OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2017 Rhif 566 (Cy. 135)

2017 No. 566 (W. 135)

TIROEDD COMIN, CYMRU

COMMONS, WALES

Rheoliadau Deddf Tiroedd Comin 2006 (Cywiro, Tir Comin Heb ei Gofrestru neu Dir Comin a Gam-gofrestrwyd) (Cymru) 2017

The Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn rhagnodi'r weithdrefn ar gyfer cyflwyno ceisiadau a chynigion o dan adran 19 o Ddeddf Tiroedd Comin 2006, ac Atodlen 2 iddi.

Maent yn cynnwys darpariaethau ynghylch:

(a) gwneud, rheoli a dyfarnu ceisiadau a chynigion i ddiwygio'r cofrestrau (rheoliadau 5, 7, 8, 9, 14, 15 ac 16);

(b) ffioedd y caniateir eu codi mewn perthynas â chais (rheoliad 6);

(c) dyletswyddau'r awdurdod cofrestru mewn cysylltiad â chyhoeddi ceisiadau a chynigion (rheoliadau 10, 11, 12 a 13);

(d) cynnal ymchwiliadau cyhoeddus a gwrandawiadau a'r achosion pan fo'n rhaid cyfeirio ceisiadau a chynigion at berson penodedig er mwyn eu dyfarnu (mae'r rhain yn cynnwys achosion pan fo gan yr awdurdod cofrestru fuddiant yng nghanlyniad y cais neu'r cynnig) (rheoliadau 17, 18, 19, 20, 21, 22 a 23); ac

(e) dyfarndalu costau mewn perthynas â cheisiadau penodol (rheoliad 25).

Maent yn galluogi Gweinidogion Cymru i benodi personau i fod yn gymwys i weinyddu a dyfarnu ceisiadau a wneir i awdurdod cofrestru tir comin, neu gynigion a wneir gan awdurdod o'r fath, er mwyn diwygio ei gofrestrau (rheoliad 4).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, prescribe the procedure for applications and proposals under sections 19 of, and Schedule 2 to, the Commons Act 2006.

They include provisions about:

(a) the making, management and determination of applications and proposals to amend the registers (regulations 5, 7, 8, 9, 14, 15 and 16);

(b) fees that may be charged in relation to an application (regulation 6);

(c) the registration authority's duties in connection with the publication of applications and proposals (regulations 10, 11, 12 and 13);

(d) the holding of public inquiries and hearings and the cases where applications and proposals must be referred to an appointed person for determination (these include cases where the registration authority has an interest in the outcome of the application or proposal) (regulations 17, 18, 19, 20, 21, 22 and 23); and

(e) the award of costs in relation to certain applications (regulation 25).

They enable the Welsh Ministers to appoint persons as eligible to administer and determine applications made to, or proposals made by, a commons registration authority for the amendment of its registers (regulation 4).

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 Lywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

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 from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.uk.

2017 Rhif 566 (Cy. 135)

TIROEDD COMIN, CYMRU

Rheoliadau Deddf Tiroedd Comin 2006 (Cywiro, Tir Comin Heb ei Gofrestru neu Dir Comin a Gam-gofrestrwyd) (Cymru) 2017

Gwnaed	*9 Ebrill 2017*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*13 Ebrill 2017*
Yn dod i rym	*5 Mai 2017*

Mae Gweinidogion Cymru, sef yr awdurdod cenedlaethol priodol, yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 3(5), 19(6), 24(1) i (2A), 24(3), 24(6) i (8) a 59(1) o Ddeddf Tiroedd Comin 2006(**1**), a pharagraffau 2 i 10 o Atodlen 2 iddi.

RHAN 1

Rhagarweiniol

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Tiroedd Comin 2006 (Cywiro, Tir Comin Heb ei Gofrestru neu Dir Comin a Gam-gofrestrwyd) (Cymru) 2017.

(2) Daw'r Rheoliadau hyn i rym ar 5 Mai 2017.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(**1**) 2006 p. 26; diwygiwyd adran 61(1) gan baragraff 9 o Atodlen 7 i Ddeddf Cynllunio (Cymru) 2015, p. 4, ac mae'n diffinio "appropriate national authority" fel Gweinidogion Cymru o ran Cymru, a "regulations" fel rheoliadau a wneir gan yr awdurdod cenedlaethol priodol.

2017 No. 566 (W. 135)

COMMONS, WALES

The Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017

Made	*9 April 2017*
Laid before the National Assembly for Wales	*13 April 2017*
Coming into force	*5 May 2017*

The Welsh Ministers being the appropriate national authority make the following Regulations in exercise of the powers conferred by sections 3(5), 19(6), 24(1) to (2A), 24(3), 24(6) to (8) and 59(1) of, and paragraphs 2 to 10 of Schedule 2 to, the Commons Act 2006(**1**).

PART 1

Preliminary

Title, commencement and application

1.—(1) The title of these Regulations is the Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017.

(2) These Regulations come into force on 5 May 2017.

(3) These Regulations apply in relation to Wales.

(**1**) 2006, c. 26; section 61(1) was amended by Schedule 7, para. 9 of the Planning (Wales) Act 2015, c. 4, and defines "appropriate national authority" as the Welsh Ministers in relation to Wales; and "regulations" as regulations made by the appropriate national authority.

Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr "arolygydd" ("*inspector*"), ac eithrio yn rheoliad 4, yw person a benodir gan yr awdurdod sy'n dyfarnu i gynnal ymchwiliad cyhoeddus, gwrandawiad neu arolygiad o safle mewn perthynas â chais neu gynnig;

ystyr "awdurdod cofrestru" ("*registration authority*") yw awdurdod cofrestru tiroedd comin;

ystyr "awdurdod lleol" ("*local authority*") yw—

(a) cyngor sir;

(b) cyngor bwrdeistref sirol;

(c) cyngor cymuned; neu

(d) awdurdod Parc Cenedlaethol;

ystyr "yr awdurdod sy'n cyfeirio" ("*referring authority*"), mewn perthynas â chais neu gynnig sydd wedi ei gyfeirio at berson penodedig yn unol â rheoliad 15(2), yw'r awdurdod cofrestru a'i cyfeiriodd;

ystyr "yr awdurdod sy'n dyfarnu" ("*the determining authority*") yw—

(a) y person penodedig mewn perthynas â chais neu gynnig sydd wedi ei gyfeirio at berson o'r fath yn unol â rheoliad 15(2); neu

(b) mewn perthynas ag unrhyw gais neu gynnig arall, yr awdurdod cofrestru y mae'n ofynnol iddo ddyfarnu'r cais neu'r cynnig yn unol â rheoliad 15(1);

ystyr "cais" ("*application*") yw cais a gyflwynir i awdurdod cofrestru o dan adran 19 o Ddeddf 2006, neu Atodlen 2 iddi, neu o dan y Rheoliadau hyn i ddiwygio ei gofrestr;

ystyr "cofrestr" ("*register*") yw cofrestr o dir comin neu gofrestr o feysydd tref neu bentref, a dylid dehongli "cofrestredig" ("*registered*") a "cofrestriad" ("*registration*") yn unol â hynny;

mae i "cyfathrebiad electronig" yr ystyr a roddir i "electronic communication" yn adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(**1**);

ystyr "cyngor tiroedd comin" ("*commons council*") yw corff a sefydlwyd drwy Orchymyn o dan adran 26 o Ddeddf 2006;

ystyr "cynnig" ("*proposal*") yw cynnig gan awdurdod cofrestru i ddiwygio cofrestr ar ei ysgogiad ei hun yn unol ag—

(a) adran 19 o Ddeddf 2006; neu

Interpretation

2.—(1) In these Regulations—

"the 1965 Act" ("*Deddf 1965*") means the Commons Registration Act 1965(**1**);

"the 1966 Regulations" (*"Rheoliadau 1966*") means the Commons Registration (General) Regulations 1966(**2**);

"the 2006 Act" (*"Deddf 2006"*) means the Commons Act 2006;

"application" ("*cais*") means an application to a registration authority under section 19 of, or Schedule 2 to, the 2006 Act or under these Regulations to amend its register;

"appointed person" (*"person penodedig"*) means a person or persons appointed in accordance with regulation 4;

"commons council" (*"cyngor tiroedd comin*") means a body established by Order under section 26 of the 2006 Act;

"the determining authority" (*"yr awdurdod sy'n dyfarnu"*) means—

(a) the appointed person in relation to an application or proposal which has been referred to such person pursuant to regulation 15(2); or

(b) in relation to any other application or proposal, the registration authority which is required to determine the application or proposal in accordance with regulation 15(1);

"electronic communication" (*"cyfathrebiad electronig"*) has the meaning given in section 15(1) of the Electronic Communications Act 2000(**3**);

"inspector" (*"arolygydd"*), except in regulation 4, means a person appointed by the determining authority to conduct a public inquiry, hearing or site inspection in relation to an application or proposal;

"local authority" ("*awdurdod lleol*") means—

(a) a county council;

(b) a county borough council;

(c) a community council; or

(d) a National Park authority;

"notice of application" (*"hysbysiad o gais"*) means a notice containing the details specified in regulation 12(1);

(**1**) 2000 p.7. Diwygiwyd y diffiniad o "electronic communication" gan Ddeddf Cyfathrebiadau 2003 (p. 21), Atodlen 17, paragraff 158.

(**1**) 1965 c. 64.
(**2**) S.I. 1966/1471.
(**3**) 2000 c. 7. The definition of "electronic communication" was amended by the Communications Act 2003 (c. 21), Schedule 17, paragraph 158.

(b) Atodlen 2 i Ddeddf 2006;

ystyr "Deddf 1965" ("*the 1965 Act*") yw Deddf Cofrestru Tir Comin 1965(**1**);

ystyr "Deddf 2006" ("*the 2006 Act*") yw Deddf Tiroedd Comin 2006;

ystyr "hysbysiad o gais" ("*notice of application*") yw hysbysiad sy'n cynnwys y manylion a bennir yn rheoliad 12(1);

ystyr "person penodedig" ("*appointed person*") yw person neu bersonau a benodir yn unol â rheoliad 4;

ystyr "Rheoliadau 1966" ("*the 1966 Regulations*") yw Rheoliadau Cofrestru Tir Comin (Cyffredinol) 1966(**2**);

ystyr "tir wedi ei gofrestru" ("*registered land*") yw tir wedi ei gofrestru'n dir comin neu'n faes tref neu bentref;

ystyr "uned gofrestr" ("*register unit*"), mewn cysylltiad ag unrhyw dir sydd wedi ei gofrestru mewn cofrestr, yw swm cofrestriad y tir hwnnw yn yr adran dir a'r adran hawliau o'r gofrestr ac, os cafodd y cofrestriad ei wneud o dan reoliadau o dan Ddeddf 1965, yw adran berchenogaeth y gofrestr honno.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas ag unrhyw gais neu gynnig.

"proposal" ("*cynnig*") means a proposal by a registration authority to amend a register on its own initiative pursuant to—

(a) section 19 of the 2006 Act; or

(b) Schedule 2 to the 2006 Act;

"referring authority" ("*yr awdurdod sy'n cyfeirio*") means, in relation to an application or proposal which has been referred to an appointed person pursuant to regulation 15(2), the registration authority which referred it;

"register" (*"cofrestr"*) means a register of common land or a register of town or village greens, and "registered" (*"cofrestredig"*) and "registration" (*"cofrestriad"*) are to be interpreted accordingly;

"registered land" ("*tir wedi ei gofrestru*") means land registered as common land or as a town or village green;

"register unit" ("*uned gofrestr*") means, in respect of any land registered in a register, the sum of that land's registration in the land section and the rights section of the register and, if the registration was made under regulations under the 1965 Act, the ownership section of that register;

"registration authority" ("*awdurdod cofrestru*") means a commons registration authority.

(2) These Regulations apply in relation to any application or proposal.

Diwygio cofrestr

3.—(1) Rhaid i ddiwygiad a wneir i gofrestr yn unol â dyfarnu cais neu gynnig gael ei wneud yn adran briodol yr uned gofrestr sy'n ymwneud â'r tir hwnnw.

(2) Rhaid i awdurdod cofrestru, wrth ddiwygio'r gofrestr (gan gynnwys cofrestru neu ddileu tir cofrestredig a diwygio cofrestriad), ddilyn fformat y gofrestr mor agos â phosibl gyda'r cyfryw amrywiadau ac addasiadau y mae eu hangen o dan yr amgylchiadau.

(3) Ar ôl dyfarnu cais neu gynnig, rhaid i'r awdurdod cofrestru stampio pob dalen sy'n rhan o'r dyfarniad.

Amendment to register

3.—(1) An amendment made to a register pursuant to the determination of an application or proposal must be made in the appropriate section of the register unit relating to that land.

(2) A registration authority must, when amending the register (including the registration or removal of registered land and an amendment to a registration), follow as closely as possible the format of the register, with such variations and adaptations as the circumstances may require.

