    - (a) their landlord is a community landlord, and
    - (b) they intend to transfer their secure contract to—
      - (i) the secure tenant referred to in subsection (1),
      - (ii) another secure tenant who satisfies the condition in subsection (2), or
      - (iii) another secure contract-holder.”;

(9) Ychwanegwyd adran 84A gan adran 94(1) o Ddeddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 (p. 12) ac fe’i diwygiwyd gan adran 410 o Ddeddf Dedfrydu 2020 (p. 17) a pharagraff 84 o Ran 1 o Atodlen 24 iddi.

(10) Ychwanegwyd adran 85ZA gan adran 96 o Ddeddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 (p. 12).

(11) Diwygiwyd adran 87 gan adran 160(2) o Ddeddf Lleoliaeth 2011 (p. 20) ac adran 81 o Ddeddf Partneriaeth Sifil 2004 (p. 33) a pharagraff 20 o Atodlen 8 iddi.

(12) Diwygiwyd adran 92 gan adran 163(1) i (3) o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42), adrannau 140 a 152 o Ddeddf Llywodraeth Cymru 1998 (p. 38) a pharagraff 10 o Atodlen 16 a Rhan 6 o Atodlen 18 iddi, erthygl 5 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2010 (O.S. 2010/866) a pharagraffau 15 ac 21 o Atodlen 2 iddo, ac erthygl 5 o Orchymyn Deddf Tai 1996 (Darpariaethau Canlyniadol) 1996 (O.S. 1996/2325) a pharagraff 14(9) o Atodlen 2 iddo.

- (c) ar ôl is-adran (6), mewnosoder—
- “(7) In this section, the following terms have the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1)—
- (a) “community landlord” (see section 9 of that Act);
- (b) “contract-holder” (see section 7 (see also section 48) of that Act);
- (c) “secure contract” (see section 8 of that Act).”
- (14) Yn adran 105(13) (ymgyngori ar faterion rheoli tai)—
- (a) yn is-adran (1), ar ôl “secure tenants”, mewnosoder “or secure contract-holders”;
- (b) yn is-adran (2)—
- (i) ym mharagraff (a), ar ôl “secure tenancies”, mewnosoder “or secure contracts”;
- (ii) ar ôl “secure tenancy”, mewnosoder “or secure contract”;
- (c) yn is-adran (6), ym mharagraff (b), ar ôl “secure tenancies”, mewnosoder “or secure contracts”;
- (d) yn is-adran (7), ar ôl paragraff (b), mewnosoder—
- “(c) secure contract-holders include prohibited conduct standard contract-holders;
- (d) secure contracts include prohibited conduct standard contracts.”
- (15) Yn adran 106(14) (gwybodaeth am ddyrannu tai)—
- (a) yn is-adran (1)(b), ar ôl “secure tenants”, mewnosoder “or secure contract-holders”;
- (b) ar ôl “secure tenancies”, ym mhob lle y mae’n digwydd, mewnosoder “or secure contracts”.
- (16) Yn adran 106A(15) (ymgyngori cyn gwaredu i landlord sector preifat), yn is-adran (2), ar ôl “disposal to which that Schedule applies”, mewnosoder “under paragraph 1(1) of that Schedule”.
- (17) Yn adran 116 (mân ddiffiniadau)—
- (a) daw’r ddarpariaeth bresennol yn is-adran (1);
- (b) ar ôl yr is-adran honno, mewnosoder—
- “(2) In this Part, the following terms have the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1)—
- (a) “contract-holder” (see section 7 (see also section 48) of that Act);
- (b) “prohibited conduct standard contract” (see section 116 of that Act);
- (c) “secure contract” (see section 8 of that Act).”
- (18) Yn adran 117(16) (mynegai o ymadroddion diffiniedig: Rhan 4), yn y lleoedd priodol yn y Tabl, mewnosoder—

