



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2022 Rhif 6 (Cy. 4)**

**2022 No. 6 (W. 4)**

**TAI, CYMRU**

**HOUSING, WALES**

Rheoliadau Rhentu Cartrefi  
(Ffitrwydd Annedd i Bobl Fyw  
Ynddi) (Cymru) 2022

The Renting Homes (Fitness for  
Human Habitation) (Wales)  
Regulations 2022

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Regulations)*

Mae adran 91 o Ddeddf Rhentu Cartrefi (Cymru) 2016 (dccc 1) (“y Ddeddf”) yn ei gwneud yn ofynnol i landlord, o dan gontract diogel, contract safonol cyfnodol neu gontract safonol cyfnod penodol a wneir am gyfnod o lai na 7 mlynedd, sicrhau bod yr annedd yn ffit i bobl fyw ynddi, ac mae adran 92 yn ei gwneud yn ofynnol i'r landlord gadw'r annedd mewn cyflwr da.

Section 91 of the Renting Homes (Wales) Act 2016 (anaw 1) (“the Act”) requires a landlord, under a secure contract, a periodic standard contract or a fixed term standard contract made for a term of less than 7 years, to ensure that the dwelling is fit for human habitation, and section 92 requires the landlord to keep the dwelling in repair.

Mae adran 94(1) yn ei gwneud yn ofynnol i Weinidogion Cymru ragnodi materion ac amgylchiadau y mae rhaid rhoi sylw iddynt wrth benderfynu a yw eiddo yn ffit i bobl fyw ynddi ai peidio, ac mae adran 94(2) yn galluogi Gweinidogion Cymru i ragnodi materion ac amgylchiadau a allai godi oherwydd methiant landlord i gadw'r annedd mewn cyflwr da. Mae adran 94(3) yn galluogi Gweinidogion Cymru i osod gofynion ar landlordiaid at ddiben atal y materion neu'r amgylchiadau hynny rhag codi ac i ragnodi os na chydymffurfir â'r gofynion hynny, bod yr annedd i'w thrin fel pe na bai'n ffit i bobl fyw ynddi.

Section 94(1) requires the Welsh Ministers to prescribe matters and circumstances to which regard must be had when determining whether a dwelling is fit for human habitation, and section 94(2) enables the Welsh Ministers to prescribe matters and circumstances which may arise because of a landlord's failure to keep the dwelling in repair. Section 94(3) enables the Welsh Ministers to impose requirements on landlords for the purpose of preventing those matters or circumstances from arising and to prescribe that if those requirements are not complied with, the dwelling is to be treated as if it were unfit for human habitation.

Mae rheoliad 3 a'r Atodlen yn rhagnodi'r materion a'r amgylchiadau y mae rhaid rhoi sylw iddynt wrth benderfynu a yw annedd yn ffit i bobl fyw ynddi ai peidio. Mae hyn yn cynnwys materion ac amgylchiadau penodol a allai godi oherwydd methiant landlord i gadw'r annedd mewn cyflwr da.

Regulation 3 and the Schedule prescribe the matters and circumstances to which regard must be had when determining whether a dwelling is fit for human habitation. This includes certain matters and circumstances which may arise because of a landlord's failure to keep the dwelling in repair.

Mae rheoliad 4 yn darparu bod rheoliadau 5 i 8 yn gymwys mewn perthynas â contract diogel, contract safonol cyfnodol neu contract safonol cyfnod penodol a wnaed am gyfnod o lai na 7 mlynedd, ac sy'n ymgorffori adran 91 o'r Ddeddf fel un o delerau'r contract. Mae rheoliad 4 yn cymhwysu rheoliadau 5 i 8 i'r un mathau o contract meddiannaeth â rheoliad 3.

Mae rheoliadau 5 a 6 yn gosod gofynion ar landlord at ddiben atal unrhyw faterion neu amgylchiadau rhag codi a allai beri nad yw annedd yn ffit i bobl fyw ynddi.

Mae rheoliad 5 yn ei gwneud yn ofynnol i larymau mwg a larymau carbon monocsid, sydd mewn cyflwr da ac yn gweithio'n iawn, fod yn bresennol mewn annedd.

Mae rheoliad 6 yn ei gwneud yn ofynnol i'r gosodiadau gwasanaeth trydanol mewn annedd gael eu harchwilio a'u profi ("archwiliad diogelwch trydanol") gan berson cymwysedig fesul ysbaid o 5 mlynedd neu lai; ac yn ei gwneud yn ofynnol i gopi o'r adroddiad ar gyflwr sy'n nodi canlyniadau'r archwiliad diogelwch trydanol gael ei roi i ddeiliad y contract. Os caiff gwaith ei wneud ar osodiadau gwasanaeth trydanol annedd rhwng archwiliadau diogelwch trydanol, rhaid i'r landlord sicrhau y rhoddir i ddeiliad y contract gadarnhad ysgrifenedig bod y gwaith wedi ei wneud.