(3) Following the determination of an application or proposal the registration authority must stamp every sheet forming part of the determination.

(**1**) 1965 p. 64.
(**2**) O.S. 1966/1471.

Penodi personau i gyflawni swyddogaethau awdurdod cofrestru

4.—(1) Caiff Gweinidogion Cymru benodi—

(a) personau ("person penodedig") i fod yn gymwys i weinyddu ceisiadau a wneir i awdurdod cofrestru, neu gynigion a wneir gan awdurdod o'r fath, sy'n cael eu cyfeirio gan yr awdurdod cofrestru at berson penodedig yn unol â'r Rheoliadau hyn; a

(b) unrhyw berson sy'n cael ei gyflogi neu ei gymryd ymlaen fel arall yn un o arolygwyr y person penodedig, neu a gyflogir fel staff iddo, i fod yn gymwys i—

(i) dyfarnu cais neu gynnig y mae awdurdod cofrestru wedi ei gyfeirio at y person penodedig yn unol â'r Rheoliadau hyn; a

(ii) cymryd unrhyw gamau angenrheidiol at y diben hwnnw neu sy'n gysylltiedig â'r diben hwnnw (er enghraifft, cynnal ymchwiliad cyhoeddus, gwrandawiad neu ymweliad safle).

(2) Rhaid i benodiad o dan baragraff (1) fod yn ysgrifenedig.

(3) Caiff Gweinidogion Cymru, ar unrhyw adeg, drwy roi hysbysiad yn ysgrifenedig i berson penodedig—

(a) dirymu'r penodiad yn gyffredinol;

(b) dirymu'r penodiad i'r graddau y mae'n ymwneud â chais neu gynnig penodol nad yw wedi ei ddyfarnu gan y person penodedig cyn yr adeg honno; neu

(c) dirymu awdurdod y person penodedig i ymarfer swyddogaeth benodol mewn perthynas â chais neu gynnig.

(4) Ni fydd hysbysiad o dan baragraff (3) yn effeithio ar ddilysrwydd unrhyw beth a wneir gan y person penodedig cyn i'r hysbysiad gael ei roi.

Appointment of persons to discharge functions of a registration authority

4.—(1) The Welsh Ministers may appoint—

(a) persons ("an appointed person") as eligible to carry out the administration of applications made to, or proposals made by, a registration authority, which are referred by the registration authority to an appointed person in accordance with these Regulations; and

(b) any person who is employed or otherwise engaged as one of the inspectors of the appointed person, or is employed on its staff, as eligible to—

(i) determine an application or proposal which a registration authority has referred to the appointed person in accordance with these Regulations; and

(ii) carry out any steps necessary for or incidental to that purpose (for example, conducting a public inquiry, a hearing or a site visit).

(2) An appointment under paragraph (1) must be in writing.

(3) The Welsh Ministers may at any time, by giving notice in writing to an appointed person—

(a) revoke the appointment generally;

(b) revoke the appointment insofar as it relates to a particular application or proposal which has not been determined by the appointed person before that time; or

(c) revoke the authority of the appointed person to exercise a particular function in relation to an application or proposal.

(4) A notice under paragraph (3) will not affect the validity of anything done by the appointed person before the notice is given.

RHAN 2

Ceisiadau a chynigion i ddiwygio'r Cofrestrau

PART 2

Applications and proposals to amend the Registers

Gwneud cais

5.—(1) Rhaid i gais—

(a) cael ei wneud yn ysgrifenedig ar ffurflen a ddarperir gan Weinidogion Cymru ar gyfer cais o'r math hwnnw;

(b) cynnwys yr wybodaeth a bennir yn y ffurflen; a

Making an application

5.—(1) An application must—

(a) be made in writing on a form provided by the Welsh Ministers for an application of that type;

(b) include the information specified in the form; and

(c) cael ei lofnodi gan bob ymgeisydd sy'n unigolyn, neu gynrychiolaeth iddo, a chan yr ysgrifennydd neu ryw swyddog arall a awdurdodwyd yn briodol i bob ceisydd sy'n gorff corfforaethol neu'n gymdeithas anghorfforedig.

(2) Mae Atodlen 1 yn cynnwys darpariaethau sy'n gymwys mewn perthynas â'r mathau penodol o geisiadau a restrir o ran—

(a) yr amgylchiadau pan ganiateir i'r cais gael ei wneud; a

(b) y materion y mae'n rhaid eu cynnwys yn y cais neu, yn ddarostyngedig i baragraff (3), y mae'n rhaid iddynt gyd-fynd â'r cais.

(3) Nid yw'n ofynnol i geisydd gynnwys copi o unrhyw ddogfen a bennir yn Atodlen 1 gyda'r cais—

(a) os yr awdurdod cofrestru a ddyroddodd y ddogfen, neu os oedd yn barti i'r ddogfen; neu

(b) os yw'r ddogfen wedi ei hadneuo gyda'r awdurdod cofrestru yn unol ag unrhyw ddeddfiad.

Ffioedd gwneud cais

6.—(1) Rhaid i gais gyd-fynd ag unrhyw ffi (os o gwbl) a bennir ar gyfer cais o'r math hwnnw gan yr awdurdod cofrestru y caiff ei gyflwyno iddo.

(2) Rhaid i awdurdod cofrestru gyhoeddi'r ffi a bennir ganddo sy'n daladwy mewn perthynas â chais ar ei wefan.

(3) Pan fo ffi a bennwyd am y tro cyntaf gan awdurdod cofrestru o dan y rheoliad hwn yn cael ei ddiwygio wedi hynny gan yr awdurdod hwnnw, ac yn achos unrhyw ddiwygiad pellach, rhaid cyhoeddi ffi ddiwygiedig o'r fath ar wefan yr awdurdod ddim llai na 14 o ddiwrnodau cyn y bydd ffi o'r fath yn cymryd effaith.

(4) Ni chaniateir pennu ffi ar gyfer cais a wneir o dan ddarpariaeth a restrir yn Atodlen 2 i'r Rheoliadau hyn, ac at ddibenion y ddarpariaeth honno.

(5) Pan fo rheoliad 15 yn ei gwneud yn ofynnol i berson penodedig ddyfarnu cais, rhaid i'r ceisydd anfon y ffi ychwanegol (os o gwbl) a bennir ar gyfer cais o'r math hwnnw gan y person penodedig at y person hwnnw.

(6) Caiff ffi fod yn daladwy ar y cyfryw adegau ac yn y cyfryw randaliadau a bennir gan yr awdurdod cofrestru a'r person penodedig.

(7) Rhaid i unrhyw ffi a godir gan yr awdurdod cofrestru neu'r person penodedig fod yn rhesymol ar gyfer y gwaith a wnaed neu sydd i'w wneud.

(c) be signed by, or by a representative of, every applicant who is an individual, and by the secretary or some other duly authorised officer of every applicant which is a body corporate or an unincorporated association.

(2) Schedule 1 contains provisions which apply in relation to the specific types of applications listed as to—

(a) the circumstances in which an application is permitted to be made; and

(b) the matters which must be included in or which, subject to paragraph (3), must accompany the application.

(3) An applicant is not required to include with an application a copy of any document specified in Schedule 1 if—

(a) the registration authority issued the document, or was a party to the document; or

(b) the document has been deposited with the registration authority in accordance with any enactment.

Application Fees

6.—(1) An application must be accompanied by such fee (if any) specified for an application of that type by the registration authority to which it is submitted.

(2) The fee specified by a registration authority as payable in relation to an application must be published on its website.

(3) Where a fee first specified by a registration authority under this regulation is subsequently revised by that authority, and in the case of any further revision, such revised fee must be published on the authority's website not less than 14 days before such fee is to take effect.

(4) No fee may be specified for an application made under, and for the purposes of, a provision listed in Schedule 2 to these Regulations.

(5) Where regulation 15 requires an appointed person to determine an application, the applicant must send to the appointed person the further fee (if any) specified for an application of that type by the appointed person.

(6) A fee may be payable at such times and in such instalments as the registration authority and the appointed person may specify.

(7) Any fee charged by the registration authority or the appointed person must be reasonable for the work performed or to be performed.

(8) Nid oes rhaid i awdurdod cofrestru na pherson penodedig gymryd unrhyw gamau i ymdrin â chais hyd nes y bydd y ceisydd wedi talu'r ffi benodedig iddo.

(8) Neither a registration authority nor an appointed person need take any steps to deal with an application until the applicant has paid to it the specified fee.

Gwneud cynnig

7.—(1) Cyn cymryd unrhyw gamau eraill o dan y Rhan hon mewn perthynas â chynnig, rhaid i awdurdod cofrestru lunio datganiad ysgrifenedig yn disgrifio'r cynnig ac yn egluro'r cyfiawnhad drosto.

(2) Ni chaiff awdurdod cofrestru fwrw ymlaen â chynnig o dan Atodlen 2 i Ddeddf 2006 oni bai ei fod wedi cydymffurfio â pharagraff (1), a pharagraffau (2) i (5) o reoliad 11, ar 4 Mai 2032, neu cyn hynny.

Making a proposal

7.—(1) Before taking any other steps under this Part in relation to a proposal, a registration authority must prepare a statement in writing describing the proposal and explaining the justification for it.

(2) A registration authority may not proceed with a proposal under Schedule 2 to the 2006 Act unless it has complied with paragraph (1), and paragraphs (2) to (5) of regulation 11, on or before 4 May 2032.

Disgrifiadau tir

8.—(1) Mae'r rheoliad hwn yn gymwys mewn perthynas ag unrhyw ofyniad i ddisgrifio tir at ddibenion cais neu gynnig, ac eithrio pan fo darpariaeth arall o'r Rheoliadau hyn yn pennu'r modd y dylid disgrifio tir mewn achos penodol.

(2) Rhaid disgrifio'r tir, ac eithrio pan fo paragraff (3) yn gymwys, drwy gyfrwng Map Ordnans sy'n cyd-fynd â'r cais neu'r cynnig ac y cyfeirir ato yn y cais neu'r cynnig hwnnw.

(3) Pan fo'r tir yn dir cofrestredig, a bod y cais yn ymwneud â'r cyfan o'r tir mewn uned gofrestr, rhaid disgrifio'r tir drwy gyfeirio at rif yr uned gofrestr honno.

(4) Pan fo rhan o'r tir yn dir cofrestredig, rhaid disgrifio'r rhan honno o'r tir drwy gyfeirio at rif unrhyw uned gofrestr sy'n cynnwys y rhan honno.

(5) Ym mharagraffau (3) a (4), mae'r cyfeiriadau at "tir cofrestredig" yn cynnwys tir a gofrestrwyd dros dro o dan Ddeddf 1965, ond na chafodd y cofrestriad ei gadarnhau wedi hynny, ac yn yr achos hwnnw mae'r gofyniad o dan y paragraffau hynny i'w fodloni drwy ddisgrifio tir o'r fath drwy gyfeirio at y rhif y cafodd ei gofrestru dros dro oddi tano.

(6) Rhaid i unrhyw Fap Ordnans sy'n cyd-fynd â chais neu gynnig ddangos y tir sydd i'w ddisgrifio drwy gyfrwng lliw amlwg o fewn ffin a nodwyd yn gywir, a rhaid i'r map fod ar raddfa o ddim llai na 1:2,500 os yw ar gael, ac ni ddylai mewn unrhyw achos fod yn llai na 1:10,000.

Land descriptions

8.—(1) This regulation applies in relation to any requirement to describe land for the purposes of an application or proposal, except where another provision of these Regulations specifies the manner in which land is to be described in a particular case.

(2) The land must be described, except where paragraph (3) applies, by an Ordnance Map accompanying the application or proposal and referred to in it.

(3) Where the land is registered land, and the application relates to the whole of the land in a register unit, the land must be described by a reference to the number of that register unit.

(4) Where part of the land is registered land, that part of the land must be described by a reference to the number of any register unit which includes that part.

(5) In paragraphs (3) and (4) the references to "registered land" include land provisionally registered under the 1965 Act, but which registration was not subsequently confirmed, in which case the requirement under those paragraphs is to be met by describing such land by reference to the number under which it was provisionally registered.

(6) Any Ordnance Map accompanying an application or proposal must show the land to be described by means of distinctive colouring within an accurately identified boundary and must be on a scale of not less than 1:2,500 if available, and in any event not less than 1:10,000.

Rheoli cais

9.—(1) Rhaid i'r awdurdod cofrestru, cyn gynted ag y bo'n ymarferol ar ôl cael cais ac (os o gwbl) y ffi a bennir, anfon at y ceisydd i gydnabod bod y cais wedi dod i law, a rhaid i'r gydnabyddiaeth gynnwys—

(a) y cyfeirnod a ddyrannwyd i'r cais; a

Management of application

9.—(1) As soon as practicable after receiving an application and (if any) the specified fee, the registration authority must send an acknowledgement of receipt to the applicant, which must include—

(a) the reference number allocated to the application; and

(b) cyfeiriad post a chyfeiriad e-bost i anfon gohebiaeth ysgrifenedig i'r awdurdod cofrestru iddynt.

