

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Diogelwch Adeiladau (Cymru) Building Safety (Wales) Bill

Mae’r gwelliannau â * ar eu pwys yn rhai newydd neu’n rhai sydd wedi’u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag ‘R’ yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno’r gwelliant.

Amendments marked ‘R’ mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn –
The Bill will be considered in the following order –

Section 2	Adran 2
Schedule 1	Atodlen 1
Sections 3 – 75	Adrannau 3 – 75
Section 1	Adran 1
Sections 76 – 107	Adrannau 76 – 107
Schedule 2	Atodlen 2
Sections 108 – 128	Adrannau 108 – 128
Schedule 3	Atodlen 3
Schedule 4	Atodlen 4
Sections 129 – 130	Adrannau 129 – 130
Long title	Teitl hir

Jayne Bryant

10

Section 4, page 3, line 31, leave out –

‘contains none of the following –

- (a) a residential unit or part of a residential unit;

(b) ‘

and insert –

‘meets both of the following conditions –

- (a) it does not contain a residential unit or part of a residential unit;
- (b) it does not contain’.

Adran 4, tudalen 3, llinell 30, hepgorer –

‘nad yw’n cynnwys unrhyw un neu ragor o’r hyn a ganlyn –

- (a) uned breswyl neu ran o uned breswyl;
- (b) ardal, neu ran’

a mewnosoder –

‘yw’n bodloni’r ddau amod a ganlyn –

- (a) nid yw’n cynnwys uned breswyl na rhan o uned breswyl;
- (b) nid yw’n cynnwys ardal, na rhan’.

Jayne Bryant

11

Section 6, page 5, after line 24, insert –

‘() For the purposes of this section –

- (a) a mezzanine floor is to be regarded as a storey if its internal floor area is at least half of the internal floor area of the largest storey in the building that is not below ground level;
- (b) a storey is below ground level if the whole of the finished surface of the ceiling of the storey is below ground level;
- (c) “ground level” means –
 - (i) where the level of the surface of the ground on which the building is situated is uniform, the level of the surface of the ground immediately adjacent to the building;
 - (ii) where the level of the surface of the ground on which the building is situated is not uniform, the level of the lowest part of the surface of the ground immediately adjacent to the building.’.

Adran 6, tudalen 5, ar ôl llinell 25, mewnosoder –

‘() At ddibenion yr adran hon –

- (a) mae llawr mesanîn i’w ystyried fel llawr os yw ei arwynebedd llawr mewnol yn o leiaf hanner arwynebedd llawr mewnol y llawr mwyaf yn yr adeilad nad yw o dan lefel y ddaear;
- (b) mae llawr o dan lefel y ddaear os yw’r cyfan o arwyneb gorffenedig nenfwd y llawr o dan lefel y ddaear;
- (c) ystyr “lefel y ddaear” yw –
 - (i) pan fo lefel arwyneb y ddaear y lleolir yr adeilad arno yn unffurf, lefel arwyneb y ddaear yn union gyfagos i’r adeilad;

- (ii) pan nad yw lefel arwyneb y ddaear y lleolir yr adeilad arno yn unffurf, lefel y rhan isaf o arwyneb y ddaear yn union gyfagos i'r adeilad.'

Jayne Bryant

12

Section 6, page 5, leave out line 31.

Adran 6, tudalen 5, hepgorer llinell 33.

Jayne Bryant

13

Section 17, page 11, after line 18, insert –

- '() amend the meaning of "storey";'.

Adran 17, tudalen 11, ar ôl llinell 18, mewnosoder –

- '() diwygio ystyr "llawr";'.

Jayne Bryant

14

Section 17, page 11, line 25, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 17, tudalen 11, llinell 25, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Rhys ab Owen

54

Section 28, page 18, line 23, leave out 'Act' and insert 'Part'.

Adran 28, tudalen 18, llinell 27, hepgorer 'Ddeddf' a mewnosoder 'Rhan'.