Pan fo landlord yn methu â chydymffurfio â gofyniad a osodir gan rheoliad 5 neu 6, mae'r annedd i'w thrin fel pe na bai'n ffit i bobl fyw ynddi a bydd yn parhau i'w thrin fel pe na bai'n ffit i bobl fyw ynddi o dan y rheoliadau hynny hyd nes y bydd y landlord wedi cywiro'r methiant (gweler Rhan 4 o'r Ddeddf am ddarpariaeth bellach ynghylch amgylchiadau pan fo rhwymedigaethau ac atebolrwyddau landlord o dan y Rhan honno yn codi). Os yw'r methiant yn digwydd eto ar ôl ei gywiro bydd yr annedd, unwaith eto, i'w thrin fel pe na bai'n ffit i bobl fyw ynddi hyd nes y caiff y methiant ei gywiro.

Mae'r landlord, mewn unrhyw achos, yn ddarostyngedig i'r rhwymedigaethau yn adran 92 o'r Ddeddf (os ydynt wedi eu hymgorffori yn y contract meddiannaeth) i gadw gosodiadau gwasanaeth trydanol mewn cyflwr da ac yn gweithio'n iawn. Bydd y rhwymedigaethau hynny yn berthnasol pan fo archwiliad diogelwch trydanol yn datgelu bod materion yn codi mewn cysylltiad â gosodiad.

Mae rheoliad 7 yn gwneud darpariaeth ynghylch sut y mae'r rheoliadau hyn yn gweithredu mewn perthynas â thenantiaethau a thrwyddedau presennol a ddaw yn contractau meddiannaeth pan ddaw'r Ddeddf i rym. O dan y contractau hynny, bydd gan landlordiaid amser ychwanegol i sicrhau cydymffurfiaeth o'i fewn.

Regulation 4 provides that regulations 5 to 8 apply in relation to a secure contract, a periodic standard contract or a fixed term standard contract made for a term of less than 7 years, and which incorporate section 91 of the Act as a term of the contract. Regulation 4 applies regulations 5 to 8 to the same kinds of occupation contract as regulation 3.

Regulations 5 and 6 impose requirements on a landlord for the purpose of preventing any matters or circumstances which may cause a dwelling to be unfit for human habitation from arising.

Regulation 5 requires that smoke alarms and carbon monoxide alarms, in repair and proper working order, are present in a dwelling.

Regulation 6 requires that the electrical service installations in a dwelling are subject to inspection and testing ("an electrical safety inspection") by a qualified person at intervals of 5 years or less; and that a copy of the condition report setting out the results of the electrical safety inspection is given to the contract-holder. If works are carried out on a dwelling's electrical service installations between electrical safety inspections, the landlord must ensure that the contract-holder is given written confirmation that the works have been carried out.

Where a landlord fails to comply with a requirement imposed by regulation 5 or 6, the dwelling is to be treated as if it were unfit for human habitation; and the dwelling will continue to be treated as if it were unfit for human habitation under those regulations until the failure has been rectified by the landlord (see Part 4 of the Act for further provision about circumstances in which the obligations and liabilities of a landlord under that Part arise). If the failure re-occurs after rectification, the dwelling will again be treated as unfit for human habitation until it is rectified.

The landlord is in any event subject to the obligations in section 92 of the Act (if incorporated into the occupation contract) to keep electrical service installations in repair and proper working order. Those obligations will be relevant where an electrical safety inspection reveals that there are issues with an installation.

Regulation 7 makes provision about how these regulations operate in relation to existing tenancies and licences that become occupation contracts when the Act comes into force. Landlords under those contracts will have additional time within which to ensure compliance.

Mae rheoliad 8 yn gwneud darpariaeth yn ymwneud â rheoliad 6, gan ganiatáu i landlordiaid ddibynnu ar adroddiadau ar gyflwr trydanol a gafwyd cyn i'r Rheoliadau hyn ddod i rym.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Dai, Llywodraeth Cymru, Parc Busnes Rhyd-y-car, Merthyr Tudful, CF48 1UZ.

Regulation 8 makes provision relating to regulation 6, allowing landlords to rely on electrical condition reports obtained before these Regulations come into force.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Housing, Welsh Government, Rhydycar Business Park, Merthyr Tydfil, CF48 1UZ.

**2022 Rhif 6 (Cy. 4)**

**TAI, CYMRU**

**Rheoliadau Rhentu Cartrefi  
(Ffitrwydd Annedd i Bobl Fyw  
Ynddi) (Cymru) 2022**

*Gwnaed* 7 Ionawr 2022  
*Gosodwyd* gerbron *Senedd*  
*Cymru* 12 Ionawr 2022

*Yn dod i rym yn unol â rheoliad 1*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 94(1), (2)(b) a (3) a 256(1) o Ddeddf Rhentu Cartrefi (Cymru) 2016(1).

**Enwi a chychwyn**

1. Enw'r Rheoliadau hyn yw Rheoliadau Rhentu Cartrefi (Ffitrwydd Annedd i Bobl Fyw Ynddi) (Cymru) 2022 a deuant i rym ar y diwrnod y daw adran 239 o'r Ddeddf i rym(2).

**Dehongli**

2.—(1) Mae i'r geiriau a'r ymadroddion a ddefnyddir yn y Rheoliadau hyn yr un ystyr ag sydd iddynt yn y Ddeddf.