(2) Caiff yr awdurdod cofrestru roi cyfarwyddyd i'r ceisydd ddarparu unrhyw wybodaeth neu ddogfennau pellach sy'n angenrheidiol i alluogi i'r cais gael ei ddyfarnu.

(3) Caiff yr awdurdod cofrestru bennu amser ar gyfer cydymffurfio ag unrhyw gyfarwyddyd a roddir o dan y rheoliad hwn.

(4) Os yw'r ceisydd yn methu â chydymffurfio ag unrhyw gyfarwyddyd a roddir o dan y rheoliad hwn neu, pan fo'n gymwys, yn methu â chydymffurfio o fewn yr amser a bennwyd, caiff yr awdurdod cofrestru drin y cais fel petai wedi ei ollwng.

Dyletswydd yr awdurdod cofrestru i roi cyhoeddusrwydd i gais

10.—(1) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cael cais sy'n cydymffurfio â rheoliadau 5 (gwneud cais) a 6 (ffioedd gwneud cais), rhaid i'r awdurdod cofrestru—

(a) cyhoeddi ar ei wefan hysbysiad o'r cais;

(b) cyflwyno hysbysiad o'r cais drwy e-bost i unrhyw un sydd wedi gofyn yn flaenorol i gael gwybod am yr holl geisiadau, ac sydd wedi rhoi cyfeiriad e-bost i'r awdurdod cofrestru at y diben hwnnw; ac

(c) yn ddarostyngedig i baragraffau (2) a (3), cyflwyno hysbysiad o'r cais i bob un o'r personau a bennir yn Atodlen 3 mewn perthynas â chais o'r math hwnnw.

(2) Mewn perthynas ag unrhyw gais, caiff yr awdurdod cofrestru benderfynu nad yw paragraff 1(c) o Atodlen 3 yn gymwys mewn cysylltiad â'r gofyniad i gyflwyno hysbysiad i'r personau sydd wedi eu cofrestru fel perchnogion hawliau comin mewn gros, os yw'n ystyried bod y personau hynny mor niferus fel na fyddai'n rhesymol ymarferol cyflwyno hysbysiad o'r cais i bob un ohonynt.

(3) Nid yw gofyniad yn unol â pharagraff 2 o Atodlen 3 i gyflwyno hysbysiad i berchennog tir yn gymwys os nad yw'n rhesymol ymarferol nodi pwy yw'r person hwnnw.

(4) Mae'r gofynion ym mharagraff (5) yn gymwys mewn perthynas â—

(a) cais o dan adran 19 o Ddeddf 2006, i ddileu tir cofrestredig o gofrestr, neu ychwanegu tir ati; neu

(b) cais o dan Atodlen 2 i Ddeddf 2006.

(b) a postal address and an email address to which written communications to the registration authority may be sent.

(2) The registration authority may direct the applicant to provide any further information or documents necessary to enable the application to be determined.

(3) The registration authority may specify a time for complying with any direction given under this regulation.

(4) If the applicant fails to comply with any direction given under this regulation or, where applicable, fails to comply within the time specified, the registration authority may treat the application as abandoned.

Registration authority's duty to publicise application

10.—(1) As soon as reasonably practicable after receiving an application complying with regulations 5 (making an application) and 6 (application fees), the registration authority must—

(a) publish a notice of the application on its website;

(b) serve a notice of the application by email on anyone who has previously asked to be informed of all applications, and who has given the registration authority an email address for that purpose; and

(c) subject to paragraphs (2) and (3), serve a notice of the application on each of the persons specified in Schedule 3 in relation to an application of that kind.

(2) In relation to any application, the registration authority may decide that paragraph 1(c) of Schedule 3 does not apply in respect of the requirement to serve a notice on the persons registered as owners of rights of common in gross, if it considers that those persons are so numerous that it would not be reasonably practicable to serve notice of the application on all of them.

(3) A requirement pursuant to paragraph 2 of Schedule 3 to serve a notice on an owner of land does not apply if it is not reasonably practicable to identify that person.

(4) The requirements in paragraph (5) apply in relation to—

(a) an application under section 19 of the 2006 Act, for the removal of registered land from, or for the addition of land to, a register; or

(b) an application under Schedule 2 to the 2006 Act.

(5) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cael cais o'r fath, rhaid i'r awdurdod cofrestru—

(a) arddangos hysbysiad o'r cais am ddim llai na 42 o ddiwrnodau wrth neu gerllaw o leiaf un fynedfa amlwg (neu, os nad oes mannau o'r fath, wrth neu gerllaw o leiaf un man amlwg ar y ffin) i'r tir y mae'r cais yn ymwneud ag ef;

(b) cyflwyno hysbysiad o'r cais i bob awdurdod lleol arall yn yr ardal honno; ac

(c) cyflwyno hysbysiad o'r cais i unrhyw gyngor tiroedd comin a sefydlir ar gyfer tir sy'n cynnwys y tir y mae'r cais yn ymwneud ag ef.

(6) Pan fo hysbysiad sy'n cael ei arddangos o dan baragraff (5)(a), heb unrhyw fai ar yr awdurdod cofrestru nac unrhyw fwriad ganddo, yn cael ei dynnu ymaith, ei guddio neu ei ddifwyno cyn i'r cyfnod o 42 o ddiwrnodau y cyfeirir ato yn y paragraff hwnnw fynd heibio, mae'r awdurdod i'w drin fel pe bai wedi cydymffurfio â gofynion y paragraff hwnnw.

Dyletswydd yr awdurdod cofrestru i roi cyhoeddusrwydd i gynnig

11.—(1) Rhaid i awdurdod cofrestru sydd wedi llunio datganiad o gynnig yn unol â rheoliad 7(1), cyn cymryd unrhyw gamau pellach mewn perthynas â'r cynnig, gydymffurfio â pharagraffau (2) i (5).

(2) Rhaid i'r awdurdod cofrestru gyhoeddi ar ei wefan hysbysiad o'r cynnig.

(3) Os y cynnig yw cofrestru neu ddatgofrestru unrhyw dir yn dir comin neu'n faes tref neu bentref, rhaid i'r awdurdod cofrestru arddangos hysbysiad o'r cynnig am ddim llai na 42 o ddiwrnodau wrth neu gerllaw o leiaf un fynedfa amlwg (neu, os nad oes mannau o'r fath, wrth neu gerllaw o leiaf un man amlwg ar y ffin) i'r tir y mae'r cynnig yn ymwneud ag ef.

(4) Rhaid i'r awdurdod cofrestru gyflwyno hysbysiad o'r cynnig i'r personau a ganlyn—

(a) yn ddarostyngedig i baragraff (7), perchennog unrhyw dir sy'n ffurfio'r uned gofrestr gyfan neu unrhyw ran ohoni y mae'r cynnig yn ymwneud â hi;

(b) unrhyw berson sydd wedi gwneud datganiad, a gofnodwyd yn briodol yn y gofrestr, o hawlogaeth i hawl comin dros unrhyw dir sy'n ffurfio'r uned gofrestr gyfan neu unrhyw ran ohoni y mae'r cynnig yn ymwneud â hi;

(c) unrhyw gyngor tiroedd comin a sefydlir ar gyfer tir sy'n cynnwys y tir y mae'r cynnig yn ymwneud ag ef;

(5) As soon as reasonably practicable after receiving such an application, the registration authority must—

(a) post a notice of the application for not less than 42 days at or near at least one obvious place of entry to (or, if there are no such places, at or near at least one conspicuous place on the boundary of) the land to which the application relates;

(b) serve a notice of the application on every other local authority for that area; and

(c) serve a notice of the application on any commons council established for land which includes the land to which the application relates.

(6) Where a notice posted under paragraph (5)(a) is, without any fault or intention of the registration authority, removed, obscured or defaced before the period of 42 days referred to in that paragraph has elapsed, the authority is to be treated as having complied with the requirements of that paragraph.

Registration authority's duty to publicise proposal

11.—(1) A registration authority which has prepared a statement of a proposal in accordance with regulation 7(1) must, before taking any further steps in relation to the proposal, comply with paragraphs (2) to (5).

(2) The registration authority must publish a notice of the proposal on its website.

(3) If the proposal is to register or deregister any land as common land or as a town or village green, the registration authority must post a notice of the proposal for not less than 42 days at or near at least one obvious place of entry to (or, if there are no such places, at or near at least one conspicuous place on the boundary of) the land to which the proposal relates.

(4) The registration authority must serve a notice of the proposal on the following persons—

(a) subject to paragraph (7), the owner of any land comprising the whole or any part of the register unit to which the proposal relates;

(b) any person who has made a declaration, duly recorded in the register, of entitlement to a right of common over any land comprising the whole or any part of the register unit to which the proposal relates;

(c) any commons council established for land which includes the land to which the proposal relates;

(d) yn ddarostyngedig i baragraff (8), unrhyw berchennog hawl comin mewn gros sy'n arferadwy dros unrhyw dir sy'n ffurfio'r uned gofrestr gyfan neu unrhyw ran ohoni y mae'r cynnig yn ymwneud â hi; ac

(e) pob awdurdod lleol arall yn yr ardal honno.

(5) Rhaid i'r awdurdod cofrestru hefyd gyflwyno hysbysiad o'r cynnig drwy e-bost i unrhyw berson arall sydd wedi gofyn yn flaenorol i gael gwybod am yr holl gynigion, ac sydd wedi rhoi cyfeiriad e-bost i'r awdurdod cofrestru at y diben hwnnw.

(6) Pan fo hysbysiad sy'n cael ei arddangos o dan baragraff (3), heb unrhyw fai ar yr awdurdod cofrestru nac unrhyw fwriad ganddo, yn cael ei dynnu ymaith, ei guddio neu ei ddifwyno cyn i'r cyfnod o 42 o ddiwrnodau y cyfeirir ato yn y paragraff hwnnw fynd heibio, mae'r awdurdod i'w drin fel pe bai wedi cydymffurfio â gofynion y paragraff hwnnw.

(7) Nid yw'r gofyniad ym mharagraff (4)(a) yn gymwys os nad yw'n rhesymol ymarferol nodi pwy yw'r person hwnnw.

(8) Caiff yr awdurdod cofrestru, mewn perthynas ag unrhyw gynnig, benderfynu nad yw paragraff (4)(d) i fod yn gymwys, os yw'n ystyried bod y personau sydd wedi eu cofrestru fel perchnogion hawliau comin mewn gros mor niferus fel na fyddai'n rhesymol ymarferol iddo gyflwyno hysbysiad o'r cynnig i bob un ohonynt.

(d) subject to paragraph (8), any owner of a right of common in gross which is exercisable over any land comprising the whole or any part of the register unit to which the proposal relates; and

(e) every other local authority for that area.

(5) The registration authority must also serve a notice of the proposal by email on any other person who has previously asked to be informed of all proposals, and who has given the registration authority an email address for that purpose.

(6) Where a notice posted under paragraph (3) is, without any fault or intention of the registration authority, removed, obscured or defaced before the period of 42 days referred to in that paragraph has elapsed, the authority is to be treated as having complied with the requirements of that paragraph.

(7) The requirement in paragraph (4)(a) does not apply if it is not reasonably practicable to identify that person.

(8) The registration authority may, in relation to any proposal, decide that paragraph (4)(d) is not to apply, if it considers that the persons registered as owners of rights of common in gross are so numerous that it would not be reasonably practicable for it to serve notice of the proposal on all of them.

