Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026

2026 dsc 3

Homelessness and Social Housing Allocation (Wales) Act 2026

2026 asc 3

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Ddeddf hon ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately.

£24.40

williams lea | tso
An RRD Company

Cyhoeddwyd gan TSO (Y Llyfrfa), rhan o Williams Lea, ac ar gael o:

Arlein
www.tsoshop.co.uk

Post, Ffôn ac E-bost
TSO
Blwch Post 29, Norwich, NR3 1GN
Archebionf ffôn/ Ymholiadau cyffredinol 0333 202 5070
E-bost: customer.services@tso.co.uk
Ffôn Testun: 0333 202 5077

Published by TSO (The Stationery Office), part of Williams Lea, and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-348-11395-2

9 780348 113952

Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026

2026 dsc 3

Homelessness and Social Housing Allocation (Wales) Act 2026

2026 asc 3

Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026

2026 dsc 3

CYNNWYS

RHAN 1

DIGARTREFEDD

Cymorth i atal digartrefedd

1 Ystyr "o dan fygythiad o ddigartrefedd"
2 Cymorth i atal ceisydd rhag dod yn ddigartref

Asesu anghenion a chynlluniau ar gyfer sicrhau llety a chefnogaeth

3 Dyletswydd i asesu a hysbysiad am ganlyniad asesiad
4 Cynlluniau atal, cefnogaeth a llety

Adolygiadau

5 Hawl i ofyn am adolygiad

Diwygio dyletswyddau i sicrhau llety

6 Dyletswydd i sicrhau llety ar gyfer personau digartref cymwys sydd â chysylltiad lleol â Chymru
7 Amgylchiadau pan fo'r ddyletswydd i sicrhau llety ar gyfer ceiswyr yn dod i ben
8 Dyletswydd interim i sicrhau llety ar gyfer ceiswyr digartref



Homelessness and Social Housing Allocation (Wales) Act 2026

2026 asc 3

CONTENTS

PART 1

HOMELESSNESS

Help to prevent homelessness

1 Meaning of "threatened with homelessness"
2 Help to prevent an applicant from becoming homeless

Assessment of needs and plans for securing accommodation and support

3 Duty to assess and notice of outcome of assessment
4 Prevention, support and accommodation plans

Reviews

5 Right to request a review

Reform of duties to secure accommodation

6 Duty to secure accommodation for eligible homeless persons with a local connection to Wales
7 Circumstances in which the duty to secure accommodation for applicants comes to an end
8 Interim duty to secure accommodation for homeless applicants

Diddymu hawlogaeth drwy gyfeirio at anghenion blaenoriaethol a digartrefedd bwriadol

9 Diddymu gwahaniaethau o ran hawlogaeth sy'n ymwneud ag angen blaenoriaethol
10 Diddymu gwahaniaethau o ran hawlogaeth sy'n ymwneud â digartrefedd bwriadol

Atgyfeiriadau yn sgil cysylltiadau lleol

11 Atgyfeirio achosion at awdurdod tai lleol arall
12 Ystyr cysylltiad lleol
13 Esemptio rhag atgyfeirio at awdurdod tai lleol arall
14 Dyletswyddau i geiswyr mewn achosion atgyfeirio
15 Achosion a atgyfeirir gan awdurdod tai lleol yn Lloegr
16 Hysbysiad i geiswyr mewn achosion atgyfeirio

Dyletswyddau pellach o ran atal digartrefedd

17 Cymorth i gadw llety addas a sicrhawyd wrth arfer swyddogaethau digartrefedd
18 Dyletswydd i gysylltu â cheiswyr penodol ar ôl i'r ddyletswydd yn adran 75 ddod i ben

Ymddygiad annerbyniol sy'n dod â dyletswyddau i ben

19 Amgylchiadau pellach pan fo'r dyletswyddau i gynorthwyo ceiswyr yn dod i ben

Dyletswydd i ofyn a gweithredu

20 Dyletswydd person penodedig i ofyn a gweithredu
21 Dyletswydd i atgyfeirio personau yn Lloegr at awdurdod tai lleol yng Nghymru

Darpariaeth ar gyfer pobl hyglwyf

22 Dyletswydd i sicrhau bod gan bobl ifanc sy'n gadael gofal lety addas
23 Protocol ar gyfer ymdrin ag achosion sy'n ymwneud â phersonau sy'n gadael gofal etc.
24 Protocol ar gyfer ymdrin ag achosion sy'n ymwneud â phersonau y mae angen cefnogaeth arnynt yn benodol
25 Gwarchod eiddo: carcharorion
26 Dyletswydd i ddarparu gwybodaeth, cyngor a chynhorthwy: personau a gedwir yn gaeth
27 Y diffiniad o "camdriniaeth"

Ceisio safbwyntiau personau digartref

28 Dyletswydd i geisio safbwyntiau personau digartref wrth arfer swyddogaethau digartrefedd

Cyflwr llety

29 Addasrwydd llety
30 Adroddiadau ar ddefnydd a chyflwr llety interim

Abolishing entitlement by reference to priority needs and intentional homelessness

9 Abolition of differences in entitlement related to priority need
10 Abolition of differences in entitlement related to intentional homelessness

Local connection referrals

11 Referral of cases to another local housing authority
12 Meaning of local connection
13 Exemption from referral to another local housing authority
14 Duties to applicants in referral cases
15 Cases referred from a local housing authority in England
16 Notice to applicants in referral cases

Further homelessness prevention duties

17 Help to retain suitable accommodation secured in exercise of homelessness functions
18 Duty to contact certain applicants after duty in section 75 comes to an end

Unacceptable behaviour that brings duties to an end

19 Further circumstances in which the duties to help applicants end

Duty to ask and act

20 Duty of a specified person to ask and act
21 Duty to refer persons in England to a local housing authority in Wales

Provision for vulnerable people

22 Duty to ensure young people leaving care have suitable accommodation
23 Protocol for handling cases involving care leavers etc.
24 Protocol for handling cases involving persons in particular need of support
25 Protection of property: prisoners
26 Duty to provide information, advice and assistance: detained persons
27 Definition of "abuse"

Seeking the views of homeless persons

28 Duty to seek the views of homeless persons in exercise of homelessness functions

Condition of accommodation

29 Suitability of accommodation
30 Reports on use and condition of interim accommodation

Cydweithredu

31 Cydweithredu
32 Cydweithredu rhwng landlordiaid cymdeithasol ac awdurdodau tai lleol

Gweld llety

33 Gweld llety

RHAN 2

DYRANNU TAI CYMDEITHASOL

Personau cymhwysol ar gyfer dyrannu tai cymdeithasol

34 Anghymwystra ar gyfer dyraniad tai o ganlyniad i ymddygiad annerbyniol

Ffafriaeth i bersonau mewn cynlluniau dyrannu

35 Dim ffafriaeth i bersonau sy'n ceisio manipiwleiddio'r system dai
36 Ffafriaeth i bobl ifanc sy'n gadael gofal

Cofrestrau

37 Cofrestrau tai

RHAN 3

AMRYWIOL A CHYFFREDINOL

Amrywiol

38 Canllawiau i awdurdodau tai lleol ar warantau rhent
39 Adolygu gweithrediad ac effaith newidiadau a wneir gan y Ddeddf hon

Cyffredinol

40 Dehongli
41 Mân ddarpariaethau a darpariaethau canlyniadol
42 Pŵer i wneud darpariaeth ganlyniadol a darpariaeth drosiannol etc.
43 Dod i rym
44 Adroddiadau cynnydd ar ddwyn y Ddeddf i rym
45 Enw byr

Atodlen - Mân ddarpariaethau a darpariaethau canlyniadol

Co-operation

31 Co-operation
32 Co-operation between social landlords and local housing authorities

Viewing accommodation

33 Viewing accommodation

PART 2

SOCIAL HOUSING ALLOCATION

Qualifying persons for allocation of social housing

34 Ineligibility for allocation of housing as a result of unacceptable behaviour

Preference for persons in allocation schemes

35 No preference for persons who try to manipulate the housing system
36 Preference for young people leaving care

Registers

37 Housing registers

PART 3

MISCELLANEOUS AND GENERAL

Miscellaneous

38 Guidance to local housing authorities on rent guarantees
39 Review of the operation and effect of changes made by this Act

General

40 Interpretation
41 Minor and consequential provision
42 Power to make consequential and transitional provision etc.
43 Coming into force
44 Progress reports on bringing the Act into force
45 Short title

Schedule - Minor and consequential provision

Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026

Deddf gan Senedd Cymru i ddiwygio'r gyfraith ar gymorth i atal a rhoi diwedd ar ddigartrefedd ac i ddiwygio'r gyfraith ynghylch dyrannu tai cymdeithasol. [1 Ebrill 2026]

Gan ei fod wedi ei basio gan Senedd Cymru ac wedi derbyn cydsyniad Ei Fawrhydi, deddfir fel a ganlyn:

RHAN 1

DIGARTREFEDD

Cymorth i atal digartrefedd

1 Ystyr "o dan fygythiad o ddigartrefedd"

(1) Mae adran 55 o Ddeddf Tai (Cymru) 2014 (dccc 7) ("Deddf 2014") (ystyr digartrefedd a'r bygythiad o ddigartrefedd) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (4), yn lle "os yw'n debygol y bydd y person yn dod yn ddigartref o fewn 56 o ddiwrnodau." rhodder "—

(a) os yw'r person wedi cael hysbysiad ysgrifenedig yn ei gwneud yn ofynnol i'r person ildio meddiannaeth o lety'r person,

(b) os yw cais wedi ei wneud i'r Uchel Lys neu i'r llys sirol am orchymyn i berson arall adennill meddiant o lety'r person, neu

(c) os yw'n debygol y bydd y person yn dod yn ddigartref o fewn 6 mis (pa un a yw paragraff (a) neu (b) yn gymwys ai peidio)."

(3) Ar ôl is-adran (4) mewnosoder—

"(5) Nid yw is-adran (4)(a) yn gymwys ond i hysbysiad sy'n ei gwneud yn ofynnol i berson ildio meddiannaeth o lety a roddir gan berson yr ymddengys ei fod â hawl i roi hysbysiad o'r fath mewn cysylltiad â'r llety, ni waeth—

Homelessness and Social Housing Allocation (Wales) Act 2026

An Act of Senedd Cymru to reform the law on support to prevent and end homelessness and to reform the law about the allocation of social housing. [1 April 2026]

Having been passed by Senedd Cymru and having received the assent of His Majesty, it is enacted as follows:

PART 1

HOMELESSNESS

Help to prevent homelessness

1 Meaning of "threatened with homelessness"

(1) Section 55 of the Housing (Wales) Act 2014 (anaw 7) ("the 2014 Act") (meaning of homeless and threatened with homelessness) is amended as follows.

(2) In subsection (4), for "it is likely that the person will become homeless within 56 days." substitute " —

(a) the person has received written notice requiring the person to give up occupation of the person's accommodation,

(b) an application has been made to the High Court or the county court for an order for possession of the person's accommodation by another person, or

(c) it is likely that the person will become homeless within 6 months (whether paragraph (a) or (b) applies or not)."

(3) After subsection (4) insert —

"(5) Subsection (4)(a) applies only to notice requiring a person to give up occupation of accommodation given by a person who appears entitled to give such notice in respect of the accommodation, regardless of —

(a) a yw'r hysbysiad yn ddilys fel arall, a

(b) beth fo rhinweddau unrhyw hawliad posibl am feddiant o'r llety gan y person a roddodd yr hysbysiad."

2 Cymorth i atal ceisydd rhag dod yn ddigartref

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Hepgorer adran 65 (ystyr cynorthwyo i sicrhau).

(3) Yn adran 66 (dyletswydd i gynorthwyo i atal ceisydd rhag dod yn ddigartref)—

(a) yn lle is-adran (1) rhodder—

"(1) Mae'r adran hon yn gymwys os yw awdurdod tai lleol yn fodlon bod ceisydd o dan fygythiad o ddigartrefedd a'i fod yn gymwys i gael cymorth.

(1A) Rhaid i'r awdurdod gynorthwyo i sicrhau nad yw llety addas yn peidio â bod ar gael i'r ceisydd ei feddiannu drwy gymryd camau rhesymol sy'n debygol o gyflawni'r diben hwnnw.

(1B) Nid yw is-adran (1A) yn ei gwneud yn ofynnol i'r awdurdod sicrhau cynnig o lety o dan Ran 6 o Ddeddf Tai 1996 (p. 52) (dyrannu tai) neu ddarparu llety fel arall.";

(b) yn is-adran (2), yn lle "(1)" rhodder "(1A)".

Asesu anghenion a chynlluniau ar gyfer sicrhau llety a chefnogaeth

3 Dyletswydd i asesu a hysbysiad am ganlyniad asesiad

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 62 (dyletswydd i asesu)—

(a) yn is-adran (3), ar ôl "yn gymwys iddo" mewnosoder "ac, yn adrannau 85, 86 ac 88 yn unig, mae'n cynnwys person sydd wedi gwneud cais i awdurdod tai lleol am lety neu gymorth i gadw neu gael gafael ar lety ond bod yr awdurdod wedi penderfynu peidio â chynnal asesiad o achos y person";

(b) yn is-adran (5)(c)—

(i) daw'r geiriau o "i gadw" hyd at y diwedd yn is-baragraff (i);

(ii) ar ôl "ddod ar gael" mewnosoder ", neu

(ii) i oresgyn unrhyw rwystr rhag byw'n annibynnol";

(c) yn is-adran (5), ar ôl paragraff (c) mewnosoder—

"(ca) y gefnogaeth y mae ei hangen ar y ceisydd i wneud cyfathrebu â'r ceisydd wrth arfer swyddogaethau o dan y Bennod hon yn hygyrch i'r ceisydd;";

(d) yn is-adran (6)—

(i) yn lle paragraff (a) rhodder—

(a) whether the notice is otherwise valid, and

(b) the merits of any potential claim for possession of the accommodation by the person who gave the notice."

2 Help to prevent an applicant from becoming homeless

(1) The 2014 Act is amended as follows.

(2) Omit section 65 (meaning of help to secure).

(3) In section 66 (duty to help prevent an applicant from becoming homeless)—

(a) for subsection (1) substitute—

"(1) This section applies if a local housing authority is satisfied that an applicant is threatened with homelessness and eligible for help.

(1A) The authority must help to secure that suitable accommodation does not cease to be available for occupation by the applicant by taking reasonable steps likely to achieve that purpose.

(1B) Subsection (1A) does not require the authority to secure an offer of accommodation under Part 6 of the Housing Act 1996 (c. 52) (allocation of housing) or otherwise provide accommodation.";

(b) in subsection (2), for "(1)" substitute "(1A)".

Assessment of needs and plans for securing accommodation and support

3 Duty to assess and notice of outcome of assessment

(1) The 2014 Act is amended as follows.

(2) In section 62 (duty to assess)—

(a) in subsection (3), after "applies" insert "and, in sections 85, 86 and 88 only, includes a person who has applied to a local housing authority for accommodation or help in retaining or obtaining accommodation but the authority has decided not to carry out an assessment of the person's case";

(b) in subsection (5)(c)—

(i) the words from "to retain" to the end become sub-paragraph (i);

(ii) after "available" insert ", or

(ii) to overcome any barrier to living independently";

(c) in subsection (5), after paragraph (c) insert—

"(ca) the support needed by the applicant to make communication with the applicant in the exercise of functions under this Chapter accessible to the applicant;";

(d) in subsection (6)—

(i) for paragraph (a) substitute—

"(a) ceisio safbwyntiau'r ceisydd ar y materion y mae'n rhaid i'r awdurdod eu hasesu o dan baragraffau (a) i (ca) o is-adran (5) a rhoi sylw i'r safbwyntiau hynny;";

(ii) yn lle paragraff (b) rhodder—

"(b) gwneud ymholiadau sy'n berthnasol i'r asesiad ynghylch nodweddion ac amgylchiadau personol y ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd.";

(e) yn is-adran (7), yn lle "is-adrannau (5) a (6)" rhodder "is-adran (5)";

(f) hepgorer is-adrannau (9), (10) ac (11).

(3) Yn adran 63 (hysbysu am ganlyniad asesiad)—

(a) yn y pennawd, ar ôl "asesiad" mewnosoder "a phenderfyniadau";

(b) o flaen is-adran (1) mewnosoder—

"(A1) Os yw awdurdod tai lleol yn penderfynu peidio â chynnal asesiad o achos person sydd wedi gwneud cais i'r awdurdod o dan adran 62, rhaid i'r awdurdod hysbysu'r person a rhoi gwybod i'r person am y rhesymau dros ei benderfyniad.";

(c) yn is-adran (1), ar ôl "o'i asesiad)" mewnosoder "mewn cysylltiad â'r materion a ddisgrifir yn adran 62(4) ac ym mharagraffau (a) i (d) o adran 62(5)";

(d) yn adran (4)—

(i) ar ôl "is-adran" mewnosoder "(A1),";

(ii) ym mharagraff (a), ar ôl "adolygiad o'r" mewnosoder "asesiad neu'r".

4 Cynlluniau atal, cefnogaeth a llety

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 63 (hysbysu am ganlyniad asesiad) mewnosoder—

"63A Cynlluniau atal, cefnogaeth a llety

(1) Os yw awdurdod tai lleol yn ystyried bod dyletswydd arno i geisydd o dan ddarpariaethau canlynol y Bennod hon, rhaid i'r awdurdod baratoi a chynnal cynllun atal, cefnogaeth a llety ("cynllun") ar gyfer y ceisydd.

(2) Mae cynllun wedi ei ffurfio gan—

(a) y cofnodion ysgrifenedig sy'n ofynnol gan yr adran hon, a

(b) unrhyw wybodaeth neu gyngor ysgrifenedig ar gyfer ceisydd y mae'r awdurdod tai lleol yn ystyried ei bod neu ei fod yn briodol.

(3) Caniateir i gynllun fod yn un ddogfen neu'n gasgliad o ddogfennau, y caniateir i unrhyw un neu ragor ohonynt gael ei diwygio neu eu diwygio yn unol â'r adran hon.

"(a) seek the views of the applicant on the matters that it must assess under paragraphs (a) to (ca) of subsection (5) and have regard to those views;";

(ii) for paragraph (b) substitute—

"(b) make inquiries relevant to the assessment regarding the personal characteristics and circumstances of the applicant and any member of the applicant's household.";

(e) in subsection (7), for "subsections (5) and (6)" substitute "subsection (5)";

(f) omit subsections (9), (10) and (11).

(3) In section 63 (notice of the outcome of assessment)—

(a) in the heading, after "assessment" insert "and decisions";

(b) before subsection (1) insert—

"(A1) If a local housing authority decides not to carry out an assessment of the case of a person who has applied to the authority under section 62, the authority must notify the person and inform the person of the reasons for its decision.";

(c) in subsection (1), after "its assessment)" insert "in respect of the matters described in section 62(4) and in paragraphs (a) to (d) of section 62(5)";

(d) in subsection (4)—

(i) after "subsection" insert "(A1),";

(ii) in paragraph (a), after "review of the" insert "assessment or".

4 Prevention, support and accommodation plans

(1) The 2014 Act is amended as follows.

(2) After section 63 (notice of the outcome of assessment) insert—

"63A Prevention, support and accommodation plans

(1) If a local housing authority considers that it owes a duty to an applicant under the following provisions of this Chapter, the authority must prepare and maintain a prevention, support and accommodation plan ("a plan") for the applicant.

(2) A plan comprises—

(a) the written records required by this section, and

(b) any written information or advice for an applicant that the local housing authority considers appropriate.

(3) A plan may consist of one document or a collection of documents, any of which may be revised in accordance with this section.

(4) Rhaid i'r awdurdod tai lleol roi sylw i'w asesiad o dan adran 62 mewn perthynas â'r ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd wrth baratoi ac adolygu'r cynllun.

(5) Rhaid i'r awdurdod tai lleol gofnodi yn ysgrifenedig—

(a) asesiad yr awdurdod o'r materion a ddisgrifir ym mharagraffau (b), (c) ac (ca) o adran 62(5),

(b) unrhyw safbwyntiau gan y ceisydd mewn perthynas â'r materion hynny, ac

(c) unrhyw gamau y mae'r awdurdod i'w cymryd i gyfathrebu â'r ceisydd wrth arfer ei swyddogaethau o dan y Bennod hon mewn ffordd sy'n hygyrch i'r ceisydd.

(6) Rhaid i'r awdurdod tai lleol—

(a) ceisio canfod pa ganlyniad y mae'r ceisydd yn dymuno ei gyflawni drwy gymorth yr awdurdod,

(b) cofnodi'r canlyniad yn ysgrifenedig, ac

(c) wrth baratoi ac adolygu cynllun, roi sylw i a allai arfer unrhyw swyddogaeth o dan y Bennod hon gyfrannu at gyflawni'r canlyniad.

(7) Mae'r cyfeiriadau at gamau sydd i'w cymryd yn yr is-adrannau canlynol yn gyfeiriadau at gamau a gymerir ar gyfer neu mewn cysylltiad â'r diben o sicrhau bod y ceisydd, ynghyd ag unrhyw aelod arall o aelwyd y ceisydd, â llety addas ac yn gallu cadw llety addas.

(8) Rhaid i'r awdurdod tai lleol geisio cytuno â'r ceisydd ar y canlynol—

(a) unrhyw gamau y mae'r ceisydd i'w cymryd, a

(b) y camau y mae'r awdurdod i'w cymryd wrth arfer unrhyw un neu ragor o'i swyddogaethau (gan gynnwys swyddogaethau gwasanaethau cymdeithasol yr awdurdod).

(9) Os yw'r awdurdod tai lleol a'r ceisydd yn dod i gytundeb, rhaid i'r awdurdod gofnodi'r cytundeb hwnnw yn ysgrifenedig.

(10) Os na all yr awdurdod tai lleol a'r ceisydd ddod i gytundeb, rhaid i'r awdurdod gofnodi yn ysgrifenedig—

(a) pam na allent gytuno,

(b) unrhyw gamau y mae'r awdurdod yn ystyried y byddai'n rhesymol i'r ceisydd eu cymryd, ac

(c) y camau y mae'r awdurdod i'w cymryd wrth arfer unrhyw un neu ragor o'i swyddogaethau (gan gynnwys swyddogaethau gwasanaethau cymdeithasol yr awdurdod).

(11) Rhaid i'r awdurdod tai lleol gofnodi yn ysgrifenedig unrhyw gamau eraill y mae'n ymwybodol ohonynt y mae awdurdod cyhoeddus arall wedi cytuno i'w cymryd mewn perthynas â'r ceisydd.

(12) Rhaid i'r awdurdod tai lleol—

(4) The local housing authority must have regard to its assessment under section 62 in relation to the applicant and any member of the applicant's household when preparing and reviewing the plan.

(5) The local housing authority must record in writing—

(a) the authority's assessment of the matters described in paragraphs (b), (c) and (ca) of section 62(5),

(b) any views of the applicant in relation to those matters, and

(c) any steps the authority is to take to communicate with the applicant in the exercise of its functions under this Chapter in a way that is accessible to the applicant.

(6) The local housing authority must—

(a) seek to identify the outcome the applicant wishes to achieve from the authority's help,

(b) record the outcome in writing, and

(c) in preparing and reviewing a plan, have regard to whether the exercise of any function under this Chapter could contribute to the achievement of the outcome.

(7) The references to steps to be taken in the following subsections are references to steps taken for or in connection with the purpose of securing that the applicant and any other member of the applicant's household have and are able to retain suitable accommodation.

(8) The local housing authority must try to agree with the applicant—

(a) any steps the applicant is to take, and

(b) the steps the authority is to take in the exercise of any of its functions (including the social services functions of the authority).

(9) If the local housing authority and the applicant reach an agreement, the authority must record it in writing.

(10) If the local housing authority and the applicant cannot reach an agreement, the authority must record in writing—

(a) why they could not agree,

(b) any steps the authority considers it would be reasonable for the applicant to take, and

(c) the steps the authority is to take in the exercise of any of its functions (including the social services functions of the authority).

(11) The local housing authority must record in writing any other steps of which it is aware that another public authority has agreed to take in relation to the applicant.

(12) The local housing authority must—

(a) rhoi i'r ceisydd gopi o unrhyw ddogfen sy'n gynllun neu sy'n ffurfio rhan o gynllun;

(b) hysbysu'r ceisydd yn ysgrifenedig am y canlynol—

(i) yr hawl i ofyn am adolygiad o'r cynllun, a

(ii) y cyfnod amser y mae'n rhaid cyflwyno cais o'r fath ynddo (gweler adran 85).

(13) Rhaid i'r awdurdod tai lleol gadw o dan adolygiad briodoldeb unrhyw gytundeb y deuir iddo o dan is-adran (8) neu unrhyw gamau a gofnodir o dan is-adran (10)(b) neu (c) yn ystod y cyfnod y mae'r awdurdod yn ystyried bod arno, neu y gall fod arno, ddyletswydd i'r ceisydd o dan ddarpariaethau canlynol y Bennod hon.

(14) Os yw'r awdurdod yn ystyried, o ran unrhyw gytundeb y deuir iddo o dan is-adran (8) neu unrhyw gam a gofnodir o dan is-adran (10)(b) neu (c), nad yw'n briodol bellach—

(a) rhaid i'r awdurdod hysbysu'r ceisydd, yn ysgrifenedig, ei fod yn ystyried nad yw'r cytundeb neu'r cam yn briodol bellach, a

(b) mae is-adrannau (8) i (12) yn gymwys eto.

(15) O ran hysbysiad o dan yr adran hon neu gopi o unrhyw ddogfen sy'n gynllun neu sy'n ffurfio rhan o gynllun, os nad yw'r hysbysiad neu'r copi hwnnw yn dod i law'r ceisydd, mae i'w drin fel pe bai wedi ei roi i'r ceisydd os yw ar gael yn swyddfa'r awdurdod am gyfnod rhesymol i'w gasglu gan y ceisydd neu ar ran y ceisydd.