(2) Yn y Rheoliadau hyn—

ystyr “cyfnod meddiannaeth” (“*period of occupation*”), mewn perthynas â contract meddiannaeth, yw'r cyfnod—

- (a) sy'n dechrau â dyddiad meddiannu'r contract, a
- (b) sy'n dod i ben pan ddaw'r contract i ben; ac

(1) 2016 decc 1. Gweler adran 252 i gael y diffiniad o “rhagnodedig”.  
(2) Daw adran 239 o Ddeddf Rhentu Cartrefi (Cymru) 2016 i rym ar ddiwrnod a benodir gan Weiniogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.

**2022 No. 6 (W. 4)**

**HOUSING, WALES**

**The Renting Homes (Fitness for  
Human Habitation) (Wales)  
Regulations 2022**

*Made* 7 January 2022  
*Laid before Senedd Cymru* 12 January 2022

*Coming into force in accordance with  
regulation 1*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 94(1), (2)(b) and (3) and 256(1) of the Renting Homes (Wales) Act 2016(1).

**Title and commencement**

1. The title of these Regulations is the Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022 and they come into force on the day on which section 239 of the Act comes into force(2).

**Interpretation**

2.—(1) Words and expressions used in these Regulations have the same meaning as they have in the Act.

(2) In these Regulations—

“period of occupation” (“*cyfnod meddiannaeth*”) means, in relation to an occupation contract, the period—

- (a) starting with the occupation date of the contract, and
- (b) ending when the contract ends; and

(1) 2016 anaw 1. See section 252 for the definition of “prescribed”.  
(2) Section 239 of the Renting Homes (Wales) Act 2016 comes into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Rhentu Cartrefi (Cymru) 2016.

(3) Mae'r rheoliad hwn yn ddarostyngedig i reoliad 7.

### **Penderfynu a yw annedd yn ffit i bobl fyw ynddi ai peidio**

3. Wrth benderfynu at ddibenion adran 91(1) o'r Ddeddf a yw annedd yn ffit i bobl fyw ynddi ai peidio, rhaid rhoi sylw i bresenoldeb neu fodolaeth, neu bresenoldeb tebygol neu fodolaeth debygol, y materion a'r amgylchiadau a restrir yn yr Atodlen.

### **Contractau meddiannaeth y mae rheoliadau 5 i 8 yn gymwys iddynt**

4. Nid yw rheoliadau 5 i 8 yn gymwys ond mewn perthynas ag —

- (a) contract diogel,
- (b) contract safonol cyfnodol, ac
- (c) contract safonol cyfnod penodol a wnaed am gyfnod o lai na 7 mlynedd(1),

sy'n ymgorffori adran 91 o'r Ddeddf fel un o delerau'r contract.

### **Larymau mwg a larymau carbon monocsid**

5.—(1) Rhaid i'r landlord sicrhau, yn ystod pob cyfnod meddiannaeth, bod larwm mwg ar bob llawr o'r annedd sydd—

- (a) mewn cyflwr da ac yn gweithio'n iawn,
- (b) wedi ei gysylltu â chyflenwad trydan yr annedd, ac
- (c) wedi ei gysylltu â phob larwm mwg arall yn yr annedd sydd wedi ei gysylltu â'r cyflenwad trydan.

(2) Rhaid i'r landlord sicrhau, yn ystod pob cyfnod meddiannaeth, bod larwm carbon monocsid sydd mewn cyflwr da ac yn gweithio'n iawn ym mhob ystafell o'r annedd sy'n cynnwys cyfarpar nwy, cyfarpar hylosgi sy'n cael ei danio ag olew neu gyfarpar hylosgi sy'n llosgi tanwydd solet.

(3) Mae annedd i'w thrin fel pe na bai'n ffit i bobl fyw ynddi pan nad yw'r landlord yn cydymffurfio â gofyniad a osodir gan baragraff (1) neu (2).

“the Act” (“*y Ddeddf*”) means the Renting Homes (Wales) Act 2016.

(3) This regulation is subject to regulation 7.

### **Determining fitness for human habitation**

3. In determining, for the purposes of section 91(1) of the Act, whether a dwelling is fit for human habitation, regard must be had to the presence or occurrence, or the likely presence or occurrence, of the matters and circumstances listed in the Schedule.

### **Occupation contracts to which regulations 5 to 8 apply**

4. Regulations 5 to 8 apply only in relation to—

- (a) a secure contract,
- (b) a periodic standard contract, and
- (c) a fixed term standard contract made for a term of less than 7 years(1),

which incorporates section 91 of the Act as a term of the contract.

### **Smoke alarms and carbon monoxide alarms**

5.—(1) The landlord must ensure that, during each period of occupation, on each storey of the dwelling there is a smoke alarm which is—

- (a) in repair and proper working order,
- (b) connected to the dwelling's electrical supply, and
- (c) linked to every other smoke alarm in the dwelling which is connected to the electrical supply.