Cynnwys hysbysiad o gais neu gynnig

12.—(1) Rhaid i hysbysiad o gais neu gynnig y mae'n ofynnol iddo gael ei gyhoeddi, ei arddangos neu ei gyflwyno o dan reoliad 10 (dyletswydd yr awdurdod cofrestru i roi cyhoeddusrwydd i gais) neu 11 (dyletswydd yr awdurdod cofrestru i roi cyhoeddusrwydd i gynnig) gynnwys y manylion a ganlyn—

(a) cyfeiriad at "Deddf Tiroedd Comin 2006", a darpariaeth y Ddeddf honno y gwneir y cais neu'r cynnig oddi tani (neu yn unol â hi);

(b) enw'r ceisydd (yn achos cais);

(c) enw'r awdurdod cofrestru;

(d) enw a lleoliad y tir y mae'r cais neu'r cynnig yn ymwneud ag ef;

(e) crynodeb o effaith y cais (os caiff ei ganiatáu) neu'r cynnig (os gwneir penderfyniad i roi effaith iddo);

(f) cyfeiriad post a chyfeiriad e-bost yr awdurdod cofrestru y caniateir anfon unrhyw sylwadau ynghylch y cais neu'r cynnig iddynt;

Contents of notice of application or proposal

12.—(1) A notice of application or proposal which is required to be published, posted or served under regulation 10 (registration authority's duty to publicise application) or 11 (registration authority's duty to publicise proposal) must contain the following details—

(a) a reference to "the Commons Act 2006", and the provision of that Act under (or pursuant to which) the application or proposal is made;

(b) the name of the applicant (in the case of an application);

(c) the name of the registration authority;

(d) the name and location of the land to which the application or proposal relates;

(e) a summary of the effect of the application (if granted) or proposal (if a decision is made to give effect to it);

(f) both a postal address and an email address for the registration authority to which any representations concerning the application or proposal may be sent;

(g) datganiad na fydd unrhyw sylwadau yn cael eu trin yn gyfrinachol, ond yr ymdrinnir â hwy yn unol â rheoliad 14, a phan fo'r cais neu'r cynnig yn cael ei atgyfeirio at berson penodedig i'w ddyfarnu yn unol â rheoliad 15, bydd unrhyw sylwadau'n cael eu hanfon at y person penodedig;

(h) y dyddiad y daw'r cyfnod ar gyfer cyflwyno sylwadau i ben, na ddylai fod yn llai na 42 o ddiwrnodau ar ôl y dyddiad cyhoeddi, arddangos neu gyflwyno'r hysbysiad; ac

(i) cyfeiriad yr awdurdod cofrestru lle mae'r dogfennau sy'n ymwneud â'r cais neu'r cynnig ar gael i'w harchwilio.

Archwilio copïau o ddogfennau

13.—(1) Rhaid i'r awdurdod cofrestru sicrhau bod copïau o'r dogfennau a ganlyn ar gael i'w harchwilio yn y cyfeiriad a bennwyd at y diben hwnnw mewn unrhyw hysbysiad o'r cais neu'r cynnig—

(a) yn achos cais, copïau o'r cais ac unrhyw ddogfennau sy'n cyd-fynd â'r cais; neu

(b) yn achos cynnig, copïau o—

(i) y datganiad a luniwyd yn unol â rheoliad 7(1); a

(ii) unrhyw ddogfennau sydd ym meddiant yr awdurdod cofrestru sy'n berthnasol i'r cynnig.

(2) Rhaid i'r amserau a'r dyddiadau pan fo'r dogfennau y cyfeirir atynt ym mharagraff (1) ar gael i'w harchwilio gynnwys yr holl oriau swyddfa arferol yn ystod cyfnod o ddim llai na 42 o ddiwrnodau sy'n dod i ben pan ddaw'r cyfnod ar gyfer cyflwyno sylwadau i ben.

Sylwadau

14.—(1) Caiff unrhyw berson gyflwyno sylwadau ysgrifenedig i'r awdurdod cofrestru ynghylch y cais neu'r cynnig erbyn y dyddiad a bennir mewn hysbysiad o gais neu gynnig.

(2) O ran y sylwadau o dan baragraff (1)—

(a) rhaid iddynt nodi enw a chyfeiriad post y person sy'n eu gwneud, a natur buddiant y person hwnnw (os o gwbl) mewn unrhyw dir y mae'r cais neu'r cynnig yn effeithio arno;

(b) cânt gynnwys cyfeiriad e-bost y person sy'n eu gwneud;

(c) rhaid iddynt fod wedi eu llofnodi gan y person sy'n eu gwneud; a

(g) a statement that any representations will not be treated as confidential, but will be dealt with in accordance with regulation 14, and that where the application or proposal is referred to an appointed person for determination in accordance with regulation 15, any representations will be sent to the appointed person;

(h) the date on which the period for making representations expires, which must not be less than 42 days after the date of the publishing, posting or service of the notice; and

(i) the address of the registration authority at which documents relating to the application or proposal are available for inspection.

Inspection of copies of documents

13.—(1) The registration authority must ensure that copies of the following documents are available for inspection at the address specified for that purpose in any notice of the application or proposal—

(a) in the case of an application, copies of the application and any accompanying documents; or

(b) in the case of a proposal, copies of—

(i) the statement prepared in accordance with regulation 7(1); and

(ii) any documents in the possession of the registration authority which are relevant to the proposal.

(2) The times and dates at which the documents referred to in paragraph (1) are available for inspection must include all normal office hours during a period of not less than 42 days ending with the expiry of the period for making representations.

Representations

14.—(1) Any person may, by the date specified in a notice of an application or proposal, make written representations to the registration authority about the application or proposal.

(2) Representations under paragraph (1)—

(a) must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application or proposal;

(b) may include an email address of the person making them;

(c) must be signed by the person making them; and

(d) rhaid iddynt nodi ar ba sail y'u gwneir.

(3) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r cyfnod a ganiateir ar gyfer cyflwyno sylwadau mewn cysylltiad â chais ddod i ben, rhaid i'r awdurdod cofrestru—

(a) hysbysu'r ceisydd nad oes unrhyw sylwadau wedi eu cyflwyno; neu

(b) rhoi copi i'r ceisydd o'r holl sylwadau sydd wedi dod i law.

(4) Caiff y ceisydd ymateb yn ysgrifenedig i'r awdurdod cofrestru o fewn 21 diwrnod calendr o gael copi o'r sylwadau (neu o fewn cyfnod hwy fel y caiff yr awdurdod cofrestru bennu wrth gyflwyno'r copi o'r sylwadau), gan nodi ymateb y ceisydd i'r sylwadau.

(5) Rhaid i ymateb o dan baragraff (4) gael ei lofnodi gan y person sy'n ei wneud.

(6) Pan fo'r ceisydd yn ymateb o dan baragraff (4), rhaid i'r awdurdod cofrestru anfon copi ohono at bob person a gyflwynodd sylwadau o dan baragraff (1).

Y cyfrifoldeb dros ddyfarnu ceisiadau a chynigion

15.—(1) Yn ddarostyngedig i baragraff (2)—

(a) rhaid i gais a wneir yn unol â'r Rheoliadau hyn gael ei ddyfarnu gan yr awdurdod cofrestru sy'n gyfrifol am y gofrestr lle cofnodir y tir y mae'r cynnig yn ymwneud ag ef, neu awdurdod cofrestru sydd â'r pŵer i ddyfarnu ceisiadau ar ran awdurdod cofrestru o'r fath; a

(b) rhaid i awdurdod cofrestru sydd wedi gwneud cynnig yn unol â'r Rheoliadau hyn ddyfarnu pa un ai i ddiwygio ei gofrestrau yn unol â'r cynnig ai peidio.

(2) Yn yr achosion a bennir ym mharagraff (3), rhaid i awdurdod cofrestru gyfeirio at y person penodedig er mwyn iddo ddyfarnu—

(a) unrhyw gais a wneir yn unol â'r Rheoliadau hyn; a

(b) unrhyw gynnig a wneir gan yr awdurdod cofrestru yn unol â'r Rheoliadau hyn.

(d) must state the grounds on which they are made.

(3) As soon as reasonably practicable after the expiry of the period allowed for making representations in respect of an application, the registration authority must—

(a) notify the applicant that no representations have been made; or

(b) serve on the applicant a copy of all the representations it has received.

(4) The applicant may reply in writing to the registration authority within 21 calendar days of being served with a copy of representations (or within such longer period as the registration authority may specify at the time it serves the copy of representations), setting out the applicant's response to the representations.

(5) A reply under paragraph (4) must be signed by the person making it.

(6) Where the applicant makes a reply under paragraph (4), the registration authority must send a copy of it to every person who made a representation under paragraph (1).

Responsibility for determining applications and proposals

15.—(1) Subject to paragraph (2)—

(a) an application made in accordance with these Regulations must be determined by the registration authority with responsibility for the register in which the land to which the proposal relates is recorded, or a registration authority who has the power to determine applications on such a registration authority's behalf; and

(b) a registration authority which has made a proposal in accordance with these Regulations must determine whether or not to amend its registers in accordance with the proposal.

(2) In the cases specified in paragraph (3), a registration authority must refer to the appointed person for determination by it—

(a) any application made in accordance with these Regulations; and

(b) any proposal made by the registration authority in accordance with these Regulations.

(3) Yr achosion y cyfeirir atynt ym mharagraff (2) uchod yw achosion pan fo gan yr awdurdod cofrestru fuddiant yng nghanlyniad y cais neu'r cynnig i'r graddau ei bod yn annhebygol y bydd hyder yng ngallu'r awdurdod i'w ddyfarnu'n ddiduedd, neu pan fo person sydd â buddiant cyfreithiol yn y tir sy'n destun cais neu gynnig (neu rywun sy'n gweithredu ar ran person o'r fath) wedi gwneud (a heb dynnu'n ôl wedi hynny) sylwadau sy'n gyfystyr â gwrthwynebiad mewn cysylltiad â'r cais neu'r cynnig, ac—

(a) y gwneir y cais neu'r cynnig o dan adran 19(4) o Ddeddf 2006, a'i fod yn ceisio—

(i) ychwanegu tir at gofrestr, neu dynnu tir oddi ar gofrestr; neu

(ii) cywiro gwall o ran meintoliad hawliau comin mewn cofrestr; neu

(b) y gwneir y cais neu'r cynnig o dan unrhyw un o baragraffau 2 i 9 o Atodlen 2 i Ddeddf 2006.

(4) Pan fo'r awdurdod cofrestru yn cyfeirio cais neu gynnig at berson penodedig i'w ddyfarnu—

(a) rhaid i'r awdurdod cofrestru roi gwybod i'r ceisydd bod y cais wedi ei gyfeirio at berson awdurdodedig i'w ddyfarnu;

(b) rhaid i'r awdurdod cofrestru anfon yr holl ddeunyddiau yn ei feddiant sy'n berthnasol i'r dyfarniad ynghylch y cais neu'r cynnig at y person penodedig;

(c) yn achos cais, caiff y person penodedig gyfarwyddo'r ceisydd i ddarparu unrhyw wybodaeth neu ddogfennau pellach sy'n angenrheidiol i alluogi i'r cais gael ei ddyfarnu; a

(d) caiff y person penodedig gyfarwyddo'r awdurdod cofrestru i ddarparu unrhyw wybodaeth neu ddogfennau pellach sy'n angenrheidiol i alluogi i'r cais neu'r cynnig gael ei ddyfarnu.

(5) Caiff y person penodedig bennu amser ar gyfer cydymffurfio ag unrhyw gyfarwyddyd a roddir o dan y rheoliad hwn.

(6) Os yw'r ceisydd yn methu â chydymffurfio ag unrhyw gyfarwyddyd a roddir o dan y rheoliad hwn neu, os yw'n gymwys, yn methu â chydymffurfio o fewn yr amser a bennwyd, caiff y person penodedig drin y cais fel petai wedi ei ollwng.

Y dull o ddyfarnu ceisiadau a chynigion

16.—(1) Rhaid i'r awdurdod sy'n dyfarnu ystyried yr hyn a ganlyn wrth ddyfarnu unrhyw gais neu gynnig—

(a) cynnwys y cais neu'r cynnig, ac unrhyw ddeunydd sy'n cyd-fynd ag ef;

(3) The cases referred to in paragraph (2) above are where the registration authority has an interest in the outcome of the application or proposal such that there is unlikely to be confidence in the authority's ability impartially to determine it, or where a person having a legal interest in the land the subject of an application or proposal (or someone acting on behalf of such a person) has made (and not subsequently withdrawn) representations amounting to an objection in respect of the application or proposal, and—

(a) the application or proposal is made under section 19(4) of the 2006 Act, and seeks—

(i) to add land to, or to remove land from, a register; or

(ii) to correct an error as to the quantification of rights of common in a register; or

(b) the application or proposal is made under any of paragraphs 2 to 9 of Schedule 2 to the 2006 Act.

(4) Where the registration authority refers an application or proposal to an appointed person for determination—

(a) the registration authority must inform the applicant that the application has been referred to an authorised person for determination;

(b) the registration authority must send to the appointed person all material in its possession which is relevant to the determination of the application or proposal;

(c) in the case of an application, the appointed person may direct the applicant to provide any further information or documents necessary to enable the application to be determined; and

(d) the appointed person may direct the registration authority to provide any further information or documents necessary to enable the application or proposal to be determined.

(5) The appointed person may specify a time for complying with any direction given under this regulation.

(6) If the applicant fails to comply with any direction given under this regulation or, where applicable, fails to comply within the time specified, the appointed person may treat the application as abandoned.