63B Dyletswydd i adolygu asesiadau a chynlluniau o dan amgylchiadau penodol

(1) Os yw awdurdod tai lleol o dan ddyletswydd i gynnal cynllun atal, cefnogaeth a llety ar gyfer ceisydd, rhaid i'r awdurdod adolygu ei asesiad o dan adran 62 a'r cynllun os yw unrhyw un neu ragor o'r amgylchiadau a ddisgrifir yn is-adran (2) yn gymwys.

(2) Yr amgylchiadau yw—

(a) bod cyfnod o 8 wythnos wedi mynd heibio heb adolygiad ers cwblhau'r cynllun cyntaf neu'r adolygiad diwethaf o'r cynllun;

(b) bod yr awdurdod tai lleol â rheswm i gredu bod amgylchiadau'r ceisydd, neu amgylchiadau unrhyw aelod o aelwyd y ceisydd, wedi newid mewn ffordd a all effeithio ar y canlynol—

(i) anghenion llety,

(ii) cefnogaeth y mae ei hangen i gynorthwyo i gadw llety, neu

(iii) hawlogaeth i gymorth o dan y Bennod hon;

(c) ei bod yn ymddangos i'r awdurdod tai lleol fod dyletswydd i'r ceisydd o dan adran 66 neu 76A(2) wedi dod i ben neu'n debygol o ddod i ben gan fod y ceisydd yn ddigartref."

(a) give a copy of any document comprising or forming part of a plan to the applicant;

(b) notify the applicant in writing of—

(i) the right to request a review of the plan, and

(ii) the time within which such a request must be made (see section 85).

(13) The local housing authority must keep under review the appropriateness of any agreement reached under subsection (8) or steps recorded under subsection (10)(b) or (c) during the period in which the authority considers that it owes a duty to the applicant under the following provisions of this Chapter or that it may do so.

(14) If the authority considers that any agreement reached under subsection (8) or any step recorded under subsection (10)(b) or (c) is no longer appropriate—

(a) the authority must notify the applicant, in writing, that it considers the agreement or step is no longer appropriate, and

(b) subsections (8) to (12) apply again.

(15) A notification under this section or a copy of any document comprising or forming part of a plan, if not received by the applicant, is to be treated as having been given to the applicant if it is made available at the authority's office for a reasonable period for collection by or on behalf of the applicant.

63B Duty to review assessments and plans in specific circumstances

(1) If a local housing authority is under a duty to maintain a prevention, support and accommodation plan for an applicant, the authority must review its assessment under section 62 and the plan if any of the circumstances described in subsection (2) apply.

(2) The circumstances are that—

(a) a period of 8 weeks has passed without a review since completion of the first plan or the last review of the plan;

(b) the local housing authority has reason to believe that the circumstances of the applicant, or any member of the applicant's household, have changed in a way that may affect—

(i) accommodation needs,

(ii) support needed to help retain accommodation, or

(iii) entitlement to help under this Chapter;

(c) it appears to the local housing authority that a duty owed to the applicant under section 66 or 76A(2) has or is likely to come to an end because the applicant is homeless."

Adolygiadau

5 Hawl i ofyn am adolygiad

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 84 (hysbysiad bod dyletswyddau wedi dod i ben), ar ôl is-adran (1), mewnosoder—

"(1A) Pan fo awdurdod tai lleol yn cynnig llety wrth gyflawni unrhyw ddyletswydd o dan y Bennod hon, rhaid iddo hysbysu'r ceisydd am yr hawl i ofyn am adolygiad o addasrwydd y llety pa un a dderbynnir y cynnig ai peidio."

(3) Yn lle adran 85 (hawl i ofyn am adolygiad) rhodder—

85 Hawl i ofyn am adolygiad

(1) Mae gan geisydd yr hawl i ofyn am adolygiad o'r materion yn is-adran (2), yn ddarostyngedig i is-adrannau (4) i (7).

(2) Y materion y caniateir eu hadolygu yw—

(a) penderfyniad awdurdod tai lleol ynghylch cymhwystra'r ceisydd ar gyfer cymorth;

(b) penderfyniad awdurdod tai lleol i beidio â chynnal asesiad o achos person o dan adran 62;

(c) asesiad gan awdurdod tai lleol o anghenion tai y ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd;

(d) asesiad gan awdurdod tai lleol o'r gefnogaeth y mae ei hangen ar y ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd—

(i) i gadw llety sydd ar gael neu a allai ddod ar gael;

(ii) i oresgyn unrhyw rwystr rhag byw'n annibynnol;

(e) cynllun atal, cefnogaeth a llety;

(f) penderfyniad awdurdod tai lleol nad oes dyletswydd i'r ceisydd o dan adran 66, 68 neu 75 (dyletswyddau i geiswyr sy'n ddigartref neu o dan fygythiad o ddigartrefedd);

(g) penderfyniad awdurdod tai lleol nad oes dyletswydd i'r ceisydd o dan adran 76A(2) (dyletswydd i ddarparu cymorth i gadw llety addas);

(h) penderfyniad awdurdod tai lleol bod dyletswydd i'r ceisydd o dan adran 66, 68 neu 75 wedi dod i ben;

(i) penderfyniad awdurdod tai lleol bod dyletswydd i'r ceisydd o dan adran 76A(2) wedi dod i ben;

(j) penderfyniad awdurdod tai lleol o dan adran 80 i hysbysu awdurdod tai lleol arall yng Nghymru neu yn Lloegr am ei farn bod yr amodau ar gyfer atgyfeirio wedi eu bodloni mewn cysylltiad â'r ceisydd;

Reviews

5 Right to request a review

(1) The 2014 Act is amended as follows.

(2) In section 84 (notice that duties have ended), after subsection (1), insert—

"(1A) Where a local housing authority offers accommodation in the discharge of any duty under this Chapter, it must notify the applicant of the right to request a review of the suitability of the accommodation whether or not the offer is accepted."

(3) For section 85 (right to request a review) substitute—

"85 Right to request a review

(1) An applicant has the right to request a review of the matters in subsection (2), subject to subsections (4) to (7).

(2) The matters that may be reviewed are—

(a) a decision of a local housing authority as to the applicant's eligibility for help;

(b) a decision of a local housing authority not to carry out an assessment of a person's case under section 62;

(c) an assessment by a local housing authority of the housing needs of the applicant and any member of the applicant's household;

(d) an assessment by a local housing authority of the support needed for the applicant and any member of the applicant's household—

(i) to retain accommodation which is or may become available;

(ii) to overcome any barrier to living independently;

(e) a prevention, support and accommodation plan;

(f) a decision of a local housing authority that a duty is not owed to the applicant under section 66, 68 or 75 (duties to applicants who are homeless or threatened with homelessness);

(g) a decision of a local housing authority that a duty is not owed to the applicant under section 76A(2) (duty to provide help to retain suitable accommodation);

(h) a decision of a local housing authority that a duty owed to the applicant under section 66, 68 or 75 has come to an end;

(i) a decision of a local housing authority that a duty owed to the applicant under section 76A(2) has come to an end;

(j) a decision of a local housing authority under section 80 to notify another local housing authority in Wales or England of its opinion that the conditions for referral are met in respect of the applicant;

(k) penderfyniad o dan adran 80(5) fod yr amodau ar gyfer atgyfeirio achos wedi eu bodloni;

(l) penderfyniad awdurdod tai lleol ynghylch addasrwydd llety a gynigir i'r ceisydd wrth gyflawni unrhyw ddyletswydd o dan y Bennod hon, neu mewn cysylltiad â chyflawni unrhyw ddyletswydd o'r fath (pa un a yw'r ceisydd wedi derbyn y cynnig ai peidio).

(3) Os yw ceisydd yn cyflwyno cais i awdurdod tai lleol am adolygiad, rhaid i'r awdurdod (yn ddarostyngedig i is-adrannau (4) i (7)) adolygu unrhyw fater yn is-adran (2) y mae'n ymddangos i'r awdurdod ei fod yn berthnasol, pa un a yw'r ceisydd yn pennu'r mater sydd i'w adolygu ai peidio.

(4) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu penderfyniad a wnaed mewn adolygiad cynharach.

(5) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu cynllun atal, cefnogaeth a llety oni bai y cyflwynir y cais am adolygiad ar unrhyw adeg pan fo'n ofynnol i'r awdurdod gynnal y cynllun.

(6) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu addasrwydd llety a gynigir i'r ceisydd wrth gyflawni unrhyw ddyletswydd o dan y Bennod hon, neu mewn cysylltiad â chyflawni unrhyw ddyletswydd o'r fath, oni bai y cyflwynir cais am adolygiad ar unrhyw adeg—

(a) cyn i'r cynnig gael ei dderbyn gan y ceisydd a thra bo'r cynnig yn parhau ar agor, a

(b) os yw'r ceisydd wedi derbyn y cynnig—

(i) ar unrhyw adeg pan fydd dyletswydd o dan adran 66, 68 neu 75 yn gymwys i'r ceisydd, neu

(ii) cyn diwedd cyfnod o 6 mis sy'n dechrau â'r diwrnod cyntaf y mae'r llety ar gael i'w feddiannu gan y ceisydd.

(7) Nid oes ar awdurdod ddim dyletswydd o dan yr adran hon i adolygu unrhyw fater arall oni bai y cyflwynir y cais am adolygiad cyn diwedd y cyfnod o 21 o ddiwrnodau (neu'r cyfryw gyfnod hirach ag y caiff yr awdurdod ei ganiatáu yn ysgrifenedig) gan ddechrau â'r diwrnod yr hysbysir y ceisydd am asesiad neu benderfyniad yr awdurdod."

(4) Yn adran 86 (gweithdrefn ar gyfer adolygiad)—

(a) yn is-adran (2), yn lle paragraff (a) rhodder—

"(a) ei gwneud yn ofynnol i'r adolygiad gael ei gynnal gan berson ar y lefel briodol nad oedd yn ymwneud â'r asesiad, y penderfyniad neu'r cynllun sy'n destun adolygiad,";

(b) yn is-adran (4)—

(i) ym mharagraff (a), yn lle "penderfyniad" rhodder "asesiad, y penderfyniad neu'r cynllun";

(k) a decision under section 80(5) that the conditions for referral of a case are met;

(l) a decision of a local housing authority about the suitability of accommodation offered to the applicant in, or in connection with, the discharge of any duty under this Chapter (whether or not the applicant has accepted the offer).

(3) If an applicant makes a request to a local housing authority for a review, the authority must (subject to subsections (4) to (7)) review any matter in subsection (2) that appears to the authority to be relevant, whether the applicant specifies the matter to be reviewed or not.

(4) An authority has no duty under this section to review a decision reached on an earlier review.

(5) An authority has no duty under this section to review a prevention, support and accommodation plan unless the request for review is made at any time during which the authority is required to maintain the plan.

(6) An authority has no duty under this section to review the suitability of accommodation offered to the applicant in, or in connection with, the discharge of any duty under this Chapter unless the request for review is made at any time—

(a) before the offer is accepted by the applicant and while the offer remains open, and

(b) if the applicant has accepted the offer—

(i) at any time when a duty under section 66, 68 or 75 applies to the applicant, or

(ii) before the end of a period of 6 months beginning with the first day on which the accommodation is available for occupation by the applicant.

(7) An authority has no duty under this section to review any other matter unless the request for review is made before the end of the period of 21 days (or such longer period as the authority may in writing allow) beginning with the day on which the applicant is notified of the authority's assessment or decision."

(4) In section 86 (procedure on review)—

(a) in subsection (2), for paragraph (a) substitute—

"(a) require the review to be carried out by a person with the appropriate level of seniority who was not involved in the assessment, decision or plan under review,";

(b) in subsection (4)—

(i) in paragraph (a), for "decision" substitute "assessment, decision or plan";

(ii) hepgorer "neu

(b) yn cadarnhau y cafodd camau rhesymol eu cymryd."

(5) Yn adran 88 (hawl i apelio i lys sirol ar bwynt cyfreithiol)—

(a) yn is-adran (1), yn lle "neu, yn ôl y digwydd, y penderfyniad gwreiddiol neu gwestiwn ynghylch a gymerwyd pob cam rhesymol" rhodder "mewn adolygiad neu, yn ôl y digwydd, yr asesiad, y penderfyniad neu'r cynllun gwreiddiol";

(b) yn is-adran (4), ar ôl "penderfyniad" mewnosoder "mewn adolygiad neu'r asesiad, y penderfyniad neu'r cynllun gwreiddiol";

(c) yn is-adran (5)(a), hepgorer "yn erbyn penderfyniad yr awdurdod".

Diwygio dyletswyddau i sicrhau llety

6 Dyletswydd i sicrhau llety ar gyfer personau digartref cymwys sydd â chysylltiad lleol â Chymru

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Hepgorer—

(a) adran 73 (dyletswydd i gynorthwyo i sicrhau llety ar gyfer ceiswyr digartref);

(b) adran 74 (amgylchiadau pan fo'r ddyletswydd yn adran 73 yn dod i ben).

(3) Yn lle adran 75 (dyletswydd i sicrhau llety ar gyfer ceiswyr mewn angen blaenoriaethol pan fo'r ddyletswydd yn adran 73 yn dod i ben) rhodder—

"75 Dyletswydd i sicrhau llety ar gyfer ceiswyr

(1) Rhaid i awdurdod tai lleol sicrhau bod llety addas ar gael i geisydd ei feddiannu—

(a) os yw is-adran (2) yn gymwys,

(b) os nad yw is-adran (4) yn gymwys, ac

(c) os nad yw is-adran (7) yn gymwys.

(2) Mae'r is-adran hon yn gymwys os yw'r awdurdod tai lleol yn fodlon—

(a) o ran y ceisydd—

(i) ei fod yn ddigartref, neu

(ii) bod ganddo lety interim addas y sicrhawyd ei fod ar gael i'r ceisydd ei feddiannu (pa un ai oherwydd camau y mae'r awdurdod wedi eu cymryd ai peidio) ar adeg pan oedd y ceisydd yn ddigartref neu o dan fygythiad o ddigartrefedd, a

(b) bod y ceisydd yn gymwys i gael cymorth.

(3) At ddiben is-adran (2)(a)(ii), mae llety yn llety interim—

(a) os yw wedi ei sicrhau o dan adran 68,

(b) os yw'r ceisydd, pan fydd yn dechrau meddiannu'r llety, yn bwriadu ei feddiannu—

(ii) omit "or

(b) to confirm that reasonable steps were taken."

(5) In section 88 (right of appeal to county court on point of law)—

(a) in subsection (1), for "or, as the case may be, the original decision or a question as to whether reasonable steps were taken" substitute "on review or, as the case may be, the original assessment, decision or plan";

(b) in subsection (4), after "decision" insert "on review or the original assessment, decision or plan";

(c) in subsection (5)(a), omit "against the authority's decision".

Reform of duties to secure accommodation

6 Duty to secure accommodation for eligible homeless persons with a local connection to Wales

(1) The 2014 Act is amended as follows.

(2) Omit—

(a) section 73 (duty to help to secure accommodation for homeless applicants);

(b) section 74 (circumstances in which the duty in section 73 ends).

(3) For section 75 (duty to secure accommodation for applicants in priority need when duty in section 73 ends) substitute—

"75 Duty to secure accommodation for applicants

(1) A local housing authority must secure that suitable accommodation is available for occupation by an applicant if—

(a) subsection (2) applies,

(b) subsection (4) does not apply, and

(c) subsection (7) does not apply.

(2) This subsection applies if the local housing authority is satisfied that—

(a) the applicant—

(i) is homeless, or

(ii) has suitable interim accommodation that was made available for occupation by the applicant (whether because of steps the authority has taken or not) at a time when the applicant was homeless or threatened with homelessness, and

(b) the applicant is eligible for help.

(3) For the purpose of subsection (2)(a)(ii), accommodation is interim if—

(a) it is secured under section 68,

(b) the applicant intends, when beginning to occupy the accommodation, to occupy it—

(i) hyd nes y cwblheir y cais am gymorth o dan y Bennod hon, neu

(ii) am gyfnod o lai na 12 mis sy'n dechrau â'r diwrnod cyntaf y mae'r llety ar gael i'w feddiannu, neu

(c) os yw'r person sy'n sicrhau bod y llety ar gael i'w feddiannu, pan fydd yn dechrau gwneud hynny, yn bwriadu i'r llety fod ar gael i'r ceisydd ei feddiannu—

(i) hyd nes y cwblheir y cais am gymorth o dan y Bennod hon, neu

(ii) am gyfnod o lai na 12 mis sy'n dechrau â'r diwrnod cyntaf y mae'r llety ar gael i'w feddiannu.

(4) Mae'r is-adran hon yn gymwys os yw'r awdurdod tai lleol yn fodlon—

(a) nad oes gan y ceisydd nac unrhyw aelod o aelwyd y ceisydd gysylltiad lleol ag ardal unrhyw awdurdod tai lleol yng Nghymru, a

(b) nad yw unrhyw un o'r amgylchiadau yn is-adran (5) yn gymwys.

(5) Yr amgylchiadau yw bod y ceisydd neu unrhyw aelod o aelwyd y ceisydd—

(a) mewn perygl o ddioddef camdriniaeth mewn ardal y tu allan i Gymru—

(i) y mae'r ceisydd neu'r aelod arall o aelwyd y ceisydd â chysylltiad lleol â hi,

(ii) y mae, neu yr oedd, y ceisydd neu'r aelod arall o aelwyd y ceisydd yn byw ynddi, a

(iii) yng Nghymru mewn amgylchiadau perthnasol, yn byw yn yr ardal y tu allan i Gymru lle y mae perygl o gamdriniaeth neu'n byw mewn ardal arall y tu allan i Gymru at ddiben ceisio lloches rhag camdriniaeth, neu

(b) yn dod o fewn categori rhagnodedig o berson.

(6) Yn is-adran (5)(a)(iii), yr amgylchiadau perthnasol yw bod y ceisydd neu'r aelod arall o aelwyd y ceisydd, yn union cyn dod i Gymru—

(a) yn byw yn yr ardal y tu allan i Gymru lle y mae perygl o gamdriniaeth, neu

(b) yn byw mewn ardal arall y tu allan i Gymru at ddiben ceisio lloches rhag camdriniaeth.

(7) Mae'r is-adran hon yn gymwys—

(a) os yw'r ceisydd yn garcharor sy'n bwrw dedfryd o garchar, a

(b) os yw'r awdurdod tai lleol yn fodlon nad yw'n rhesymol debygol y bydd y ceisydd yn cael ei ryddhau o gael ei gadw'n gaeth cyn diwedd cyfnod o 6 mis sy'n dechrau â'r canlynol—

(i) until the application for help under this Chapter is concluded, or

(ii) for a period of less than 12 months beginning with the first day the accommodation is available for occupation, or

(c) the person making the accommodation available for occupation intends, when beginning to do so, that it is available for occupation by the applicant—

(i) until the application for help under this Chapter is concluded, or

(ii) for a period of less than 12 months beginning with the first day the accommodation is available for occupation.

(4) This subsection applies if the local housing authority is satisfied that—

(a) neither the applicant nor any member of the applicant's household has a local connection to the area of any local housing authority in Wales, and

(b) none of the circumstances in subsection (5) apply.

(5) The circumstances are that the applicant or any member of the applicant's household—

(a) is at risk of suffering abuse in an area outside Wales—

(i) to which the applicant or other member of the applicant's household has a local connection,

(ii) in which the applicant or other member of the applicant's household is living or was living, and

(iii) is in Wales in relevant circumstances, is living in the area outside Wales where there is a risk of abuse or is living in another area outside Wales for the purpose of seeking refuge from abuse, or

(b) falls within a prescribed category of person.

(6) In subsection (5)(a)(iii), the relevant circumstances are that immediately before coming to Wales the applicant or other member of the applicant's household was—

(a) living in the area outside Wales where there is a risk of abuse, or

(b) living in another area outside Wales for the purpose of seeking refuge from abuse.

(7) This subsection applies if—

(a) the applicant is a prisoner serving a custodial sentence, and

(b) the local housing authority is satisfied that there is no reasonable prospect of the applicant being released from detention before the end of a period of 6 months beginning with—

(i) y diwrnod y gwneir y cais am gymorth o dan y Bennod hon, neu

(ii) os oes dyletswydd i'r ceisydd o dan adran 66 ar unrhyw adeg ar ôl i'r cais gael ei wneud, y diwrnod y daw'r ddyletswydd o dan adran 66 i ben.

(8) Mae is-adran (9) yn gymwys os yw'r ceisydd—

(a) yn garcharor, neu

(b) yn preswylio mewn mangre a gymeradwywyd.

(9) Mae'r ddyletswydd yn is-adran (1) i'w dehongli fel dyletswydd i sicrhau bod llety ar gael i'r ceisydd ei feddiannu pan fydd y ceisydd yn cael ei ryddhau o gael ei gadw'n gaeth neu pan nad yw'n ofynnol bellach iddo breswylio mewn mangre a gymeradwywyd (yn ôl y digwydd)."

(4) Yn adran 142(3)(b)(ii) (gorchmynion a rheoliadau), ar ôl "adran" mewnosoder "75(5)(b),".

7 Amgylchiadau pan fo'r ddyletswydd i sicrhau llety ar gyfer ceiswyr yn dod i ben

(1) Mae adran 76 o Ddeddf 2014 (amgylchiadau pan fo'r ddyletswydd yn adran 75 yn dod i ben) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1), yn lle "neu (7)" rhodder ", (7), (7A) neu (7D)".

(3) Ar ôl is-adran (7) mewnosoder—

"(7A) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon (pa un ai oherwydd camau y mae wedi eu cymryd ai peidio)—

(a) nad yw'r ceisydd bellach yn ddigartref,

(b) bod llety addas ar gael i'r ceisydd ei feddiannu heblaw yn rhinwedd cynnig a grybwyllir yn is-adran (2) neu (3),

(c) bod y llety yn debygol o fod ar gael i'r ceisydd ei feddiannu am gyfnod o 12 mis o leiaf, a

(d) bod y ceisydd, ar ôl cael ei hysbysu yn ysgrifenedig am ganlyniadau posibl cytuno i'r ddyletswydd yn adran 75 ddod i ben, yn cytuno i'r ddyletswydd yn adran 75 ddod i ben.

(7B) Mae'r cyfnod o 12 mis a grybwyllir yn is-adran (7A) yn dechrau ar y diwrnod y mae hysbysiad yn unol ag adran 84 nad yw'r awdurdod bellach yn ystyried ei fod yn ddarostyngedig i'r ddyletswydd yn adran 75 yn cael ei anfon neu'n dod ar gael i'w gasglu gyntaf.

(7C) Ond pan fo ceisydd yn garcharor neu'n preswylio mewn mangre a gymeradwywyd, mae'r cyfnod o 12 mis a grybwyllir yn is-adran (7A) yn dechrau ar y diwrnod y mae'r ceisydd i'w ryddhau o gael ei gadw'n gaeth neu nad yw'n ofynnol bellach iddo breswylio mewn mangre a gymeradwywyd (yn ôl y digwydd).

(7D) Yr amgylchiadau yw—

(a) bod y ceisydd yn garcharor sy'n bwrw dedfryd o garchar, a

(i) the day the application for help under this Chapter is made, or

(ii) if a duty is owed to the applicant under section 66 at any time after the application is made, the day the duty under section 66 comes to an end.

(8) Subsection (9) applies if the applicant is—

(a) a prisoner, or

(b) residing in approved premises.

(9) The duty in subsection (1) is to be interpreted as a duty to secure that accommodation is available for occupation by the applicant when the applicant is released from detention or no longer required to reside in approved premises (as the case may be)."

(4) In section 142(3)(b)(ii) (orders and regulations), after "section" insert "75(5)(b),".

7 Circumstances in which the duty to secure accommodation for applicants comes to an end

(1) Section 76 of the 2014 Act (circumstances in which the duty in section 75 ends) is amended as follows.

(2) In subsection (1), for "or (7)" substitute ", (7), (7A) or (7D)".

(3) After subsection (7) insert—

"(7A) The circumstances are that the local housing authority is satisfied (whether because of steps it has taken or not) that—

(a) the applicant is no longer homeless,

(b) suitable accommodation is available for occupation by the applicant otherwise than by virtue of an offer mentioned in subsection (2) or (3),

(c) the accommodation is likely to be available for occupation by the applicant for a period of at least 12 months, and

(d) the applicant, having been given notice in writing of the possible consequences of agreeing to the duty in section 75 coming to an end, agrees to the duty in section 75 coming to an end.

(7B) The period of 12 months mentioned in subsection (7A) begins on the day notice in accordance with section 84 that the authority no longer regards itself as being subject to the duty in section 75 is sent or first made available for collection.

(7C) But where an applicant is a prisoner or residing in approved premises, the period of 12 months mentioned in subsection (7A) begins on the day the applicant is to be released from detention or is no longer required to reside in approved premises (as the case may be).

(7D) The circumstances are that—

(a) the applicant is a prisoner serving a custodial sentence, and

(b) bod yr awdurdod tai lleol yn fodlon nad yw'n rhesymol debygol y bydd y ceisydd yn cael ei ryddhau o gael ei gadw'n gaeth cyn diwedd cyfnod o 6 mis sy'n dechrau â'r canlynol—

(i) y diwrnod y gwneir y cais am gymorth o dan y Bennod hon, neu

(ii) os oes dyletswydd i'r ceisydd o dan adran 66 ar unrhyw adeg ar ôl i'r cais gael ei wneud, y diwrnod y daw'r ddyletswydd o dan adran 66 i ben.

(7E) Daw'r ddyletswydd i ben yn unol â'r adran hon neu ag adran 79 hyd yn oed os yw'r ceisydd yn gofyn am adolygiad o unrhyw benderfyniad sydd wedi arwain at ddod â'r ddyletswydd i ben (gweler adran 85).