- (13) Diwygiwyd adran 105 gan adran 140 o Ddeddf Llywodraeth Cymru 1998 (p. 38) a pharagraff 5 o Atodlen 16 iddi, adran 22(2) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 5(7) o Atodlen 8 iddi, adran 14(5) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 (p. 38) a pharagraff 2 o Atodlen 1 iddi, erthygl 5 o Orchymyn Deddf Tai 1996 (Darpariaethau Canlyniadol) 1996 (O.S. 1996/2325) a pharagraff 14(10) o Atodlen 2 iddo, ac erthygl 5 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2010 (O.S. 2010/866) a pharagraffau 15 a 22 o Atodlen 2 iddo.
- (14) Diwygiwyd adran 106 gan adran 140 o Ddeddf Llywodraeth Cymru 1998 (p. 38) a pharagraff 5 o Atodlen 16 iddi, adran 22(2) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 5(7) o Atodlen 8 iddi, adran 173 o Ddeddf Tai 1996 (p. 52) a pharagraff 1 o Atodlen 16 iddi, adran 18(1) o Ddeddf Digartrefedd 2002 (p. 7) a pharagraff 1 o Atodlen 1 iddi, erthygl 5 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2010 (O.S. 2010/866) a pharagraffau 15 a 23 o Atodlen 2 iddo ac erthygl 5 o Orchymyn Deddf Tai 1996 (Darpariaethau Canlyniadol) 1996 (O.S. 1996/2325) a pharagraff 14(11) o Atodlen 2 iddo.
- (15) Mewnosodwyd adran 106A gan adran 6 o Ddeddf Tai a Chynllunio 1986 (p. 63) a diwygiwyd is-adran (2) gan erthygl 2 o Orchymyn Deddf Tai 1996 (Diwygiadau Canlyniadol) 1997 (O.S. 1997/74) a pharagraff 3(h) o’r Atodlen iddo.
- (16) Mae diwygiadau i adran 117 nad ydynt yn berthnasol i’r Rheoliadau hyn.

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| “contract-holder                      | section 116” |
| “prohibited conduct standard contract | section 116” |
| “secure contract                      | section 116” |

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(19) Yn adran 247 (yr awdurdod tai lleol i’w hysbysu am newid perchnogaeth neu feddiannaeth tir)—

(a) ar ôl is-adran (5)(ca)(17), mewnosoder—

“(cb) the grant of an occupation contract, or of a tenancy or licence which is not an occupation contract by reason only of the shared accommodation exception in paragraph 6 of Part 2 of Schedule 2 to the Renting Homes (Wales) Act 2016 (anaw 1) applying and the notice condition in paragraph 3(3) of Part 2 of that Schedule not being met;”;

(b) ar ôl is-adran (6), mewnosoder—

“(7) In this section, “occupation contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 7 of that Act).”

(20) Yn adran 270 (gorchmynion dymchwel: adennill meddiant o adeilad sydd i’w ddymchwel), yn is-adran (3)(18), ar ôl “Rent Acts”, mewnosoder “, the Renting Homes (Wales) Act 2016 (anaw 1) or secondary legislation made under that Act”.

(21) Yn adran 553(19) (effaith ailbrynu ar denantiaethau presennol penodol)—

(a) ym mhennawd yr adran, ar y diwedd, mewnosoder “(England)”;

(b) yn is-adran (1), ar ôl “defective dwelling”, mewnosoder “in England”.

(22) Ar ôl adran 553, mewnosoder—

#### **“553A Effect of repurchase on certain existing tenancies (Wales)**

(1) Where an authority mentioned in section 80 (authorities satisfying the landlord condition for secure tenancy) acquire an interest in a defective dwelling in Wales in pursuance of Schedule 20 (repurchase) and—

(a) the land in which the interest subsists is or includes a dwelling-house occupied as a separate dwelling, and

(b) the interest of the person entitled to assistance by way of repurchase is, immediately before the completion of the authority’s acquisition, subject to a tenancy of the dwelling-house,

the tenancy shall not, on or after the acquisition, become a secure contract unless the conditions specified in subsection (2) are met.

(2) The conditions are—

(a) that the tenancy was a protected tenancy throughout the period beginning with the making of an application for assistance under this Part in respect of the defective dwelling and ending immediately before the authority’s acquisition, and

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(17) Mewnosodwyd paragraff (ca) gan adran 140 o Ddeddf Tai 1988 (p. 50) a pharagraff 45 o Ran 1 o Atodlen 17 iddi.

(18) Diwygiwyd adran 270(3) gan adran 140 o Ddeddf Tai 1988 (p. 50) a Rhan 1 o Atodlen 17 iddi, ac adran 165 o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42) a pharagraff 18(2) o Ran 2 o Atodlen 9 iddi.