Method of determining applications and proposals

16.—(1) The determining authority must, in determining any application or proposal, take into account—

(a) the contents of the application or proposal, and any material accompanying it;

(b) unrhyw ddeunydd a ddarperir gan yr awdurdod cofrestru o dan reoliad 15(4)(b);

(c) yn achos cais, unrhyw wybodaeth neu dystiolaeth bellach a ddarperir gan y ceisydd yn unol â chyfarwyddyd o dan reoliad 9(2) neu 15(4)(c);

(d) yn achos cynnig, unrhyw wybodaeth neu dystiolaeth bellach a ddarperir gan yr awdurdod cofrestru yn unol â chyfarwyddyd o dan reoliad 15(4)(d);

(e) unrhyw sylwadau ysgrifenedig a wneir gan unrhyw berson yn unol â rheoliad 14, neu yn unol â gwahoddiad o dan baragraff (4);

(f) unrhyw sylwadau ar lafar a wneir gan unrhyw berson yn unol â pharagraff (7);

(g) canfyddiadau arolygiad o safle, os o gwbl; a

(h) pan fo arolygydd wedi cynnal ymchwiliad cyhoeddus neu wrandawiad—

(i) y dystiolaeth a gyflwynwyd yn yr ymchwiliad neu'r gwrandawiad (os yw'r dyfarniad yn cael ei wneud gan yr arolygydd a fu'n gwrando ar y dystiolaeth); neu

(ii) adroddiad ac argymhelliad yr arolygydd (os nad yw'r dyfarniad yn cael ei wneud gan yr arolygydd).

(2) Caiff yr awdurdod sy'n dyfarnu ddod i benderfyniad bod ymchwiliad cyhoeddus i'w gynnal mewn perthynas ag unrhyw gais neu gynnig.

(3) Pan mai person penodedig yw'r awdurdod sy'n dyfarnu, caiff benderfynu y dylid cynnal gwrandawiad yn unol â rheoliad 21 mewn perthynas ag unrhyw gais neu gynnig.

(4) Caiff yr awdurdod sy'n dyfarnu, os yw o'r farn bod hynny'n angenrheidiol er mwyn galluogi i gais neu gynnig gael ei ddyfarnu, wahodd sylwadau ysgrifenedig pellach ynghylch unrhyw fater penodedig gan—

(a) y ceisydd, yn achos cais;

(b) yr awdurdod cofrestru, yn achos cynnig;

(c) person sydd wedi cyflwyno sylwadau yn unol â rheoliad 14; neu

(d) unrhyw berson arall,

a chaiff nodi'r amser y mae'n rhaid cyflwyno unrhyw sylwadau pellach o'i fewn.

(5) Rhaid i sylwadau a wneir yn unol â gwahoddiad o dan baragraff (4) gael eu llofnodi gan y person sy'n eu gwneud.

(b) any material provided by the registration authority under regulation 15(4)(b);

(c) in the case of an application, any further information or evidence provided by the applicant in accordance with a direction under regulation 9(2) or 15(4)(c);

(d) in the case of a proposal, any further information or evidence provided by the registration authority in accordance with a direction under regulation 15(4)(d);

(e) any written representations made by any person in accordance with regulation 14, or in accordance with an invitation under paragraph (4);

(f) any oral representations made by any person in accordance with paragraph (7);

(g) the findings made at a site inspection, if any; and

(h) where a public inquiry or a hearing has been held by an inspector—

(i) the evidence presented at the inquiry or hearing (if the determination is being made by the inspector who heard the evidence); or

(ii) the report and recommendation of the inspector (if the determination is not being made by the inspector).

(2) The determining authority may decide that a public inquiry is to be held in relation to any application or proposal.

(3) Where an appointed person is the determining authority, it may decide that a hearing in accordance with regulation 21 is to be held in relation to any application or proposal.

(4) The determining authority may, if it thinks it necessary to enable an application or proposal to be determined, invite further written representations about any specified matter from—

(a) the applicant, in the case of an application;

(b) the registration authority, in the case of a proposal;

(c) a person who has made representations in accordance with regulation 14; or

(d) any other person,

and may specify the time within which any such further representations must be made.

(5) Representations made pursuant to an invitation under paragraph (4) must be signed by the person making them.

(6) Mae paragraff (7) yn gymwys mewn perthynas ag unrhyw gais neu gynnig y mae'r awdurdod sy'n dyfarnu yn penderfynu ei ddyfarnu heb gynnal ymchwiliad cyhoeddus neu, pan mai person penodedig yw'r awdurdod sy'n dyfarnu, gwrandawiad yn unol â rheoliad 21.

(7) Ni chaiff yr awdurdod sy'n dyfarnu—

(a) gwrthod cais heb yn gyntaf gynnig cyfle i'r ceisydd wneud sylwadau ar lafar; a

(b) rhoi neu wrthod cais neu gynnig heb yn gyntaf gynnig cyfle i unrhyw berson (ac eithrio'r ceisydd) y byddai rhoi neu wrthod cais neu gynnig (yn ôl y digwydd) yn cynrychioli dyfarniad o hawliau sifil y person hwnnw i wneud sylwadau ar lafar.

Hysbysiad o ymchwiliad cyhoeddus neu wrandawiad

17.—(1) Os yw ymchwiliad cyhoeddus neu wrandawiad i'w gynnal mewn perthynas â chais neu gynnig, rhaid i'r awdurdod sy'n dyfarnu sicrhau, mewn perthynas â hysbysiad o'r ymchwiliad neu'r gwrandawiad—

(a) y'i cyhoeddir ar wefan briodol;

(b) y'i cyflwynir—

(i) i'r awdurdod sy'n cyfeirio, os person penodedig yw'r awdurdod sy'n dyfarnu;

(ii) yn achos cais, i'r ceisydd;

(iii) i unrhyw berson sydd wedi gwneud sylwadau yn unol â rheoliad 14; a

(iv) i unrhyw berson arall y gwnaeth yr awdurdod sy'n dyfarnu ei wahodd o dan reoliad 16(4)(d) i wneud sylwadau ysgrifenedig; ac

(c) y rhoddir cyhoeddusrwydd iddo, fel y mae'r awdurdod sy'n dyfarnu yn ystyried ei bod yn angenrheidiol, drwy'r cyfryw ddulliau eraill neu ei gyflwyno i'r cyfryw bersonau eraill fel y bo'n briodol i ddwyn yr ymchwiliad i sylw personau y mae'r cais neu'r cynnig yn debygol o effeithio arnynt.

Ymchwiliadau cyhoeddus: darpariaethau cyffredinol

18.—(1) Pan benderfynwyd cynnal ymchwiliad cyhoeddus mewn perthynas â chais neu gynnig, rhaid i'r awdurdod sy'n dyfarnu benodi arolygydd—

(a) i gynnal yr ymchwiliad; a

(b) os nad yr arolygydd sydd hefyd i ddyfarnu'r cais, i ddarparu adroddiad ac argymhelliad i'r awdurdod sy'n dyfarnu.

(6) Paragraph (7) applies in relation to any application or proposal which the determining authority decides to determine without holding a public inquiry or, where an appointed person is the determining authority, a hearing in accordance with regulation 21.

(7) The determining authority—

(a) may not refuse an application without first offering the applicant an opportunity to make oral representations; and

(b) may not grant or refuse an application or proposal without first offering any person (other than the applicant) for whom the grant or refusal (as the case may be) would represent a determination of that person's civil rights an opportunity to make oral representations.

Notice of a public inquiry or hearing

17.—(1) If a public inquiry or a hearing is to be held in relation to an application or proposal, the determining authority must ensure that a notice of the inquiry or hearing is—

(a) published on an appropriate website;

(b) served on—

(i) the referring authority, if an appointed person is the determining authority;

(ii) in the case of an application, the applicant;

(iii) any person who has made representations in accordance with regulation 14; and

(iv) any other person whom the determining authority invited under regulation 16(4)(d) to make written representations; and

(c) as the determining authority considers necessary, publicised by such other means or served on such other persons as may be appropriate to bring the inquiry to the attention of persons likely to be affected by the application or proposal.

Public inquiries: general provisions

18.—(1) Where it has been decided that a public inquiry is to be held in relation to an application or proposal, the determining authority must appoint an inspector—

(a) to hold the inquiry; and

(b) if the inspector is not also to determine the application, to provide a report and recommendation to the determining authority.

(2) Yn ddarostyngedig i'r darpariaethau a ganlyn o'r rheoliad hwn, ac i reoliad 20, mae'r weithdrefn ar gyfer yr ymchwiliad i'w phennu gan yr arolygydd, gan roi sylw i holl amgylchiadau'r achos.

(3) Pan nad yw'r arolygydd yn bwriadu cynnal cyfarfod cyn yr ymchwiliad, caiff yr arolygydd roi'r cyfryw gyfarwyddydau yn baratoad at yr ymchwiliad ag y gellid bod wedi eu rhoi mewn cyfarfod o'r fath, ac nid yw rhoi cyfarwyddydau o dan y paragraff hwn yn atal cyfarfod cyn yr ymchwiliad rhag cael ei gynnal wedi hynny, os yw'r arolygydd yn ystyried ei bod yn ddymunol, nac ychwaith yn atal yr arolygydd rhag rhoi cyfarwyddydau pellach mewn cyfarfod o'r fath.

(4) Caiff unrhyw berson sydd â buddiant yn nhestun ymchwiliad ymddangos yn yr ymchwiliad drosto'i hun neu drwy gynrychiolydd.

(5) Caiff yr arolygydd, yn ystod unrhyw gam o ymchwiliad, atal unrhyw berson rhag—

(a) rhoi tystiolaeth;

(b) croesholi person sy'n rhoi tystiolaeth; neu

(c) cyflwyno unrhyw fater,

os yw'r arolygydd yn ystyried nad yw'n berthnasol neu ei fod yn ailadroddus.

(6) Os yw person yn ymddwyn mewn modd aflonyddgar, caiff yr arolygydd—

(a) ei gwneud yn ofynnol i berson adael ymchwiliad;

(b) rhwystro person rhag cymryd rhan yn yr ymchwiliad drwy roi tystiolaeth, croesholi person sy'n rhoi tystiolaeth neu gyflwyno unrhyw fater; neu

(c) caniatáu i berson aros yn yr ymchwiliad, neu i gymryd rhan ynddo o dan amodau penodedig yn unig.

(7) Caiff yr arolygydd fwrw ymlaen ag ymchwiliad yn absenoldeb unrhyw berson a chanddo hawl i ymddangos ynddo.

(8) Caiff yr arolygydd gymryd i ystyriaeth unrhyw sylwadau ysgrifenedig neu dystiolaeth neu unrhyw ddogfen arall a ddaeth i law'r arolygydd oddi wrth unrhyw berson cyn dechrau ymchwiliad neu yn ystod ymchwiliad ar yr amod bod yr arolygydd yn eu datgelu yn yr ymchwiliad.

(9) Caiff yr arolygydd, os bernir bod hynny'n rhesymol o dan yr amgylchiadau—

(a) gohirio ymchwiliad hyd ddyddiad arall;

(b) gohirio ymchwiliad er mwyn mynd i safle unrhyw dir yr effeithir arno gan y cais neu'r cynnig, a chynnal rhan o'r ymchwiliad ar y safle hwnnw ar y cyd ag arolygiad o'r safle.

(2) Subject to the following provisions of this regulation, and to regulation 20, the procedure at the inquiry is to be determined by the inspector, having regard to all the circumstances of the case.

(3) Where the inspector does not propose to hold a pre-inquiry meeting, the inspector may give such directions in preparation for the inquiry as might have been given at such a meeting, and giving directions under this paragraph does not preclude the subsequent holding of a pre-inquiry meeting, if the inspector considers it desirable, nor does it preclude the inspector giving further directions at such a meeting.

(4) Any person interested in the subject-matter of an inquiry may appear at the inquiry in person or by a representative.

(5) The inspector may, at any stage of an inquiry, prevent any person from—

(a) giving evidence;

(b) cross-examining a person giving evidence; or

(c) presenting any matter,

if the inspector considers it not to be relevant or to be repetitious.

(6) If a person is behaving in a disruptive manner the inspector may—

(a) require a person to leave an inquiry;

(b) prevent a person from participating in the inquiry by giving evidence, cross-examining a person giving evidence, or presenting any matter; or

(c) permit a person to remain at, or participate in, the inquiry only on specified conditions.

(7) The inspector may proceed with an inquiry in the absence of any person entitled to appear at it.

(8) The inspector may take into account any written representations or evidence or any other document received by the inspector from any person before or during an inquiry, provided that the inspector discloses it at the inquiry.

(9) The inspector may, if it is considered reasonable in the circumstances—

(a) adjourn an inquiry to another date;

(b) adjourn an inquiry to the site of any land affected by the application or proposal, and conduct part of the inquiry at that site in conjunction with a site inspection.

Cyfarfod cyn yr ymchwiliad

19.—(1) Pan benderfynwyd cynnal ymchwiliad cyhoeddus, caiff yr arolygydd, os yw'n ystyried ei bod yn ddymunol, gynnal cyfarfod cyn yr ymchwiliad i bennu pa faterion i fynd i'r afael â hwy a'r weithdrefn i'w dilyn yn yr ymchwiliad.