(7F) Caiff yr awdurdod sicrhau bod llety addas ar gael i'r ceisydd ei feddiannu hyd nes y gwneir penderfyniad ynghylch adolygiad."

8 Dyletswydd interim i sicrhau llety ar gyfer ceiswyr digartref

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 68 (dyletswydd interim i sicrhau llety ar gyfer ceiswyr digartref)—

(a) yn is-adran (1), yn lle "(3)" rhodder "(2A)";

(b) yn lle is-adran (2) rhodder—

"(2) Mae'r is-adran hon yn gymwys i geisydd os oes gan yr awdurdod reswm i gredu bod y ceisydd yn ddigartref a'i fod yn gymwys i gael cymorth ond nad yw'r awdurdod yn fodlon hyd yma o ran y materion hynny.";

(c) ar ôl is-adran (2) mewnosoder—

"(2A) Mae'r is-adran hon yn gymwys i geisydd—

(a) pan fo'r awdurdod yn fodlon nad oes gan y ceisydd ddim cysylltiad lleol ag ardal unrhyw awdurdod tai lleol yng Nghymru, a

(b) naill ai—

(i) pan fo is-adran (2) yn gymwys i'r ceisydd, neu

(ii) pan fo'r awdurdod yn fodlon bod y ceisydd yn ddigartref a'i fod yn gymwys i gael cymorth.";

(d) hepgorer is-adran (3);

(e) yn y pennawd, hepgorer "ar gyfer ceiswyr digartref mewn angen blaenoriaethol".

(3) Yn adran 69 (amgylchiadau pan fo'r ddyletswydd yn adran 68 yn dod i ben)—

(a) yn is-adran (1), yn lle "(2), (3) (yn ddarostyngedig i is-adran (4) a (5)), (7), (8)" rhodder "(1A), (1B), (7)";

(b) ar ôl is-adran (1) mewnosoder—

"(1A) Yr amgylchiadau yw—

(b) the local housing authority is satisfied that there is no reasonable prospect of the applicant being released from detention before the end of a period of 6 months beginning with—

(i) the day the application for help under this Chapter is made, or

(ii) if a duty is owed to the applicant under section 66 at any time after the application is made, the day the duty under section 66 comes to an end.

(7E) The duty comes to an end in accordance with this section or section 79 even if the applicant requests a review of any decision that has led to the duty coming to an end (see section 85).

(7F) The authority may secure that suitable accommodation is available for the applicant's occupation pending a decision on a review."

8 Interim duty to secure accommodation for homeless applicants

(1) The 2014 Act is amended as follows.

(2) In section 68 (interim duty to secure accommodation for homeless applicants)—

(a) in subsection (1), for "(3)" substitute "(2A)";

(b) for subsection (2) substitute—

"(2) This subsection applies to an applicant if the authority has reason to believe the applicant is homeless and eligible for help but is not yet satisfied of those matters.";

(c) after subsection (2) insert—

"(2A) This subsection applies to an applicant where—

(a) the authority is satisfied that the applicant has no local connection to the area of any local housing authority in Wales, and

(b) either—

(i) subsection (2) applies to the applicant, or

(ii) the authority is satisfied that the applicant is homeless and eligible for help.";

(d) omit subsection (3);

(e) in the heading, omit "for homeless applicants in priority need".

(3) In section 69 (circumstances in which the duty in section 68 ends)—

(a) in subsection (1), for "(2), (3) (subject to subsection (4) and (5)), (7), (8)" substitute "(1A), (1B), (7)";

(b) after subsection (1) insert—

"(1A) The circumstances are that—

(a) bod yr awdurdod tai lleol wedi penderfynu bod, neu nad oes, dyletswydd i'r ceisydd o dan adran 75,

(b) os yw'r awdurdod wedi penderfynu nad oes dyletswydd o dan adran 75, nad yw wedi gwneud hynny dim ond ar y sail bod adran 75(4) yn gymwys, ac

(c) bod y ceisydd wedi cael ei hysbysu am benderfyniad yr awdurdod.

(1B) Yr amgylchiadau yw—

(a) bod yr awdurdod tai lleol wedi penderfynu nad oes dyletswydd i'r ceisydd o dan adran 75,

(b) bod yr awdurdod wedi gwneud hynny dim ond ar y sail bod adran 75(4) yn gymwys,

(c) bod y ceisydd wedi cael ei hysbysu am benderfyniad yr awdurdod, a

(d) bod yr awdurdod yn fodlon bod y llety y mae wedi ei sicrhau o dan adran 68 wedi bod ar gael i'r ceisydd am gyfnod digonol er mwyn caniatáu cyfle rhesymol i'r ceisydd i sicrhau llety i'r ceisydd ynghyd ag unrhyw aelod o aelwyd y ceisydd ei feddiannu.

(1C) Mae'r cyfnod a grybwyllir yn is-adran (1B) yn gyfnod sy'n dechrau ar y diwrnod yr hysbysir y ceisydd nad yw adran 75 yn gymwys.";

(c) hepgorer is-adrannau (2) i (6) ac (8);

(d) yn is-adran (10), ar ôl "â'r adran hon" mewnosoder "neu ag adran 79".

Diddymu hawlogaeth drwy gyfeirio at anghenion blaenoriaethol a digartrefedd bwriadol

9 Diddymu gwahaniaethau o ran hawlogaeth sy'n ymwneud ag angen blaenoriaethol

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Hepgorer—

(a) adran 70 (angen blaenoriaethol am lety);

(b) adran 71 (ystyr hyglwyf yn adran 70);

(c) adran 72 (pŵer i ddiwygio neu ddiddymu darpariaethau ynghylch angen blaenoriaethol am lety).

10 Diddymu gwahaniaethau o ran hawlogaeth sy'n ymwneud â digartrefedd bwriadol

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Hepgorer—

(a) adran 77 (ystyr bod yn ddigartref yn fwriadol);

(b) adran 78 (penderfynu rhoi sylw i fwriadoldeb).

(a) the local housing authority has decided that a duty is or is not owed to the applicant under section 75,

(b) if the authority has decided that a duty under section 75 is not owed, it has not done so solely on the basis that section 75(4) applies, and

(c) the applicant has been notified of the authority's decision.

(1B) The circumstances are that—

(a) the local housing authority has decided that no duty is owed to the applicant under section 75,

(b) the authority has done so solely on the basis that section 75(4) applies,

(c) the applicant has been notified of the authority's decision, and

(d) the authority is satisfied that the accommodation it has secured under section 68 has been available to the applicant for a sufficient period to allow the applicant a reasonable opportunity of securing accommodation for occupation by the applicant and any member of the applicant's household.

(1C) The period mentioned in subsection (1B) is a period beginning on the day on which the applicant is notified that section 75 does not apply.";

(c) omit subsections (2) to (6) and (8);

(d) in subsection (10), after "this section" insert "or section 79".

Abolishing entitlement by reference to priority needs and intentional homelessness

9 Abolition of differences in entitlement related to priority need

(1) The 2014 Act is amended as follows.

(2) Omit—

(a) section 70 (priority need for accommodation);

(b) section 71 (meaning of vulnerable in section 70);

(c) section 72 (power to amend or repeal provisions about priority need for accommodation).

10 Abolition of differences in entitlement related to intentional homelessness

(1) The 2014 Act is amended as follows.

(2) Omit—

(a) section 77 (meaning of intentionally homeless);

(b) section 78 (deciding to have regard to intentionality).

Atgyfeiriadau yn sgil cysylltiadau lleol

11 Atgyfeirio achosion at awdurdod tai lleol arall

(1) Mae adran 80 o Ddeddf 2014 (atgyfeirio achos at awdurdod tai lleol arall) wedi ei diwygio fel a ganlyn.

(2) Hepgorer is-adran (1).

(3) Yn lle is-adran (2) rhodder—

"(2) Os yw awdurdod tai lleol yn ystyried—

(a) ei fod, neu y gall fod, yn ddarostyngedig i'r ddyletswydd yn adran 66 (dyletswydd i gynorthwyo i atal ceisydd rhag dod yn ddigartref) mewn cysylltiad â cheisydd sy'n garcharor, a

(b) bod yr amodau wedi eu bodloni ar gyfer atgyfeirio achos y ceisydd at awdurdod tai lleol arall (pa un ai yng Nghymru neu yn Lloegr) o dan is-adran (3) neu mewn unrhyw amgylchiadau rhagnodedig,

caiff hysbysu'r awdurdod hwnnw am ei farn.

(2A) Os yw awdurdod tai lleol yn ystyried—

(a) ei fod, neu y gall fod, yn ddarostyngedig i'r ddyletswydd yn adran 75 (dyletswydd i sicrhau llety) mewn cysylltiad â cheisydd neu y byddai'n ddarostyngedig i'r ddyletswydd oni bai am adran 75(4), a

(b) bod yr amodau wedi eu bodloni ar gyfer atgyfeirio achos y ceisydd at awdurdod tai lleol arall (pa un ai yng Nghymru neu yn Lloegr) o dan is-adran (3) neu mewn unrhyw amgylchiadau rhagnodedig,

caiff hysbysu'r awdurdod hwnnw am ei farn.

(2B) Ond ni chaiff awdurdod tai lleol hysbysu o dan is-adran (2A) ar ôl i'r ceisydd gael ei hysbysu o dan adran 63 fod dyletswydd ar yr awdurdod o dan adran 75, oni bai bod y ceisydd yn garcharor."

(4) Yn is-adran (3)(c), yn lle "na fydd y ceisydd nac unrhyw berson y gellid disgwyl yn resymol iddo breswylio gyda'r ceisydd yn wynebu'r perygl o camdriniaeth ddomestig yn yr ardal arall honno" rhodder "nad yw'r ceisydd nac unrhyw aelod o aelwyd y ceisydd wedi ei esemptio rhag atgyfeirio (gweler adran 81A)".

(5) Hepgorer is-adran (4).

(6) Yn is-adran (5), yn y testun Saesneg, yn lle "satisfied" rhodder "met".

(7) Yn adran 142(3)(b)(ii) (gorchmynion a rheoliadau), ar ôl "78(1)" mewnosoder ", 80(2)(b), 80(2A)(b)".

12 Ystyr cysylltiad lleol

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 81 (cysylltiad lleol), yn lle is-adran (4) rhodder—

Local connection referrals

11 Referral of cases to another local housing authority

(1) Section 80 of the 2014 Act (referral of case to another local housing authority) is amended as follows.

(2) Omit subsection (1).

(3) For subsection (2) substitute—

"(2) If a local housing authority considers—

(a) it is or may be subject to the duty in section 66 (duty to help prevent an applicant from becoming homeless) in respect of an applicant who is a prisoner, and

(b) that the conditions are met for referral of the applicant's case to another local housing authority (whether in Wales or England) under subsection (3) or in any prescribed circumstances,

it may notify that authority of its opinion.

(2A) If a local housing authority considers—

(a) it is or may be subject to the duty in section 75 (duty to secure accommodation) in respect of an applicant or that it would be subject to the duty were it not for section 75(4), and

(b) that the conditions are met for referral of the applicant's case to another local housing authority (whether in Wales or England) under subsection (3) or in any prescribed circumstances,

it may notify that authority of its opinion.

(2B) But a local housing authority may not notify under subsection (2A) after the applicant has been notified under section 63 that the authority owes a duty under section 75, unless the applicant is a prisoner."

(4) In subsection (3)(c), for "person who might reasonably be expected to reside with the applicant will run the risk of domestic abuse in that other area" substitute "member of the applicant's household is exempt from referral (see section 81A)".

(5) Omit subsection (4).

(6) In subsection (5), in the English text, for "satisfied" substitute "met".

(7) In section 142(3)(b)(ii) (orders and regulations), after "78(1)" insert ", 80(2)(b), 80(2A)(b)".

12 Meaning of local connection

(1) The 2014 Act is amended as follows.

(2) In section 81 (local connection), for subsection (4) substitute—

"(4) Caiff Gweinidogion Cymru drwy reoliadau bennu amgylchiadau—

(a) pan fo person i'w drin fel person sy'n preswylio fel arfer mewn ardal, neu pan nad yw i'w drin felly;

(b) pan fo preswyliad mewn ardal i'w drin fel preswyliad o ddewis y person ei hun, neu pan nad yw i'w drin felly;

(c) pan fo person i'w drin fel person a gyflogir mewn ardal, neu pan nad yw i'w drin felly;

(d) pan fo person i'w drin fel person sydd â chysylltiad teuluol ag ardal, neu pan nad yw i'w drin felly;

(e) sydd i'w trin fel amgylchiadau arbennig sy'n cysylltu person ag ardal, neu nad ydynt i'w trin felly."

(3) Yn adran 142(3)(b) (gorchmynion a rheoliadau)—

(a) ym mharagraff (i), hepgorer "neu 81(4)";

(b) ym mharagraff (ii), ar ôl "80(2A)(b)" (a fewnosodir gan adran 11(7)) mewnosoder ", 81(4)".

13 Esemptio rhag atgyfeirio at awdurdod tai lleol arall

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 81 (cysylltiad lleol) mewnosoder—

"81A Ceiswyr sydd wedi eu hesemptio rhag atgyfeirio o dan adran 80

(1) Ni chaiff awdurdod tai lleol atgyfeirio achos at awdurdod tai lleol arall (pa un ai yng Nghymru neu yn Lloegr) o dan adran 80 os yw unrhyw un neu ragor o'r amgylchiadau a ddisgrifir yn is-adran (2), (3) neu (4) yn gymwys mewn perthynas â'r ceisydd.

(2) Yr amgylchiadau yw bod y ceisydd neu unrhyw aelod o aelwyd y ceisydd—

(a) mewn mwy o berygl o ddioddef camdriniaeth yn ardal yr awdurdod y byddai'r atgyfeiriad yn cael ei wneud ato nag yn yr ardal y gwneir y cais iddo, neu

(b) yn dod o fewn categori rhagnodedig o bersonau.

(3) Yr amgylchiadau yw bod y ceisydd yn garcharor sydd wedi cael ei hysbysu o dan adran 63 fod dyletswydd i'r ceisydd o dan adran 66 neu 75 a bod cyfnod o 2 wythnos wedi dod i ben, gan ddechrau â'r diwrnod y rhoddwyd yr hysbysiad.

(4) Yr amgylchiadau yw bod atgyfeiriad wedi ei wneud yn flaenorol o dan adran 80 mewn perthynas â'r un cais."

(3) Yn adran 142(3)(b)(ii) (gorchmynion a rheoliadau), ar ôl "81(4)" (a fewnosodir gan adran 12(3)) mewnosoder ", 81A(2)(b)".

"(4) The Welsh Ministers may by regulations specify circumstances—

(a) in which a person is or is not to be treated as normally resident in an area;

(b) in which residence in an area is or is not to be treated as of a person's own choice;

(c) in which a person is or is not to be treated as employed in an area;

(d) in which a person is or is not to be treated as having a family association with an area;

(e) that are or are not to be treated as special circumstances connecting a person to an area."

(3) In section 142(3)(b) (orders and regulations)—

(a) in paragraph (i), omit "or 81(4)";

(b) in paragraph (ii), after "80(2A)(b)" (inserted by section 11(7)) insert ", 81(4)".

13 Exemption from referral to another local housing authority

(1) The 2014 Act is amended as follows.

(2) After section 81 (local connection) insert—

"81A Applicants who are exempt from referral under section 80

(1) A local housing authority may not refer a case to another local housing authority (whether in Wales or England) under section 80 if any of the circumstances described in subsection (2), (3) or (4) apply in relation to the applicant.

(2) The circumstances are that the applicant or any member of the applicant's household—

(a) is at greater risk of suffering abuse in the area of the authority to which the referral would be made than in the area to which the application is made, or

(b) falls within a prescribed category of person.

(3) The circumstances are that the applicant is a prisoner who has been notified under section 63 that a duty is owed to the applicant under section 66 or 75 and a period of 2 weeks has ended, beginning with the day on which the notification was given.

(4) The circumstances are that a referral has previously been made under section 80 in relation to the same application."

(3) In section 142(3)(b)(ii) (orders and regulations), after "81(4)" (inserted by section 12(3)) insert ", 81A(2)(b)".

14 Dyletswyddau i geiswyr mewn achosion atgyfeirio

(1) Mae adran 82 o Ddeddf 2014 (dyletswyddau i geisydd y mae ei achos yn cael ei ystyried ar gyfer ei atgyfeirio neu'n cael ei atgyfeirio) wedi ei diwygio fel a ganlyn yn is-adrannau (2) i (6).

(2) Yn lle is-adran (1) rhodder—

"(1) Mae is-adrannau (1A) ac (1B) yn gymwys—

(a) os yw awdurdod tai lleol ("awdurdod A") wedi hysbysu awdurdod tai lleol arall ("awdurdod B") am ei farn bod yr amodau ar gyfer atgyfeirio achos ceisydd o dan adran 80 wedi eu bodloni, a

(b) os yw'r ceisydd wedi cael ei hysbysu o dan adran 84(1B) fod awdurdod B wedi cael ei hysbysu am farn awdurdod A;

ac mae is-adran (1A) yn gymwys pa un a yw'r awdurdod sy'n cael ei hysbysu yng Nghymru neu yn Lloegr.

(1A) Os yw awdurdod A yn hysbysu awdurdod B o dan adran 80(2A)—

(a) nid yw awdurdod A yn ddarostyngedig i'r ddyletswydd o dan adran 68 (dyletswydd interim i sicrhau llety) mewn perthynas â'r ceisydd, a

(b) nid yw awdurdod A yn ddarostyngedig i'r ddyletswydd o dan adran 75 (dyletswydd i sicrhau llety) mewn perthynas â'r ceisydd;

ond rhaid i awdurdod A sicrhau bod llety addas ar gael i'r ceisydd ei feddiannu hyd nes i'r ceisydd gael ei hysbysu am y penderfyniad ynghylch a yw'r amodau ar gyfer atgyfeirio'r achos wedi eu bodloni.

(1B) Os yw awdurdod A yn hysbysu awdurdod B o dan adran 80(2) neu (2A) a phenderfynir yn unol ag adran 80(5) fod yr amodau ar gyfer atgyfeirio'r achos wedi eu bodloni—

(a) mae'r ceisydd i'w drin, at ddibenion y Bennod hon, fel pe bai wedi gwneud cais i awdurdod B ar y dyddiad y rhoddir hysbysiad o dan adran 84(1B),

(b) nid oes ar awdurdod A ddim dyletswyddau i'r ceisydd o dan y Bennod hon o'r dyddiad hwnnw,

(c) pan fo awdurdod A wedi penderfynu bod y ceisydd yn gymwys i gael cymorth, ei fod yn ddigartref neu ei fod o dan fygythiad o ddigartrefedd, mae'r ceisydd i'w drin felly at ddibenion y Bennod hon oni bai bod awdurdod B yn dod i gasgliad gwahanol yn unol ag is-adran (1C), a

(d) rhaid i awdurdod A roi i awdurdod B gopïau o unrhyw hysbysiadau neu unrhyw ddogfennau y mae awdurdod A wedi eu rhoi i'r ceisydd o dan adran 63 (hysbysu am ganlyniad asesiad) neu 63A (cynlluniau atal, cefnogaeth a llety).

14 Duties to applicants in referral cases

(1) Section 82 of the 2014 Act (duties to applicant whose case is considered for referral or referred) is amended as follows in subsections (2) to (6).

(2) For subsection (1) substitute—

"(1) Subsections (1A) and (1B) apply if—

(a) a local housing authority ("authority A") has notified another local housing authority ("authority B") of its opinion that the conditions for referral of an applicant's case under section 80 are met, and

(b) the applicant has been notified under section 84(1B) that authority B has been notified of authority A's opinion;

and subsection (1A) applies whether the notified authority is in Wales or England.

(1A) If authority A notifies authority B under section 80(2A)—

(a) authority A is not subject to the duty under section 68 (interim duty to secure accommodation) in relation to the applicant, and

(b) authority A is not subject to the duty under section 75 (duty to secure accommodation) in relation to the applicant;

but authority A must secure that suitable accommodation is available for occupation by the applicant until the applicant is notified of the decision whether the conditions for referral of the case are met.

(1B) If authority A notifies authority B under section 80(2) or (2A) and it is decided in accordance with section 80(5) that the conditions for referral of the case are met—

(a) the applicant is to be treated, for the purposes of this Chapter, as having made an application to authority B on the date on which notice is given under section 84(1B),

(b) authority A owes no duties to the applicant under this Chapter from that date,

(c) where authority A has decided that the applicant is eligible for help, homeless or threatened with homelessness, the applicant is to be treated as such for the purposes of this Chapter unless authority B comes to a different conclusion in accordance with subsection (1C), and

(d) authority A must give to authority B copies of any notifications or documents that authority A has given to the applicant under section 63 (notice of the outcome of assessment) or 63A (prevention, support and accommodation plans).

(1C) At ddibenion is-adran (1B), ni chaiff awdurdod B ond dod i gasgliad gwahanol os yw'n fodlon—

(a) bod amgylchiadau'r ceisydd wedi newid, neu fod gwybodaeth bellach wedi dod i'r amlwg, ers i awdurdod A wneud ei benderfyniad, a

(b) bod y newid mewn amgylchiadau, neu'r wybodaeth bellach, yn cyfiawnhau bod awdurdod B yn dod i gasgliad gwahanol i awdurdod A.

(1D) O ran y ddarpariaeth ynghylch achosion pan fo awdurdod A yn hysbysu awdurdod B o dan adran 80(2) neu (2A), bo awdurdod B yn Lloegr a phenderfynir yn unol ag adran 80(5) fod yr amodau ar gyfer atgyfeirio'r achos wedi eu bodloni, gweler adran 201A o Ddeddf Tai 1996 (p. 52) (achosion a atgyfeirir gan awdurdod tai lleol yng Nghymru)."

(3) Yn lle is-adran (3) rhodder—

"(3) Os yw awdurdod A yn hysbysu awdurdod B o dan adran 80(2A) a phenderfynir nad yw'r amodau ar gyfer atgyfeirio'r achos wedi eu bodloni, mae awdurdod A yn ddarostyngedig i'r canlynol—

(a) y ddyletswydd o dan adran 68 mewn perthynas â'r ceisydd, os yw'r ddyletswydd yn gymwys, a

(b) y ddyletswydd o dan adran 75 mewn perthynas â'r ceisydd, os yw'r ddyletswydd yn gymwys."

(4) Hepgorer is-adran (4).

(5) Yn is-adran (5), yn lle "Mae'r ddyletswydd o dan is-adran (1) yn dod i ben fel y darperir ar ei gyfer yn yr is-adran honno" rhodder "Daw dyletswyddau i ben fel y darperir ar ei gyfer yn is-adrannau (1A) ac (1B)".

(6) Yn is-adran (6), ar ôl "arfaeth" mewnosoder ", os oedd yn ofynnol i'r awdurdod wneud hynny cyn i ddyletswydd beidio â chael effaith yn rhinwedd yr adran hon".

(7) Yn adran 201A o Ddeddf Tai 1996 (p. 52) ("Deddf 1996") (achosion a atgyfeirir gan awdurdod tai lleol yng Nghymru)—

(a) yn is-adran (1), ar ôl "2014" mewnosoder "("the 2014 Act")";

(b) yn lle is-adran (2) rhodder—

"(2) If the conditions for the referral under section 80 of the 2014 Act are met—

(a) for the purposes of this Part, the person whose case is referred is to be treated as having made an application of the kind mentioned in section 183(1) to the notified authority on the date on which notice is given under section 84(1B) of the 2014 Act that the conditions of referral are met,

(b) from that date, the notifying authority owes no duties to the applicant under Chapter 2 of Part 2 of the 2014 Act,

(1C) For the purposes of subsection (1B), authority B may only come to a different conclusion if it is satisfied that—

(a) the applicant's circumstances have changed, or further information has come to light, since authority A made its decision, and

(b) the change in circumstances, or further information, justifies authority B coming to a different conclusion to authority A.

(1D) For provision about cases where authority A notifies authority B under section 80(2) or (2A), authority B is in England and it is decided in accordance with section 80(5) that the conditions for referral of the case are met, see section 201A of the Housing Act 1996 (c. 52) (cases referred from a local housing authority in Wales)."

(3) For subsection (3) substitute—

"(3) If authority A notifies authority B under section 80(2A) and it is decided that the conditions for referral of the case are not met, authority A is subject to—

(a) the duty under section 68 in relation to the applicant, if the duty applies, and

(b) the duty under section 75 in relation to the applicant, if the duty applies."

(4) Omit subsection (4).

(5) In subsection (5), for "The duty under subsection (1) ceases as provided in that subsection" substitute "Duties come to an end as provided for in subsections (1A) and (1B)".

(6) In subsection (6), after "review" insert ", if the authority was required to do so before a duty ceased to have effect by virtue of this section".

(7) In section 201A of the Housing Act 1996 (c. 52) ("the 1996 Act") (cases referred from a local housing authority in Wales)—

(a) in subsection (1), after "2014" insert "("the 2014 Act")";

(b) for subsection (2) substitute—

"(2) If the conditions for the referral under section 80 of the 2014 Act are met—

(a) for the purposes of this Part, the person whose case is referred is to be treated as having made an application of the kind mentioned in section 183(1) to the notified authority on the date on which notice is given under section 84(1B) of the 2014 Act that the conditions of referral are met,

(b) from that date, the notifying authority owes no duties to the applicant under Chapter 2 of Part 2 of the 2014 Act,

(c) where the notifying authority have made a decision as to whether the applicant is eligible for assistance under Chapter 2 of Part 2 of the 2014 Act, homeless or threatened with homelessness for the purposes of that Act, the applicant is to be treated as eligible for assistance, homeless or threatened with homelessness for the purposes of this Part, unless the notified authority come to a different conclusion in accordance with subsection (3), and

(d) the notifying authority must give to the notified authority copies of any notifications or documents that the notifying authority have given to the applicant under section 63 (notice of the outcome of assessment) or 63A (prevention, support and accommodation plans) of the 2014 Act.