(2) The landlord must ensure that, during each period of occupation, a carbon monoxide alarm which is in repair and proper working order is in each room of the dwelling which contains a gas appliance, an oil-fired combustion appliance or a solid fuel burning combustion appliance.

(3) A dwelling is to be treated as unfit for human habitation at a time when the landlord is not in compliance with a requirement imposed by paragraph (1) or (2).

(1) Gweler adran 90 o'r Ddeddf sy'n gwneud darpariaeth ar gyfer pennu a yw contractau safonol cyfnod penodol i'w trin fel pe baent yn cael eu gwneud am lai, neu fwy, na 7 mlynedd.

(1) See section 90 of the Act which makes provision for determining whether fixed term standard contracts are to be treated as being made for less, or more, than, 7 years.

(4) At ddibenion paragraff (3), mae landlord sydd heb gydymffurfio ag—

- (a) paragraff (1) i'w drin fel pe bai'n cydymffurfio â'r paragraff hwnnw o'r adeg y mae'r landlord yn sicrhau bod larwm mwg (neu larymau mwg) yn bresennol yn yr annedd fel y disgrifir yn y paragraff hwnnw;
- (b) paragraff (2) i'w drin fel pe bai'n cydymffurfio â'r paragraff hwnnw o'r adeg y mae'r landlord yn sicrhau bod larwm carbon monocsid (neu larymau carbon monocsid) yn bresennol yn yr annedd fel y disgrifir yn y paragraff hwnnw.

(5) Yn y rheoliad hwn—

ystyr “cyfarpar nwy” (“*gas appliance*”) yw cyfarpar a ddyluniwyd i'w ddefnyddio gan ddefnyddiwr nwy ar gyfer gwresogi, goleuo, coginio neu at ddibenion eraill y gellir defnyddio nwy ar eu cyfer, ond nid yw'n cynnwys—

- (a) cyfarpar cludadwy neu symudol a gyflenwir â nwy o silindr, na'r silindr, y pibellau a'r ffitiadau eraill a ddefnyddir i gyflenwi nwy i'r cyfarpar hwnnw, neu
- (b) cyfarpar y mae gan ddeiliad y contract yr hawl i fynd ag ef o'r annedd o dan delerau'r contract meddiannaeth;

mae i “nwy” yr ystyr a roddir i “gas” gan adran 48(1) o Ddeddf Nwy 1986(1);

mae “ystafell” (“*room*”) yn cynnwys cyntedd, pen grisiau neu goridor.

## Diogelwch trydanol

6.—(1) Rhaid i'r landlord sicrhau bod adroddiad ar gyflwr trydanol dilys mewn cysylltiad â'r annedd yn ystod pob cyfnod meddiannaeth.

(2) Mae adroddiad ar gyflwr trydanol—

- (a) yn adroddiad ar gyflwr sy'n nodi canlyniadau archwiliad diogelwch trydanol a gynhaliwyd gan berson cymwysedig;
- (b) yn ddilys—
  - (i) hyd at ddiwedd y cyfnod o 5 mlynedd sy'n dechrau â'r diwrnod y cynhaliwyd yr archwiliad diogelwch trydanol (“y dyddiad archwilio”), neu
  - (ii) os yw'r adroddiad ar gyflwr trydanol yn nodi y dylid cynnal yr archwiliad diogelwch trydanol nesaf lai na 5 mlynedd ar ôl y dyddiad archwilio, hyd

(4) For the purposes of paragraph (3), a landlord who has not complied with—

- (a) paragraph (1) is to be treated as in compliance with that paragraph from the time the landlord ensures that a smoke alarm is (or smoke alarms are) present in the dwelling as described in that paragraph;
- (b) paragraph (2) is to be treated as in compliance with that paragraph from the time the landlord ensures that a carbon monoxide alarm is (or carbon monoxide alarms are) present in the dwelling as described in that paragraph.

(5) In this regulation—

“gas” (“*nwy*”) has the meaning given by section 48(1) of the Gas Act 1986(1);

“gas appliance” (“*cyfarpar nwy*”) means an appliance designed for use by a consumer of gas for heating, lighting, cooking or other purposes for which gas can be used, but it does not include—

- (a) a portable or mobile appliance supplied with gas from a cylinder, or the cylinder, pipes and other fittings used for supplying gas to that appliance, or
- (b) an appliance which the contract-holder is entitled to remove from the dwelling under the terms of the occupation contract;

“room” (“*ystafell*”) includes a hall, landing or corridor.

## Electrical safety

6.—(1) The landlord must ensure that there is a valid electrical condition report in respect of the dwelling during each period of occupation.

(2) An electrical condition report—

- (a) is a condition report setting out the results of an electrical safety inspection carried out by a qualified person;
- (b) is valid—
  - (i) until the end of the period of 5 years beginning with the day on which the electrical safety inspection is carried out (“the inspection date”), or
  - (ii) if the electrical condition report states that the next electrical safety inspection should be carried out less than 5 years after the inspection date, until the end of

(1) 1986 p. 44. Mae diwygiadau i adran 48 nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) 1986 c. 44. There are amendments to section 48 which are not relevant to these Regulations.

at ddiwedd y dydd erbyn pryd y dylid cynnal, yn unol â'r adroddiad, yr archwiliad diogelwch trydanol nesaf.