(2) Os yw'r arolygydd yn penderfynu cynnal cyfarfod cyn yr ymchwiliad, rhaid rhoi hysbysiad o ddim llai na 14 diwrnod calendr yn ysgrifenedig i—

(a) y ceisydd, yn achos cais;

(b) yr awdurdod cofrestru;

(c) unrhyw berson sydd wedi gwneud sylwadau ysgrifenedig ynghylch y cynnig neu'r cais; a

(d) unrhyw berson arall y mae'r arolygydd yn ystyried ei bod yn ddymunol iddo fod yn bresennol yn y cyfarfod cyn yr ymchwiliad.

(3) Mae paragraffau (2) a (4) i (7) o reoliad 18 (i'r graddau y maent yn berthnasol) yn gymwys i gyfarfodydd cyn yr ymchwiliad fel y maent yn gymwys i ymchwiliadau.

(4) Caiff yr arolygydd, mewn cyfarfod cyn yr ymchwiliad—

(a) rhoi cyfarwyddydau ynghylch pethau sydd i'w gwneud i baratoi ar gyfer yr ymchwiliad i—

(i) y ceisydd, yn achos cais;

(ii) yr awdurdod cofrestru; a

(iii) unrhyw berson arall sy'n dymuno ymddangos yn yr ymchwiliad; a

(b) pennu dyddiad neu ddyddiadau erbyn pryd y mae'n rhaid cydymffurfio ag unrhyw gyfryw gyfarwyddydau.

(5) Yn benodol, caiff yr arolygydd roi cyfarwyddyd i unrhyw berson sy'n dymuno rhoi tystiolaeth i gyflwyno datganiad ysgrifenedig o'r dystiolaeth honno i—

(a) yr arolygydd; a

(b) personau eraill y caiff yr arolygydd eu pennu.

Gweithdrefn ymchwiliadau

20.—(1) Ar ddechrau ymchwiliad, rhaid i'r arolygydd—

(a) nodi'r prif faterion i'w hystyried yn yr ymchwiliad;

(b) nodi unrhyw faterion y mae angen eglurhad pellach yn eu cylch gan unrhyw berson sy'n ymddangos yn yr ymchwiliad; ac

(c) egluro'r weithdrefn sydd i'w dilyn yn yr ymchwiliad.

Pre-inquiry meeting

19.—(1) Where it has been decided to hold a public inquiry, the inspector may, if the inspector considers it desirable, hold a pre-inquiry meeting to determine the matters to be addressed and the procedure to be followed at the inquiry.

(2) If the inspector decides to hold a pre-inquiry meeting, not less than 14 calendar days notice in writing must be given to—

(a) the applicant, in the case of an application;

(b) the registration authority;

(c) any person who has made written representations about the application or proposal; and

(d) any other person whose presence at the pre-inquiry meeting the inspector considers desirable.

(3) Paragraphs (2) and (4) to (7) of regulation 18 (so far as relevant) apply to pre-inquiry meetings as they apply to inquiries.

(4) The inspector may, at a pre-inquiry meeting—

(a) give directions about things to be done in preparation for the inquiry to—

(i) the applicant, in the case of an application;

(ii) the registration authority; and

(iii) any other person wishing to appear at the inquiry; and

(b) specify a date or dates by which any such directions must be complied with.

(5) In particular, the inspector may direct any person wishing to give evidence to serve a written statement of that evidence on—

(a) the inspector; and

(b) such other persons as the inspector may specify.

Procedure at inquiries

20.—(1) At the start of an inquiry, the inspector must—

(a) identify the main issues to be considered at the inquiry;

(b) identify any matters on which further explanation from any person appearing at the inquiry is required; and

(c) explain the procedure to be followed at the inquiry.

(2) Nid yw paragraff (1)(a) yn atal materion eraill rhag cael eu hystyried yn yr ymchwiliad, nac (yn ddarostyngedig i bwerau'r adolygydd o dan reoliad 18(5)) materion a godir gan bersonau sy'n ymddangos yn yr ymchwiliad.

(3) Os yw person sy'n rhoi tystiolaeth yn yr ymchwiliad wedi darparu datganiad ysgrifenedig o dystiolaeth yn unol â chyfarwyddyd o dan reoliad 18(3) neu 19(5), caiff yr arolygydd gyfarwyddo—

(a) bod y datganiad ysgrifenedig i'w drin fel tystiolaeth y person, neu fel rhan o dystiolaeth y person; a

(b) y caiff partïon eraill yn yr ymchwiliad groesholi'r person ynghylch y datganiad ysgrifenedig.

(2) Paragraph (1)(a) does not preclude other issues from being considered at the inquiry, or (subject to the inspector's powers under regulation 18(5)) raised by persons appearing at the inquiry.

(3) If a person giving evidence at the inquiry has provided a written statement of evidence in accordance with a direction under regulation 18(3) or 19(5), the inspector may direct that—

(a) the written statement is to be treated as the person's evidence, or as part of the person's evidence; and

(b) other parties at the inquiry may cross-examine the person on the written statement.

Gwrandawiadau

21.—(1) Pan fo person penodedig yn penderfynu bod gwrandawiad i'w gynnal mewn perthynas â chais neu gynnig ac ef yw'r awdurdod sy'n dyfarnu, rhaid iddo benodi arolygydd i gynnal y gwrandawiad.

(2) Rhaid cynnal gwrandawiad ar ffurf trafodaeth a arweinir gan yr arolygydd.

(3) Mae paragraffau (2) a (4) i (9) o reoliad 18 yn gymwys i wrandawiad fel y maent yn gymwys i ymchwiliad cyhoeddus.

(4) Yn ddarostyngedig i reoliad 18(5) i (7)—

(a) yn achos cais, mae gan y ceisydd yr hawl i roi, neu alw ar berson arall i roi, tystiolaeth ar lafar; a

(b) caiff unrhyw berson arall roi tystiolaeth ar lafar gyda chaniatâd yr arolygydd.

(5) Ni chaniateir croesholi onid yw'r arolygydd yn penderfynu ei bod yn angenrheidiol i sicrhau archwiliad digonol o'r materion.

Hearings

21.—(1) Where the appointed person decides that a hearing is to be held in relation to an application or proposal for which it is the determining authority, it must appoint an inspector to hold the hearing.

(2) A hearing is to take the form of a discussion led by the inspector.

(3) Paragraphs (2) and (4) to (9) of regulation 18 apply to a hearing as they apply to a public inquiry.

(4) Subject to regulation 18(5) to (7)—

(a) in the case of an application, the applicant is entitled to give, or to call another person to give, oral evidence; and

(b) any other person may give oral evidence with the permission of the inspector.

(5) Cross-examination is not permitted unless the inspector decides that it is necessary to ensure a sufficient examination of the issues.

Arolygiadau safle

22.—(1) Pan fo arolygydd yn cael ei benodi i gynnal ymchwiliad cyhoeddus, rhaid i'r arolygydd (oni bai y gwrthodir unrhyw ganiatâd sy'n angenrheidiol i wneud hynny) arolygu'r tir y mae'r cais neu'r cynnig yn effeithio arno cyn dyfarnu'r cais neu'r cynnig neu lunio adroddiad i'r awdurdod sy'n dyfarnu.

(2) Mewn unrhyw achos arall, cyn i gais neu gynnig gael ei ddyfarnu, caiff yr awdurdod sy'n dyfarnu gynnal arolygiad o'r tir y mae'r cais neu'r cynnig yn effeithio arno.

(3) Cyn cynnal arolygiad o safle o dan baragraff (1) neu (2) mewn perthynas â chais, rhaid i'r arolygydd neu'r awdurdod sy'n dyfarnu ofyn i'r ceisydd pa un a yw'r ceisydd yn dymuno bod yn bresennol neu gael ei gynrychioli.

Site inspections

22.—(1) Where an inspector is appointed to hold a public inquiry, the inspector must (unless any permission necessary to do so is refused) inspect the land affected by the application or proposal before determining the application or proposal or producing a report to the determining authority.

(2) In any other case, before an application or proposal is determined, the determining authority may conduct an inspection of the land affected by the application or proposal.

(3) Before a site inspection is made under paragraph (1) or (2) in relation to an application, the inspector or determining authority must ask the applicant whether the applicant wishes to be present or represented.

(4) Os yw'r ceisydd yn mynegi dymuniad i fod yn bresennol neu gael ei gynrychioli, rhaid i'r arolygydd neu'r awdurdod sy'n dyfarnu roi hysbysiad rhesymol i'r ceisydd o ddyddiad ac amser yr arolygiad, a rhoi'r cyfle i'r ceisydd neu ei gynrychiolydd fod yn bresennol.

(5) Nid oes angen gohirio'r arolygiad os nad yw'r ceisydd neu ei gynrychiolydd yn bresennol ar yr amser a bennwyd.

Newidiadau i'r weithdrefn

23.—(1) Mae'r rheoliad hwn yn gymwys pan fo hysbysiad wedi ei roi o dan reoliad 17 bod ymchwiliad cyhoeddus, neu wrandawiad os y person penodedig yw'r awdurdod sy'n dyfarnu, i'w gynnal mewn perthynas â'r cais neu'r cynnig.

(2) Pan mai awdurdod cofrestru yw'r awdurdod sy'n dyfarnu a'i fod o'r farn fod hynny'n rhesymol o dan yr amgylchiadau caiff, yn ddarostyngedig i baragraff (3), benderfynu ar unrhyw adeg cyn dechrau ymchwiliad cyhoeddus i ganslo'r ymchwiliad a dyfarnu'r cais heb gynnal ymchwiliad.

(3) Rhaid i'r awdurdod cofrestru ymgynghori â'r ceisydd cyn penderfynu canslo ymchwiliad cyhoeddus mewn perthynas â chais.

(4) Pan mai person penodedig yw'r awdurdod sy'n dyfarnu a'i fod o'r farn fod hynny'n rhesymol o dan yr amgylchiadau caiff, yn ddarostyngedig i baragraff (5), benderfynu ar unrhyw adeg cyn dechrau ymchwiliad cyhoeddus neu wrandawiad—

(a) canslo'r ymchwiliad neu'r gwrandawiad a dyfarnu'r cais heb gynnal ymchwiliad neu wrandawiad; neu

(b) cynnal gwrandawiad yn hytrach nag ymchwiliad, neu i'r gwrthwyneb.

(5) Rhaid i'r person penodedig ymgynghori â—

(a) y ceisydd, cyn penderfynu newid y weithdrefn ar gyfer dyfarnu cais; neu

(b) yr awdurdod sy'n cyfeirio, cyn penderfynu newid y weithdrefn ar gyfer dyfarnu cynnig.

Camau i'w cymryd yn dilyn dyfarnu cais neu gynnig

24.—(1) Pan fo cais yn cael ei ganiatáu neu y gwneir penderfyniad i roi effaith i gynnig, yn llawn neu'n rhannol, rhaid i'r awdurdod cofrestru roi effaith i'r dyfarniad yn y gofrestr briodol drwy ychwanegu, dileu, cywiro neu fel arall fel y bo'n briodol.

(2) Rhaid i'r awdurdod cofrestru roi hysbysiad ysgrifenedig o'r dyfarniad i—

(4) If the applicant expresses a wish to be present or be represented, the inspector or determining authority must give the applicant reasonable notice of the date and time of the inspection, and give the applicant or their representative the opportunity to be present.

(5) The inspection does not need to be postponed if the applicant or their representative is not present at the appointed time.

Changes of procedure

23.—(1) This regulation applies where notice has been given under regulation 17 that a public inquiry or, where the appointed person is the determining authority, a hearing is to be held in relation to the application or proposal.

(2) Where a registration authority is the determining authority and considers it reasonable in the circumstances it may, subject to paragraph (3), decide at any time before the start of a public inquiry to cancel the inquiry and determine the application without holding an inquiry.

(3) The registration authority must consult the applicant before deciding to cancel a public inquiry in relation to an application.

(4) Where an appointed person is the determining authority and considers it reasonable in the circumstances it may, subject to paragraph (5), decide at any time before the start of a public inquiry or hearing—

(a) to cancel the inquiry or hearing and determine the application without holding an inquiry or hearing; or

(b) to hold a hearing instead of an inquiry, or vice versa.

(5) The appointed person must consult—

(a) the applicant, before deciding to change the procedure for determining an application; or

(b) the referring authority, before deciding to change the procedure for determining a proposal.

Action to be taken following determination of application or proposal

24.—(1) Where an application is granted or a decision is made to give effect to a proposal, in whole or in part, the registration authority must give effect to the determination in the appropriate register by addition, deletion, correction or otherwise as may be appropriate.