(3) For the purposes of subsection (2)(c), the notified authority may only come to a different conclusion if they are satisfied that—

(a) the applicant's circumstances have changed, or further information has come to light, since the notifying authority made their decision and that change in circumstances, or further information, justifies the notified authority coming to a different decision to the notifying authority, or

(b) there is a difference in effect between Chapter 2 of Part 2 of the 2014 Act and this Act regarding eligibility for assistance, the meaning of homelessness or the meaning of being threatened with homelessness that would materially affect a decision as to whether the applicant is eligible for assistance, homeless or threatened with homelessness for the purposes of this Part.";

(c) hepgorer is-adran (3).

15 Achosion a atgyfeirir gan awdurdod tai lleol yn Lloegr

Yn adran 83(2) o Ddeddf 2014 (achosion a atgyfeirir gan awdurdod tai lleol yn Lloegr)—

(a) ym mharagraff (a) hepgorer "ar gyfer ceiswyr digartref mewn angen blaenoriaethol";

(b) yn lle paragraff (b) rhodder—

"(b) adran 75 (dyletswydd i sicrhau llety);".

16 Hysbysiad i geiswyr mewn achosion atgyfeirio

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 82 (dyletswyddau i geisydd y mae ei achos yn cael ei ystyried ar gyfer ei atgyfeirio neu'n cael ei atgyfeirio)—

(a) hepgorer is-adran (2);

(b) hepgorer is-adran (7).

(3) Yn adran 84 (hysbysiad bod dyletswyddau wedi dod i ben)—

(c) where the notifying authority have made a decision as to whether the applicant is eligible for assistance under Chapter 2 of Part 2 of the 2014 Act, homeless or threatened with homelessness for the purposes of that Act, the applicant is to be treated as eligible for assistance, homeless or threatened with homelessness for the purposes of this Part, unless the notified authority come to a different conclusion in accordance with subsection (3), and

(d) the notifying authority must give to the notified authority copies of any notifications or documents that the notifying authority have given to the applicant under section 63 (notice of the outcome of assessment) or 63A (prevention, support and accommodation plans) of the 2014 Act.

(3) For the purposes of subsection (2)(c), the notified authority may only come to a different conclusion if they are satisfied that—

(a) the applicant's circumstances have changed, or further information has come to light, since the notifying authority made their decision and that change in circumstances, or further information, justifies the notified authority coming to a different decision to the notifying authority, or

(b) there is a difference in effect between Chapter 2 of Part 2 of the 2014 Act and this Act regarding eligibility for assistance, the meaning of homelessness or the meaning of being threatened with homelessness that would materially affect a decision as to whether the applicant is eligible for assistance, homeless or threatened with homelessness for the purposes of this Part.";

(c) omit subsection (3).

15 Cases referred from a local housing authority in England

In section 83(2) of the 2014 Act (cases referred from a local housing authority in England)—

(a) in paragraph (a) omit "for homeless applicants in priority need";

(b) for paragraph (b) substitute—

"(b) section 75 (duty to secure accommodation);".

16 Notice to applicants in referral cases

(1) The 2014 Act is amended as follows.

(2) In section 82 (duties to applicant whose case is considered for referral or referred)—

(a) omit subsection (2);

(b) omit subsection (7).

(3) In section 84 (notice that duties have ended)—

(a) yn y pennawd, ar ôl "bod dyletswyddau wedi dod i ben" mewnosoder "ac am atgyfeiriadau cysylltiadau lleol";

(b) yn is-adran (1), hepgorer "(gan gynnwys pan fo'r awdurdod wedi atgyfeirio achos y ceisydd at awdurdod arall neu wedi penderfynu bod yr amodau ar gyfer atgyfeirio yn cael eu bodloni)";

(c) ar ôl is-adran (1A) (a fewnosodir gan adran 5(2)) mewnosoder—

"(1B) Pan fo awdurdod tai lleol ("awdurdod A") yn hysbysu awdurdod tai lleol arall (pa un ai yng Nghymru neu yn Lloegr) ("awdurdod B") am ei farn bod yr amodau ar gyfer atgyfeirio achos ceisydd o dan adran 80 wedi eu bodloni, rhaid iddo, ar yr un pryd, hysbysu'r ceisydd bod awdurdod B wedi cael ei hysbysu am farn awdurdod A.

(1C) Rhaid i awdurdod A hefyd hysbysu'r ceisydd am benderfyniad o dan adran 80(5) ynghylch a yw'r amodau ar gyfer atgyfeirio achos y ceisydd wedi eu bodloni.

(1D) Rhaid i hysbysiad a roddir gan awdurdod A i geisydd o dan is-adran (1B) neu (1C)—

(a) nodi'r rhesymau dros y farn neu'r penderfyniad,

(b) esbonio effaith awdurdod A yn hysbysu awdurdod B ar hawlogaethau'r ceisydd o dan y Bennod hon, neu effaith y penderfyniad o dan adran 80(5) ar yr hawlogaethau hynny,

(c) rhoi gwybod i'r ceisydd am unrhyw hawl i ofyn am adolygiad, a

(d) pennu'r cyfnod amser y mae'n rhaid cyflwyno cais o'r fath ynddo."

Dyletswyddau pellach o ran atal digartrefedd

17 Cymorth i gadw llety addas a sicrhawyd wrth arfer swyddogaethau digartrefedd

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 76 (amgylchiadau pan fo'r ddyletswydd yn adran 75 yn dod i ben) mewnosoder—

"76A Dyletswydd a phŵer i ddarparu cymorth i gadw llety addas

(1) Mae'r ddyletswydd yn is-adran (2) yn gymwys mewn perthynas â'r canlynol—

(a) ceisydd—

(i) nad yw'n ddigartref nac o dan fygythiad o ddigartrefedd,

(ii) y mae llety addas ar gael iddo ei feddiannu a oedd, i unrhyw raddau, wedi ei gadw neu wedi ei sicrhau drwy awdurdod tai lleol yn arfer swyddogaethau o dan y Bennod hon (pa un ai drwy ddarparu llety neu fathau eraill o gymorth), a

(a) in the heading, after "that duties have ended" insert "and of local connection referrals";

(b) in subsection (1), omit "(including where the authority has referred the applicant's case to another authority or decided that the conditions for referral are met)";

(c) after subsection (1A) (inserted by section 5(2)) insert—

"(1B) Where a local housing authority ("authority A") notifies another local housing authority (whether in Wales or England) ("authority B") of its opinion that the conditions for referral of an applicant's case under section 80 are met, it must at the same time notify the applicant that authority B has been notified of authority A's opinion.

(1C) Authority A must also notify the applicant of a decision under section 80(5) as to whether the conditions for referral of the applicant's case are met.

(1D) A notice given by authority A to an applicant under subsection (1B) or (1C) must—

(a) set out the reasons for the opinion or decision,

(b) explain the effect on the applicant's entitlements under this Chapter of authority A notifying authority B or of the decision under section 80(5),

(c) inform the applicant of any right to request a review, and

(d) specify the time within which such a request must be made."

Further homelessness prevention duties

17 Help to retain suitable accommodation secured in exercise of homelessness functions

(1) The 2014 Act is amended as follows.

(2) After section 76 (circumstances in which the duty in section 75 ends) insert—

"76A Duty and power to provide help to retain suitable accommodation

(1) The duty in subsection (2) applies in relation to—

(a) an applicant—

(i) who is not homeless or threatened with homelessness,

(ii) for whom suitable accommodation is available for occupation that was, to any extent, retained or secured by the exercise of functions under this Chapter by a local housing authority (whether through the provision of accommodation or other kinds of help), and

(iii) y mae'r awdurdod tai lleol yn ystyried ei fod mewn perygl o ddod yn ddigartref neu o ddod o dan fygythiad o ddigartrefedd oni bai bod cymorth pellach yn cael ei ddarparu;

(b) yr awdurdod tai lleol sy'n arfer y swyddogaethau a ddisgrifir ym mharagraff (a)(ii) mewn perthynas â'r ceisydd.

(2) Rhaid i'r awdurdod tai lleol gynorthwyo i sicrhau nad yw llety'r ceisydd yn peidio â bod ar gael i'r ceisydd ei feddiannu drwy gymryd camau rhesymol sy'n debygol o gyflawni'r diben hwnnw.

(3) Mae is-adran (4) yn gymwys mewn perthynas â cheisydd y mae'r ddyletswydd yn is-adran (2) wedi dod i ben ar ei gyfer yn yr amgylchiadau a ddisgrifir yn is-adran (4) neu (6) o adran 76B.

(4) Caiff yr awdurdod tai lleol gynorthwyo i sicrhau nad yw llety'r ceisydd yn peidio â bod ar gael i'r ceisydd ei feddiannu drwy gymryd camau rhesymol sy'n debygol o gyflawni'r diben hwnnw.

76B Amgylchiadau pan fo'r ddyletswydd yn adran 76A(2) yn dod i ben

(1) Daw'r ddyletswydd i geisydd o dan adran 76A(2) i ben yn unrhyw un neu ragor o'r amgylchiadau a ddisgrifir yn is-adran (2), (3), (4), (6) neu (9) os yw'r ceisydd wedi cael ei hysbysu yn unol ag adran 84.

(2) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon bod y ceisydd wedi dod yn ddigartref.

(3) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon (pa un ai o ganlyniad i'r camau y mae wedi eu cymryd ai peidio) nad yw'r ceisydd bellach mewn perygl o ddod yn ddigartref neu o ddod o dan fygythiad o ddigartrefedd oni bai bod cymorth yn cael ei ddarparu.

(4) Yr amgylchiadau yw—

(a) bod y ceisydd yn meddiannu llety sydd wedi ei ddarparu neu wedi ei drefnu wrth arfer swyddogaethau o dan y Bennod hon, a

(b) bod y cyfnod yn is-adran (5) sy'n dechrau ar y diwrnod diweddarach wedi dod i ben.

(5) Y cyfnodau yw—

(a) y cyfnod o 12 mis sy'n dechrau ar y diwrnod y daeth y llety ar gael i'r ceisydd ei feddiannu;

(b) y cyfnod o 12 mis sy'n dechrau ar y diwrnod yr hysbysir y ceisydd o dan adran 63 fod dyletswydd o dan adran 76A(2) yn ddyledus i'r ceisydd.

(6) Yr amgylchiadau yw—

(a) bod y ceisydd yn meddiannu llety a sicrhawyd wrth arfer swyddogaethau o dan y Bennod hon, ond nas darparwyd ac nas trefnwyd wrth arfer y swyddogaethau hynny, a

(iii) who is considered by the local housing authority to be at risk of becoming homeless or threatened with homelessness unless further help is provided;

(b) the local housing authority that exercises the functions described in paragraph (a)(ii) in relation to the applicant.

(2) The local housing authority must help to secure that the applicant's accommodation does not cease to be available for occupation by the applicant by taking reasonable steps likely to achieve that purpose.

(3) Subsection (4) applies in relation to an applicant for whom the duty in subsection (2) has come to an end in the circumstances described in subsection (4) or (6) of section 76B.

(4) The local housing authority may help to secure that the applicant's accommodation does not cease to be available for occupation by the applicant by taking reasonable steps likely to achieve that purpose.

76B Circumstances in which the duty in section 76A(2) comes to an end

(1) The duty to an applicant under section 76A(2) comes to an end in any of the circumstances described in subsection (2), (3), (4), (6) or (9) if the applicant has been notified in accordance with section 84.

(2) The circumstances are that the local housing authority is satisfied that the applicant has become homeless.

(3) The circumstances are that the local housing authority is satisfied (whether as a result of the steps it has taken or not) that the applicant is no longer at risk of becoming homeless or threatened with homelessness unless help is provided.

(4) The circumstances are that—

(a) the applicant occupies accommodation provided or arranged in exercise of functions under this Chapter, and

(b) the period in subsection (5) beginning on the later date has ended.

(5) The periods are—

(a) the period of 12 months beginning on the day the accommodation became available for occupation by the applicant;

(b) the period of 12 months beginning on the day the applicant is notified under section 63 that a duty under section 76A(2) is owed to the applicant.

(6) The circumstances are that—

(a) the applicant occupies accommodation that was secured in exercise of functions under this Chapter, but not provided or arranged in exercise of those functions, and

(b) bod y cyfnod yn is-adran (7) sy'n dechrau ar y dyddiad diweddarach wedi dod i ben.

(7) Y cyfnodau yw—

(a) y cyfnod o 12 mis sy'n dechrau ar y diwrnod yr hysbysir y ceisydd o dan adran 84 fod y ddyletswydd o dan adran 66 wedi dod i ben;

(b) y cyfnod o 12 mis sy'n dechrau ar y diwrnod yr hysbysir y ceisydd o dan adran 63 fod dyletswydd o dan adran 76A(2) yn ddyledus i'r ceisydd.

(8) At ddiben is-adrannau (5) a (7) mae'r ceisydd i'w drin fel pe bai wedi ei hysbysu ar y diwrnod y mae'r hysbysiad yn cael ei anfon neu'n dod ar gael i'w gasglu gyntaf.

(9) Yr amgylchiadau yw bod y ceisydd wedi gofyn nad yw cymorth o'r math sy'n ofynnol gan adran 76A(2) yn cael ei ddarparu gan yr awdurdod tai lleol.

(10) Gweler adran 79 am amgylchiadau pellach pan fo'r ddyletswydd yn adran 76A(2) yn dod i ben."

(3) Yn adran 79(1) (amgylchiadau pellach pan fo'r dyletswyddau i gynorthwyo ceiswyr yn dod i ben), yn lle "a 75" rhodder ", 75 ac 76A(2)".

(4) Yn adran 84(1) (hysbysiad bod dyletswyddau wedi dod i ben), yn lle "neu 75" rhodder ", 75 neu 76A(2)".

18 Dyletswydd i gysylltu â cheiswyr penodol ar ôl i'r ddyletswydd yn adran 75 ddod i ben

Ar ôl adran 76B o Ddeddf 2014 (amgylchiadau pan fo'r ddyletswydd yn adran 76A(2) yn dod i ben) (a fewnosodir gan adran 17(2)), mewnosoder—

"76C Dyletswydd i gadw mewn cysylltiad â cheiswyr penodol

(1) Mae'r ddyletswydd yn is-adran (3) yn gymwys mewn perthynas â'r canlynol—

(a) ceisydd—

(i) yr oedd dyletswydd iddo o dan adran 75 a ddaeth i ben o dan yr amgylchiadau a ddisgrifir yn adran 76(7A), a

(ii) nad yw o fewn is-adran (2);

(b) yr awdurdod tai lleol a arferodd y swyddogaeth a ddisgrifir ym mharagraff (a)(i) mewn perthynas â'r ceisydd.

(2) Mae ceisydd o fewn yr is-adran hon—

(a) os oes dyletswydd ar yr awdurdod tai lleol i'r ceisydd o dan adran 76A(2) ar ddechrau'r cyfnod perthnasol, neu

(b) os yw'n ofynnol i'r awdurdod tai lleol, ar unrhyw adeg yn ystod y cyfnod perthnasol, gynnal asesiad o dan adran 62 mewn cysylltiad â'r ceisydd neu os yw wedi cynnal asesiad o'r fath cyn dechrau'r cyfnod perthnasol.

(b) the period in subsection (7) beginning on the later date has ended.

(7) The periods are—

(a) the period of 12 months beginning on the day the applicant is notified under section 84 that the duty under section 66 has come to an end;

(b) the period of 12 months beginning on the day the applicant is notified under section 63 that a duty under section 76A(2) is owed to the applicant.

(8) For the purpose of subsections (5) and (7) the applicant is to be treated as notified on the day the notice is sent or first made available for collection.

(9) The circumstances are that the applicant has asked that help of the kind required by section 76A(2) is not provided by the local housing authority.

(10) See section 79 for further circumstances in which the duty in section 76A(2) comes to an end."

(3) In section 79(1) (further circumstances in which the duties to help applicants end), for "and 75" substitute ", 75 and 76A(2)".

(4) In section 84(1) (notice that duties have ended), for "or 75" substitute ", 75 or 76A(2)".

18 Duty to contact certain applicants after duty in section 75 comes to an end

After section 76B of the 2014 Act (circumstances in which the duty in section 76A(2) comes to an end) (inserted by section 17(2)), insert—

"76C Duty to keep in touch with certain applicants

(1) The duty in subsection (3) applies in relation to—

(a) an applicant who—

(i) was owed a duty under section 75 and that duty came to an end in the circumstances described in section 76(7A), and

(ii) is not within subsection (2);

(b) the local housing authority that exercised the function described in paragraph (a)(i) in relation to the applicant.

(2) An applicant is within this subsection if the local housing authority—

(a) at the beginning of the relevant period owes the applicant a duty under section 76A(2), or

(b) at any time during the relevant period is required to carry out an assessment under section 62 in respect of the applicant or has carried out such an assessment before the beginning of the relevant period.

(3) Rhaid i'r awdurdod tai lleol gymryd camau rhesymol i gysylltu â'r ceisydd (pa un a yw'r ceisydd o fewn ei ardal ai peidio) o fewn y cyfnod perthnasol gyda'r nod o ganfod, o ran y ceisydd, a yw neu a all fod yn ddigartref neu o dan fygythiad o ddigartrefedd, neu a yw mewn perygl o ddod yn ddigartref neu o ddod o dan fygythiad o ddigartrefedd.

(4) Os yw'r awdurdod tai lleol yn ystyried, o ran y ceisydd, ei fod neu y gall fod yn ddigartref neu o dan fygythiad o ddigartrefedd, neu ei fod mewn perygl o ddod yn ddigartref neu o ddod o dan fygythiad o ddigartrefedd, rhaid i'r awdurdod tai lleol roi i'r ceisydd y gyfryw wybodaeth a'r cyfryw gyngor y mae'r awdurdod yn ystyried ei bod neu ei fod yn briodol.

(5) At ddiben yr adran hon, y "cyfnod perthnasol" yw'r cyfnod o 2 fis ar ôl diwedd y cyfnod o 5 mis sy'n dechrau ar y diwrnod yr hysbysir y ceisydd yn unol ag adran 84 fod y ddyletswydd o dan adran 75 wedi dod i ben."

Ymddygiad annerbyniol sy'n dod â dyletswyddau i ben

19 Amgylchiadau pellach pan fo'r dyletswyddau i gynorthwyo ceiswyr yn dod i ben

(1) Mae adran 79 o Ddeddf 2014 (amgylchiadau pellach pan fo'r dyletswyddau i gynorthwyo ceiswyr yn dod i ben) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1), yn lle "neu (5)" rhodder ", (5), (6) neu (7)".

(3) Yn lle is-adran (5), rhodder—

"(5) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon—

(a) bod y ceisydd wedi ymddwyn yn dreisgar neu'n fygythiol tuag at unigolyn a oedd yn cyflawni gweithgaredd sy'n gysylltiedig â'r canlynol—

(i) arfer swyddogaethau o dan y Bennod hon, neu

(ii) darparu llety neu wasanaethau eraill a sicrhawyd i unrhyw raddau drwy arfer swyddogaethau o dan y Bennod hon,

(b) bod yr ymddygiad wedi digwydd yn ystod y cyfnod pan fo cais ceisydd yn cael ei ystyried a bo unrhyw ddyletswydd o dan adran 66, 68, 75 neu 76A(2) yn gymwys, ac

(c) nad oes dim amgylchiadau arbennig a fyddai'n ei gwneud yn briodol i'r ddyletswydd berthnasol barhau i fod yn gymwys.

(6) Yr amgylchiadau yw bod yr awdurdod tai lleol yn fodlon—

(a) bod eiddo a oedd yn llety a sicrhawyd i unrhyw raddau drwy arfer swyddogaethau o dan y Bennod hon, neu eiddo a ddarparwyd i'w ddefnyddio mewn cysylltiad â llety o'r fath, wedi ei ddinistrio neu wedi ei ddifrodi'n ddifrifol yn ystod y cyfnod pan fo cais ceisydd yn cael ei ystyried a bo unrhyw ddyletswydd o dan adran 66, 68 neu 75 yn gymwys,

(3) The local housing authority must take reasonable steps to contact the applicant (whether the applicant is within its area or not) within the relevant period with a view to identifying whether the applicant is or may be homeless or threatened with homelessness or is at risk of becoming homeless or threatened with homelessness.

(4) If the local housing authority considers that the applicant is or may be homeless or threatened with homelessness, or is at risk of becoming homeless or threatened with homelessness, the local housing authority must give the applicant such information and advice as it considers appropriate.

(5) For the purpose of this section, the "relevant period" is the period of 2 months after the end of the period of 5 months that begins on the day that the applicant is notified in accordance with section 84 that the duty under section 75 has come to an end."

Unacceptable behaviour that brings duties to an end

19 Further circumstances in which the duties to help applicants end

(1) Section 79 of the 2014 Act (further circumstances in which the duties to help applicants end) is amended as follows.

(2) In subsection (1), for "or (5)" substitute ", (5), (6) or (7)".

(3) For subsection (5), substitute—

"(5) The circumstances are that the local housing authority is satisfied that—

(a) the applicant engaged in violent or threatening behaviour towards an individual carrying out an activity connected with—

(i) the exercise of functions under this Chapter, or

(ii) the provision of accommodation or other services secured to any extent by the exercise of functions under this Chapter,

(b) the behaviour occurred during the period in which an applicant's case is being considered and any duty under section 66, 68, 75 or 76A(2) applies, and

(c) there are no special circumstances that would make it appropriate for the relevant duty to continue to apply.

(6) The circumstances are that the local housing authority is satisfied that—

(a) property consisting of, or provided for use in connection with, accommodation secured to any extent by the exercise of functions under this Chapter has been destroyed or seriously damaged during the period in which an applicant's case is being considered and any duty under section 66, 68 or 75 applies,

(b) bod y ceisydd, neu berson sy'n preswylio gyda'r ceisydd, wedi dinistrio'r eiddo neu wedi ei ddifrodi'n ddifrifol, neu wedi ysgogi neu annog ei ddinistrio neu ei ddifrodi gan berson arall,

(c) bod y ceisydd neu berson sy'n preswylio gyda'r ceisydd wedi bwriadu dinistrio'r eiddo neu ei ddifrodi'n ddifrifol, neu wedi bod yn ddi-hid o ran a fyddai'r eiddo yn cael ei ddinistrio neu ei ddifrodi'n ddifrifol,

(d) nad oes dim esgus rhesymol dros weithredoedd y ceisydd neu'r person sy'n preswylio gyda'r ceisydd, ac

(e) nad oes dim amgylchiadau arbennig a fyddai'n ei gwneud yn briodol i'r ddyletswydd berthnasol barhau i fod yn gymwys.

(7) Yr amgylchiadau yw—

(a) nad yw'r ceisydd wedi ymateb i geisiadau mynych gan yr awdurdod tai lleol i gysylltu â'r ceisydd mewn cysylltiad â'r cais,

(b) nad yw'r awdurdod yn ymwybodol o unrhyw amgylchiadau arbennig a fyddai'n ei gwneud yn briodol i'r ddyletswydd berthnasol barhau i fod yn gymwys,

(c) bod yr awdurdod wedi rhoi hysbysiad rhybuddio i'r ceisydd yn esbonio—

(i) bod yr awdurdod, oherwydd y ffeithiau a ddisgrifir ym mharagraff (a), yn bwriadu rhoi hysbysiad i'r ceisydd o dan adran 84, a

(ii) canlyniadau rhoi hysbysiad o dan adran 84 i'r ceisydd, a

(d) bod cyfnod rhesymol wedi mynd heibio ers i'r hysbysiad rhybuddio gael ei roi, a hynny heb unrhyw gyswllt gan y ceisydd mewn cysylltiad â'r cais.

(8) Rhaid i hysbysiad rhybuddio o dan is-adran (7) gael ei roi yn ysgrifenedig ac, os nad yw'n dod i law'r ceisydd, gael ei drin fel pe bai wedi ei roi i'r ceisydd os yw ar gael yn swyddfa'r awdurdod am gyfnod rhesymol i'w gasglu gan y ceisydd neu ar ran y ceisydd."

Dyletswydd i ofyn a gweithredu

20 Dyletswydd person penodedig i ofyn a gweithredu

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(b) the applicant, or a person who resides with the applicant, destroyed or seriously damaged the property or incited or encouraged its destruction or damage by another person,

(c) the applicant or person who resides with the applicant intended the destruction or serious damage of the property or was reckless as to whether it would be destroyed or seriously damaged,

(d) there is no reasonable excuse for the actions of the applicant or person who resides with the applicant, and

(e) there are no special circumstances that would make it appropriate for the relevant duty to continue to apply.

(7) The circumstances are that—

(a) the applicant has not responded to repeated attempts by the local housing authority to contact the applicant in connection with the application,

(b) the authority is not aware of any special circumstances that would make it appropriate for the relevant duty to continue to apply,

(c) the authority has given a warning notice to the applicant explaining—

(i) that because of the facts described in paragraph (a), it intends to give notice to the applicant under section 84, and

(ii) the consequences of a notice under section 84 being given to the applicant, and

(d) a reasonable period has elapsed since the warning notice was given without any contact from the applicant in connection with the application.

(8) A warning notice under subsection (7) must be given in writing and, if not received by the applicant, is to be treated as having been given to the applicant if it is made available at the authority's office for a reasonable period for collection by or on behalf of the applicant."

Duty to ask and act

20 Duty of a specified person to ask and act

(1) The 2014 Act is amended as follows.

(2) Ar ôl adran 94 (gwarchod eiddo: darpariaethau atodol) mewnosoder—

"94A Dyletswydd person penodedig i ofyn a gweithredu

(1) Mae'r adran hon yn gymwys os yw person penodedig (gweler adran 94B) yn ystyried bod unigolyn yng Nghymru y mae'r person penodedig yn arfer swyddogaethau mewn perthynas ag ef yn ddigartref neu o dan fygythiad o ddigartrefedd, neu y gall fod yn ddigartref neu o dan fygythiad o ddigartrefedd, yn ddarostyngedig i is-adran (7).