Jayne Bryant

15

Section 28, page 19, line 20, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 28, tudalen 19, llinell 22, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

WITHDRAWN / TYNNWYD YN ÔL

Joel James

2

Section 31, page 20, after line 31, insert –

- '() Subsection (1) does not apply to a regulated building that meets the criteria in subsection ([third subsection to be inserted by this amendment]).
- () The first fire risk assessment for such a building must be made no later than 12 months after the later of the following –

- (a) the day on which the building becomes occupied;
 - (b) the day on which this section comes into force.
- () A regulated building meets the criteria in this subsection if –
- (a) the building is a category 3 building,
 - (b) the building consists entirely of –
 - (i) residential units with means of egress that meet the criteria in subsection ([*fourth subsection to be inserted by this amendment*]), or
 - (ii) residential units with means of egress that meet the criteria in subsection ([*fourth subsection to be inserted by this amendment*]) and areas to which residents have no access, and
 - (c) there are no other premises wholly or partly above or below the building.
- () A residential unit's means of egress meets the criteria in this subsection if –
- (a) it is a means of egress from the residential unit to ground outside the building, and
 - (b) no part of it is shared with any other residential unit.
- () If a residential unit has more than one means of egress they must each meet the criteria in subsection ([*fourth subsection to be inserted by this amendment*]).
- () Section 7 (inclusion of ancillary areas in references to regulated buildings) does not apply to the references to the building in subsections ([*third subsection to be inserted by this amendment*])(b) and ([*fourth subsection to be inserted by this amendment*])(a).'

Adran 31, tudalen 20, ar ôl llinell 32, mewnosoder –

- '() Nid yw is-adran (1) yn gymwys i adeilad rheoleiddiedig sy'n bodloni'r meini prawf yn is-adran ([*trydydd is-adran i'w mewnosod gan y gwelliant hwn*]).
- () Rhaid gwneud yr asesiad risg tân cyntaf ar gyfer adeilad o'r fath heb fod yn hwyrach na 12 mis ar ôl y diweddaraf o'r hyn a ganlyn –
- (a) y diwrnod y caiff yr adeilad ei feddiannu;
 - (b) y diwrnod y daw'r adran hon i rym.
- () Mae adeilad rheoleiddiedig yn bodloni'r meini prawf yn yr is-adran hon os –
- (a) yw'r adeilad yn adeilad categori 3,
 - (b) yw'r adeilad wedi ei ffurfio'n gyfan gwbl o –
 - (i) unedau preswyl a chanddynt ffordd allan sy'n bodloni'r meini prawf yn is-adran ([*pedwerydd is-adran i'w mewnosod gan y gwelliant hwn*]), neu
 - (ii) unedau preswyl a chanddynt ffordd allan sy'n bodloni'r meini prawf yn is-adran ([*pedwerydd is-adran i'w mewnosod gan y gwelliant hwn*]) ac ardaloedd nad oes gan breswylwyr fynediad iddynt, ac
 - (c) nad oes unrhyw fangre arall yn gyfan gwbl neu'n rhannol uwch ben neu o dan yr adeilad.
- () Mae ffordd allan uned breswyl yn bodloni'r meini prawf yn yr is-adran hon os –
- (a) yw'n ffordd allan o'r uned breswyl i ddaear y tu allan i'r adeilad, a
 - (b) nad oes unrhyw ran ohoni yn cael ei rhannu ag unrhyw uned breswyl arall.
- () Os oes gan uned breswyl fwy nag un ffordd allan, rhaid i bob un ohonynt fodloni'r meini prawf yn is-adran ([*pedwerydd is-adran i'w mewnosod gan y gwelliant hwn*]).



