



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 1466 (Cy. 258)

2019 No. 1466 (W. 258)

TAI, CYMRU

HOUSING, WALES

**Rheoliadau Rhentu Cartrefi
(Ffioedd etc.) (Gwybodaeth
Benodedig) (Cymru) 2019**

**The Renting Homes (Fees etc.)
(Specified Information) (Wales)
Regulations 2019**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn nodi gwybodaeth y mae rhaid i naill ai'r landlord neu'r asiant gosod eiddo ei darparu i ddarpar ddeiliad contract, cyn y telir blaendal cadw. Mae'r Rheoliadau hyn hefyd yn pennu'r ffordd y mae rhaid darparu'r wybodaeth.

These Regulations set out information which must be provided to a prospective contract-holder by either the landlord or letting agent, before a holding deposit is paid. These Regulations also specify the way in which the information must be provided.

Os na ddarperir yr wybodaeth yn rheoliad 2(2) i ddarpar ddeiliad contract cyn y telir blaendal cadw, ni chaiff y landlord ddibynnu ar yr eithriadau a nodir ym mharagraffau 8, 9 a 10 o Atodlen 2 i Ddeddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019 a rhaid ad-dalu'r blaendal cadw. Mae rheoliad 2(3) yn nodi'r ffordd y mae rhaid darparu'r wybodaeth.

If the information in regulation 2(2) is not provided to a prospective contract-holder before a holding deposit is paid, the landlord may not rely upon the exceptions set out in paragraphs 8, 9 and 10 of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019 and the holding deposit must be repaid. Regulation 2(3) sets out how the information must be provided.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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Gwnaed 12 Tachwedd 2019

Made 12 November 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 15 Tachwedd 2019

Laid before the National Assembly for Wales
15 November 2019

Yn dod i rym 13 Rhagfyr 2019

Coming into force 13 December 2019

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddir iddynt gan baragraff 11(3) a (4) o Atodlen 2 i Ddeddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the power conferred on them by paragraph 11(3) and (4) of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019(1), make the following Regulations.

Enwi a chychwyn

Title and commencement

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rhentu Cartrefi (Ffioedd etc.) (Gwybodaeth Benodedig) (Cymru) 2019.

1.—(1) The title of these Regulations is the Renting Homes (Fees etc.) (Specified Information) (Wales) Regulations 2019.

(2) Daw'r Rheoliadau hyn i rym ar 13 Rhagfyr 2019.

(2) These Regulations come into force on 13 December 2019.

Gwybodaeth Benodedig

Specified Information

2.—(1) Mae'r Rheoliadau hyn yn pennu gwybodaeth sydd i'w darparu i ddarpar ddeiliad contract(2) o dan baragraff 11 o Atodlen 2 i Ddeddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019 ("y Ddeddf") cyn y telir blaendal cadw(3) i landlord neu asiant gosod eiddo a'r ffordd y mae rhaid darparu'r wybodaeth honno.

2.—(1) These Regulations specify information to be provided to a prospective contract-holder(2) under paragraph 11 of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019 ("the Act") before a holding deposit(3) is paid to a landlord or letting agent and the way in which that information must be provided.

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- (1) 2019 dccc 2; gweler adran 28 am y diffiniad o "rheoliadau". Cyflwynir Atodlen 2 gan adran 9 o Ddeddf 2019.
(2) Yn rhinwedd rheoliad 3 o Reoliadau Deddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019 (Darpariaeth Drosiannol ar gyfer Tenantiaethau Byrddaliadol Sicr) 2019 (O.S. 2019/1151) (Cy. 201), mae cyfeiriadau yn Neddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019 at ddeiliad contract i'w darllen fel cyfeiriadau at denant o dan denantiaeth fyrddaliadol sicr o dan Ran 1 o Ddeddf Tai 1988.
(3) Gweler paragraff 4 o Atodlen 1 i'r Ddeddf am y diffiniad o "blaendal cadw".