(3) Rhaid i'r landlord sicrhau y rhoddir i ddeiliad y contract, cyn diwedd y cyfnod o 7 niwrnod sy'n dechrau â'r dyddiad meddiannu—

- (a) copi o'r adroddiad ar gyflwr trydanol mwyaf diweddar, a
- (b) pan fo gwaith ymchwilio neu atgyweirio wedi ei wneud ar osodiad gwasanaeth trydanol yn yr annedd, neu mewn perthynas â gosodiad o'r fath, ar ôl yr archwiliad diogelwch trydanol y mae'r adroddiad hwnnw yn ymwneud ag ef (a chyn y dyddiad meddiannu), gadarnhad ysgrifenedig o'r gwaith.

(4) Pan gynhelir archwiliad diogelwch trydanol ar ôl y dyddiad meddiannu, rhaid i'r landlord sicrhau y rhoddir i ddeiliad y contract gopi o'r adroddiad ar gyflwr trydanol yn ymwneud â'r archwiliad cyn diwedd y cyfnod o 7 niwrnod sy'n dechrau â'r diwrnod y cwblhawyd yr archwiliad.

(5) Pan fo gwaith ymchwilio neu atgyweirio yn cael ei wneud ar osodiad gwasanaeth trydanol yn yr annedd, neu mewn perthynas â gosodiad o'r fath, ar ôl y dyddiad meddiannu, rhaid i'r landlord sicrhau y rhoddir i ddeiliad y contract gadarnhad ysgrifenedig o'r gwaith cyn diwedd y cyfnod o 7 niwrnod gan ddechrau â'r diwrnod y cafodd y landlord y cadarnhad.

(6) Mae annedd i'w thrin fel pe na bai'n ffit i bobl fyw ynddi ar adeg pan nad yw'r landlord yn cydymffurfio â gofyniad a osodir gan y rheoliad hwn.

(7) At ddibenion paragraff (6), mae landlord—

- (a) nad yw wedi cydymffurfio â pharagraff (1) i'w drin fel pe bai'n cydymffurfio â'r paragraff hwnnw ar unrhyw adeg—
  - (i) pan fo'r landlord wedi cael adroddiad ar gyflwr trydanol, a
  - (ii) pan fo'r adroddiad hwnnw yn ddilys.
- (b) nad yw wedi cydymffurfio â pharagraff (3)(a) neu (5) i'w drin fel pe bai'n cydymffurfio â'r ddarpariaeth dan sylw o'r adeg y rhoddir i ddeiliad y contract gopi o'r adroddiad ar gyflwr trydanol dilys mwyaf diweddar;
- (c) nad yw wedi cydymffurfio â pharagraff (3)(b) neu (5) i'w drin fel pe bai'n cydymffurfio â'r ddarpariaeth dan sylw o'r adeg y rhoddir i ddeiliad y contract gadarnhad ysgrifenedig o'r gwaith.

the day by which, in accordance with the report, the next electrical safety inspection should be carried out.

(3) The landlord must ensure that the contract-holder is, before the end of the period of 7 days starting with the occupation date, given—

- (a) a copy of the most recent electrical condition report, and
- (b) where investigatory or remedial work has been carried out on or in relation to an electrical service installation in the dwelling after the electrical safety inspection to which that report relates (and before the occupation date), written confirmation of work.

(4) Where an electrical safety inspection is carried out after the occupation date, the landlord must ensure that the contract-holder is given a copy of the electrical condition report relating to the inspection before the end of the period of 7 days starting with the day on which the inspection was completed.

(5) Where investigatory or remedial work is carried out on or in relation to an electrical service installation in the dwelling after the occupation date, the landlord must ensure that the contract-holder is given written confirmation of work before the end of the period of 7 days starting with the day on which the landlord received the confirmation.

(6) A dwelling is to be treated as unfit for human habitation at a time when the landlord is not in compliance with a requirement imposed by this regulation.

(7) For the purposes of paragraph (6), a landlord—

- (a) who has not complied with paragraph (1) is to be treated as in compliance with that paragraph at any time when—
  - (i) the landlord has obtained an electrical condition report, and
  - (ii) that report is valid.
- (b) who has not complied with paragraph (3)(a) or (5) is to be treated as in compliance with the provision in question from the time the contract-holder is given a copy of the most recent valid electrical condition report;
- (c) who has not complied with paragraph (3)(b) or (5) is to be treated as in compliance with the provision in question from the time the contract-holder is given written confirmation of work.