- () Nid yw adran 7 (cynnwys ardaloedd atodol mewn cyfeiriadau at adeiladau rheoleiddiedig) yn gymwys i'r cyfeiriadau at yr adeilad yn is-adrannau (*[trydydd is-adran i'w mewnosod gan y gwelliant hwn]*)(b) a (*[pedwerydd is-adran i'w mewnosod gan y gwelliant hwn]*)(a).'

Joel James

47

Section 31, page 20, after line 31, insert –

- '() The Welsh Ministers may by regulations amend this section to vary the period for making the first fire risk assessment for a regulated building.'

Adran 31, tudalen 20, ar ôl llinell 32, mewnosoder –

- '() Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio'r adran hon i amrywio'r cyfnod ar gyfer gwneud yr asesiad risg tân cyntaf ar gyfer adeilad rheoleiddiedig.'

[Confers power to amend the period for a first fire risk assessment in section 31.]

[Yn rhoi pŵer i ddiwygio'r cyfnod ar gyfer asesiad risg tân cyntaf yn adran 31.]

WITHDRAWN / TYNNWYD YN ÔL

Joel James

3

Section 31, page 20, line 32, after 'made', insert 'for each regulated building'.

Adran 31, tudalen 20, llinell 33, ar ôl 'pellach', mewnosoder 'ar gyfer pob adeilad rheoleiddiedig'.

Jayne Bryant

16

Section 32, page 21, line 35, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 32, tudalen 21, llinell 35, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Jayne Bryant

17

Section 32, page 22, line 1, leave out subsections (4) to (5).

Adran 32, tudalen 22, llinell 1, hepgorer is-adrannau (4) i (5).

Jayne Bryant

18

Section 33, page 23, line 8, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 33, tudalen 23, llinell 8, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Jayne Bryant

19

Section 34, page 24, line 16, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 34, tudalen 24, llinell 17, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Jayne Bryant

20

Section 35, page 25, line 8, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 35, tudalen 25, llinell 8, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Joel James

4

Page 33, after line 31, insert a new section –

'CHAPTER []

ENGAGEMENT WITH RESIDENTS OF OCCUPIED CATEGORY 2 BUILDINGS

[] Category 2 buildings: residents' engagement strategies

- (1) The Welsh Ministers may by regulations make provision in relation to category 2 buildings corresponding or similar to any provision that is made by section 40 or 41 (residents' engagement strategies), or that could be made by regulations under those sections, in relation to category 1 buildings.
- (2) The regulations may make consequential amendments to any enactment (including this Act).'

Tudalen 33, ar ôl llinell 31, mewnosoder adran newydd –

'PENNOD []

YMGYSYLLTU Â PHRESWYLWYR ADEILADAU CATEGORI 2 A FEDDIENNIR

[] Adeiladau categori 2: strategaethau ymgysylltu â phreswylwyr

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth mewn perthynas ag adeiladau categori 2 sy'n cyfateb neu'n debyg i unrhyw ddarpariaeth a wneir gan adran 40 neu 41 (strategaethau ymgysylltu â phreswylwyr), neu y gellid ei gwneud drwy reoliadau o dan yr adrannau hynny, mewn perthynas ag adeiladau categori 1.
- (2) Caiff y rheoliadau wneud diwygiadau canlyniadol i unrhyw ddeddfiad (gan gynnwys y Ddeddf hon).'

Sian Gwenllian

52

Section 48, page 35, line 15, leave out 'may by regulations' and insert –

'must by regulations make provision about the sharing of relevant information and relevant documents by accountable persons.

() The regulations may'.

Adran 48, tudalen 35, llinell 15, hepgorer 'Caiff Gweinidogion Cymru, drwy reoliadau,' a mewnosoder –

'Rhaid i Weinidogion Cymru, drwy reoliadau, wneud darpariaeth ynghylch rhannu gwybodaeth berthnasol a dogfennau perthnasol gan bersonau atebol.

() Caiff y rheoliadau'.