(2) The registration authority must give written notice of the determination to—

(a) y ceisydd, os gwnaed y dyfarniad ar gais;

(b) pob person a gyflwynodd sylwadau ynghylch y cais neu'r cynnig; ac

(c) pob person (ac eithrio'r personau a grybwyllir yn is-baragraff (b)) a roddodd dystiolaeth mewn ymchwiliad cyhoeddus neu wrandawiad, pan fo enw a manylion cyswllt y person yn hysbys.

(3) Rhaid i hysbysiad o'r fath gynnwys—

(a) rhesymau dros y penderfyniad; a

(b) manylion unrhyw newidiadau a wnaed i'r gofrestr i roi effaith i'r penderfyniad.

(4) Rhaid i'r awdurdod cofrestru gyhoeddi'r penderfyniad mewn perthynas ag unrhyw gais neu gynnig, a'r rhesymau drosto, ar ei wefan.

(a) the applicant, if the determination was made upon an application;

(b) every person who made representations concerning the application or proposal; and

(c) every person (other than persons mentioned in sub-paragraph (b)) who gave evidence at a public inquiry or hearing, where the name and contact details of the person are known.

(3) Such notice must include—

(a) reasons for the decision; and

(b) details of any changes made to the register to give effect to the decision.

(4) The registration authority must publish the decision in relation to any application or proposal, and the reasons for it, on its website.

Dyfarndalu costau mewn perthynas â cheisiadau penodol

25.—(1) Mae'r rheoliad hwn yn gymwys mewn perthynas â chais o dan Atodlen 2 i Ddeddf 2006—

(a) pan gyfeirir y cais at berson penodedig; a

(b) pan gynhelir ymchwiliad cyhoeddus mewn perthynas â'r cais.

(2) Caiff yr arolygydd sy'n cynnal yr ymchwiliad cyhoeddus wneud gorchymyn am gostau yn erbyn unrhyw un o'r personau a bennir ym mharagraff (3) sydd, ym marn yr arolygydd, wedi ymddwyn yn afresymol, gan ei gwneud yn ofynnol talu i unrhyw berson a grybwyllir ym mharagraff (4) a bennir yn y gorchymyn mewn cysylltiad â chostau yr aeth y person a grybwyllir ym mharagraff (4) iddynt yn rhesymol yn unol â chamau afresymol y person a grybwyllir ym mharagraff (3).

(3) Y personau y caniateir eu gorchymyn i dalu costau yw—

(a) y ceisydd;

(b) unrhyw berson sy'n cymryd rhan yn yr ymchwiliad cyhoeddus; neu

(c) unrhyw awdurdod cofrestru sy'n cymryd rhan yn yr ymchwiliad cyhoeddus.

(4) Y personau y caniateir gwneud gorchymyn am gostau o'u plaid yw—

(a) y ceisydd;

(b) unrhyw berson sy'n cymryd rhan yn yr ymchwiliad cyhoeddus; neu

(c) unrhyw awdurdod cofrestru sy'n cymryd rhan yn yr ymchwiliad cyhoeddus.

Award of costs in relation to certain applications

25.—(1) This regulation applies in relation to an application under Schedule 2 to the 2006 Act where—

(a) the application is referred to an appointed person; and

(b) a public inquiry is held in relation to the application.

(2) The inspector conducting the public inquiry may make an order for costs against any of the persons specified in paragraph (3) who, in the opinion of the inspector, has acted unreasonably, requiring payment to such person mentioned in paragraph (4) as may be specified in the order in respect of costs reasonably incurred by the latter person pursuant to the unreasonable action of the former person.

(3) The persons who may be ordered to pay costs are—

(a) the applicant;

(b) any person taking part in the public inquiry; or

(c) any registration authority taking part in the public inquiry.

(4) The persons in whose favour an order for costs may be made are—

(a) the applicant;

(b) any person taking part in the public inquiry; or

(c) any registration authority taking part in the public inquiry.

RHAN 3

Atodol

Cyfathrebiadau electronig

26.—(1) Caniateir i unrhyw ofyniad gan y Rheoliadau hyn, neu oddi tanynt, i berson anfon dogfen at berson arall gael ei fodloni drwy gyfathrebiad electronig—

(a) os yw'n peri bod yr wybodaeth a gynhwysir yn y ddogfen honno ar gael i'r person arall ar ffurf sy'n debyg i'r ffurf y byddai'n ymddangos mewn dogfen a anfonir ar ffurf brintiedig; a

(b) os yw'r person arall, ac eithrio pan mai'r person arall yw'r awdurdod sy'n dyfarnu, yn cydsynio i'r hysbysiad neu'r ddogfen gael eu hanfon drwy'r ffurfiau hynny.

(2) Mae person sydd wedi darparu cyfeiriad e-bost i'w drin fel ei fod yn rhoi cydsyniad i ddogfen gael ei hanfon drwy e-bost.

(3) Caniateir i sylw ysgrifenedig, yn unol â rheoliad 14 neu 16 neu ymateb o dan reoliad 14, gael ei anfon ar ffurf cyfathrebiad electronig.

(4) Nid yw unrhyw ofyniad yn y Rheoliadau hyn i ddogfen gael ei llofnodi yn gymwys yn achos dogfen a anfonir drwy gyfathrebiad electronig.

(5) Nid yw paragraffau (1) a (4) yn gymwys mewn perthynas â phenodi personau i gyflawni swyddogaethau awdurdod cofrestru ac unrhyw ddirymiad dilynol o benodiad o'r fath (rheoliad 4) na chyflwyno ffurflen gais i awdurdod cofrestru (rheoliad 5).

(6) At ddibenion y paragraff hwn, mae "dogfen" yn cynnwys hysbysiad, dogfen, gwybodaeth neu dystiolaeth.

Cyflwyno dogfennau

27. Mae unrhyw ofyniad yn y Rheoliadau hyn i gyflwyno dogfen i berson arall wedi ei fodloni, os na ellir canfod y person hwnnw, drwy—

(a) gadael y ddogfen yn ei gyfeiriad olaf sy'n hysbys; neu

(b) anfon y ddogfen drwy bost cofrestredig i'r cyfeiriad hwnnw.

PART 3

Supplemental

Electronic communications

26.—(1) Any requirement by or under these Regulations for a person to send a document to another person may be met by means of an electronic communication if—

(a) it results in the information contained in that document being available to the other person in a form similar to the form in which it would appear in a document sent in printed form; and

(b) except where the other person is the determining authority, the other person consents to the notice or document being sent by those means.

(2) A person who has provided an email address is to be treated as consenting to a document being sent by email.

(3) A written representation pursuant to regulation 14 or 16 or reply under regulation 14 may be sent by means of an electronic communication.

(4) Any requirement in these Regulations for a document to be signed does not apply in the case of a document sent by means of an electronic communication.

(5) Paragraphs (1) and (4) do not apply in relation to the appointment of persons to discharge functions of a registration authority and any subsequent revocation of such appointment (regulation 4) or the submission of an application form to a registration authority (regulation 5).

(6) For the purposes of this paragraph "document" includes a notice, document, information or evidence.

Service of documents

27. Any requirement in these Regulations to serve a document on another person is satisfied, if that person cannot be found, by—

(a) leaving the document at that person's last known address; or

(b) sending the document by registered post to that address.

Archwilio a chopïo dogfennau

28.—(1) Rhaid i'r awdurdod cofrestru drin unrhyw gais i archwilio neu wneud copïau o unrhyw ddogfen y cyfeirir ati yn adran 20(1)(b) neu (c) o Ddeddf 2006 fel cais am wybodaeth o dan y ddeddfwriaeth berthnasol.

(2) Pan nad yw'r ddeddfwriaeth berthnasol yn ei gwneud yn ofynnol i'r wybodaeth a gynhwysir yn y ddogfen gael ei chyfleu neu fod ar gael, caiff yr awdurdod cofrestru wrthod caniatáu i'r ddogfen gael ei harolygu, neu i gopïau gael eu gwneud ohoni.

(3) Yn y rheoliad hwn ac yn rheoliad 29, ystyr "deddfwriaeth berthnasol" yw Rheoliadau Gwybodaeth Amgylcheddol 2004(**1**) neu Ddeddf Rhyddid Gwybodaeth 2000(**2**).

Copïau swyddogol

29.—(1) Caiff unrhyw berson wneud cais i awdurdod cofrestru ddarparu copi swyddogol o unrhyw gofrestr neu ddogfen, neu unrhyw ran ohoni, y cyfeirir ati yn adran 21(1) o Ddeddf 2006.

(2) Caiff awdurdod cofrestru godi ffi am ddarparu copi swyddogol, nad yw'n uwch na'r gost o ddarparu copïau swyddogol.

(3) Yn ddarostyngedig i baragraff (4), ar ôl cael cais am gopi swyddogol, a thaliad o unrhyw ffi, rhaid i awdurdod cofrestru ddarparu darn o'r gofrestr neu gopi o'r ddogfen, a ardystiwyd ar ran yr awdurdod cofrestru fel darn neu gopi cywir ar y dyddiad dyroddi.

(4) Caiff awdurdod cofrestru wrthod cais i ddarparu copi swyddogol o ddogfen, neu unrhyw ran ohoni, y cyfeirir ati yn adran 20(1)(b) neu (c) o Ddeddf 2006 pan nad yw'r ddeddfwriaeth berthnasol yn ei gwneud yn ofynnol i'r wybodaeth a gynhwysir yn y ddogfen gael ei chyfleu neu fod ar gael.

Stamp swyddogol yr awdurdod cofrestru

30. —(1) Rhaid i bob awdurdod cofrestru gael stamp swyddogol at ddibenion Deddf 2006, y mae ei argraff yn rhoi'r wybodaeth a ganlyn—

DEDDF TIROEDD COMIN 2006

[Enw'r awdurdod cofrestru]

AWDURDOD COFRESTRU TIROEDD COMIN

[Dyddiad].

Inspection and copying of documents

28.—(1) Any request to inspect or make copies of any document referred to in section 20(1)(b) or (c) of the 2006 Act must be treated by the registration authority as a request for information under the relevant legislation.

(2) Where the relevant legislation does not require the information contained in the document to be communicated or made available, the registration authority may refuse to permit inspection, or copies to be taken, of that document.

(3) In this regulation and in regulation 29, "relevant legislation" means the Environmental Information Regulations 2004(**1**) or the Freedom of Information Act 2000(**2**).

Official copies

29.—(1) Any person may request a registration authority to provide an official copy of, or of any part of, any register or document referred to in section 21(1) of the 2006 Act.

(2) A registration authority may charge a fee for providing an official copy, not exceeding its costs in providing official copies.

(3) Subject to paragraph (4), upon receiving a request for an official copy, and payment of any fee, a registration authority must provide an extract from the register or a copy of the document, certified on behalf of the registration authority as a true extract or copy as at the date of issue.

(4) A registration authority may refuse a request to provide an official copy of, or of any part of, a document referred to in section 20(1)(b) or (c) of the 2006 Act where the relevant legislation does not require the information contained in the document to be communicated or made available.

Official stamp of registration authority

30.—(1) Every registration authority must have an official stamp for the purposes of the 2006 Act, an impression of which bears the following information—

COMMONS ACT 2006

[Name of registration authority]

COMMONS REGISTRATION AUTHORITY

[Date].

(**1**) O.S. 2004/3391.
(**2**) 2000 p. 36.

(**1**) S.I. 2004/3391.
(**2**) 2000 c. 36.

(2) Mae gofyniad i awdurdod cofrestru stampio unrhyw ddogfen yn ofyniad i achosi bod argraff y stamp swyddogol wedi ei gosod arni, sy'n rhoi'r dyddiad a grybwyllir yn y gofyniad neu (pan na chrybwyllir dyddiad yn y gofyniad) y dyddiad y gosodwyd y stamp.

(2) A requirement for a registration authority to stamp any document is a requirement to cause an impression of the official stamp to be affixed to it, bearing the date mentioned in the requirement or (where no date is mentioned in the requirement) the date when the stamp is affixed.

Dirymiadau ac arbedion

31.—(1) Mae'r darpariaethau a ganlyn o Reoliadau 1966 wedi eu dirymu—

(a) rheoliad 26 (cyfeiriadau newydd);

(b) rheoliad 33 (copïau a rhannau ardystiedig);

(c) rheoliad 34 (ffioedd ar gyfer chwiliadau etc.); a

(d) rheoliad 36 (camgymeriadau a hepgoriadau).

(2) Mae paragraff (3) yn gymwys pan fo—

(a) cais i ddiwygio cofrestr wedi ei wneud i awdurdod cofrestru cyn 5 Mai 2017, yn unol â rheoliad 26 o Reoliadau 1966; a

(b) yr awdurdod cofrestru heb ddyfarnu ar y cais cyn y dyddiad hwnnw.

(3) Bydd yr awdurdod cofrestru yn parhau i ymdrin â'r cais ar ac ar ôl 5 Mai 2017 fel pe na bai rheoliad 26 o Reoliadau 1966 wedi ei ddiddymu.