(8) Yn y rheoliad hwn—

ystyr “archwiliad diogelwch trydanol” (“*electrical safety inspection*”) yw archwilio a phrofi pob gosodiad gwasanaeth trydanol mewn annedd yn unol â’r safonau diogelwch trydanol(1);

ystyr “cadarnhad ysgrifenedig o’r gwaith” (“*written confirmation of work*”), mewn perthynas â gwaith ymchwilio neu atgyweirio, yw copi o gadarnhad ysgrifenedig gan berson cymwysedig bod y gwaith dan sylw wedi ei wneud;

ystyr “gosodiad gwasanaeth trydanol” (“*electrical service installation*”) yw gosodiad ar gyfer cyflenwi trydan; ac mae cyfeiriadau at osodiad gwasanaeth trydanol mewn annedd yn cynnwys, pan fo’r annedd yn ffurfio rhan yn unig o adeilad, osodiad gwasanaeth trydanol sy’n gwasanaethu’r annedd yn uniongyrchol neu’n anuniongyrchol, ac sydd naill ai—

- (a) yn ffurfio rhan o unrhyw ran o’r adeilad y mae gan y landlord ystad neu fuddiant ynddi, neu
- (b) yn eiddo i’r landlord neu sydd o dan reolaeth y landlord;

ystyr “person cymwysedig” (“*qualified person*”) yw person sy’n gymwys i wneud y gwaith arolygu a phrofi ar osodiad gwasanaeth trydanol, ac unrhyw waith archwilio neu waith atgyweirio pellach, yn unol â’r safonau diogelwch trydanol;

ystyr “safonau diogelwch trydanol” (“*electrical safety standards*”) yw’r safonau ar gyfer gosodiadau gwasanaeth trydanol a nodwyd yn y deunawfed argraffiad o’r Rheoliadau Gosod Gwifrau sef y “Wiring Regulations”, a gyhoeddwyd gan y Sefydliad Peirianneg a Thechnoleg a’r Sefydliad Safonau Prydeinig fel BS 7671:2018+A1:2020(2).

## Cymhwyso i gontractau wedi eu trosi

7.—(1) Mae’r rheoliad hwn yn gymwys mewn perthynas â chontract wedi ei drosi.

(2) Yn rheoliadau 5(1) a 6(1), ystyr “cyfnod meddiannaeth” yw’r cyfnod—

(8) In this regulation—

“electrical safety inspection” (“*archwiliad diogelwch trydanol*”) means the inspection and testing of every electrical service installation in a dwelling in accordance with the electrical safety standards(1);

“electrical safety standards” (“*safonau diogelwch trydanol*”) means the standards for electrical service installations set out in the eighteenth edition of the Wiring Regulations, published by the Institution of Engineering and Technology and the British Standards Institution as BS 7671:2018+A1:2020(2);

“electrical service installation” (“*gosodiad gwasanaeth trydanol*”) means an installation for the supply of electricity; and references to an electrical service installation in a dwelling include, where the dwelling forms part only of a building, an electrical service installation which directly or indirectly serves the dwelling, and which either—

- (a) forms part of any part of the building in which the landlord has an estate or interest, or
- (b) is owned by the landlord or is under the landlord’s control;

“qualified person” (“*person cymwysedig*”) means a person who is competent to undertake the inspection and testing of an electrical service installation, and any further investigative or remedial work, in accordance with the electrical safety standards;

“written confirmation of work” (“*cadarnhad ysgrifenedig o’r gwaith*”) means, in relation to investigatory or remedial work, a copy of written confirmation, from a qualified person, that the work in question has been carried out.

## Application to converted contracts

7.—(1) This regulation applies in relation to a converted contract.

(2) In regulations 5(1) and 6(1), “period of occupation” means the period—

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(1) Gweler adran 92 o’r Ddeddf sydd (pan fo wedi ei hymgorffori fel un o delerau contract meddiannaeth) yn darparu bod rhaid i’r landlord gadw’r gosodiadau gwasanaeth trydanol yn yr annedd mewn cyflwr da ac yn gweithio’n iawn.

(2) BS 7671:2018 (ISBN-13: 978-1-78561-170-4) a gyhoeddwyd ym mis Gorffennaf 2018, fel y’i cywirwyd gan gorigendwm dyddiedig Rhagfyr 2018; a ddiwygiwyd gan Ddiwygiad 1:2020 a gyhoeddwyd ar 1 Chwefror 2020 (ISBN-13: 978-1-83953-193-4); ac a gywirwyd gan gorigendwm i BS 7671:2018+A1:2020 dyddiedig Mai 2020. Gellir cael copïau gan y Sefydliad Peirianneg a Thechnoleg, Michael Faraday House, Six Hill Way, Stevenage, SG1 2AY.

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(1) See section 92 of the Act which (where incorporated as a term of an occupation contract) provides that the landlord must keep the electrical service installations in the dwelling in repair and proper working order.

(2) BS 7671:2018 (ISBN-13: 978-1-78561-170-4) published in July 2018, as corrected by a corrigendum dated December 2018; amended by Amendment 1:2020 issued on 1st February 2020 (ISBN-13: 978-1-83953-193-4); and corrected by a corrigendum to BS 7671:2018+A1:2020 dated May 2020. Copies can be obtained from the Institution of Engineering and Technology, Michael Faraday House, Six Hill Way, Stevenage, SG1 2AY.