(2) Rhaid i'r person penodedig ofyn i'r unigolyn—

(a) cytuno i'r person penodedig hysbysu awdurdod tai lleol yng Nghymru neu yn Lloegr am y canlynol—

(i) y farn a grybwyllir yn is-adran (1), a

(ii) sut y gall yr awdurdod tai lleol gysylltu â'r unigolyn;

(b) enwi awdurdod tai lleol yng Nghymru neu yn Lloegr yr hoffai'r unigolyn i'r hysbysiad gael ei wneud iddo.

(3) Os yw'r unigolyn yn cytuno i'r person penodedig wneud yr hysbysiad, rhaid i'r person penodedig hysbysu—

(a) yr awdurdod tai lleol a enwyd gan yr unigolyn, neu

(b) os nad yw'r unigolyn wedi enwi awdurdod, yr awdurdod tai lleol yng Nghymru neu yn Lloegr y mae'r person penodedig yn ystyried ei fod yn briodol.

(4) Os yw'r hysbysiad sy'n ofynnol gan is-adran (3) yn cael ei wneud i awdurdod tai lleol yng Nghymru, mae'r hysbysiad i'w drin fel pe bai'n gais gan yr unigolyn i'r awdurdod tai lleol o dan adran 62(1)(a).

(5) Rhaid i'r person penodedig—

(a) darparu gwybodaeth i'r unigolyn am y cymorth sydd ar gael ar gyfer pobl sy'n ddigartref neu y gallent ddod yn ddigartref;

(b) ystyried a oes unrhyw gamau eraill y gallai, yn rhesymol, eu cymryd wrth arfer ei swyddogaethau i gynorthwyo'r unigolyn i sicrhau neu i gadw llety addas ac, os yw'r person penodedig yn ystyried bod unrhyw gamau o'r fath, rhaid iddo gymryd y camau hynny;

(c) ystyried a yw'r farn a grybwyllir yn is-adran (1) yn effeithio ar arfer ei swyddogaethau mewn perthynas â'r unigolyn ynghylch unrhyw fater.

(6) Nid yw paragraffau (b) ac (c) o is-adran (5) yn effeithio ar unrhyw un neu ragor o hawliau'r person penodedig, pa un ai yn rhinwedd contract, deddfiad neu reolaeth cyfraith, i sicrhau meddiant gwag o unrhyw lety.

(7) Nid yw'r dyletswyddau yn is-adrannau (2) a (3) yn gymwys os yw'r person penodedig yn fodlon—

(2) After section 94 (protection of property: supplementary provisions) insert—

"94A Duty of a specified person to ask and act

(1) This section applies if a specified person (see section 94B) considers that an individual in Wales in relation to whom the specified person exercises functions is or may be homeless or threatened with homelessness, subject to subsection (7).

(2) The specified person must ask the individual—

(a) to agree to the specified person notifying a local housing authority in Wales or England of—

(i) the opinion mentioned in subsection (1), and

(ii) how the individual may be contacted by the local housing authority;

(b) to identify a local housing authority in Wales or England to which the individual would like the notification to be made.

(3) If the individual agrees to the specified person making the notification, the specified person must notify—

(a) the local housing authority identified by the individual, or

(b) if the individual has not identified an authority, the local housing authority in Wales or England that the specified person considers appropriate.

(4) If the notification required by subsection (3) is made to a local housing authority in Wales, the notification is to be treated as if it were an application by the individual to the local housing authority under section 62(1)(a).

(5) The specified person must—

(a) provide the individual with information about help available for people who are homeless or who may become homeless;

(b) consider whether there are any other steps it could reasonably take in the exercise of its functions to help the individual secure or retain suitable accommodation and, if the specified person considers there are any, it must take those steps;

(c) consider whether the opinion mentioned in subsection (1) affects the exercise of its functions in relation to the individual regarding any matter.

(6) Paragraphs (b) and (c) of subsection (5) do not affect any right of the specified person, whether by virtue of a contract, enactment or rule of law, to secure vacant possession of any accommodation.

(7) The duties in subsections (2) and (3) do not apply if the specified person is satisfied that—

(a) bod cais i awdurdod tai lleol yng Nghymru o dan adran 62(1)(a) o'r Ddeddf hon, neu i awdurdod lleol yn Lloegr o dan adran 183 o Ddeddf Tai 1996 (p. 52) ("Deddf 1996"), wedi ei wneud mewn cysylltiad â'r unigolyn, a

(b) naill ai—

(i) bod y cais yn cael ei ystyried, neu

(ii) bod dyletswydd yn gymwys o dan y Ddeddf hon, neu Ddeddf 1996, i sicrhau llety neu i ddarparu cymorth arall mewn cysylltiad â'r cais.

94B Personau penodedig

(1) At ddibenion adran 94A, mae pob un o'r canlynol yn "person penodedig"—

(a) awdurdod gwasanaethau cymdeithasol;

(b) Bwrdd Iechyd Lleol, ond dim ond mewn perthynas ag unigolion y mae'n darparu neu'n trefnu gwasanaethau gofal iechyd iddynt nad ydynt yn wasanaethau gofal sylfaenol;

(c) Ymddiriedolaeth Brifysgol Gwasanaeth Iechyd Gwladol Gwasanaethau Ambiwlans Cymru;

(d) landlord cymdeithasol cofrestredig;

(e) corfforaeth tref newydd ar gyfer ardal yng Nghymru;

(f) darparwr tai cymdeithasol preifat cofrestredig sy'n darparu tai yng Nghymru;

(g) ymddiriedolaeth gweithredu tai ar gyfer ardal yng Nghymru;

(h) llywodraethwr carchar yng Nghymru;

(i) cyfarwyddwr carchar ar gontract yng Nghymru;

(j) llywodraethwr sefydliad troseddwyr ifanc yng Nghymru;

(k) llywodraethwr canolfan hyfforddi ddiogel yng Nghymru;

(l) cyfarwyddwr canolfan hyfforddi ddiogel ar gontract yng Nghymru;

(m) pennaeth coleg diogel yng Nghymru;

(n) tîm troseddwyr ifanc sydd wedi ei sefydlu o dan adran 39(1) o Ddeddf Trosedd ac Anhrefn 1998 (p. 37) ar gyfer ardal yng Nghymru;

(o) rheolwr cartref diogel i blant yng Nghymru;

(p) darparwr gwasanaethau prawf yng Nghymru;

(q) swyddog sydd wedi ei ddynodi gan yr Ysgrifennydd Gwladol dros Waith a Phensiynau at ddibenion adran 94A ac sydd wedi ei gyflogi gan yr Ysgrifennydd Gwladol mewn swyddfa yng Nghymru a elwir yn swyddfa Canolfan Byd Gwaith;

(a) an application to a local housing authority in Wales under section 62(1)(a) of this Act, or a local authority in England under section 183 of the Housing Act 1996 (c. 52) ("the 1996 Act"), has been made in respect of the individual, and

(b) either—

(i) the application is being considered, or

(ii) a duty applies under this Act, or the 1996 Act, to secure accommodation or provide other help in respect of the application.

94B Specified persons

(1) For the purposes of section 94A, each of the following is a "specified person"—

(a) a social services authority;

(b) a Local Health Board, but only in relation to individuals to whom it provides or arranges health care services that are not primary care services;

(c) the Welsh Ambulance Services University National Health Service Trust;

(d) a registered social landlord;

(e) a new town corporation for an area in Wales;

(f) a private registered provider of social housing that provides housing in Wales;

(g) a housing action trust for an area in Wales;

(h) the governor of a prison in Wales;

(i) the director of a contracted out prison in Wales;

(j) the governor of a young offender institution in Wales;

(k) the governor of a secure training centre in Wales;

(l) the director of a contracted out secure training centre in Wales;

(m) the principal of a secure college in Wales;

(n) a youth offending team established under section 39(1) of the Crime and Disorder Act 1998 (c. 37) for an area in Wales;

(o) the manager of a secure children's home in Wales;

(p) a provider of probation services in Wales;

(q) an officer designated by the Secretary of State for Work and Pensions for the purposes of section 94A and employed by the Secretary of State at an office in Wales known as a Jobcentre Plus office;

(r) yr Ysgrifennydd Gwladol dros Amddiffyn, ond dim ond mewn perthynas ag aelodau o luoedd arfog rheolaidd y Goron.

(2) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio is-adran (1)—

(a) er mwyn hepgor cyfeiriad at berson neu ddisgrifiad o berson;

(b) er mwyn ychwanegu cyfeiriad at berson neu ddisgrifiad o berson;

(c) er mwyn newid cyfeiriad at berson neu ddisgrifiad o berson.

(3) O ran rheoliadau o dan is-adran (2)—

(a) cânt hepgor cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl;

(b) ni chânt ychwanegu cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl oni bai bod yr Ysgrifennydd Gwladol yn cydsynio;

(c) ni chânt newid cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl mewn ffordd sy'n addasu swyddogaethau'r awdurdod o dan adran 94A oni bai—

(i) yn achos awdurdod sy'n Weinidog y Goron, yr ymgynghorwyd â'r Ysgrifennydd Gwladol ynghylch y newid, neu

(ii) yn achos unrhyw awdurdod arall, fod yr Ysgrifennydd Gwladol yn cydsynio.

(4) Caiff rheoliadau o dan baragraff (b) neu (c) o is-adran (2)—

(a) disgrifio person drwy gyfeirio at arfer disgresiwn gan berson arall;

(b) pennu achosion neu amgylchiadau pryd y mae cyfeiriad at berson neu ddisgrifiad o berson yn gymwys."

(3) Yn adran 98 (canllawiau), ar ôl is-adran (2) mewnosoder—

"(2A) Wrth arfer ei swyddogaethau o dan adran 94A, rhaid i berson penodedig roi sylw i ganllawiau a roddir gan Weinidogion Cymru."

(4) Yn adran 142(3)(b)(ii) (gorchmynion a rheoliadau: y weithdrefn), yn lle "neu 86(1)" rhodder ", 86(1), 94B(2)".

21 Dyletswydd i atgyfeirio personau yn Lloegr at awdurdod tai lleol yng Nghymru

Yn adran 213B o Ddeddf 1996 (dyletswydd awdurdod cyhoeddus i atgyfeirio achosion yn Lloegr at awdurdod tai lleol)—

(a) yn is-adran (2), ar ôl "England" mewnosoder "or Wales";

(b) yn is-adran (3)(b), ar ôl "England" mewnosoder "or Wales";

(c) ar ôl is-adran (3) mewnosoder—

(r) the Secretary of State for Defence, but only in relation to members of the regular armed forces of the Crown.

(2) The Welsh Ministers may, by regulations, amend subsection (1)—

(a) to omit a reference to a person or a description of a person;

(b) to add a reference to a person or a description of a person;

(c) to change a reference to a person or a description of a person.

(3) Regulations under subsection (2)—

(a) may omit a reference to a reserved authority or a description of a person that includes a reserved authority;

(b) may not add a reference to a reserved authority or a description of a person that includes a reserved authority unless the Secretary of State consents;

(c) may not change a reference to a reserved authority or a description of a person that includes a reserved authority in a way that modifies the functions of the authority under section 94A unless—

(i) in the case of an authority that is a Minister of the Crown, the Secretary of State has been consulted about the change, or

(ii) in the case of any other authority, the Secretary of State consents.

(4) Regulations under paragraph (b) or (c) of subsection (2)—

(a) may describe a person by reference to the exercise of discretion by another person;

(b) may specify cases or circumstances in which a reference to a person or a description of a person applies."

(3) In section 98 (guidance), after subsection (2) insert—

"(2A) In the exercise of its functions under section 94A, a specified person must have regard to guidance given by the Welsh Ministers."

(4) In section 142(3)(b)(ii) (orders and regulations: procedure), for "or 86(1)" substitute ", 86(1), 94B(2)".

21 Duty to refer persons in England to a local housing authority in Wales

In section 213B of the 1996 Act (duty of public authority to refer cases in England to local housing authority)—

(a) in subsection (2), after "England" insert "or Wales";

(b) in subsection (3)(b), after "England" insert "or Wales";

(c) after subsection (3) insert—

"(3A) If the notification required by subsection (3) is made to a local housing authority in Wales, the notification is to be treated as if it were an application by the person to the local housing authority under section 62(1)(a) of the Housing (Wales) Act 2014 (anaw 7)."

Darpariaeth ar gyfer pobl hyglwyf

22 Dyletswydd i sicrhau bod gan bobl ifanc sy'n gadael gofal lety addas

(1) Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4) wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 108 (asesiadau a chynlluniau llwybr: trefniadau byw ôl-18) mewnosoder—

"108A Dyletswydd i sicrhau bod llety addas ar gael i bersonau sy'n gadael gofal

(1) Mae'r ddyletswydd yn is-adran (2) yn gymwys i—

(a) person ifanc categori 1;

(b) person ifanc categori 2;

(c) person ifanc categori 5;

(d) person ifanc categori 6;

ac, yn achos person ifanc categori 1 neu berson ifanc categori 2, mae'r ddyletswydd yn parhau i fod yn gymwys i'r person ifanc (i'r graddau y mae'r ddyletswydd yn ei gwneud yn ofynnol) ar ôl i'r person ifanc ddod yn berson ifanc categori 3.

(2) Os yw'n ofynnol i lesiant y person ifanc, rhaid i'r awdurdod lleol sy'n gyfrifol am y person ifanc gymryd camau rhesymol i sicrhau bod llety addas ar gael i'r person ifanc ei feddiannu—

(a) yn ystod y cyfnod o 3 blynedd sy'n dechrau â'r diwrnod y mae'r person ifanc yn cyrraedd 18 oed, a

(b) mewn perthynas â pherson ifanc categori 3, yn ystod cyfnod dilynol pan fydd dyletswydd i'r person ifanc o dan adran 110.

(3) Mae'r ddyletswydd yn is-adran (4) yn gymwys i—

(a) person ifanc categori 3;

(b) person ifanc categori 4;

(c) person ifanc categori 5 sy'n cael addysg bellach neu uwch lawnamser ac y caiff yr awdurdod cyfrifol roi cymorth iddo o dan adran 114(3);

(d) person ifanc a fu gynt yn berson ifanc categori 5 sy'n cael addysg bellach neu uwch lawnamser ac y caiff yr awdurdod cyfrifol roi cymorth iddo o dan adran 114(5);

(e) person ifanc categori 6 yn rhinwedd adran 104(3)(a) sy'n cael addysg bellach neu uwch lawnamser ac y caiff yr awdurdod cyfrifol roi cymorth iddo o dan adran 115(4);

"(3A) If the notification required by subsection (3) is made to a local housing authority in Wales, the notification is to be treated as if it were an application by the person to the local housing authority under section 62(1)(a) of the Housing (Wales) Act 2014 (anaw 7)."

Provision for vulnerable people

22 Duty to ensure young people leaving care have suitable accommodation

(1) The Social Services and Well-being (Wales) Act 2014 (anaw 4) is amended as follows.

(2) After section 108 (pathway assessments and plans: post-18 living arrangements) insert—

"108A Duty to ensure that suitable accommodation is available for care leavers

(1) The duty in subsection (2) applies to—

(a) a category 1 young person;

(b) a category 2 young person;

(c) a category 5 young person;

(d) a category 6 young person;

and, in the case of a category 1 or category 2 young person, the duty continues to apply to the young person (to the extent the duty requires) after the young person becomes a category 3 young person.

(2) If the young person's well-being requires it, the responsible local authority for the young person must take reasonable steps to secure that suitable accommodation is available for occupation by the young person—

(a) during the period of 3 years beginning with the day the young person attains the age of 18, and

(b) in relation to a category 3 young person, during a subsequent period when there is a duty towards the young person under section 110.

(3) The duty in subsection (4) applies to—

(a) a category 3 young person;

(b) a category 4 young person;

(c) a category 5 young person who is receiving full-time further or higher education and to whom the responsible authority may give support under section 114(3);

(d) a former category 5 young person who is receiving full-time further or higher education and to whom the responsible authority may give support under section 114(5);

(e) a category 6 young person by virtue of section 104(3)(a) who is receiving full-time further or higher education and to whom the responsible authority may give support under section 115(4);

(f) person ifanc a fu gynt yn berson ifanc categori 6 yn rhinwedd adran 104(3)(a) sy'n cael addysg bellach neu uwch lawnamser ac y caiff yr awdurdod cyfrifol roi cymorth iddo o dan adran 115(6);

ac mae'r ddyletswydd yn parhau i fod yn gymwys i'r person ifanc (i'r graddau y mae'r ddyletswydd yn ei gwneud yn ofynnol) ar ôl i'r person ifanc beidio â dod o fewn unrhyw un o baragraffau (a) i (f).

(4) Os yw'n ofynnol i lesiant y person ifanc, rhaid i'r awdurdod lleol sy'n gyfrifol am y person ifanc gymryd camau rhesymol i sicrhau bod llety addas ar gael i'r person ifanc ei feddiannu yn ystod y cyfnod o 12 mis sy'n dechrau â'r canlynol—

(a) mewn perthynas â pherson ifanc categori 3, y diwrnod y mae dyletswydd yr awdurdod i'r person ifanc o dan adran 110 yn dod i ben;

(b) mewn perthynas â pherson ifanc categori 4, y diwrnod y mae dyletswydd yr awdurdod i'r person ifanc o dan adran 112 yn dod i ben;

(c) mewn perthynas â pherson ifanc categori 5, y diwrnod y mae'r addysg bellach neu uwch, y mae'n bosibl bod cymorth o dan adran 114(3) wedi ei roi mewn cysylltiad â hi, yn dod i ben;

(d) mewn perthynas â pherson ifanc a fu gynt yn berson ifanc categori 5, y diwrnod y mae'r addysg bellach neu uwch, y mae'n bosibl bod cymorth o dan adran 114(5) wedi ei roi mewn cysylltiad â hi, yn dod i ben;

(e) mewn perthynas â pherson ifanc categori 6, y diwrnod y mae'r addysg bellach neu uwch, y mae'n bosibl bod cymorth o dan adran 115(4) wedi ei roi mewn cysylltiad â hi, yn dod i ben;

(f) mewn perthynas â pherson ifanc a fu gynt yn berson ifanc categori 6, y diwrnod y mae'r addysg bellach neu uwch, y mae'n bosibl bod cymorth o dan adran 115(6) wedi ei roi mewn cysylltiad â hi, yn dod i ben.

(5) Ni chaniateir ystyried bod llety ar gael i berson ifanc ei feddiannu at ddiben yr adran hon ond os yw ar gael i'r person ifanc hwnnw ei feddiannu ynghyd ag unrhyw berson arall y gellid disgwyl yn rhesymol iddo breswylio gyda'r person ifanc.

(6) Mae unrhyw amhariad ar raglen addysg neu hyfforddiant y mae person ifanc yn ei dilyn i'w ddiystyru at ddiben is-adrannau (3) a (4) os yw'r awdurdod lleol cyfrifol wedi ei fodloni y bydd y person ifanc yn ailgydio yn y rhaglen cyn gynted ag y bo'n rhesymol ymarferol."

(3) Yn adran 109 (cymorth ar gyfer pobl ifanc categori 2), hepgorer is-adran (3).

(f) a former category 6 young person by virtue of section 104(3)(a) who is receiving full-time further or higher education and to whom the responsible authority may give support under section 115(6);

and the duty continues to apply to the young person (to the extent the duty requires) after the young person ceases to fall within any of paragraphs (a) to (f).

(4) If the young person's well-being requires it, the responsible local authority for the young person must take reasonable steps to secure that suitable accommodation is available for occupation by the young person during the period of 12 months beginning with—

(a) in relation to a category 3 young person, the day the authority's duty to the young person under section 110 ends;

(b) in relation to a category 4 young person, the day the authority's duty to the young person under section 112 ends;

(c) in relation to a category 5 young person, the day the further or higher education, in respect of which support under section 114(3) may have been given, ends;

(d) in relation to a former category 5 young person, the day the further or higher education, in respect of which support under section 114(5) may have been given, ends;

(e) in relation to a category 6 young person, the day the further or higher education, in respect of which support under section 115(4) may have been given, ends;

(f) in relation to a former category 6 young person, the day the further or higher education, in respect of which support under section 115(6) may have been given, ends.

(5) Accommodation may only be regarded as available for a young person's occupation for the purpose of this section if it is available for occupation by that young person together with any other person who might reasonably be expected to reside with the young person.

(6) Any interruption in a young person's pursuance of a programme of education or training is to be disregarded for the purpose of subsections (3) and (4) if the responsible local authority is satisfied that the young person will resume the programme as soon as is reasonably practicable."

(3) In section 109 (support for category 2 young people), omit subsection (3).

(4) Ar ôl is-adran 109 mewnosoder—

"109A Ystyr llety addas

(1) Caiff rheoliadau wneud darpariaeth ynghylch ystyr "llety addas" at ddibenion adrannau 108A a 109.

(2) Caiff rheoliadau o dan is-adran (1) wneud darpariaeth drwy gyfeirio at—

(a) unrhyw fater sy'n gysylltiedig â'r llety, gan gynnwys (ymysg pethau eraill)—

(i) addasrwydd darparwyr llety;

(ii) yr amodau meddiannu;

(iii) natur neu safon llety;

(iv) lleoliad llety;

(b) nodweddion neu amgylchiadau personol person ifanc y mae adran 108A neu 109 yn gymwys iddo neu unrhyw berson y gellid disgwyl yn rhesymol i'r person ifanc breswylio gydag ef."

23 Protocol ar gyfer ymdrin ag achosion sy'n ymwneud â phersonau sy'n gadael gofal etc.

(1) Mae adran 95 o Ddeddf 2014 (cydweithredu) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1)(d), ar ôl "y Rhan hon" mewnosoder "ac, mewn perthynas â phersonau sy'n ddigartref neu sydd mewn perygl o ddod yn ddigartref, Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4) ("Deddf 2014")".

(3) Ar ôl is-adran (1) mewnosoder—

"(1A) Rhaid i'r trefniadau o dan is-adran (1) gynnwys protocol ar gyfer ymdrin ag achosion sy'n ymwneud â'r canlynol—

(a) personau 16 neu 17 oed sy'n ddigartref neu sydd o dan fygythiad o ddigartrefedd;

(b) anghenion llety a chefnogaeth personau sy'n gadael gofal;

(c) anghenion llety a chefnogaeth personau sy'n gadael gofal a phersonau 16 neu 17 oed sy'n gadael llety cadw ieuenctid, y carchar neu fangre a gymeradwywyd.

(1B) Yn is-adran (1A), o ran "personau sy'n gadael gofal" —

(a) ei ystyr yw personau sy'n dod o fewn unrhyw un o'r categorïau o berson ifanc sydd â hawl i gefnogaeth o dan unrhyw un neu ragor o adrannau 105 i 115 o Ddeddf 2014 (gweler adran 104 o Ddeddf 2014), a

(b) ym mharagraff (c), mae'n cynnwys personau a fyddai â hawl o'r fath oni bai am adrannau 185 a 186 o Ddeddf 2014."

(4) After section 109 insert—

"109A Meaning of suitable accommodation

(1) Regulations may make provision about the meaning of "suitable accommodation" for the purposes of section 108A and 109.

(2) Regulations under subsection (1) may make provision by reference to—

(a) any matter connected to the accommodation, including (among other things)—

(i) the suitability of providers of accommodation;

(ii) the conditions of occupation;

(iii) the nature or standard of accommodation;

(iv) the location of accommodation;

(b) the personal characteristics or circumstances of a young person to whom section 108A or 109 applies or any person with whom the young person might reasonably be expected to reside."

23 Protocol for handling cases involving care leavers etc.

(1) Section 95 of the 2014 Act (co-operation) is amended as follows.

(2) In subsection (1)(d), after "Part" insert "and, in relation to persons who are homeless or at risk of becoming homeless, the Social Services and Well-being (Wales) Act 2014 (anaw 4) ("the 2014 Act")".

(3) After subsection (1) insert—

"(1A) The arrangements under subsection (1) must include a protocol for handling cases involving—

(a) persons aged 16 or 17 who are homeless or threatened with homelessness;

(b) the accommodation and support needs of care leavers;

(c) the accommodation and support needs of care leavers and persons aged 16 or 17 leaving youth detention accommodation, prison or approved premises.

(1B) In subsection (1A), "care leavers"—

(a) means persons falling within any of the categories of young person entitled to support under any of sections 105 to 115 of the 2014 Act (see section 104 of the 2014 Act), and

(b) in paragraph (c), it includes persons who would be so entitled were it not for sections 185 and 186 of the 2014 Act."

24 Protocol ar gyfer ymdrin ag achosion sy'n ymwneud â phersonau y mae angen cefnogaeth arnynt yn benodol

(1) Mae adran 95 o Ddeddf 2014 (cydweithredu) wedi ei diwygio fel a ganlyn.

(2) Ar ôl is-adran (1B) (a fewnosodir gan adran 23(3)) mewnosoder—

"(1C) Rhaid i awdurdod tai lleol yng Nghymru wneud trefniadau i hybu cydweithredu rhyngddo ef ei hun a'r personau hynny y mae'n ystyried eu bod yn briodol a grybwyllir yn is-adran (1D) sy'n arfer swyddogaethau yn ardal yr awdurdod, gyda'r nod o gyflawni'r amcanion canlynol yn ei ardal—

(a) atal digartrefedd,

(b) bod llety addas ar gael i bersonau sy'n ddigartref neu y gallent ddod yn ddigartref,

(c) bod cefnogaeth foddhaol ar gael ar gyfer personau sy'n ddigartref neu y gallent ddod yn ddigartref,

(d) cydgysylltu achosion yn effeithiol, a hynny gan bersonau a grybwyllir yn is-adran (1D), ynghylch personau sy'n ddigartref neu y gallent ddod yn ddigartref ac y mae'n bosibl bod angen cefnogaeth arall arnynt yn benodol hefyd, ac

(e) cyflawni ei swyddogaethau yn effeithiol o dan y Rhan hon.

