

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 17 Tachwedd 2025
Tabled on 17 November 2025

Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) Homelessness and Social Housing Allocation (Wales) Bill

WITHDRAWN/TYNNWYD YN ÔL

***Jayne Bryant**

1

Section 5, page 6, line 1, leave out subsection (3) and insert –

‘() 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 (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 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) 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."

Adran 5, tudalen 6, llinell 1, hepgorer is-adran (3) a mewnosoder –

'() 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 (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 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;
 - (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.'''.

Jayne Bryant

2

Page 17, line 31, leave out section 17.

Tudalen 17, llinell 35, hepgorer adran 17.

Jayne Bryant

3

Section 18, page 20, line 1, leave out subsection (5).

Adran 18, tudalen 20, llinell 1, hepgorer is-adran (5).

Jayne Bryant

4

Section 22, page 25, after line 10, insert—

'()' 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).”.

Adran 22, tudalen 25, ar ôl llinell 11, mewnosoder –

‘() ar ôl is-adran (3) mewnosoder –

“(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).”.

***Jayne Bryant**

5

Gyda chefnogaeth / Supported by: Joel James

Section 33, page 32, line 37, leave out ‘may’ and insert ‘must’.

Adran 33, tudalen 32, llinell 37, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weinidogion’.

Jayne Bryant

6

Section 36, page 36, leave out line 2.

Adran 36, tudalen 36, hepgorer llinell 2.

Jayne Bryant

7

Section 36, page 36, line 4, leave out –

‘This section applies to a person if –

- (a) the person is within paragraph (a) or (b) of subsection (2), and
- (b) the local housing authority is’

and insert –

‘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’.

Adran 36, tudalen 36, llinell 4, hepgorer –

‘This section applies to a person if –

- (a) the person is within paragraph (a) or (b) of subsection (2), and
- (b) the local housing authority is’

a mewnosoder –

‘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’.

Jayne Bryant

8

Section 36, page 36, line 8, leave out ‘(2DA)’ and insert ‘(2DB)’.

Adran 36, tudalen 36, llinell 8, hepgorer ‘(2DA)’ a mewnosoder ‘(2DB)’.

Jayne Bryant

9

Section 36, page 36, line 12, leave out ‘(2DA)’ and insert ‘(2DB)’.

Adran 36, tudalen 36, llinell 12, hepgorer ‘(2DA)’ a mewnosoder ‘(2DB)’.

Jayne Bryant

10

Section 38, page 37, leave out lines 26 to 32 and insert –

- ‘(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).’.

Adran 38, tudalen 37, hepgorer llinellau 27 hyd at 33 a mewnosoder –

- ‘(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).’.

Jayne Bryant

11

Section 38, page 37, line 37, leave out ‘or offered’.

Adran 38, tudalen 37, llinell 38, hepgorer ‘or offered’.

Jayne Bryant

12

Section 38, page 38, leave out lines 32 to 37.

Adran 38, tudalen 38, hepgorer llinellau 32 hyd at 37.

Jayne Bryant

13

Section 38, page 39, line 1, leave out ‘held by them, by registered social landlords and by private registered providers of social housing’ and insert ‘available, or may in future become available, for allocation under this Part’.

Adran 38, tudalen 39, llinell 1, hepgorer ‘held by them, by registered social landlords and by private registered providers of social housing’ a mewnosoder ‘available, or may in future become available, for allocation under this Part’.

Jayne Bryant

14

Section 38, page 39, leave out lines 20 to 25.

Adran 38, tudalen 39, hepgorer llinellau 20 hyd at 25.

Jayne Bryant

15

Section 38, page 39, line 27, leave out ‘for housing purposes’ and insert ‘accommodation’.

Adran 38, tudalen 39, llinell 27, hepgorer ‘for housing purposes’ a mewnosoder ‘accommodation’.

Jayne Bryant

16

Schedule 1, page 42, line 2, after ‘under’, insert ‘section 160A(6C) (allocation to eligible persons), 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’.

Atodlen 1, tudalen 42, llinell 2, ar ôl ‘under’, mewnosoder ‘section 160A(6C) (allocation to eligible persons), 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’.

Jayne Bryant

17

Schedule 1, page 44, leave out lines 6 to 10.

Atodlen 1, tudalen 44, hepgorer llinellau 6 hyd at 10.

Jayne Bryant

18

Schedule 1, page 47, after line 5, insert –

‘Renting Homes (Wales) Act 2016 (anaw 1)

[] (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,”.

Atodlen 1, tudalen 47, ar ôl llinell 5, mewnosoder –

‘Deddf Rhentu Cartrefi (Cymru) 2016 (dccc 1)

[] (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,”.