- (a) sy'n dechrau â'r diwrnod sydd 12 mis ar ôl y dyddiad trosi, a
- (b) sy'n dod i ben pan ddaw'r contract i ben.
- (3) Yn rheoliad 5(2), ystyr "cyfnod meddiannaeth" yw'r cyfnod—
- (a) sy'n dechrau â'r dyddiad trosi, a
- (b) sy'n dod i ben pan ddaw'r contract i ben.
- (4) Yn rheoliad 6(3), ystyr "dyddiad meddiannu" yw'r diwrnod sydd 12 mis ar ôl y dyddiad trosi.
- (5) Mae rheoliad 6 i'w ddarllen fel pe bai'r canlynol wedi ei roi yn lle paragraff (4)—

"(4) Pan gynhelir archwiliad diogelwch trydanol ar ôl i ddeiliad y contract gael adroddiad yn unol ag is-baragraff (a) o baragraff (3) (fel y'i haddaswyd gan reoliad 7(4)), rhaid i'r landlord sicrhau y rhoddir copi i ddeiliad y contract o'r adroddiad ar gyflwr trydanol yn ymwneud â'r archwiliad cyn diwedd y cyfnod o 7 niwrnod sy'n dechrau â'r diwrnod y cwblhawyd yr archwiliad."

(6) Yn y rheoliad hwn, ystyr "dyddiad trosi", mewn perthynas â chontract wedi ei drosi, yw'r dyddiad y daeth y denantiaeth neu'r drwydded yn gontract meddiannaeth o dan adran 240 o'r Ddeddf(1).

#### **Darpariaeth drosiannol yn ymwneud â rheoliad 6: adroddiadau ar gyflwr trydanol sydd eisoes yn bodoli**

8. At ddibenion rheoliad 6(1), nid oes wahaniaeth os cafwyd yr adroddiad ar gyflwr trydanol dilys cyn i'r Rheoliadau hyn ddod i rym.

- (a) starting with the day which is 12 months after the conversion date, and
- (b) ending when the contract ends.
- (3) In regulation 5(2), "period of occupation" means the period—
- (a) starting with the conversion date, and
- (b) ending when the contract ends.
- (4) In regulation 6(3), "occupation date" means the day which is 12 months after the conversion date.
- (5) Regulation 6 is to be read as if for paragraph (4) there were substituted—

"(4) Where an electrical safety inspection is carried out after the contract-holder has been given a report in accordance with sub-paragraph (a) of paragraph (3) (as modified by regulation 7(4)), the landlord must ensure that the contract-holder is given a copy of the electrical condition report relating to the inspection before the end of the period of 7 days starting with the day on which the inspection was completed."

(6) In this regulation, "conversion date", in relation to a converted contract, means the date on which the tenancy or licence became an occupation contract under section 240 of the Act(1).

#### **Transitional provision relating to regulation 6: pre-existing electrical condition reports**

8. For the purposes of regulation 6(1), it does not matter if the valid electrical condition report was obtained before these Regulations came into force.

*Julie James*

Y Gweinidog Newid Hinsawdd, un o Weinidogion  
Cymru  
7 Ionawr 2022

Minister for Climate Change, one of the Welsh  
Ministers  
7 January 2022

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(1) Bydd y trosi'n digwydd ar y diwrnod penodedig. Diffinnir hyn gan adran 242 o'r Ddeddf.

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(1) Conversion takes place on the appointed day. This is defined by section 242 of the Act.

**MATERION AC AMGYLCHIADAU****MATTERS AND CIRCUMSTANCES****Lleithder, gwiddon a thyfiant llwydni neu ffwngaidd**

1. Bod mewn cyffyrddiad â gwiddon llwch mewn cartrefi, lleithder, tyfiant llwydni neu dyfiant ffwngaidd.

**Oerfel**

2. Bod mewn cyffyrddiad â thymereddau rhy isel.

**Gwres**

3. Bod mewn cyffyrddiad â thymereddau rhy uchel.

**Asbestos a ffibrau mwynau a weithgynhyrchwyd**

4. Bod mewn cyffyrddiad â ffibrau asbestos neu ffibrau mwynau a weithgynhyrchwyd.

**Bywleiddiaid**

5. Bod mewn cyffyrddiad â chemegolion a ddefnyddir i drin pren neu dyfiant llwydni.

**Carbon monocsid a chynhyrchion hylosgi tanwydd**

6. Bod mewn cyffyrddiad â'r canlynol—

- (a) carbon monocsid;
- (b) nitrogen diocsid;
- (c) sylffwr diocsid a mwg.

**Plwm**

7. Amlyncu plwm.

**Ymbelydredd**

8. Bod mewn cyffyrddiad ag ymbelydredd.

**Nwy tanwydd nas hylogwyd**

9. Bod mewn cyffyrddiad â nwy tanwydd nas hylogwyd.

**Cyfansoddion organig anweddol**

10. Bod mewn cyffyrddiad â chyfansoddion organig anweddol.

**Damp, mites and mould or fungal growth**

1. Exposure to house dust mites, damp, mould or fungal growths.

**Cold**

2. Exposure to excessively low temperatures.

**Heat**

3. Exposure to excessively high temperatures.

**Asbestos and manufactured mineral fibres**

4. Exposure to asbestos fibres or manufactured mineral fibres.

**Biocides**

5. Exposure to chemicals used to treat timber or mould growth.

**Carbon monoxide and fuel combustion products**

6. Exposure to—

- (a) carbon monoxide;
- (b) nitrogen dioxide;
- (c) sulphur dioxide and smoke.