(1D) Y personau yw—

(a) y personau a grybwyllir yn is-adran (5);

(b) unrhyw awdurdod cyhoeddus arall sydd â swyddogaethau sy'n gallu cyfrannu at gyflawni unrhyw un neu ragor o'r amcanion a grybwyllir yn is-adran (1C);

(c) unrhyw gorff gwirfoddol neu berson arall y mae ei weithgareddau'n gallu cyfrannu at gyflawni unrhyw un neu ragor o'r amcanion hynny.

(1E) Rhaid i'r trefniadau o dan is-adran (1C) gynnwys protocol ar gyfer ymdrin ag achosion sy'n ymwneud â phersonau sy'n ddigartref neu y gallent ddod yn ddigartref ac y mae'n bosibl bod angen cefnogaeth arall neu wasanaethau eraill arnynt yn benodol hefyd, gan gynnwys yn benodol gefnogaeth neu wasanaethau sy'n ofynnol mewn cysylltiad â'r canlynol—

(a) gadael y carchar neu lety cadw ieuenctid;

(b) gadael lluoedd arfog rheolaidd y Goron;

(c) camddefnyddio cyffuriau a sylweddau eraill;

(d) iechyd meddwl."

25 Gwarchod eiddo: carcharorion

Yn adran 93(1) o Ddeddf 2014 (gwarchod eiddo), ar ôl "is-adran (2)," mewnosoder "neu pan fyddai wedi dod yn ddarostyngedig i'r ddyletswydd yn adran 75 mewn perthynas â cheisydd oni bai am gymhwysiad adran 75(7),".

24 Protocol for handling cases involving persons in particular need of support

(1) Section 95 of the 2014 Act (co-operation) is amended as follows.

(2) After subsection (1B) (inserted by section 23(3)) insert—

"(1C) A local housing authority in Wales must make arrangements to promote co-operation between itself and such persons mentioned in subsection (1D) that exercise functions in the authority's area as it considers appropriate with a view to achieving the following objectives in its area—

(a) the prevention of homelessness,

(b) that suitable accommodation is available for persons who are or may become homeless,

(c) that satisfactory support is available for persons who are or may become homeless,

(d) effective case co-ordination by persons mentioned in subsection (1D) regarding persons who are or may become homeless and who may also be in particular need of other support, and

(e) effective discharge of its functions under this Part.

(1D) The persons are—

(a) the persons mentioned in subsection (5);

(b) any other public authority with functions which are capable of contributing to the achievement of any of the objectives mentioned in subsection (1C);

(c) any voluntary organisation or other person whose activities are capable of contributing to the achievement of any of those objectives.

(1E) The arrangements under subsection (1C) must include a protocol for handling cases involving persons who are or who may become homeless and who may also be in particular need of other support or services, including in particular support or services required in connection with—

(a) leaving prison or youth detention accommodation;

(b) leaving the regular armed forces of the Crown;

(c) misusing drugs and other substances;

(d) mental health."

25 Protection of property: prisoners

In section 93(1) of the 2014 Act (protection of property), after "subsection (2)," insert "or would have become subject to the duty in section 75 in respect of an applicant but for section 75(7) applying,".

26 Dyletswydd i ddarparu gwybodaeth, cyngor a chynhorthwy: personau a gedwir yn gaeth

Yn adran 60 o Ddeddf 2014 (dyletswydd i ddarparu gwybodaeth, cyngor a chynhorthwy i gael gafael ar gymorth)—

(a) yn is-adran (1), ar ôl "chysylltiad lleol â'i ardal" mewnosoder "(gan gynnwys, yn benodol, bersonau sy'n cael eu cadw o dan awdurdod deddfiad ac sydd yn ei ardal neu sydd â chysylltiad lleol â'i ardal)";

(b) yn is-adran (4), ym mharagraff (a), ar ôl "pobl" mewnosoder "sydd yn y carchar neu mewn llety cadw ieuenctid neu bobl".

27 Y diffiniad o "camdriniaeth"

Yn lle adran 58 o Ddeddf 2014 (ystyr camdriniaeth a chamdriniaeth ddomestig) rhodder—

"58 Y diffiniad o gamdriniaeth

Yn y Bennod hon, ystyr "camdriniaeth" yw—

(a) camdriniaeth ddomestig o fewn yr ystyr a roddir i "domestic abuse" gan adran 1 o Ddeddf Camdriniaeth Ddomestig 2021 (p. 17), neu

(b) unrhyw fath arall o gamdriniaeth a all, yn uniongyrchol neu'n anuniongyrchol, arwain at berygl o niwed, gan gynnwys (er enghraifft)—

(i) camfanteisio o fewn yr ystyr a roddir i "exploitation" yn Neddf Caethwasiaeth Fodern 2015 (p. 30);

(ii) aflonyddu neu stelcio o fewn yr ystyr a roddir i'r ymadroddion "harassment" a "stalking", yn y drefn honno, yn Neddf Gwarchodaeth rhag Aflonyddu 1997 (p. 40)."

Ceisio safbwyntiau personau digartref

28 Dyletswydd i geisio safbwyntiau personau digartref wrth arfer swyddogaethau digartrefedd

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 52(8) (strategaethau digartrefedd), ar ôl "cyrff gwirfoddol" mewnosoder ", personau yn ardal yr awdurdod sydd, neu sydd wedi bod, yn ddigartref neu o dan fygythiad o ddigartrefedd".

(3) Yn adran 60(4) (dyletswydd i ddarparu gwybodaeth, cyngor a chynhorthwy i gael gafael ar gymorth), ar ôl y geiriau "cyrff gwirfoddol" mewnosoder ", personau yn ardal yr awdurdod sydd, neu sydd wedi bod, yn ddigartref neu o dan fygythiad o ddigartrefedd".

(4) Ar ôl adran 98(4) (canllawiau) mewnosoder—

26 Duty to provide information, advice and assistance: detained persons

In section 60 of the 2014 Act (duty to provide information, advice and assistance in accessing help)—

(a) in subsection (1), after "connection with its area" insert "(including, in particular, persons detained under the authority of an enactment who are in its area or have a local connection with its area)";

(b) in subsection (4), in paragraph (a) after "people" insert "in, or people".

27 Definition of "abuse"

For section 58 of the 2014 Act (meaning of abuse and domestic abuse) substitute—

"58 Definition of abuse

In this Chapter, "abuse" means—

(a) domestic abuse within the meaning given by section 1 of the Domestic Abuse Act 2021 (c. 17), or

(b) any other kind of abuse that, directly or indirectly, may give rise to a risk of harm, including (for example)—

(i) exploitation within the meaning of the Modern Slavery Act 2015 (c. 30);

(ii) harassment or stalking within the meaning of those expressions in the Protection from Harassment Act 1997 (c. 40)."

Seeking the views of homeless persons

28 Duty to seek the views of homeless persons in exercise of homelessness functions

(1) The 2014 Act is amended as follows.

(2) In section 52(8) (homelessness strategies), after "voluntary organisations" insert ", persons in the authority's area who are, or who have been, homeless or threatened with homelessness".

(3) In section 60(4) (duty to provide information, advice and assistance in accessing help), after the words "voluntary organisations" insert ", persons in the authority's area who are, or who have been, homeless or threatened with homelessness".

(4) After section 98(4) (guidance) insert—

"(5) Cyn rhoi, diwygio neu dynnu'n ôl ganllawiau o dan y Rhan hon, rhaid i Weinidogion Cymru ymgynghori â'r cyfryw awdurdodau cyhoeddus neu leol, y cyfryw sefydliadau gwirfoddol, y cyfryw bersonau sydd, neu sydd wedi bod, yn ddigartref neu o dan fygythiad o ddigartrefedd yng Nghymru, neu'r cyfryw bersonau eraill, y maent yn ystyried eu bod yn briodol."

Cyflwr llety

29 Addasrwydd llety

Yn adran 59(1) o Ddeddf 2014 (addasrwydd llety)—

(a) yn lle "roi sylw i'r deddfiadau canlynol" rhodder "roi sylw i ddarpariaeth sydd wedi ei gwneud yn, o dan, neu yn rhinwedd y deddfiadau canlynol";

(b) ar ôl paragraff (g) mewnosoder—

"(h) Rhan 4 o Ddeddf Rhentu Cartrefi (Cymru) 2016 (cyflwr anheddau)."

30 Adroddiadau ar ddefnydd a chyflwr llety interim

Ar ôl adran 97 o Ddeddf 2014 (datganiadau anwir etc.) mewnosoder—

"97A Adroddiadau ar ddefnydd a chyflwr llety interim

(1) Rhaid i Weinidogion Cymru gyhoeddi a gosod gerbron Senedd Cymru adroddiad ar ddefnydd a chyflwr llety interim a sicrheir o dan adran 68 ac adran 75 gan awdurdodau tai lleol yng Nghymru.

(2) At y diben hwnnw, rhaid i awdurdodau tai lleol yng Nghymru gyflenwi i Weinidogion Cymru y gyfryw wybodaeth ag sy'n ofynnol ganddynt.

(3) Rhaid i'r adroddiad cyntaf o dan yr adran hon gael ei osod, a'i gyhoeddi, ar 31 Rhagfyr 2030 neu cyn hynny.

(4) Rhaid gosod adroddiad, a'i gyhoeddi, ar ddiwedd pob cyfnod dilynol o 5 mlynedd gan ddechrau â'r dyddiad y cyhoeddwyd yr adroddiad cyntaf."

Cydweithredu

31 Cydweithredu

(1) Mae Deddf 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 95 (cydweithredu), yn lle is-adrannau (5) i (8) rhodder—

"(5) Y personau yw—

(a) awdurdod tai lleol yng Nghymru neu yn Lloegr;

(b) awdurdod gwasanaethau cymdeithasol yng Nghymru neu yn Lloegr;

"(5) Before giving, revising or withdrawing guidance under this Part, the Welsh Ministers must consult such public or local authorities, voluntary organisations, persons who are, or who have been homeless or threatened with homelessness in Wales or other persons as they consider appropriate."

Condition of accommodation

29 Suitability of accommodation

In section 59(1) of the 2014 Act (suitability of accommodation)—

(a) after "have regard to" insert "provision made in, under or by virtue of";

(b) after paragraph (g) insert—

"(h) Part 4 of the Renting Homes (Wales) Act 2016 (condition of dwelling)."

30 Reports on use and condition of interim accommodation

After section 97 of the 2014 Act (false statements etc.) insert—

"97A Reports on use and condition of interim accommodation

(1) The Welsh Ministers must publish and lay before Senedd Cymru a report on the use and condition of interim accommodation that is secured under section 68 and section 75 by local housing authorities in Wales.

(2) For that purpose, local housing authorities in Wales must supply the Welsh Ministers with such information as they may require.

(3) The first report under this section must be laid, and published, on or before 31 December 2030.

(4) A report must be laid, and published, at the end of each subsequent period of 5 years beginning with the date the first report was published."

Co-operation

31 Co-operation

(1) The 2014 Act is amended as follows.

(2) In section 95 (co-operation), for subsections (5) to (8) substitute—

"(5) The persons are—

(a) a local housing authority in Wales or England;

(b) a social services authority in Wales or England;

(c) Bwrdd Iechyd Lleol, ond dim ond mewn perthynas ag unigolion y mae'n darparu neu'n trefnu gwasanaethau gofal iechyd iddynt nad ydynt yn wasanaethau gofal sylfaenol;

(d) landlord cymdeithasol cofrestredig, pa un ai mewn perthynas â thai a ddarperir yng Nghymru neu yn Lloegr;

(e) corfforaeth tref newydd ar gyfer ardal yng Nghymru neu yn Lloegr;

(f) darparwr tai cymdeithasol preifat cofrestredig, pa un ai mewn perthynas â thai a ddarperir yng Nghymru neu yn Lloegr;

(g) ymddiriedolaeth gweithredu tai ar gyfer ardal yng Nghymru neu yn Lloegr;

(h) llywodraethwr carchar yng Nghymru neu yn Lloegr;

(i) cyfarwyddwr carchar ar gontract yng Nghymru neu yn Lloegr;

(j) llywodraethwr sefydliad troseddwyr ifanc yng Nghymru neu yn Lloegr;

(k) llywodraethwr canolfan hyfforddi ddiogel yng Nghymru neu yn Lloegr;

(l) cyfarwyddwr canolfan hyfforddi ddiogel ar gontract yng Nghymru neu yn Lloegr;

(m) pennaeth coleg diogel yng Nghymru neu yn Lloegr;

(n) rheolwr cartref diogel i blant yng Nghymru neu yn Lloegr;

(o) tîm troseddwyr ifanc sydd wedi ei sefydlu o dan adran 39(1) o Ddeddf Trosedd ac Anhrefn 1998 (p. 37) ar gyfer ardal yng Nghymru neu yn Lloegr;

(p) darparwr gwasanaethau prawf yng Nghymru neu yn Lloegr;

(q) swyddog sydd wedi ei ddynodi gan yr Ysgrifennydd Gwladol dros Waith a Phensiynau at ddibenion yr adran hon ac sydd wedi ei gyflogi gan yr Ysgrifennydd Gwladol mewn swyddfa yng Nghymru neu yn Lloegr a elwir yn swyddfa Canolfan Byd Gwaith;

(r) yr Ysgrifennydd Gwladol dros Amddiffyn, ond dim ond mewn perthynas ag aelodau o luoedd arfog rheolaidd y Goron.

(6) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio is-adran (5)—

(a) er mwyn hepgor cyfeiriad at berson neu ddisgrifiad o berson;

(b) er mwyn ychwanegu cyfeiriad at berson neu ddisgrifiad o berson;

(c) er mwyn newid cyfeiriad at berson neu ddisgrifiad o berson.

(7) O ran rheoliadau o dan is-adran (6)—

(a) cânt hepgor cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl;

(c) a Local Health Board, but only in relation to individuals to whom it provides or arranges health care services that are not primary care services;

(d) a registered social landlord, whether in relation to housing provided in Wales or England;

(e) a new town corporation for an area in Wales or England;

(f) a private registered provider of social housing, whether in relation to housing provided in Wales or England;

(g) a housing action trust for an area in Wales or England;

(h) the governor of a prison in Wales or England;

(i) the director of a contracted out prison in Wales or England;

(j) the governor of a young offender institution in Wales or England;

(k) the governor of a secure training centre in Wales or England;

(l) the director of a contracted out secure training centre in Wales or England;

(m) the principal of a secure college in Wales or England;

(n) the manager of a secure children's home in Wales or England;

(o) a youth offending team established under section 39(1) of the Crime and Disorder Act 1998 (c. 37) for an area in Wales or England;

(p) a provider of probation services in Wales or England;

(q) an officer designated by the Secretary of State for Work and Pensions for the purposes of this section and employed by the Secretary of State at an office in Wales or England known as a Jobcentre Plus office;

(r) the Secretary of State for Defence, but only in relation to members of the regular armed forces of the Crown.

(6) The Welsh Ministers may, by regulations, amend subsection (5)—

(a) to omit a reference to a person or a description of a person;

(b) to add a reference to a person or a description of a person;

(c) to change a reference to a person or a description of a person.

(7) Regulations under subsection (6)—

(a) may omit a reference to a reserved authority or a description of a person that includes a reserved authority;

(b) ni chânt ychwanegu cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl oni bai bod yr Ysgrifennydd Gwladol yn cydsynio;

(c) ni chânt newid cyfeiriad at awdurdod a gedwir yn ôl neu ddisgrifiad o berson sy'n cynnwys awdurdod a gedwir yn ôl mewn ffordd sy'n addasu swyddogaethau'r awdurdod o dan yr adran hon oni bai—

(i) yn achos awdurdod sy'n Weinidog y Goron, yr ymgynghorwyd â'r Ysgrifennydd Gwladol ynghylch y newid, neu

(ii) yn achos unrhyw awdurdod arall, fod yr Ysgrifennydd Gwladol yn cydsynio.

(8) Caiff rheoliadau o dan baragraff (b) neu (c) o is-adran (6)—

(a) disgrifio person drwy gyfeirio at arfer disgresiwn gan berson arall;

(b) pennu achosion neu amgylchiadau pryd y mae cyfeiriad at berson neu ddisgrifiad o berson yn gymwys."

(3) Yn adran 142(3)(b)(ii) (gorchmynion a rheoliadau: y weithdrefn), ar ôl "94B(2)" (a fewnosodir gan adran 20(4)) mewnosoder "neu 95(6)".

32 Cydweithredu rhwng landlordiaid cymdeithasol ac awdurdodau tai lleol

Ar ôl adran 96 o Ddeddf 2014 (cydweithredu mewn achosion penodol yn ymwneud â phlant) mewnosoder—

"96A Cydweithredu rhwng landlordiaid cymdeithasol ac awdurdodau tai lleol

(1) Pan fo dyletswydd ar awdurdod tai lleol i geisydd o dan adran 75, caiff yr awdurdod wneud cais i landlord cymdeithasol sy'n darparu llety yn ardal yr awdurdod i gynnig i'r ceisydd lety addas yn yr ardal honno.

(2) At ddibenion yr adran hon ac adran 96B, ystyr "landlord cymdeithasol" yw—

(a) landlord cymdeithasol cofrestredig, neu

(b) darparwr tai cymdeithasol preifat cofrestredig.

(3) Wrth benderfynu a ddylid gwneud cais, rhaid i'r awdurdod tai lleol roi sylw i argaeledd llety addas a ddelir ganddo yn ei ardal.

(4) Pan fo awdurdod tai lleol yn gwneud cais o dan is-adran (1), rhaid i landlord cymdeithasol, o fewn cyfnod rhesymol, gydymffurfio â'r cais oni bai bod gan y landlord resymau da dros beidio â gwneud hynny.

(5) Rhaid i landlord cymdeithasol sy'n darparu llety yn ardal awdurdod tai lleol gydymffurfio ag unrhyw gais rhesymol am wybodaeth mewn perthynas â'r llety hwnnw a wneir iddo gan yr awdurdod mewn cysylltiad ag arfer swyddogaethau'r awdurdod o dan yr adran hon.

(b) may not add a reference to a reserved authority or a description of a person that includes a reserved authority unless the Secretary of State consents;

(c) may not change a reference to a reserved authority or a description of a person that includes a reserved authority in a way that modifies the functions of the authority under this section unless—

(i) in the case of an authority that is a Minister of the Crown, the Secretary of State has been consulted about the change, or

(ii) in the case of any other authority, the Secretary of State consents.

(8) Regulations under paragraph (b) or (c) of subsection (6)—

(a) may describe a person by reference to the exercise of discretion by another person;

(b) may specify cases or circumstances in which a reference to a person or a description of a person applies."

(3) In section 142(3)(b)(ii) (orders and regulations: procedure), after "94B(2)" (inserted by section 20(4)) insert "or 95(6)".

32 Co-operation between social landlords and local housing authorities

After section 96 of the 2014 Act (co-operation in certain cases involving children) insert—

"96A Co-operation between social landlords and local housing authorities

(1) Where a local housing authority owes a duty to an applicant under section 75, it may request a social landlord that provides accommodation in its area to make the applicant an offer of suitable accommodation in its area.

(2) For the purposes of this section and section 96B, "social landlord" means—

(a) a registered social landlord, or

(b) a private registered provider of social housing.

(3) In deciding whether to make a request, the local housing authority must have regard to the availability of suitable accommodation in its area held by it.

(4) Where a local housing authority makes a request under subsection (1), a social landlord must, within a reasonable period, comply with the request unless the landlord has good reasons for not doing so.

(5) A social landlord which provides accommodation in the area of a local housing authority must comply with any reasonable request for information in relation to that accommodation made to it by the authority in connection with the exercise of the authority's functions under this section.

(6) Rhaid i Weinidogion Cymru roi canllawiau ynghylch yr hyn sydd—

(a) yn rheswm da at ddibenion is-adran (4);

(b) yn gyfnod rhesymol at ddibenion is-adran (4);

(c) yn gais rhesymol at ddibenion is-adran (5).

(7) Cyn rhoi unrhyw ganllawiau or fath, rhaid i Weinidogion Cymru ymgynghori â'r canlynol—

(a) y cyfryw gymdeithasau sy'n cynrychioli awdurdodau lleol yng Nghymru,

(b) y cyfryw gymdeithasau sy'n cynrychioli landlordiaid cymdeithasol, ac

(c) y cyfryw bersonau eraill,

ag y maent yn meddwl eu bod yn briodol.

(8) Rhaid i landlord cymdeithasol roi sylw i ganllawiau a roddir o dan yr adran hon.

96B Cyfarwyddydau i'w gwneud yn ofynnol cydymffurfio â cheisiadau o dan adran 96A

(1) Mae is-adran (3) yn gymwys—

(a) os nad yw landlord cymdeithasol, o fewn cyfnod rhesymol, yn cydymffurfio â chais a wnaed gan awdurdod tai lleol o dan adran 96A(1), a

(b) os yw'r awdurdod tai lleol, gan roi sylw i unrhyw esboniad a roddwyd i'r awdurdod gan y landlord cymdeithasol, yn ystyried nad oes gan y landlord cymdeithasol reswm da dros beidio â chydymffurfio â'r cais.

(2) Mae is-adran (3) hefyd yn gymwys os nad yw'r landlord cymdeithasol yn ymateb, o fewn cyfnod rhesymol, i gais a wnaed gan awdurdod tai lleol o dan adran 96A(1).

(3) Caiff yr awdurdod tai lleol atgyfeirio'r mater at Weinidogion Cymru.

(4) Ar ôl cael atgyfeiriad o dan is-adran (3), rhaid i Weinidogion Cymru hysbysu'r landlord cymdeithasol am y canlynol—

(a) yr atgyfeiriad, a

(b) y cyfnod ar gyfer cyflwyno sylwadau i Weinidogion Cymru am yr atgyfeiriad.

(5) Os yw Gweinidogion Cymru, ar ôl ystyried yr atgyfeiriad ac unrhyw sylwadau a gyflwynwyd gan y landlord cymdeithasol, yn ystyried nad oes gan y landlord cymdeithasol reswm da dros beidio â chydymffurfio â'r cais a wnaed gan yr awdurdod tai lleol neu nad ymatebodd i gais o'r fath, caiff Gweinidogion Cymru gyfarwyddo'r landlord cymdeithasol i gydymffurfio â'r cais o fewn y cyfryw gyfnod ag a bennir yn y cyfarwyddyd.

(6) The Welsh Ministers must give guidance as to what constitutes—

(a) a good reason for the purposes of subsection (4);

(b) a reasonable period for the purposes of subsection (4);

(c) a reasonable request for the purposes of subsection (5).

(7) Before giving any such guidance, the Welsh Ministers must consult—

(a) such associations representing local authorities in Wales,

(b) such associations representing social landlords, and

(c) such other persons,

as they think appropriate.

(8) A social landlord must have regard to guidance given under this section.

96B Directions to require compliance with requests under section 96A

(1) Subsection (3) applies if—

(a) a social landlord does not comply, within a reasonable period, with a request made by a local housing authority under section 96A(1), and

(b) the local housing authority considers that, having regard to any explanation given to the authority by the social landlord, the social landlord does not have a good reason for not complying with the request.

(2) Subsection (3) also applies if the social landlord does not respond, within a reasonable period, to a request made by a local housing authority under section 96A(1).

(3) The local housing authority may refer the matter to the Welsh Ministers.

(4) After receiving a referral under subsection (3), the Welsh Ministers must notify the social landlord of—

(a) the referral, and

(b) the period for making representations to the Welsh Ministers on the referral.

(5) If, after considering the referral and any representations made by the social landlord, the Welsh Ministers consider that the social landlord does not have a good reason for not complying with the request made by the local housing authority or did not respond to such a request, the Welsh Ministers may direct the social landlord to comply with the request within such period as may be specified in the direction.

(6) Rhaid i landlord cymdeithasol gydymffurfio â chyfarwyddyd a roddir iddo o dan is-adran (5).

(7) O ran cyfarwyddyd o dan is-adran (5)—

(a) rhaid iddo fod yn ysgrifenedig;

(b) caniateir ei amrywio neu ei ddirymu gan gyfarwyddyd pellach;

(c) gellir ei orfodi gan orchymyn gorfodi ar gais gan neu ar ran Gweinidogion Cymru neu'r awdurdod tai lleol a wnaeth yr atgyfeiriad y gwneir y cyfarwyddyd mewn cysylltiad ag ef."

Gweld llety

33 Gweld llety

Ar ôl adran 96B o Ddeddf 2014 (cyfarwyddydau i'w gwneud yn ofynnol cydymffurfio â cheisiadau o dan adran 96A) (a fewnosodir gan adran 32) mewnosoder—

"96C Gweld llety

Os yw awdurdod tai lleol yn sicrhau cynnig o lety ar gyfer ceisydd gyda'r nod o ddod â dyletswydd yr awdurdod o dan adran 66 neu 75 i ben, rhaid iddo gymryd camau rhesymol i ddarparu i'r ceisydd gyfle i weld y llety (pa un ai'n bersonol neu fel arall) cyn i'r ceisydd benderfynu derbyn y cynnig neu ei wrthod."

RHAN 2

DYRANNU TAI CYMDEITHASOL

Anghymwystra ar gyfer dyrannu tai cymdeithasol

34 Anghymwystra ar gyfer dyraniad tai o ganlyniad i ymddygiad annerbyniol

Yn adran 160A(7)(b) o Ddeddf 1996 (dyrannu i bersonau cymwys yn unig: Cymru), ar ôl "considered" mewnosoder ", taking into account, in particular, the likelihood of that behaviour reoccurring,".

Ffafriaeth i bersonau mewn cynlluniau dyrannu

35 Dim ffafriaeth i bersonau sy'n ceisio manipiwleiddio'r system dai

(1) Mae Deddf 1996 wedi ei diwygio fel a ganlyn.