Jayne Bryant

21

Section 69, page 55, line 17, leave out ' –

- (a) to allow any of the following persons to enter the premises for a relevant building safety purpose –
 - (i) a relevant person;
 - (ii) an accountable person for the building;
 - (iii) a person authorised in writing by a relevant person or by an accountable person;
- (b) where the tenant is a resident of the building, to comply with their duties under sections 53 to 57 of the Building Safety (Wales) Act 2026'

and insert –

'to comply with –

- (a) any repairs access order made in respect of the tenant under section 56 of the Building Safety (Wales) Act 2026;
- (b) any access order made in respect of the tenant under section 57 of that Act;
- (c) any contravention order made in respect of the tenant under section 60 of that Act;
- (d) any compliance notice given to the tenant under section 94 of that Act'.

Adran 69, tudalen 55, llinell 17, hepgorer ' –

- (a) to allow any of the following persons to enter the premises for a relevant building safety purpose –
 - (i) a relevant person;
 - (ii) an accountable person for the building;
 - (iii) a person authorised in writing by a relevant person or by an accountable person;
- (b) where the tenant is a resident of the building, to comply with their duties under sections 53 to 57 of the Building Safety (Wales) Act 2026'

a mewnosoder –

‘to comply with—

- (a) any repairs access order made in respect of the tenant under section 56 of the Building Safety (Wales) Act 2026;
- (b) any access order made in respect of the tenant under section 57 of that Act;
- (c) any contravention order made in respect of the tenant under section 60 of that Act;
- (d) any compliance notice given to the tenant under section 94 of that Act’.

Jayne Bryant

22

Section 69, page 55, line 38, leave out—

- ‘(5) In the covenant implied by subsection (3)(a), a “relevant building safety purpose” means—
 - (a) inspecting the premises in connection with an accountable person complying with their building safety duties;
 - (b) carrying out works to the premises, where such works are required to be carried out in connection with an accountable person complying with their building safety duties;
 - (c) accessing a part of the building that is not let to the tenant in order to—
 - (i) inspect that part of the building in connection with an accountable person complying with their building safety duties;
 - (ii) carry out works to that part of the building, where such works are required to be carried out in connection with an accountable person complying with their building safety duties.
- (6) The covenant implied by subsection (3)(a) requires entry to the premises to be allowed—
 - (a) only at reasonable times, and
 - (b) only if the tenant has been given at least 48 hours’ notice in writing.’.

Adran 69, tudalen 55, llinell 38, hepgorer—

- ‘(5) In the covenant implied by subsection (3)(a), a “relevant building safety purpose” means—
 - (a) inspecting the premises in connection with an accountable person complying with their building safety duties;
 - (b) carrying out works to the premises, where such works are required to be carried out in connection with an accountable person complying with their building safety duties;
 - (c) accessing a part of the building that is not let to the tenant in order to—

- (i) inspect that part of the building in connection with an accountable person complying with their building safety duties;
 - (ii) carry out works to that part of the building, where such works are required to be carried out in connection with an accountable person complying with their building safety duties.
- (6) The covenant implied by subsection (3)(a) requires entry to the premises to be allowed –
- (a) only at reasonable times, and
 - (b) only if the tenant has been given at least 48 hours' notice in writing.'

Jayne Bryant

23

Section 69, page 56, line 35, leave out –

‘;

“works” includes alterations, improvements and installations’.

Adran 69, tudalen 56, llinell 35, hepgorer –

‘;

“works” includes alterations, improvements and installations’.