(19) Diwygiwyd adran 553 gan adran 140 o Ddeddf Tai 1988 (p. 50) a pharagraff 60 o Ran 1 o Atodlen 17 iddi ac adran 227 o Ddeddf Tai 1996 (p. 52) a Rhan 4 o Atodlen 19 iddi.

(b) no notice was given in respect of the tenancy in accordance with any of the Cases 11 to 18 and 20 in Schedule 15 to the Rent Act 1977 (c. 42) (notice that possession might be recovered under that Case).

(3) This section has effect notwithstanding any provision to the contrary in section 11 of the Renting Homes (Wales) Act 2016 (anaw 1).”

(23) Yn adran 554(20) (rhoi tenantiaeth i berchen-feddiannydd blaenorol)—

(a) yn is-adran (2), ar ôl “a secure tenancy”, mewnosoder “or secure contract”;

(b) yn is-adran (2A)—

(i) ar ôl “secure tenancy”, mewnosoder “or, where the dwelling-house is in Wales, a secure contract”;

(ii) ym mharagraff (a), ar ôl “secure tenant”, mewnosoder “or a secure contract-holder”;

(c) yn is-adran (3), ar ddiwedd paragraff (c), mewnosoder

“, or

(d) a secure contract.”

(24) Yn adran 555 (rhoi tenantiaeth i denant statudol blaenorol)—

(a) yn is-adran (1), ar ôl “secure tenancy”, mewnosoder “or, where the dwelling-house is in Wales, a secure contract”;

(b) yn is-adran (3), ar ôl “secure tenancy”, mewnosoder “or secure contract”;

(c) ar ôl is-adran (3), mewnosoder—

“(4) This section has effect notwithstanding any provision to the contrary in section 11 of the Renting Homes (Wales) Act 2016 (anaw 1).”

(25) Yn adran 558 (dehongli adrannau 553 i 557), ar ôl paragraff (c), mewnosoder—

“(d) references to the grant of a secure contract are to the grant of an occupation contract which would be a secure contract (within the meaning given by section 8 of the Renting Homes (Wales) Act 2016 (anaw 1)) assuming that the contract-holder under the contract occupies the dwelling as their only or principal home;

(e) the following terms have the same meaning as in the Renting Homes (Wales) Act 2016—

(i) “contract-holder” (see section 7 (see also section 48) of that Act);

(ii) “occupation contract” (see section 7 of that Act).”

(26) Yn adran 577(21) (mynegai o ymadroddion wedi eu diffinio: Rhan 16), yn y Tabl, yn y lleoedd priodol yn nhrefn yr wyddor, mewnosoder—

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|------------------|--------------|
| “contract-holder | section 558” |
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|                      |              |
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| “occupation contract | section 558” |
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(20) Diwygiwyd adran 554 gan adran 140 o Ddeddf Tai 1988 (p. 50) a pharagraff 61 o Ran 1 o Atodlen 17 iddi, adran 81 o Ddeddf Partneriaeth Sifil 2004 (p. 33) a pharagraff 32 o Atodlen 8 iddi, erthygl 4 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2008 (O.S. 2008/3002) a pharagraffau 2 a 26 o Atodlen 1 iddo, erthygl 5 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2010 (O.S. 2010/866) a pharagraffau 15 a 35 o Atodlen 2 iddo, ac erthygl 5 o Orchymyn Deddf Tai 1996 (Darpariaethau Canlyniadol) 1996 (O.S. 1996/2325) a pharagraff 14 o Atodlen 2 iddo.

(21) Diwygiwyd adran 577 gan adran 140 o Ddeddf Tai 1988 (p. 50) a pharagraffau 62 a 113 o Ran 1 o Atodlen 17 iddi, adrannau 140 a 152 o Ddeddf Llywodraeth Cymru 1998 (p. 38) a pharagraff 20 o Atodlen 16 a Rhan 4 o Atodlen 18 iddi, erthygl 4 o Orchymyn Deddf Tai ac Adfywio 2008 (Darpariaethau Canlyniadol) 2008 (O.S. 2008/3002) a pharagraffau 2 a 27 o Atodlen 1 iddo, ac erthygl 5 o Orchymyn Deddf Tai 1996 (Darpariaethau Canlyniadol) 1996 (O.S. 1996/2325) a pharagraff 14 o Atodlen 2 iddo.