(2) Yn adran 167 (dyrannu yn unol â chynllun dyrannu: Cymru)—

(a) ar ôl is-adran (2D) mewnosoder—

"(2DA) Nothing in paragraph (a) or (b) of subsection (2) requires the scheme to provide for any preference to be given to people the authority have decided are people to whom subsection (2DB) applies.

(2DB) This subsection applies to a person if the authority are satisfied that the person is trying to manipulate the housing system (see section 167A).";

(b) yn is-adran (4A)(b), ar ôl "(2C)" mewnosoder "or (2DB)".

(6) A social landlord must comply with a direction given to it under subsection (5).

(7) A direction under subsection (5)—

(a) must be in writing;

(b) may be varied or revoked by a later direction;

(c) is enforceable by mandatory order on application by, or on behalf of, the Welsh Ministers or the local housing authority that made the referral in respect of which the direction is made."

Viewing accommodation

33 Viewing accommodation

After section 96B of the 2014 Act (directions to require compliance with requests under section 96A) (inserted by section 32) insert—

"96C Viewing accommodation

If a local housing authority secures an offer of accommodation for an applicant with a view to bringing the authority's duty under section 66 or 75 to an end, it must take reasonable steps to provide the applicant with an opportunity to view the accommodation (whether in person or otherwise) before the applicant decides whether to accept or refuse the offer."

PART 2

SOCIAL HOUSING ALLOCATION

Ineligibility for allocation of social housing

34 Ineligibility for allocation of housing as a result of unacceptable behaviour

In section 160A(7)(b) of the 1996 Act (allocation only to eligible persons: Wales), after "considered" insert ", taking into account, in particular, the likelihood of that behaviour reoccurring,".

Preference for persons in allocation schemes

35 No preference for persons who try to manipulate the housing system

(1) The 1996 Act is amended as follows.

(2) In section 167 (allocation in accordance with allocation scheme: Wales)—

(a) after subsection (2D) insert—

"(2DA) Nothing in paragraph (a) or (b) of subsection (2) requires the scheme to provide for any preference to be given to people the authority have decided are people to whom subsection (2DB) applies.

(2DB) This subsection applies to a person if the authority are satisfied that the person is trying to manipulate the housing system (see section 167A).";

(b) in subsection (4A)(b), after "(2C)" insert "or (2DB)".

(3) Ar ôl adran 167 mewnosoder—

"167A Meaning of trying to manipulate the housing system

(1) A person is trying to manipulate the housing system for the purposes of section 167(2DB) if subsection (2) or (4) applies.

(2) This subsection applies if—

(a) the person falls within paragraph (a) or (b) of section 167(2) because the person deliberately did or failed to do something in consequence of which the person ceases to occupy accommodation that was available for the person's occupation and which it would have been reasonable for the person to continue to occupy, and

(b) the person either—

(i) intended, by doing or failing to do that thing, to enable the person to become entitled to help under Chapter 2 of Part 2 of the Housing (Wales) Act 2014 ("the 2014 Act") or to improve the person's chances of being allocated accommodation under this Part, or

(ii) before doing or failing to do that thing, received information, advice or other support provided or otherwise secured by a public authority exercising functions in relation to the person that was adequate for the purpose of enabling the person to continue occupying the accommodation.

(3) For the purposes of subsection (2), an act or omission in good faith on the part of a person who was unaware of any relevant fact may not be treated as deliberate.

(4) This subsection applies if—

(a) the person falls within paragraph (a) or (b) of section 167(2) because the person entered into an arrangement under which the person was required to cease to occupy accommodation which it would have been reasonable for the person to continue to occupy,

(b) the purpose of the arrangement was to enable the person to become entitled to help under Chapter 2 of Part 2 of the 2014 Act or to improve the person's chance of being allocated accommodation under this Part, and

(c) there is no other good reason why the person became homeless for the purposes of the 2014 Act.

(5) For the purposes of this section—

(a) accommodation is available for occupation if it would be for the purposes of Chapter 2 of Part 2 of the 2014 Act (see section 56 of the 2014 Act);

(3) After section 167 insert—

"167A Meaning of trying to manipulate the housing system

(1) A person is trying to manipulate the housing system for the purposes of section 167(2DB) if subsection (2) or (4) applies.

(2) This subsection applies if—

(a) the person falls within paragraph (a) or (b) of section 167(2) because the person deliberately did or failed to do something in consequence of which the person ceases to occupy accommodation that was available for the person's occupation and which it would have been reasonable for the person to continue to occupy, and

(b) the person either—

(i) intended, by doing or failing to do that thing, to enable the person to become entitled to help under Chapter 2 of Part 2 of the Housing (Wales) Act 2014 ("the 2014 Act") or to improve the person's chances of being allocated accommodation under this Part, or

(ii) before doing or failing to do that thing, received information, advice or other support provided or otherwise secured by a public authority exercising functions in relation to the person that was adequate for the purpose of enabling the person to continue occupying the accommodation.

(3) For the purposes of subsection (2), an act or omission in good faith on the part of a person who was unaware of any relevant fact may not be treated as deliberate.

(4) This subsection applies if—

(a) the person falls within paragraph (a) or (b) of section 167(2) because the person entered into an arrangement under which the person was required to cease to occupy accommodation which it would have been reasonable for the person to continue to occupy,

(b) the purpose of the arrangement was to enable the person to become entitled to help under Chapter 2 of Part 2 of the 2014 Act or to improve the person's chance of being allocated accommodation under this Part, and

(c) there is no other good reason why the person became homeless for the purposes of the 2014 Act.

(5) For the purposes of this section—

(a) accommodation is available for occupation if it would be for the purposes of Chapter 2 of Part 2 of the 2014 Act (see section 56 of the 2014 Act);

(b) it is reasonable to continue to occupy accommodation if it would be for the purposes of Chapter 2 of Part 2 of the 2014 Act (see section 57 of the 2014 Act)."

36 Ffafriaeth i bobl ifanc sy'n gadael gofal

Yn adran 167(2) o Ddeddf 1996 (dyrannu yn unol â chynllun dyrannu: Cymru), ar ôl paragraff (b) mewnosoder—

"(ba) people for whom responsible local authorities have duties under section 108A of the Social Services and Well-being (Wales) Act 2014 (anaw 4) to take reasonable steps to secure that suitable accommodation is available for their occupation."

Cofrestrau

37 Cofrestrau tai

Ar ôl adran 160A o Ddeddf 1996 (dyrannu i bersonau cymwys yn unig: Cymru) mewnosoder—

"160B Offers of housing accommodation held by registered social landlords and private registered providers of social housing: Wales

(1) The duty in subsection (2) applies only in relation to housing accommodation offered by a registered social landlord or a private registered provider of social housing under any arrangements to require that housing accommodation, or a specified amount of housing accommodation, is made available to a person or one of a number of persons nominated by a local housing authority in Wales.

(2) A registered social landlord or a private registered provider of social housing may only offer housing accommodation that it holds in a local housing authority's area in Wales to persons included on the common housing register for that area.

(3) The Welsh Ministers may by regulations provide for circumstances in which the duty in subsection (2) does not apply.

(4) In subsection (1), "arrangements" means arrangements made in connection with the allocation of housing accommodation under this Part (whether legally enforceable or not).

Housing registers

160C Common housing registers: Wales

(1) A local housing authority in Wales must establish and maintain a register of persons to whom housing accommodation in their area may be allocated in accordance with this Part (a "common housing register").

(2) A local housing authority must include a person on the common housing register if—

(b) it is reasonable to continue to occupy accommodation if it would be for the purposes of Chapter 2 of Part 2 of the 2014 Act (see section 57 of the 2014 Act)."

36 Preference for young people leaving care

In section 167(2) of the 1996 Act (allocation in accordance with allocation scheme: Wales), after paragraph (b) insert—

"(ba) people for whom responsible local authorities have duties under section 108A of the Social Services and Well-being (Wales) Act 2014 (anaw 4) to take reasonable steps to secure that suitable accommodation is available for their occupation."

Registers

37 Housing registers

After section 160A of the 1996 Act (allocation only to eligible persons: Wales) insert—

"160B Offers of housing accommodation held by registered social landlords and private registered providers of social housing: Wales

(1) The duty in subsection (2) applies only in relation to housing accommodation offered by a registered social landlord or a private registered provider of social housing under any arrangements to require that housing accommodation, or a specified amount of housing accommodation, is made available to a person or one of a number of persons nominated by a local housing authority in Wales.

(2) A registered social landlord or a private registered provider of social housing may only offer housing accommodation that it holds in a local housing authority's area in Wales to persons included on the common housing register for that area.

(3) The Welsh Ministers may by regulations provide for circumstances in which the duty in subsection (2) does not apply.

(4) In subsection (1), "arrangements" means arrangements made in connection with the allocation of housing accommodation under this Part (whether legally enforceable or not).

Housing registers

160C Common housing registers: Wales

(1) A local housing authority in Wales must establish and maintain a register of persons to whom housing accommodation in their area may be allocated in accordance with this Part (a "common housing register").

(2) A local housing authority must include a person on the common housing register if—

(a) the person applies to the authority for housing accommodation, and

(b) the authority decides that the person—

(i) is not ineligible for an allocation of housing accommodation by virtue of section 160A(3) and (5), and

(ii) is not ineligible by virtue of a decision under section 160A(7).

(3) A local housing authority may include a person on the common housing register without an application if the authority decides that sub-paragraphs (i) and (ii) of paragraph (b) of subsection (2) apply to the person.

160D Regulations about common housing registers

(1) The Welsh Ministers must, by regulations, make provision for and in connection with common housing registers.

(2) The regulations must provide for—

(a) a person with an entry in the register to have access to information relating to the entry and the allocation of housing under this Part;

(b) general information relating to registers and their operation in the allocation of housing in each local housing authority area to be published.

(3) The regulations may, in particular, make provision—

(a) about amending and removing entries in the register in respect of a person;

(b) about giving notice (for example, giving notice if a person is included in the register or if an entry in the register in respect of a person is amended or removed);

(c) about the information that may or must be included on the register;

(d) requiring or authorising the disclosure of information contained on the register to a person or description of person specified in the regulations;

(e) about the creation, collection, collation and publication of information relating to the register or its operation in the allocation of housing;

(f) conferring functions on local housing authorities in Wales or the Welsh Ministers.

160E Accessible housing register

(1) A local housing authority in Wales must establish and maintain a register of housing accommodation in their area that—

(a) the person applies to the authority for housing accommodation, and

(b) the authority decides that the person—

(i) is not ineligible for an allocation of housing accommodation by virtue of section 160A(3) and (5), and

(ii) is not ineligible by virtue of a decision under section 160A(7).

(3) A local housing authority may include a person on the common housing register without an application if the authority decides that sub-paragraphs (i) and (ii) of paragraph (b) of subsection (2) apply to the person.

160D Regulations about common housing registers

(1) The Welsh Ministers must, by regulations, make provision for and in connection with common housing registers.

(2) The regulations must provide for—

(a) a person with an entry in the register to have access to information relating to the entry and the allocation of housing under this Part;

(b) general information relating to registers and their operation in the allocation of housing in each local housing authority area to be published.

(3) The regulations may, in particular, make provision—

(a) about amending and removing entries in the register in respect of a person;

(b) about giving notice (for example, giving notice if a person is included in the register or if an entry in the register in respect of a person is amended or removed);

(c) about the information that may or must be included on the register;

(d) requiring or authorising the disclosure of information contained on the register to a person or description of person specified in the regulations;

(e) about the creation, collection, collation and publication of information relating to the register or its operation in the allocation of housing;

(f) conferring functions on local housing authorities in Wales or the Welsh Ministers.

160E Accessible housing register

(1) A local housing authority in Wales must establish and maintain a register of housing accommodation in their area that—

(a) is available, or may in future become available, for allocation under this Part, and

(b) has features that may assist a disabled person.

(2) The Welsh Ministers must, by regulations, make provision for and in connection with a register required to be established and maintained under this section.

(3) The regulations must provide for general information relating to registers and their operation in the allocation of housing in each local housing authority area to be published.

(4) The regulations may, in particular, make provision—

(a) about amending and removing an entry in the register in respect of housing accommodation;

(b) about giving notice (for example, giving notice to persons specified in the regulations if accommodation is included on the register or if an entry in respect of the accommodation is amended or removed);

(c) about the information that may or must be included on the register;

(d) requiring or authorising the disclosure of information contained on the register to a person or description of person specified in the regulations;

(e) about the creation, collection, collation and publication of information relating to the register or its operation in the allocation of housing;

(f) conferring functions on local housing authorities in Wales or the Welsh Ministers.

(5) A registered social landlord and a private registered provider of social housing which holds housing accommodation in the authority's area must comply with any reasonable request made to it by a local housing authority in connection with the exercise of the authority's functions under this section."

RHAN 3

AMRYWIOL A CHYFFREDINOL

Amrywiol

38 Canllawiau i awdurdodau tai lleol ar warantau rhent

(1) Rhaid i Weinidogion Cymru roi canllawiau i awdurdodau tai lleol ynghylch gwneud trefniadau y mae awdurdod tai lleol, o dan y trefniadau hynny, yn gwarantu y telir rhent gan feddiannydd llety tai yn unol â chytundeb o unrhyw fath.

(2) Cyn rhoi canllawiau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori ag awdurdodau tai lleol ac unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.

(a) is available, or may in future become available, for allocation under this Part, and

(b) has features that may assist a disabled person.

(2) The Welsh Ministers must, by regulations, make provision for and in connection with a register required to be established and maintained under this section.

(3) The regulations must provide for general information relating to registers and their operation in the allocation of housing in each local housing authority area to be published.

(4) The regulations may, in particular, make provision—

(a) about amending and removing an entry in the register in respect of housing accommodation;

(b) about giving notice (for example, giving notice to persons specified in the regulations if accommodation is included on the register or if an entry in respect of the accommodation is amended or removed);

(c) about the information that may or must be included on the register;

(d) requiring or authorising the disclosure of information contained on the register to a person or description of person specified in the regulations;

(e) about the creation, collection, collation and publication of information relating to the register or its operation in the allocation of housing;

(f) conferring functions on local housing authorities in Wales or the Welsh Ministers.

(5) A registered social landlord and a private registered provider of social housing which holds housing accommodation in the authority's area must comply with any reasonable request made to it by a local housing authority in connection with the exercise of the authority's functions under this section."

PART 3

MISCELLANEOUS AND GENERAL

Miscellaneous

38 Guidance to local housing authorities on rent guarantees

(1) The Welsh Ministers must give guidance to local housing authorities about making arrangements under which a local housing authority guarantees payment of rent by an occupier of housing accommodation in accordance with an agreement of any kind.

(2) Before giving guidance under this section, the Welsh Ministers must consult local housing authorities and any other persons they consider appropriate.

(3) Caiff Gweinidogion Cymru ddiwygio neu ddisodli canllawiau o dan yr adran hon drwy roi canllawiau pellach.

(4) Rhaid i Weinidogion Cymru gyhoeddi canllawiau o dan yr adran hon.

(5) Yn yr adran hon, ystyr "awdurdod tai lleol" yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru.

39 Adolygu gweithrediad ac effaith newidiadau a wneir gan y Ddeddf hon

(1) Rhaid i Weinidogion Cymru cynnal adolygiad o weithrediad ac effaith y newidiadau a wneir gan y Ddeddf hon i Ddeddf 2014, Deddf 1996 a Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4).

(2) Wrth gynnal yr adolygiad, rhaid i Weinidogion Cymru ymgynghori â'r awdurdodau cyhoeddus neu leol, y sefydliadau gwirfoddol, y personau sydd, neu sydd wedi bod, yn ddigartref neu o dan fygythiad o ddigartrefedd yng Nghymru, neu unrhyw bersonau eraill, y maent yn ystyried eu bod yn briodol.

(3) Rhaid i Weinidogion Cymru gyhoeddi adroddiad o'u hadolygiad o weithrediad ac effaith adran 94A o Ddeddf 2014 a gosod copi ohono gerbron Senedd Cymru cyn diwedd y cyfnod o 2 flynedd sy'n dechrau â'r diwrnod y daw adran 20 i rym yn llawn.

(4) Rhaid i Weinidogion Cymru gyhoeddi'r adroddiad o'u hadolygiad o weithrediad ac effaith y newidiadau eraill a wneir gan y Ddeddf hon a gosod copi ohono gerbron Senedd Cymru cyn diwedd y cyfnod o 4 blynedd sy'n dechrau â'r diwrnod y daw'r Ddeddf hon i rym yn llawn.

(5) Caiff Gweinidogion Cymru adolygu gweithrediad ac effaith newid a wneir gan y Ddeddf hon ar adeg pan fo Gweinidogion Cymru yn ystyried bod y ddarpariaeth sy'n gwneud y newid mewn grym i raddau sylweddol.

Cyffredinol

40 Dehongli

Yn y Ddeddf hon—

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Tai 1996 (p. 52);

ystyr "Deddf 2014" ("*the 2014 Act*") yw Deddf Tai (Cymru) 2014 (dccc 7).

41 Mân ddarpariaethau a darpariaethau canlyniadol

Mae'r Atodlen i'r Ddeddf hon yn gwneud mân ddarpariaethau a darpariaethau canlyniadol.

42 Pŵer i wneud darpariaeth ganlyniadol a darpariaeth drosiannol etc.

(1) Caiff Gweinidogion Cymru, drwy reoliadau—

(a) gwneud darpariaeth sy'n ddeilliadol neu'n atodol i unrhyw ddarpariaeth yn y Ddeddf hon, neu sy'n ganlyniadol ar unrhyw ddarpariaeth o'r fath;

(b) gwneud darpariaeth drosiannol neu ddarpariaeth arbed mewn cysylltiad ag unrhyw ddarpariaeth o'r Ddeddf hon.

(2) Caiff rheoliadau o dan is-adran (1)—

(3) The Welsh Ministers may revise or replace guidance under this section by giving further guidance.

(4) The Welsh Ministers must publish guidance under this section.

(5) In this section, "local housing authority" means the council of a county or county borough in Wales.

39 Review of the operation and effect of changes made by this Act

(1) The Welsh Ministers must carry out a review of the operation and effect of the changes made by this Act to the 2014 Act, the 1996 Act and the Social Services and Well-being (Wales) Act 2014 (anaw 4).

(2) In carrying out the review, the Welsh Ministers must consult such public or local authorities, voluntary organisations, persons who are, or who have been homeless or threatened with homelessness in Wales or other persons as they consider appropriate.

(3) The Welsh Ministers must publish a report of their review of the operation and effect of section 94A of the 2014 Act and lay a copy of it before Senedd Cymru before the end of the period of 2 years beginning with the day on which section 20 comes fully into force.

(4) The Welsh Ministers must publish a report of their review of the operation and effect of the other changes made by this Act and lay a copy of it before Senedd Cymru before the end of the period of 4 years beginning with the day on which this Act comes fully into force.

(5) The Welsh Ministers may review the operation and effect of a change made by this Act at a time when the Welsh Ministers consider the provision making the change to be substantially in force.

General

40 Interpretation

In this Act—

"the 1996 Act" ("*Deddf 1996*") means the Housing Act 1996 (c. 52);

"the 2014 Act" ("*Deddf 2014*") means the Housing (Wales) Act 2014 (anaw 7).

41 Minor and consequential provision

The Schedule to this Act makes minor and consequential provision.

42 Power to make consequential and transitional provision etc.

(1) The Welsh Ministers may, by regulations, make—

(a) provision that is incidental or supplementary to, or consequential on, any provision of this Act;

(b) transitional or saving provision in connection with any provision of this Act.

(2) Regulations under subsection (1) may—

(a) diwygio, addasu, diddymu neu ddirymu unrhyw ddeddfiad (gan gynnwys deddfiad a gynhwysir yn y Ddeddf hon);

(b) gwneud darpariaeth wahanol at ddibenion gwahanol neu ar gyfer ardaloedd gwahanol.

(3) Rhaid i'r pŵer i wneud rheoliadau o dan is-adran (1) gael ei arfer drwy offeryn statudol Cymreig.

(4) Os yw rheoliadau o dan is-adran (1) yn diwygio, yn diddymu neu fel arall yn addasu darpariaeth mewn Deddf gan Senedd y Deyrnas Unedig neu Ddeddf neu Fesur gan Senedd Cymru, maent yn ddarostyngedig i weithdrefn gymeradwyo'r Senedd.

(5) Mae rheoliadau o dan is-adran (1) nad yw is-adran (4) yn gymwys iddynt yn ddarostyngedig i weithdrefn annilysu'r Senedd.

43 Dod i rym

(1) Daw darpariaethau'r Rhan hon (ac eithrio adran 41) i rym drannoeth y diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.

(2) Daw darpariaethau eraill y Ddeddf hon i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol Cymreig.

(3) Caiff gorchymyn o dan is-adran (2)—

(a) pennu diwrnodau gwahanol at ddibenion gwahanol neu ar gyfer ardaloedd gwahanol;

(b) gwneud darpariaeth drosiannol neu ddarpariaeth arbed mewn cysylltiad â dod â darpariaeth i rym a ddygir i rym drwy'r gorchymyn.

(4) Ni chaiff gorchymyn o dan is-adran (2) bennu diwrnod ar gyfer dod ag adran 35 i rym sy'n gynharach na'r diwrnod a bennir ar gyfer dod ag adran 10 i rym.

44 Adroddiadau cynnydd ar ddwyn y Ddeddf i rym

(1) Mae'r ddyletswydd yn is-adran (2) yn gymwys os nad yw'r Ddeddf hon mewn grym yn llawn ar unrhyw un neu ragor o'r diwrnodau a ganlyn—

(a) 31 Rhagfyr 2028;

(b) 31 Rhagfyr 2029;

(c) 31 Rhagfyr bob yn ail flwyddyn ar ôl 2029.

(2) Rhaid i Weinidogion Cymru lunio adroddiad—

(a) yn pennu unrhyw gynnydd o ran dwyn y Ddeddf i rym, a

(b) yn pennu unrhyw gamau pellach i'w cymryd gan Weinidogion Cymru (neu unrhyw berson arall) i ddwyn y Ddeddf i rym yn llawn.

(3) Rhaid i Weinidogion Cymru gyhoeddi'r adroddiad sy'n ofynnol gan is-adran (2) a gosod copi ohono gerbron Senedd Cymru cyn gynted ag y bo'n rhesymol ymarferol ar ôl y diwrnod a grybwyllir yn is-adran (1) y mae'r ddyletswydd yn is-adran (2) yn gymwys mewn cysylltiad ag ef.

(a) amend, modify, repeal or revoke any enactment (including an enactment contained in this Act);

(b) make different provision for different purposes or different areas.

(3) The power to make regulations under subsection (1) must be exercised by Welsh statutory instrument.

(4) If regulations under subsection (1) amend, repeal or otherwise modify a provision of an Act of Parliament or an Act or Measure of Senedd Cymru, they are subject to the Senedd approval procedure.

(5) Regulations under subsection (1) to which subsection (4) does not apply are subject to the Senedd annulment procedure.

43 Coming into force

(1) The provisions of this Part (except section 41) come into force on the day after the day on which this Act receives Royal Assent.

(2) The other provisions of this Act come into force on a day appointed by the Welsh Ministers in an order made by Welsh statutory instrument.

(3) An order under subsection (2) may—

(a) appoint different days for different purposes or different areas;

(b) make transitional or saving provision in connection with the coming into force of a provision brought into force by the order.

(4) An order under subsection (2) may not appoint a day for the coming into force of section 35 that is earlier than the day appointed for the coming into force of section 10.

44 Progress reports on bringing the Act into force

(1) The duty in subsection (2) applies if this Act is not fully in force on any of the following days—

(a) 31 December 2028;

(b) 31 December 2029;

(c) 31 December in every second year after 2029.

(2) The Welsh Ministers must prepare a report—

(a) specifying any progress in bringing the Act into force, and

(b) specifying any further steps to be taken by the Welsh Ministers (or any other person) to bring the Act fully into force.

(3) The Welsh Ministers must publish the report required by subsection (2) and lay a copy of it before Senedd Cymru as soon as reasonably practicable after the day mentioned in subsection (1) in respect of which the duty in subsection (2) applies.

45 Enw byr

Caniateir cyfeirio at y Ddeddf hon fel—

(a) Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026, neu

(b) the Homelessness and Social Housing Allocation (Wales) Act 2026.

45 Short title

This Act may be referred to as—

(a) the Homelessness and Social Housing Allocation (Wales) Act 2026, or

(b) Deddf Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) 2026.

ATODLEN
(a gyflwynir gan adran 41)

MÂN DDARPARIAETHAU A DARPARIAETHAU CANLYNIADOL

Deddf Tai 1996 (p. 52)

1 (1) Mae Deddf Tai 1996 wedi ei diwygio fel a ganlyn.

(2) Yn adran 160(4) (achosion nad yw darpariaethau ynghylch dyrannu yn gymwys iddynt)—

(a) daw'r geiriau "in such other cases as the Secretary of State may prescribe by regulations." yn baragraff (a);

(b) ar ddechrau paragraff (a) mewnosoder "in relation to England,";

(c) ar ôl paragraff (a), mewnosoder—

"(b) in relation to Wales, in such other cases as the Welsh Ministers may prescribe by regulations."

(3) Yn adran 160A (dyrannu i bersonau cymwys: Cymru)—

(a) yn is-adran (3), yn lle "Secretary of State" rhodder "Welsh Ministers";

(b) yn is-adran (5), yn lle "Secretary of State" rhodder "Welsh Ministers".

(4) Yn adran 167 (dyrannu yn unol â chynllun dyrannu: Cymru)—

(a) yn is-adran (2), ym mharagraff (b) hepgorer ", 73";

(b) yn is-adran (3), yn lle "Secretary of State" rhodder "Welsh Ministers";

(c) yn is-adran (4), yn lle "Secretary of State" rhodder "Welsh Ministers";

(d) yn is-adran (5), yn lle "Secretary of State" rhodder "Welsh Ministers".