Jayne Bryant

24

Page 68, after line 34, insert a new section –

‘Occupation contracts

[] Power to make provision relating to terms of occupation contracts

- (1) The Welsh Ministers may by regulations amend the Renting Homes (Wales) Act 2016 (anaw 1) to –
- (a) include a fundamental provision applicable to all occupation contracts, or to particular kinds or descriptions of occupation contract, for the purpose of enabling a landlord or contract-holder to comply with a provision of this Act or regulations made under it;
 - (b) provide that a provision of this Act or regulations made under it is a fundamental provision applicable to all occupation contracts, or to particular kinds or descriptions of occupation contract;
 - (c) make provision about –
 - (i) the incorporation, or incorporation with modifications, of a fundamental provision mentioned in paragraph (a) or (b) as a fundamental term of an occupation contract;
 - (ii) the variation of such a fundamental term.
- (2) The regulations may also –

- (a) amend section 30IA of the Landlord and Tenant Act 1985 (c. 70) (inserted by section 69 of this Act) to provide that it does not apply to any occupation contract, or to particular kinds or descriptions of occupation contract;
 - (b) make consequential amendments to any enactment (including this Act).
- (3) Expressions used in this section that are also used in the Renting Homes (Wales) Act 2016 have the same meanings in this section as they have in that Act.'

Tudalen 68, ar ôl llinell 34, mewnosoder adran newydd –

'Contractau meddiannaeth

[] Pŵer i wneud darpariaeth sy'n ymwneud â thelerau contractau meddiannaeth

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio Deddf Rhentu Cartrefi (Cymru) 2016 (dccc 1) i—
- (a) cynnwys darpariaeth sylfaenol sy'n gymwys i bob contract meddiannaeth, neu i fathau neu ddisgrifiadau penodol o gontract meddiannaeth, at y diben o alluogi landlord neu ddeiliad contract i gydymffurfio â darpariaeth yn y Ddeddf hon neu reoliadau a wneir oddi tani;
 - (b) darparu bod darpariaeth o'r Ddeddf hon neu reoliadau a wneir oddi tani yn ddarpariaeth sylfaenol sy'n gymwys i bob contract meddiannaeth, neu i fathau neu ddisgrifiadau penodol o gontract meddiannaeth;
 - (c) gwneud darpariaeth ynghylch—
 - (i) ymgorffori, neu ymgorffori gydag addasiadau, ddarpariaeth sylfaenol a grybwyllir ym mharagraff (a) neu (b) fel teler sylfaenol contract meddiannaeth;
 - (ii) amrywio teler sylfaenol o'r fath.
- (2) Caiff y rheoliadau hefyd—
- (a) diwygio adran 30IA o Ddeddf Landlord a Tenant 1985 (p. 70) (a fewnosodir gan adran 69 o'r Ddeddf hon) i ddarparu nad yw'n gymwys i unrhyw gontract meddiannaeth, neu i fathau neu ddisgrifiadau penodol o gontract meddiannaeth;
 - (b) gwneud diwygiadau canlyniadol i unrhyw ddeddfiad (gan gynnwys y Ddeddf hon).
- (3) Mae i ymadroddion a ddefnyddir yn yr adran hon a ddefnyddir hefyd yn Neddf Rhentu Cartrefi (Cymru) 2016 yr un ystyron yn yr adran hon ag sydd iddynt yn y Ddeddf honno.'

Jayne Bryant

25

Section 75, page 70, line 6, leave out 'or 28(2)' and insert ', 28(2) or [section to be inserted by amendment 24]'

Adran 75, tudalen 70, llinell 6, hepgorer 'neu 28(2)' a mewnosoder ', 28(2) neu [adran i'w mewnosod gan welliant 24]'

Jayne Bryant

26

Section 75, page 70, line 21, leave out 'or 28(2)' and insert ', 28(2) or [section to be inserted by amendment 24]'

Adran 75, tudalen 70, llinell 21, hepgorer 'neu 28(2)' a mewnosoder ', 28(2) neu [adran i'w mewnosod gan welliant 24]'.

Joel James

1

Section 1, page 2, after line 6, insert –

'() Chapter [Chapter to be inserted by amendment 4] enables the Welsh Ministers to make provision about strategies for involving residents of occupied category 2 buildings in building safety decisions.'