**Lead**

7. The ingestion of lead.

**Radiation**

8. Exposure to radiation.

**Uncombusted fuel gas**

9. Exposure to uncombusted fuel gas.

**Volatile organic compounds**

10. Exposure to volatile organic compounds.

### **Gorlenwi a gofod**

11. Diffyg gofod digonol ar gyfer byw a chysgu.

### **Tresmaswyr yn dod i mewn**

12. Anawsterau wrth gadw'r annedd yn ddiogel rhag i bobl nas awdurdodir ddod i mewn.

### **Goleuo**

13. Diffyg golau digonol.

### **Sŵn**

14. Bod mewn cysylltiad â sŵn.

### **Hylendid domestig, plâu a sbwriel**

15.—(1) Dyluniad, cynllun neu adeiladwaith gwael fel na ellir yn hawdd gadw'r annedd yn lân.

(2) Bod mewn cyffyrddiad â phlâu.

(3) Darpariaeth annigonol ar gyfer storio gwastraff tŷ a'i waredu'n hylan.

### **Diogelwch bwyd**

16. Darpariaeth annigonol o gyfleusterau ar gyfer storio, paratoi a choginio bwyd.

### **Hylendid personol, carthffosiaeth a draeniau**

17. Darpariaeth annigonol—

(a) o gyfleusterau i gynnal hylendid personol da;

(b) o garthffosiaeth a draeniau.

### **Cyflenwad dŵr**

18. Cyflenwad annigonol o ddŵr sydd heb ei halogi, er mwyn ei yfed ac at ddibenion domestig eraill.

### **Cwmpo yn gysylltiedig â baddonau etc.**

19. Cwmpo sy'n gysylltiedig â thoiledau, baddonau, cawodydd neu gyfleusterau ymolchi eraill.

### **Cwmpo ar arwynebau**

20. Cwmpo ar arwyneb.

### **Cwmpo ar risiau etc.**

21. Cwmpo ar risiau, stepiau neu rampiau.

### **Crowding and space**

11. A lack of adequate space for living and sleeping.

### **Entry by intruders**

12. Difficulties in keeping the dwelling secure against unauthorised entry.

### **Lighting**

13. A lack of adequate lighting.

### **Noise**

14. Exposure to noise.

### **Domestic hygiene, pests and refuse**

15.—(1) Poor design, layout or construction such that the dwelling cannot readily be kept clean.

(2) Exposure to pests.

(3) An inadequate provision for the hygienic storage and disposal of household waste.

### **Food safety**

16. An inadequate provision of facilities for the storage, preparation and cooking of food.

### **Personal hygiene, sanitation and drainage**

17. An inadequate provision of—

(a) facilities for maintaining good personal hygiene;

(b) sanitation and drainage.

### **Water supply**

18. An inadequate supply of water free from contamination, for drinking and other domestic purposes.

### **Falls associated with baths etc.**

19. Falls associated with toilets, baths, showers or other washing facilities.

### **Falling on surfaces**

20. Falling on a surface.

### **Falling on stairs etc.**

21. Falling on stairs, steps or ramps.

## Cwmpo rhwng arwynebau

22. Cwmpo o un arwyneb i un arall (gan gynnwys cwmpo o uchder).

## Peryglon trydanol

23. Bod mewn cyffyrddiad â thrydan.

## Tân

24. Bod mewn cyffyrddiad â tân afreolus a'r mwg sy'n gysylltiedig ag ef.

## Fflamau, arwynebau poeth etc.

25. Bod mewn cyffyrddiad â'r canlynol—
- (a) tân neu fflamau a reolir;
  - (b) Gwrthrychau, hylifau neu anweddau poeth.

## Taro yn erbyn neu fynd yn sownd

26. Taro yn erbyn drysau, ffenestri neu nodweddion pensaernïol eraill, neu rannau o'r corff yn mynd yn sownd ynddynt.

## Ffrwydradau

27. Ffrwydrad yn yr annedd.

## Safle amwynderau a'u gweithrediad etc.

28. Safle, lleoliad a gweithrediad amwynderau, ffitiadau ac offer.

## Dymchwel strwythurol ac elfennau'n disgyn

29. Yr annedd gyfan neu ran ohoni yn dymchwel gan gynnwys elfennau'n disgyn.

## Falling between surfaces

22. Falling from one surface to another (including falling from height).

## Electrical hazards

23. Exposure to electricity.

## Fire

24. Exposure to uncontrolled fire and associated smoke.

## Flames, hot surfaces etc.

25. Contact with—
- (a) controlled fire or flames;
  - (b) hot objects, liquid or vapours.

## Collision and entrapment

26. Collision with, or entrapment of body parts in, doors, windows or other architectural features.

## Explosions

27. An explosion at the dwelling.

## Position and operability of amenities etc.

28. The position, location and operability of amenities, fittings and equipment.

## Structural collapse and falling elements

29. The collapse of the whole or part of the dwelling including falling elements.

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