



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2005 Rhif 1352 (Cy.100)

2005 No. 1352 (W.100)

**LANDLORD A THENANT,
CYMRU**

**LANDLORD AND TENANT,
WALES**

**Rheoliadau Hawliau Ailfyndiad a
Fforffediad (Swm a Chyfnod
Rhagnodedig) (Cymru) 2005**

**The Rights of Re-entry and
Forfeiture (Prescribed Sum and
Period) (Wales) Regulations 2005**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 167(1) o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002 yn atal landlord sydd o dan les hir ar annedd rhag arfer hawl ailfyndiad neu fforffediad os bydd tenant yn methu â thalu swm wedi'i wneud o rent, taliadau gwasanaeth neu daliadau gweinyddu (neu gyfuniad ohonynt) oni bai bod y swm sydd heb ei dalu yn fwy na'r swm rhagnodedig neu'n swm sydd wedi'i wneud o swm a fu'n daladwy am fwy na chyfnod rhagnodedig neu'n swm sy'n cynnwys swm o'r fath.

Section 167(1) of the Commonhold and Leasehold Reform Act 2002 prevents a landlord under a long lease of a dwelling from exercising a right of re-entry or forfeiture for failure by a tenant to pay an amount consisting of rent, service charges or administration charges (or a combination of them) unless the unpaid amount exceeds the prescribed sum or consists of, or includes, an amount which has been payable for more than a prescribed period.

Mae Rheoliad 2 o'r Rheoliadau hyn, sy'n gymwys o ran anheddau yng Nghymru yn unig, yn rhagnodi'r swm o £350 a chyfnod o dair blynedd.

Regulation 2 of these Regulations, which apply only in relation to dwellings in Wales, prescribes the sum of £350 and a period of three years.

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Wedi'u gwneud 17 Mai 2005
Yn dod i rym 31 Mai 2005

Made 17 May 2005
Coming into force 31 May 2005

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 167(1) a 167(5) a 179(1) o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002(1), drwy hyn yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred by sections 167(1), 167(5) and 179(1) of the Commonhold and Leasehold Reform Act 2002(1), hereby makes the following Regulations:

Enwi, cychwyn a chymhwysu**Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Hawliau Ailfyndiad a Fforffediad (Swm a Chyfnod Rhagnodedig) (Cymru) 2005 a deuant i rym ar 31 Mai 2005.

1.-(1) These Regulations are called the Rights of Re-entry and Forfeiture (Prescribed Sum and Period) (Wales) Regulations 2005 and shall come into force on 31 May 2005.

(2) Mae'r Rheoliadau hyn yn gymwys i anheddau yng Nghymru a feddiennir o dan les hir(2).

(2) These Regulations apply in relation to dwellings in Wales that are occupied under a long lease(2).

Swm a chyfnod rhagnodedig**Prescribed sum and period**

2.-(1) £350 yw'r swm rhagnodedig at ddibenion is-adran 1(a) o adran 167 (methu â thalu swm bychan am gyfnod byr) o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002.

2.-(1) The sum prescribed for the purposes of subsection (1)(a) of section 167 (failure to pay small amount for short period) of the Commonhold and Leasehold Reform Act 2002 is £350.

(2) Tair blynedd yw'r cyfnod rhagnodedig at ddibenion is-adran (1)(b) o'r adran honno.

(2) The period prescribed for the purposes of subsection (1)(b) of that section is three years.

(1) 2002 p.15. *Gweler* y diffiniad o "prescribed" yn adran 167(5) a'r diffiniad o "appropriate national authority" yn adran 179(1).

(2) O ran "dwelling" a "long lease", *gweler* adran 167(5) o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002.

(1) 2002 c.15. *See* the definition of "prescribed" in section 167(5) and the definition of "appropriate national authority" in section 179(1).

(2) As to "dwelling" and "long lease", *see* section 167(5) of the Commonhold and Leasehold Reform Act 2002.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(1).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(1).

17 Mai 2005

17 May 2005

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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