(4) Mae paragraff (5) yn gymwys pan fo—

(a) camgymeriad neu hepgoriad yn cael ei ddarganfod, cyn 5 Mai 2017, yn unol â rheoliad 36 o Reoliadau 1966; a

(b) yr awdurdod cofrestru heb gywiro'r gofrestr cyn y dyddiad hwnnw.

(5) Bydd yr awdurdod cofrestru yn parhau i ymdrin ag unrhyw gywiriad angenrheidiol ar ac ar ôl 5 Mai 2017 fel pe na bai rheoliad 36 o Reoliadau 1966 wedi ei ddiddymu.

Revocations and savings

31.—(1) The following provisions of the 1966 Regulations are revoked—

(a) regulation 26 (new addresses);

(b) regulation 33 (certified copies and extracts);

(c) regulation 34 (fees for searches, etc.); and

(d) regulation 36 (errors and omissions).

(2) Paragraph (3) applies where—

(a) an application for the amendment of a register has been made to a registration authority before 5 May 2017, pursuant to regulation 26 of the 1966 Regulations; and

(b) the registration authority has not determined the application before that date.

(3) The registration authority shall continue to deal with the application on and after 5 May 2017 as if regulation 26 of the 1966 Regulations had not been repealed.

(4) Paragraph (5) applies where—

(a) an error or omission is discovered, before 5 May 2017, pursuant to regulation 36 of the 1966 Regulations; and

(b) the registration authority has not corrected the register before that date.

(5) The registration authority shall continue to deal with any necessary correction on and after 5 May 2017 as if regulation 36 of the 1966 Regulations had not been repealed.

Lesley Griffiths

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru
9 Ebrill 2017

Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers
9 April 2017

ATODLEN 1 Rheoliad 5(2)

Gwneud cais

Ceisiadau o dan adran 19(4)(b): diwygio cofrestr o dir comin neu feysydd tref neu bentref

1.—(1) Rhaid i gais a wneir o dan adran 19(4)(b) o Ddeddf 2006 gynnwys—

(a) datganiad o'r diben (sef un o'r rhai a ddisgrifir yn adran 19(2) o Ddeddf 2006) y gwneir y cais ar ei gyfer;

(b) rhif yr uned gofrestr ac, i'r graddau y mae'n berthnasol i'r gwall neu'r mater arall yn y gofrestr y mae'r cais yn ceisio ei gywiro, rhif cofnod yr adran hawliau, yn y gofrestr y mae'r cais yn ymwneud â hi;

(c) tystiolaeth o'r gwall neu'r mater arall yn y gofrestr y mae'r cais yn ceisio ei gywiro; a

(d) disgrifiad o'r diwygiad a geisir yn y gofrestr.

Ceisiadau o dan Atodlen 2: tir comin heb ei gofrestru neu dir wedi ei gam-gofrestru

2.—(1) Rhaid i gais a wneir o dan Atodlen 2 i Ddeddf 2006, at y diben o unioni tir comin heb ei gofrestru neu dir comin a gam-gofrestrwyd o dan Ddeddf 1965, gael ei wneud ar neu cyn 4 Mai, 2032.

(2) Rhaid i gais a wneir o dan Atodlen 2 i Ddeddf 2006 gynnwys disgrifiad o'r tir y mae'r cais yn ymwneud ag ef.

(3) Mewn cais a wneir o dan baragraff 2 neu 3 o Atodlen 2 i Ddeddf 2006, ni chaiff y tir y mae'r cais yn ymwneud ag ef gynnwys tir sydd wedi ei orchuddio gan adeilad neu sydd o fewn cwrtil adeilad os yw'r holl gydsyniadau adeiladu angenrheidiol wedi eu cael (ac y darperir tystiolaeth o gydsyniadau o'r fath) ac nad yw perchennog y tir hwnnw yn cydsynio i'w gofrestru.

(4) Rhaid i gais a wneir o dan baragraff 2 o Atodlen 2 i Ddeddf 2006 gynnwys—

(a) tystiolaeth o gymhwysiad y paragraff hwnnw, fel y'i disgrifir ym mharagraff 2(2) o'r Atodlen honno, i'r tir y mae'r cais yn ymwneud ag ef;

(b) copi o unrhyw ddeddfiad neu gynllun y cyfeirir ato ym mharagraff 2(2)(b) o'r Atodlen honno, y mae'r tir y mae'r cais yn ymwneud ag ef yn cael ei reoleiddio, ei gydnabod neu ei ddynodi drwyddo, neu y mae'n ddarostyngedig iddo;

SCHEDULE 1 Regulation 5(2)

Making an application

Applications under section 19(4)(b): amendment of a register of common land or town or village greens

1.—(1) An application made under section 19(4)(b) of the 2006 Act must include—

(a) a statement of the purpose (being one of those described in section 19(2) of the 2006 Act) for which the application is made;

(b) the number of the register unit and, in so far as is relevant to the mistake or other matter in the register in respect of which the application seeks correction, the number of the rights section entry, in the register to which the application relates;

(c) evidence of the mistake or other matter in the register in respect of which the application seeks correction; and

(d) a description of the amendment sought in the register.

Applications under Schedule 2: non-registration or mistaken registration

2.—(1) An application made under Schedule 2 to the 2006 Act, for the purpose of remedying non-registration or mistaken registration under the 1965 Act, must be made on or before 4 May 2032.

(2) An application made under Schedule 2 to the 2006 Act must include a description of the land to which the application relates.

(3) In an application made under paragraph 2 or 3 of Schedule 2 to the 2006 Act, the land to which the application relates may not include land that is covered by a building or which is within the curtilage of a building if all of the necessary building consents have been obtained (and evidence of such consent is provided) and the owner of that land does not consent to its registration.

(4) An application made under paragraph 2 of Schedule 2 to the 2006 Act must include—

(a) evidence of the application of that paragraph, as described in paragraph 2(2) of that Schedule, to the land to which the application relates;

(b) a copy of any enactment or scheme referred to in paragraph 2(2)(b) of that Schedule, by which the land to which the application relates is regulated, recognised or designated, or to which it is subject;

(c) tystiolaeth, os yw'n gymwys, bod unrhyw gydsyniad y cyfeirir ato o dan is-baragraff (3) wedi ei roi.

(5) Rhaid i gais a wneir o dan baragraff 3 o Atodlen 2 i Ddeddf 2006 gynnwys—

(a) tystiolaeth o gymhwysiad y paragraff hwnnw, fel y'i disgrifir ym mharagraff 3(2) o'r Atodlen honno, i'r tir y mae'r cais yn ymwneud ag ef;

(b) copi o unrhyw ddeddfiad y neilltuwyd y tir ganddo neu oddi tano (ac y mae'n parhau i gael ei neilltuo), gan gynnwys unrhyw ddyfarniad; ac

(c) tystiolaeth, os yw'n gymwys, bod unrhyw gydsyniad y cyfeirir ato o dan is-baragraff (3) wedi ei roi.

(6) Rhaid i gais a wneir o dan baragraff 4, 5, 6, 7, 8 neu 9 o Atodlen 2 i Ddeddf 2006 gynnwys tystiolaeth o gymhwysiad y paragraff priodol, fel y'i disgrifir ym mharagraff 4(2), 5(2), 6(2), 7(2), 8(2) neu 9(2) o'r Atodlen honno, i'r tir y mae'r cais yn ymwneud ag ef.

ATODLEN 2 Rheoliad 6(4)

Cais o fath a diben na chaniateir pennu ffi ar ei gyfer

Darpariaeth o Ddeddf 2006 y gwneir y cais oddi tani, neu y gwneir y cais at ei diben	*Diben y cais*
adran 19	cywiro, at ddiben adran 19(2)(a) (gwall a wnaed gan yr awdurdod cofrestru)
adran 19	cywiro, at ddiben a ddisgrifir yn adran 19(2)(c)
Atodlen 2, paragraff 2 neu 3	tir comin neu faes tref neu bentref sydd heb ei gofrestru
Atodlen 2, paragraff 4	tir gwastraff maenor sydd heb ei gofrestru fel tir comin
Atodlen 2, paragraff 5	maes tref neu bentref a gam-gofrestrwyd fel tir comin

(c) evidence, if applicable, that any consent referred to under sub-paragraph (3) has been given.

(5) An application made under paragraph 3 of Schedule 2 to the 2006 Act must include—

(a) evidence of the application of that paragraph, as described in paragraph 3(2) of that Schedule, to the land to which the application relates;

(b) a copy of any enactment by or under which the land was (and continues to be) allotted, including any award; and

(c) evidence, if applicable, that any consent referred to under sub-paragraph (3) has been given.

(6) An application made under paragraph 4, 5, 6, 7, 8 or 9 of Schedule 2 to the 2006 Act must include evidence of the application of the appropriate paragraph, as described in paragraph 4(2), 5(2), 6(2), 7(2), 8(2) or 9(2) of that Schedule, to the land to which the application relates.

SCHEDULE 2 Regulation 6(4)

Application of a type and purpose for which no fee may be specified

Provision of the 2006 Act under which, or for the purposes of which, the application is made	*Purpose of application*
section 19	correction, for the purpose of section 19(2)(a) (of a mistake made by the registration authority)
section 19	correction, for a purpose described in section 19(2)(c)
Schedule 2, paragraph 2 or 3	non-registration of common land or town or village green
Schedule 2, paragraph 4	waste land of a manor not registered as common land
Schedule 2, paragraph 5	town or village green wrongly registered as common land

ATODLEN 3 Rheoliad 10(1)(c)

Personau y mae'n rhaid i'r awdurdod cofrestru gyflwyno hysbysiad o gais iddynt

1.Ym mhob achos—

(a) unrhyw berson sydd wedi gwneud datganiad, a gofnodwyd yn briodol yn y gofrestr, o hawlogaeth i hawl comin dros unrhyw dir sy'n ffurfio'r uned gofrestr gyfan neu'r ran ohoni y mae'r cais yn ymwneud â hi;

(b) unrhyw gyngor tiroedd comin a sefydlir ar gyfer tir sy'n cynnwys y tir y mae'r cais yn ymwneud ag ef; ac

(c) oni bai bod yr awdurdod cofrestru yn penderfynu fel arall yn unol â rheoliad 10(2), unrhyw berson sydd wedi ei gofrestru fel perchennog hawl comin mewn gros sy'n arferadwy dros ran neu'r cyfan o'r tir y mae'r cais yn ymwneud ag ef.

2. Yn ogystal â hynny, yn achos cais o fath a bennir yng ngholofn gyntaf y tabl a ganlyn, yr holl bersonau (ac eithrio pan fo'r person hwnnw y ceisydd) a bennir yn y cofnod cyfatebol yn yr ail golofn.

Y personau ychwanegol y mae'n rhaid i'r awdurdod cofrestru gyflwyno hysbysiad o'r cais iddynt

Y math o gais	*Y personau y mae'n rhaid cyflwyno hysbysiad o'r cais iddynt*
Cais o dan adran 19 o Ddeddf 2006, i gywiro cofrestr	1. Perchennog unrhyw dir yr effeithir arno gan y cais. 2. Mewn perthynas â chais at y diben o ddiweddaru unrhyw enw neu gyfeiriad y cyfeirir ato mewn cofnod, unrhyw berson y mae'r cofnod hwnnw'n cyfeirio ato.
Cais o dan Atodlen 2 i Ddeddf 2006 i gofrestru tir sydd heb ei gofrestru, neu i ddatgofrestru tir a gam-gofrestrwyd, o dan Ddeddf 1965	1. Perchennog y tir y mae'r cais yn ymwneud ag ef. 2. Unrhyw feddiannydd neu lesddeiliad o'r tir hwnnw.

SCHEDULE 3 Regulation 10(1)(c)

Persons on whom registration authority must serve notice of an application

1. In all cases—

(a) any person who has made a declaration, duly recorded in the register, of entitlement to a right of common over any land comprising the whole or part of the register unit to which the application relates;

(b) any commons council established for land which includes the land to which the application relates; and

(c) unless the registration authority decides otherwise pursuant to regulation 10(2), any person who is registered as the owner of a right of common in gross which is exercisable over all or part of the land to which the application relates.

2. Additionally, in the case of an application of a type specified in the first column of the following table, all the persons (other than where that person is the applicant) specified in the corresponding entry in the second column.

Additional persons on whom the registration authority must serve notice of the application

Type of application	*Persons on whom notice of application must be served*
Application under section 19 of the 2006 Act, to correct a register	1. The owner of any land affected by the application. 2. In relation to an application for the purpose of updating any name or address referred to in an entry, any person to whom that entry refers.
Application under Schedule 2 to the 2006 Act, to register land not registered, or to deregister land mistakenly registered, under the 1965 Act	1. The owner of the land to which the application relates. 2. Any occupier or lessee of that land.

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