Adran 1, tudalen 2, ar ôl llinell 7, mewnosoder –

'() Mae Pennod [Pennod i'w mewnosod gan welliant 4] yn galluogi Gweinidogion Cymru i wneud darpariaeth am strategaethau ar gyfer cynnwys preswylwyr adeiladau categori 2 a feddiennir mewn penderfyniadau diogelwch adeiladau.'

Jayne Bryant

8

Section 1, page 2, line 12, leave out –

'places duties relating to structural safety on those persons if the building is a category 1 building or a category 2 building. It provides for enforcement of the duties, and access to residential units, by accountable persons'

and insert –

'imposes corresponding duties relating to structural safety in category 1 buildings and category 2 buildings, and duties to repair damage to the fire resistance of residential units in all occupied regulated buildings. It provides for enforcement of the duties by accountable persons, and for access to residential units to enable compliance with this Part'.

Adran 1, tudalen 2, llinell 15, hepgorer –

'sy'n ymwneud â diogelwch strwythurol ar y personau hynny os yw'r adeilad yn adeilad categori 1 neu'n adeilad categori 2. Mae'n darparu ar gyfer gorfodi'r dyletswyddau, a mynediad i unedau preswyl, gan bersonau atebol'

a mewnosoder –

'cyfatebol sy'n ymwneud â diogelwch strwythurol mewn adeiladau categori 1 ac adeiladau categori 2, a dyletswyddau i atgyweirio difrod i wrthiant tân unedau preswyl ym mhob adeilad rheoleiddiedig a feddiennir. Mae'n darparu ar gyfer gorfodi'r dyletswyddau gan bersonau atebol, ac ar gyfer mynediad i unedau preswyl er mwyn galluogi cydymffurfiaeth â'r Rhan hon'.

Jayne Bryant

9

Section 1, page 2, line 18, after 'persons,' at the second place where it appears, insert 'provision about the recovery of costs incurred or to be incurred in complying with this Part,'.

Adran 1, tudalen 2, llinell 21, ar ôl 'eraill', mewnosoder 'darpariaeth ynghylch adennill costau yr aed iddynt neu yr eir iddynt wrth gydymffurfio â'r Rhan hon,'.

Jayne Bryant

27

Section 94, page 85, after line 32, insert –

- '() any other county council or county borough council in Wales in whose area any part of the building is situated;'

Adran 94, tudalen 85, ar ôl llinell 34, mewnosoder –

- '() unrhyw gyngor sir neu gyngor bwrdeistref sirol arall yng Nghymru y mae unrhyw ran o'r adeilad wedi ei lleoli yn ei ardal;'

Jayne Bryant

28

Section 94, page 86, line 3, after 'building' at the second place where it appears, insert 'and any other county council or county borough council in Wales in whose area any part of the building is situated'.

Adran 94, tudalen 86, llinell 4, ar ôl 'adeilad', mewnosoder 'ac unrhyw gyngor sir neu gyngor bwrdeistref sirol arall yng Nghymru y mae unrhyw ran o'r adeilad wedi ei lleoli yn ei ardal'.

Jayne Bryant

29

Section 96, page 88, line 12, after 'building' at the second place where it appears, insert 'and any other county council or county borough council in Wales in whose area any part of the building is situated'.

Adran 96, tudalen 88, llinell 15, ar ôl 'adeilad', mewnosoder 'ac unrhyw gyngor sir neu gyngor bwrdeistref sirol arall yng Nghymru y mae unrhyw ran o'r adeilad wedi ei lleoli yn ei ardal'.

Rhys ab Owen

55

Section 105, page 93, line 32, after 'risk' at the second place where it appears, insert '(within the meaning given by section 28)'.

Adran 105, tudalen 93, llinell 34, ar ôl 'adeilad', mewnosoder '(o fewn yr ystyr a roddir gan adran 28)'.