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- (1) 2019 anaw 2; see section 28 for the definition of "regulations". Schedule 2 is introduced by section 9 of the 2019 Act.
(2) By virtue of regulation 3 of the Renting Homes (Fees etc.) (Wales) Act 2019 (Transitional Provision for Assured Shorthold Tenancies) Regulations 2019 (S.I. 2019/1151) (W. 201), the references in the Renting Homes (Fees etc.) (Wales) Act 2019 to a contract-holder are to be read as references to a tenant under an assured shorthold tenancy under Part 1 of the Housing Act 1988.
(3) See paragraph 4 of Schedule 1 to the Act for the definition of "holding deposit".

(2) Rhaid darparu'r wybodaeth a ganlyn i ddarpar ddeiliad contract—

- (a) swm y blaendal cadw(1);
- (b) enwi'r annedd y telir y blaendal mewn cysylltiad â hi;
- (c) enw, cyfeiriad a rhif ffôn y landlord (ac os cyfarwyddir felly, yr asiant gosod eiddo) ac unrhyw gyfeiriad e-bost sydd ganddo neu ganddynt;
- (d) natur a hyd y contract;
- (e) dyddiad meddiannaeth arfaethedig;
- (f) swm y rhent neu gydnabyddiaeth arall;
- (g) cyfnod rhentu;
- (h) unrhyw delerau contract ychwanegol arfaethedig neu addasiadau neu eithriadau arfaethedig i delerau sylfaenol neu atodol;
- (i) swm unrhyw flaendal sicrwydd;
- (j) a oes angen gwarantwr ac, os felly, unrhyw amodau perthnasol;
- (k) gwiriadau geirda y bydd y landlord (neu'r asiant gosod eiddo) yn eu cynnal; ac
- (l) gwybodaeth y mae ar y landlord neu'r asiant gosod eiddo ei hangen gan y darpar ddeiliad contract.

(3) Rhaid darparu'r wybodaeth i ddarpar ddeiliad contract yn ysgrifenedig a gellir ei rhoi yn bersonol neu ei hanfon naill ai drwy'r post neu ei darparu drwy ddulliau electronig os yw'r darpar ddeiliad contract yn cydsynio i'w chael yn electronig.

(2) The following information must be provided to a prospective contract-holder —

- (a) amount of holding deposit(1);
- (b) identify the dwelling in respect of which the deposit is paid;
- (c) name, address, telephone number and any e-mail address of the landlord (and if instructed, the letting agent);
- (d) nature and duration of the contract;
- (e) proposed occupation date;
- (f) amount of rent or other consideration;
- (g) rental period;
- (h) any proposed additional contract terms or proposed modifications or exclusions to fundamental or supplementary terms;
- (i) amount of any security deposit;
- (j) whether a guarantor is required and, if so, any relevant conditions;
- (k) reference checks the landlord (or letting agent) will undertake; and
- (l) information the landlord or letting agent requires from the prospective contract-holder.

(3) The information must be provided to a prospective contract-holder in writing and may be given in person or sent either by post or provided by electronic means if the prospective contract-holder consents to receiving it electronically.

Julie James

Y Gweinidog Tai a Llywodraeth Leol, un o
Weinidogion Cymru
12 Tachwedd 2019

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Minister for Housing and Local Government, one of
the Welsh Ministers
12 November 2019

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(1) O dan baragraff 4(c) o Atodlen 1 i'r Ddeddf, ni chaiff blaendal cadw fod yn fwy na swm sy'n gyfwerth ag un wythnos o rent o dan y contract.

(1) Under paragraph 4(c) of Schedule 1 to the Act, a holding deposit must not exceed an amount equivalent to one week's rent under the contract.

£4.90

W201911141011 11/2019

<http://www.legislation.gov.uk/id/wsi/2019/1466>

ISBN 978-0-348-20480-3



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