(5) Yn adran 169 (canllawiau)—

(a) yn is-adran (1), ar ôl "local housing authorities" mewnosoder "in England";

(b) ar ôl is-adran (1) mewnosoder—

"(1A) In the exercise of their functions under this Part, local housing authorities in Wales shall have regard to such guidance as may from time to time be given by the Welsh Ministers.";

(c) yn is-adran (2), ar ôl "Secretary of State" mewnosoder "and the Welsh Ministers";

(d) yn y pennawd, ar ôl "Secretary of State" mewnosoder "and the Welsh Ministers".

(6) Yn adran 172 (rheoliadau)—

(a) yn is-adran (1), ar ôl "Regulations" mewnosoder "made by the Secretary of State";

(b) ar ôl is-adran (1) mewnosoder—

"(1A) Regulations made by the Welsh Ministers under this Part shall be made by Welsh statutory instrument.";

(c) yn is-adran (2)—

(i) hepgorer "or 167(3)";

(ii) ar ôl "allocating housing accommodation" mewnosoder "in England";

SCHEDULE

(introduced by section 41)

MINOR AND CONSEQUENTIAL PROVISION

Housing Act 1996 (c. 52)

1 (1) The Housing Act 1996 is amended as follows.

(2) In section 160(4) (cases to which provisions about allocation do not apply)—

(a) the words "in such other cases as the Secretary of State may prescribe by regulations." become paragraph (a);

(b) at the beginning of paragraph (a) insert "in relation to England,";

(c) after paragraph (a), insert—

"(b) in relation to Wales, in such other cases as the Welsh Ministers may prescribe by regulations."

(3) In section 160A (allocation to eligible persons: Wales)—

(a) in subsection (3), for "Secretary of State" substitute "Welsh Ministers";

(b) in subsection (5), for "Secretary of State" substitute "Welsh Ministers".

(4) In section 167 (allocation in accordance with allocation scheme: Wales)—

(a) in subsection (2), in paragraph (b) omit ", 73";

(b) in subsection (3), for "Secretary of State" substitute "Welsh Ministers";

(c) in subsection (4), for "Secretary of State" substitute "Welsh Ministers";

(d) in subsection (5), for "Secretary of State" substitute "Welsh Ministers".

(5) In section 169 (guidance)—

(a) in subsection (1) after "local housing authorities" insert "in England";

(b) after subsection (1) insert—

"(1A) In the exercise of their functions under this Part, local housing authorities in Wales shall have regard to such guidance as may from time to time be given by the Welsh Ministers.";

(c) in subsection (2), after "Secretary of State" insert "and the Welsh Ministers";

(d) in the heading, after "Secretary of State" insert "and the Welsh Ministers".

(6) In section 172 (regulations)—

(a) in subsection (1), after "Regulations" insert "made by the Secretary of State";

(b) after subsection (1) insert—

"(1A) Regulations made by the Welsh Ministers under this Part shall be made by Welsh statutory instrument.";

(c) in subsection (2)—

(i) omit "or 167(3)";

(ii) after "allocating housing accommodation" insert "in England";

(d) ar ôl is-adran (2) mewnosoder—

"(2A) Regulations made under section 160B(3) (circumstances in which the duty in section 160B(2) does not apply), section 160D(1) (common housing register), section 160E(2) (accessible housing register) or section 167(3) (regulations amending provisions about priorities in allocating housing accommodation in Wales) are subject to the Senedd approval procedure.";

(e) yn is-adran (3), ar ôl "regulations" mewnosoder "made by the Secretary of State";

(f) ar ôl is-adran (3) mewnosoder—

"(3A) Any other regulations made by the Welsh Ministers under this Part are subject to the Senedd annulment procedure.";

(g) yn is-adran (4), ar ôl "Secretary of State" mewnosoder "or the Welsh Ministers (as the case may be)".

(7) Yn adran 174 (mynegai o ymadroddion wedi eu diffinio), yn y lle priodol, mewnosoder—

"common housing register	section 160B"

Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)

2 (1) Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 wedi ei diwygio fel a ganlyn.

(2) Yn Atodlen 2, yn y tabl, yn lle'r cofnod ar gyfer Deddf Tai (Cymru) 2014 rhodder—

"**Deddf Tai (Cymru) 2014**	
Adran 94A, i'r graddau y mae'n ymwneud â swyddogaethau person penodedig yn rhinwedd adran 94B(1)(a);	Dyletswydd i ofyn a yw person yn ddigartref neu o dan fygythiad o ddigartrefedd a dyletswydd i weithredu pan fo person yn ddigartref neu o dan fygythiad o ddigartrefedd;
Adran 95, i'r graddau y mae'n ymwneud â swyddogaethau gwasanaethau cymdeithasol eraill.	Cydweithredu a rhannu gwybodaeth mewn perthynas â phersonau digartref â phersonau sydd o dan fygythiad o ddigartrefedd."

Deddf Tai (Cymru) 2014 (dccc 7)

3 (1) Mae Deddf Tai (Cymru) 2014 wedi ei diwygio fel a ganlyn.

(2) Yn adran 53 (trosolwg)—

(a) ar ôl is-adran (6) mewnosoder—

"(6A) Mae adran 63A yn ei gwneud yn ofynnol i awdurdodau tai lleol baratoi a chynnal cynllun atal, cefnogaeth a llety ar gyfer ceiswyr y mae dyletswyddau iddynt o dan y Bennod hon, ac mae adran 63B yn gwneud darpariaeth ynghylch adolygu cynlluniau o'r fath.";

(b) yn is-adran (7) hepgorer "; ac mae adran 65 yn egluro beth y mae "cynorthwyo i sicrhau" yn ei olygu";

(c) yn is-adran (8)—

(i) ym mharagraff (b), yn lle "ar gyfer ceiswyr mewn angen blaenoriaethol" hyd at y diwedd rhodder "(adran 68)";

(d) after subsection (2) insert—

"(2A) Regulations made under section 160B(3) (circumstances in which the duty in section 160B(2) does not apply), section 160D(1) (common housing register), section 160E(2) (accessible housing register) or section 167(3) (regulations amending provisions about priorities in allocating housing accommodation in Wales) are subject to the Senedd approval procedure.";

(e) in subsection (3), after "regulations" insert "made by the Secretary of State";

(f) after subsection (3) insert—

"(3A) Any other regulations made by the Welsh Ministers under this Part are subject to the Senedd annulment procedure.";

(g) in subsection (4), after "Secretary of State" insert "or the Welsh Ministers (as the case may be)".

(7) In section 174 (index of defined expressions), in the appropriate place, insert—

"common housing register	section 160B"

Social Services and Well-being (Wales) Act 2014 (anaw 4)

2 (1) The Social Services and Well-being (Wales) Act 2014 is amended as follows.

(2) In Schedule 2, in the table, for the entry for the Housing (Wales) Act 2014 substitute—

"**Housing (Wales) Act 2014**	
Section 94A, so far as it relates to the functions of a specified person by virtue of section 94B(1)(a);	Duty to ask whether a person is homeless or threatened with homelessness and duty to act where a person is homeless or threatened with homelessness;
Section 95, so far as it relates to other social services functions.	Co-operation and information sharing in relation to homeless persons and persons threatened with homelessness."

Housing (Wales) Act 2014 (anaw 7)

3 (1) The Housing (Wales) Act 2014 is amended as follows.

(2) In section 53 (overview)—

(a) after subsection (6) insert—

"(6A) Section 63A requires local housing authorities to prepare and maintain a prevention, support and accommodation plan for applicants who are owed duties under this Chapter, and section 63B makes provision about reviewing such plans.";

(b) in subsection (7) omit "; and section 65 explains what "help to secure" means";

(c) in subsection (8)—

(i) in paragraph (b), for "for applicants in priority need" to the end substitute "(section 68)";

(ii) hepgorer paragraff (c);

(iii) ym mharagraff (d), hepgorer "ar gyfer ceiswyr mewn angen blaenoriaethol pan fydd y ddyletswydd yn adran 73 yn dod i ben";

(d) hepgorer is-adran (9).

(3) Yn adran 56 (ystyr llety sydd ar gael i'w feddiannu)—

(a) yn is-adran (1), yn lle "ynghyd ag" hyd at y diwedd rhodder "ynghyd ag unrhyw aelodau eraill o aelwyd y person";

(b) ar ôl is-adran (1) mewnosoder—

"(1A) Mae cyfeiriad yn y Bennod hon at aelod o aelwyd person yn gyfeiriad at y canlynol—

(a) person sy'n preswylio fel arfer gyda'r person hwnnw fel aelod o deulu'r person hwnnw, neu

(b) unrhyw berson arall y gellid disgwyl yn rhesymol iddo breswylio gyda'r person hwnnw.";

(c) yn y pennawd, ar ôl "feddiannu" mewnosoder "ac aelod o aelwyd".

(4) Yn adran 57 (a yw'n rhesymol parhau i feddiannu llety), hepgorer is-adran (2).

(5) Yn adran 62(5) (dyletswydd i asesu)—

(a) ym mharagraff (b), yn lle "berson y mae'r ceisydd yn byw gydag ef neu y gellid disgwyl yn rhesymol iddo fyw gydag ef" rhodder "aelod o aelwyd y ceisydd";

(b) ym mharagraff (c), yn lle "berson y mae'r ceisydd yn byw gydag ef neu y gellid disgwyl yn rhesymol iddo fyw gydag ef" rhodder "aelod o aelwyd y ceisydd".

(6) Yn adran 63 (hysbysu am ganlyniad asesiad)—

(a) hepgorer is-adran (3);

(b) yn is-adran (4), yn lle ", (1) neu (3)" rhodder "neu (1)".

(7) Yn adran 76 (amgylchiadau pan fo'r ddyletswydd yn adran 75 yn dod i ben)—

(a) yn is-adran (4)(a)(ii), yn lle "tenantiaeth fyrddaliol sicr" rhodder "tenantiaeth sicr (gan gynnwys tenantiaeth fyrddaliol sicr)";

(b) hepgorer is-adran (6).

(8) Yn adran 79(1) (amgylchiadau pellach pan fo'r dyletswyddau i gynorthwyo ceiswyr yn dod i ben), hepgorer ", 73".

(9) Yn adran 80(3) (atgyfeirio achos at awdurdod tai lleol arall)—

(a) ym mharagraff (a), yn lle "berson y gellid disgwyl yn rhesymol iddo breswylio gyda'r ceisydd" rhodder "aelod o aelwyd y ceisydd";

(b) ym mharagraff (b), yn lle "berson y gellid disgwyl yn rhesymol iddo breswylio gyda'r ceisydd" rhodder "aelod o aelwyd y ceisydd".

(10) Yn adran 81 (cysylltiad lleol)—

(a) yn is-adran (2), ar ôl "Lloegr" mewnosoder "neu mewn unrhyw ardal arall";

(ii) omit paragraph (c);

(iii) in paragraph (d), omit "for applicants in priority need when the duty in section 73 comes to an end";

(d) omit subsection (9).

(3) In section 56 (meaning of accommodation available for occupation)—

(a) in subsection (1), for "together with" to the end substitute "together with any other members of the person's household";

(b) after subsection (1) insert—

"(1A) A reference in this Chapter to a member of a person's household is a reference to—

(a) a person who normally resides with that person as a member of that person's family, or

(b) any other person who might reasonably be expected to reside with that person.";

(c) in the heading, after "occupation" insert "and member of household".

(4) In section 57 (whether it is reasonable to continue to occupy accommodation), omit subsection (2).

(5) In section 62(5) (duty to assess)—

(a) in paragraph (b), for "person with whom the applicant lives or might reasonably be expected to live" substitute "member of the applicant's household";

(b) in paragraph (c), for "person with whom the applicant lives or might reasonably be expected to live" substitute "member of the applicant's household".

(6) In section 63 (notice of outcome of assessment)—

(a) omit subsection (3);

(b) in subsection (4), for ", (1) or (3)" substitute "or (1)".

(7) In section 76 (circumstances in which the duty in section 75 ends)—

(a) in subsection (4)(a)(ii), for "assured shorthold tenancy" substitute "assured tenancy (including an assured shorthold tenancy)";

(b) omit subsection (6).

(8) In section 79(1) (further circumstances in which the duties to help applicants end), omit ", 73".

(9) In section 80(3) (referral of case to another local housing authority)—

(a) in paragraph (a), for "person who might reasonably be expected to reside with the applicant" substitute "member of the applicant's household";

(b) in paragraph (b), for "person who might reasonably be expected to reside with the applicant" substitute "member of the applicant's household".

(10) In section 81(local connection)—

(a) in subsection (2), after "England" insert "or any other area";

(b) yn is-adran (3), yn lle "berson y gellid disgwyl yn rhesymol iddo breswylio gyda'r person hwnnw" rhodder "aelod o aelwyd y person hwnnw".

(11) Yn adran 84 (hysbysiad bod dyletswyddau wedi dod i ben)—

(a) yn is-adran (1), hepgorer ", 73";

(b) hepgorer is-adran (2).

(12) Yn adran 86(6) (gweithdrefn ar gyfer adolygiad), yn y testun Saesneg, ar ôl "not" mewnosoder "to".

(13) Hepgorer adran 87 (effaith penderfyniad mewn adolygiad neu apêl na chafodd camau rhesymol eu cymryd).

(14) Yn adran 91(3)(b) (lleoli y tu allan i'r ardal), yn lle "y personau eraill" hyd at y diwedd rhodder "yr aelodau eraill o aelwyd y ceisydd, a disgrifiad o'r aelodau hynny,".

(15) Yn adran 93 (gwarchod eiddo)—

(a) yn is-adran (2)—

(i) yn y cofnod ar gyfer adran 66, hepgorer "yn achos ceisydd mewn angen blaenoriaethol)";

(ii) yn y cofnod ar gyfer adran 68, hepgorer "ar gyfer ceiswyr digartref mewn angen blaenoriaethol";

(iii) yn y cofnod ar gyfer adran 75, hepgorer "ar gyfer ceiswyr mewn angen blaenoriaethol pan fo'r ddyletswydd yn adran 73 yn dod i ben";

(iv) yn y cofnod ar gyfer adran 82, hepgorer "yn achos ceisydd mewn angen blaenoriaethol";

(b) yn is-adran (6), yn lle "berson y gellid disgwyl yn rhesymol iddo breswylio gyda'r ceisydd" rhodder "aelod o aelwyd y ceisydd".

(16) Yn adran 94(10), yn lle "berson y gellid disgwyl yn rhesymol iddo breswylio gyda'r ceisydd" rhodder "aelod o aelwyd y ceisydd".

(17) Yn adran 96 (cydweithredu mewn achosion penodol yn ymwneud â phlant)—

(a) yn is-adran (1), yn lle "y gallai ceisydd y mae person o dan 18 oed yn preswylio gydag ef fel arfer, neu y gellid disgwyl yn rhesymol iddo breswylio gydag ef" rhodder "bod aelod o aelwyd ceisydd o dan 18 oed ac y gallai'r ceisydd";

(b) yn is-adran (1)(b), hepgorer ", 73";

(c) yn is-adran (4), hepgorer "wedi dod yn ddigartref yn fwriadol neu wedi dod o dan fygythiad o ddigartrefedd yn fwriadol,".

(18) Yn adran 98(3)(a) (canllawiau), ar ôl "canllawiau" mewnosoder "o dan y Rhan hon".

(19) Yn adran 99 (dehongli Pennod 2 o Ran 2 a mynegai o ymadroddion wedi eu diffinio)—

(a) yn y lleoedd priodol mewnosoder—

"mae "aelod o aelwyd y ceisydd" ("*member of the applicant's household*") (ac unrhyw gyfeiriad tebyg at aelod o aelwyd person) i'w ddehongli yn unol ag adran 56;";

(b) in subsection (3), for "person who might reasonably be expected to reside with that person" substitute "member of that person's household".

(11) In section 84 (notice that duties have ended)—

(a) in subsection (1), omit ", 73";

(b) omit subsection (2).

(12) In section 86(6) (procedure on review), in the English text, after "not" insert "to".

(13) Omit section 87 (effect of a decision on review or appeal that reasonable steps were not taken).

(14) In section 91(3)(b) (out-of-area placement), for "persons who normally" to the end substitute "members of the applicant's household,".

(15) In section 93 (protection of property)—

(a) in subsection (2)—

(i) in the entry for section 66, omit "in the case of an applicant in priority need";

(ii) in the entry for section 68, omit "for homeless applicants in priority need";

(iii) in the entry for section 75, omit "for applicants in priority need when the duty in section 73 ends";

(iv) in the entry for section 82, omit "in the case of an applicant in priority need";

(b) in subsection (6), for "person who might reasonably be expected to reside with the applicant" substitute "member of the applicant's household".

(16) In section 94(10), for "person who might reasonably be expected to reside with the applicant" substitute "member of the applicant's household".

(17) In section 96 (co-operation in certain cases involving children)—

(a) in subsection (1), for "an applicant with whom a person under the age of 18 normally resides, or might reasonably be expected to reside" substitute "a member of an applicant's household is under the age of 18 and that the applicant";

(b) in subsection (1)(b), omit ", 73";

(c) in subsection (4), omit "became homeless intentionally or became threatened with homelessness intentionally,".

(18) In section 98(3)(a) (guidance), after "guidance" insert "under this Part".

(19) In section 99 (interpretation of Chapter 2 of Part 2 and index of defined terms)—

(a) in the appropriate places insert—

""appropriate Minister" ("*Gweinidog priodol*") has the meaning given by paragraph 8(5) of Schedule 7B to the Government of Wales Act 2006 (c. 32);";

"mae i "awdurdod a gedwir yn ôl" yr ystyr a roddir i "reserved authority" gan baragraff 8(3) o Atodlen 7B i Ddeddf Llywodraeth Cymru 2006 (p. 32);";

"ystyr "Bwrdd Iechyd Lleol" ("*Local Health Board*") yw Bwrdd Iechyd Lleol a sefydlwyd o dan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42);";

"mae i "canolfan hyfforddi ddiogel ar gontract" yr ystyr a roddir i "contracted out secure training centre" gan adran 15 o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994 (p. 33);";

"mae i "carchar ar gontract" yr ystyr a roddir i "contracted out prison" gan adran 84(4) o Ddeddf Cyfiawnder Troseddol 1991 (p. 53);";

"ystyr "carcharor" ("*prisoner*") yw person—

(a) sy'n bwrw dedfryd o garchar o fewn ystyr "custodial sentence" yn adran 76 o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000 (p. 6) neu adran 222 o'r Cod Dedfrydu,

(b) sydd ar remánd yn y ddalfa neu wedi ei draddodi i'r ddalfa gan orchymyn llys, neu

(c) sydd ar remánd mewn llety cadw ieuenctid o dan adran 91(4) o Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 (p. 10);";

"ystyr "cartref diogel i blant" ("*secure children's home*") yw—

(b) llety yng Nghymru y mae person yn gofrestredig mewn cysylltiad ag ef o dan Ran 1 o Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2) i ddarparu gwasanaeth llety diogel o fewn ystyr Rhan 1 o'r Ddeddf honno;

(a) llety a ddarperir mewn cartref plant yn Lloegr, o fewn ystyr Deddf Safonau Gofal 2000 (p. 14)—

(i) sy'n darparu llety at ddibenion cyfyngu ar ryddid, a

(ii) y mae person yn gofrestredig mewn cysylltiad ag ef o dan Ran 2 o'r Ddeddf honno;";

"mae i "corfforaeth tref newydd" yr ystyr a roddir i "new town corporation" gan Ran 1 o Ddeddf Tai 1985 (p. 68);";

"ystyr "cynllun atal, cefnogaeth a llety" ("*prevention, support and accommodation plan*") yw cynllun sy'n ofynnol gan adran 63A;";

"mae i "darparwr tai cymdeithasol preifat cofrestredig" yr ystyr a roddir i "private registered provider of social housing" gan Ran 2 o Ddeddf Tai ac Adfywio 2008 (p. 17);";

""approved premises" ("*mangre a gymeradwywyd*") has the meaning given by section 13 of the Offender Management Act 2007 (c. 21);";

""contracted out prison" ("*carchar ar gontract*") has the meaning given by section 84(4) of the Criminal Justice Act 1991 (c. 53);";

""contracted out secure training centre" ("*canolfan hyfforddi ddiogel ar gontract*") has the meaning given by section 15 of the Criminal Justice and Public Order Act 1994 (c. 33);";

""housing action trust" ("*ymddiriedolaeth gweithredu tai*") means a housing action trust established under Part 3 of the Housing Act 1988 (c. 50);";

""Local Health Board" ("*Bwrdd Iechyd Lleol*") means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006 (c. 42);";

""member of the applicant's household" ("*aelod o aelwyd y ceisydd*") (and any similar reference to member of a person's household) is to be interpreted in accordance with section 56;";

""new town corporation" ("*corfforaeth tref newydd*") has the meaning given by Part 1 of the Housing Act 1985 (c. 68);";

""prevention, support and accommodation plan" ("*cynllun atal, cefnogaeth a llety*") means a plan required by section 63A;";

""prisoner" ("*carcharor*") means a person who is—

(a) serving a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) or section 222 of the Sentencing Code,

(b) remanded in or committed to custody by an order of a court, or

(c) remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10);";

""primary care services" ("*gwasanaethau gofal sylfaenol*") means services provided under or by virtue of Parts 4 to 7 of the National Health Service (Wales) Act 2006 (c. 42);";

"ystyr "gwasanaethau gofal sylfaenol" ("*primary care services*") yw gwasanaethau a ddarperir o dan neu yn rhinwedd Rhannau 4 i 7 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42);";

"mae i "Gweinidog priodol" yr ystyr a roddir i "appropriate Minister" gan baragraff 8(5) o Atodlen 7B i Ddeddf Llywodraeth Cymru 2006 (p. 32);";

"mae i "landlord cymdeithasol cofrestredig" yr ystyr a roddir i "registered social landlord" gan Ran 1 o Ddeddf Tai 1996 (p. 52);";

"mae i "mangre a gymeradwywyd" yr ystyr a roddir i "approved premises" gan adran 13 o Ddeddf Rheoli Troseddwyr 2007 (p. 21);";

"ystyr "person penodedig" (*"specified person"*) yw'r personau a nodir yn adran 94B(1);";

"ystyr "ymddiriedolaeth gweithredu tai" ("*housing action trust*") yw ymddiriedolaeth gweithredu tai a sefydlwyd o dan Ran 3 o Ddeddf Tai 1988 (p. 50);";

(b) hepgorer y diffiniadau o "angen blaenoriaethol am lety", "camdriniaeth ddomestig", "cynorthwyo i sicrhau", "cysylltiedig", "digartref yn fwriadol", ac "yn derbyn gofal, yn cael ei letya neu'n cael ei faethu";

(c) yn y diffiniad o "cymorth o dan y Bennod hon", hepgorer ", 73,";

(d) yn y diffiniad o "llety cadw ieuenctid", yn y testun Cymraeg, yn lle "cartref plant diogel" rhodder "cartref diogel i blant".

(20) Yn Atodlen 2 (cymhwystra i dderbyn cymorth o dan Bennod 2 o Ran 2)—

(a) ym mharagraff 1(1) hepgorer ", 73";

(b) ym mharagraff 1(5)—

(i) ym mharagraff (a), ar ôl "ddigartrefedd" hepgorer ", neu";

(ii) hepgorer paragraff (b).

Deddf Rhentu Cartrefi (Cymru) 2016 (dccc 1)

4 (1) Mae Deddf Rhentu Cartrefi (Cymru) 2016 wedi ei diwygio fel a ganlyn.

(2) Yn Atodlen 2, ym mharagraff 12(5), ym mharagraff (a) o'r diffiniad o "swyddogaethau darparu tai i'r digartref", hepgorer "73,".

© Hawlfraint y Goron 2026

Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd y Brenin ar gyfer Cymru.

""private registered provider of social housing" ("*darparwr tai cymdeithasol preifat cofrestredig*") has the meaning given by Part 2 of the Housing and Regeneration Act 2008 (c. 17);";

""secure children's home" ("*cartref diogel i blant*") means—

(a) accommodation in Wales in respect of which a person is registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) to provide a secure accommodation service within the meaning of Part 1 of that Act.

(b) accommodation that is provided in a children's home in England, within the meaning of the Care Standards Act 2000 (c. 14)—

(i) which provides accommodation for the purposes of restricting liberty, and

(ii) in respect of which a person is registered under Part 2 of that Act;";

""registered social landlord" ("*landlord cymdeithasol cofrestredig")* has the meaning given by Part 1 of the Housing Act 1996 (c. 52);";

""reserved authority" ("*awdurdod a gedwir yn ôl"*) has the meaning given by paragraph 8(3) of Schedule 7B to the Government of Wales Act 2006 (c. 32);";

""specified person" *("person penodedig"*) means the persons set out in section 94B(1);";

(b) omit the definitions of "associated", "domestic abuse", "help to secure", "intentionally homeless", "looked after, accommodated or fostered" and "priority need for accommodation";

(c) in the definition of "help under this Chapter", omit ", 73,";

(d) in the definition of "youth detention accommodation", in the Welsh text, for "cartref plant diogel" substitute "cartref diogel i blant".

(20) In Schedule 2 (eligibility for help under Chapter 2 of Part 2)—

(a) in paragraph 1(1) omit ", 73";

(b) in paragraph 1(5)—

(i) in paragraph (a), after "homelessness" omit ", or";

(ii) omit paragraph (b).

Renting Homes (Wales) Act 2016 (anaw 1)

4 (1) The Renting Homes (Wales) Act 2016 is amended as follows.

(2) In Schedule 2, in paragraph 12(5), in paragraph (a) of the definition of "homelessness housing functions", omit "73,".

© Crown copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer for Wales.