Jayne Bryant

39

Schedule 2, page 126, after line 26, insert –

- '() any county council or county borough council in Wales, other than the building safety authority for the building, in whose area any part of the building is situated;'

Atodlen 2, tudalen 126, ar ôl llinell 30, mewnosoder –

- '() unrhyw gyngor sir neu gyngor bwrdeistref sirol yng Nghymru, heblaw am yr awdurdod diogelwch adeiladau, y mae unrhyw ran o'r adeilad wedi ei lleoli yn ei ardal;'

Rhys ab Owen

56

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

'PART []

REMEDICATION OF CERTAIN DEFECTS

[] Meaning of “relevant building”

- (1) In this Part, “relevant building” means a category 1 building or a category 2 building, but does not include –
- (a) anything that is included in a reference to such a building by virtue of section 7 (ancillary areas);
 - (b) any building –
 - (i) in relation to which a right under Part 1 of the Landlord and Tenant Act 1987 (c. 31) (tenants’ right of first refusal) or Part 3 of that Act (compulsory acquisition by tenants of landlord’s interest) has been exercised;
 - (ii) in relation to which the right to collective enfranchisement under Chapter 1 of Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) has been exercised;
 - (iii) that is on commonhold land (within the meaning given by section 1 of the Commonhold and Leasehold Reform Act 2002 (c. 15)).
- (2) The Welsh Ministers may by regulations provide that a category 1 building or a category 2 building is not a relevant building if the freehold estate in the building is leaseholder owned (within the meaning given by the regulations).’.

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

'RHAN []

CYWEIRIO DIFFYGIION PENODOL

[] Ystyr “adeilad perthnasol”

- (1) Yn y Rhan hon, ystyr “adeilad perthnasol” yw adeilad categori 1 neu adeilad categori 2, ond nid yw’n cynnwys –
- (a) unrhyw beth sydd wedi ei gynnwys mewn cyfeiriad at adeilad o’r fath yn rhinwedd adran 7 (ardaloedd atodol);
 - (b) unrhyw adeilad –
 - (i) y mae hawl o dan Ran 1 o Ddeddf Landlord a Tenant 1987 (p. 31) (hawl tenantiaid i gael y cynnig cyntaf) neu Ran 3 o’r Ddeddf honno (caffael gorfodol gan denantiaid o fuddiant landlord) wedi ei arfer mewn perthynas ag ef;
 - (ii) y mae’r hawl i ryddfrenio ar y cyd o dan Bennod 1 o Ran 1 o Ddeddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993 (p. 28) wedi ei arfer mewn perthynas ag ef;

- (iii) sydd ar dir cyfunddaliad (o fewn yr ystyr a roddir gan adran 1 o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002 (p. 15)).
- (2) Caiff Gweinidogion Cymru, drwy reoliadau, ddarparu nad yw adeilad categori 1 neu adeilad categori 2 yn adeilad perthnasol os yw lesddeiliad yn berchen ar yr ystad rydd-ddaliadol yn yr adeilad (o fewn yr ystyr a roddir gan y rheoliadau).'

Rhys ab Owen

57

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

[] Meaning of “relevant defect”

- (1) In this Part –

“relevant defect” (“*diffyg perthnasol*”), in relation to a relevant building, means a defect as regards the building that –

- (a) arises as a result of anything done or not done (including anything done or not done in the provision of professional services), or anything used or not used, in connection with relevant works, and
- (b) creates a building safety risk or significantly increases an existing building safety risk;

“relevant step” (“*cam perthnasol*”), in relation to a relevant defect, means a step that has as its purpose –

- (a) preventing or reducing the likelihood of a fire or collapse of the building (or any part of it) occurring as a result of the relevant defect,
- (b) reducing the severity of any such incident, or
- (c) preventing or reducing harm to people in or about the building that could result from such an incident.

- (2) In this section –

“building safety risk” (“*risg diogelwch adeilad*”) means a risk to the safety of people in or about the building arising from –

- (a) the spread of fire, or
- (b) the collapse of the building or any part of it;

“conversion” (“*trosi*”) means the conversion of the building for use (wholly or partly) for residential purposes;

“landlord or management company” (“*landlord neu gwmni rheoli*”) means a landlord under a lease of the building or any part of it, or any person who is a party to such a lease otherwise than as landlord or tenant;

“the relevant period” (“*y cyfnod perthnasol*”) means the period beginning with 28 June 1992 and ending with 20 February 2026;

“relevant works” (“*gwaith perthnasol*”) means any of the following –

- (a) works relating to the construction or conversion of the building, if the construction or conversion was completed in the relevant period;

- (b) works undertaken or commissioned by or on behalf of a landlord or management company, if the works were completed in the relevant period;
- (c) works undertaken after the end of the relevant period to remedy a relevant defect (including a defect that is a relevant defect by virtue of this paragraph).'

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

[] Ystyr “diffyg perthnasol”

(1) Yn y Rhan hon –

ystyr “cam perthnasol” (“*relevant step*”), mewn perthynas â diffyg perthnasol, yw cam â'i bwrpas yw –

- (a) atal neu leihau'r tebygolrwydd o dân rhag digwydd o ganlyniad i'r diffyg perthnasol neu o'r adeilad (neu unrhyw ran ohono) yn dymchwel o ganlyniad i ddiffyg o'r fath,
- (b) lleihau difrifoldeb unrhyw ddigwyddiad o'r fath, neu
- (c) atal neu leihau niwed i bobl yn yr adeilad neu o'i amgylch a allai ddeillio o ddigwyddiad o'r fath;

ystyr “diffyg perthnasol” (“*relevant defect*”), mewn perthynas ag adeilad perthnasol, yw diffyg o ran yr adeilad sydd –

- (a) yn codi o ganlyniad i unrhyw beth sydd wedi ei wneud neu heb ei wneud (gan gynnwys unrhyw beth sydd wedi ei wneud neu heb ei wneud wrth ddarparu gwasanaethau proffesiynol), neu unrhyw beth a ddefnyddiwyd neu nas defnyddiwyd, mewn cysylltiad â gwaith perthnasol, a
- (b) yn creu risg diogelwch adeilad neu'n cynyddu'n sylweddol risg diogelwch adeilad presennol.

(2) Yn yr adran hon –

ystyr “y cyfnod perthnasol” (“*the relevant period*”) yw'r cyfnod sy'n dechrau â 28 Mehefin 1992 ac sy'n dod i ben â 20 Chwefror 2026;

ystyr “gwaith perthnasol” (“*relevant works*”) yw unrhyw un neu ragor o'r hyn a ganlyn –

- (a) gwaith sy'n ymwneud ag adeiladu neu drosi'r adeilad, os cwblhawyd y gwaith adeiladu neu'r gwaith trosi yn y cyfnod perthnasol;
- (b) gwaith a ymgwymerwyd neu a gomisiynwyd gan neu ar ran landlord neu gwmni rheoli, os cwblhawyd y gwaith yn y cyfnod perthnasol;
- (c) gwaith a ymgwymerwyd ar ôl diwedd y cyfnod perthnasol i unioni diffyg perthnasol (gan gynnwys diffyg sy'n ddiffyg perthnasol yn rhinwedd y paragraff hwn);

ystyr “landlord neu gwmni rheoli” (“*landlord or management company*”) yw landlord o dan les o'r adeilad neu unrhyw ran ohono, neu unrhyw berson sy'n barti i les o'r fath ac eithrio fel landlord neu denant;

ystyr “risg diogelwch adeilad” (“*building safety risk*”) yw risg i ddiogelwch pobl yn yr adeilad neu o'i amgylch sy'n deillio o –

- (a) lledaeniad tân, neu

- (b) yr adeilad, neu unrhyw ran ohono, yn dymchwel;
ystyr “trosi” (“conversion”) yw trosi’r adeilad i’w ddefnyddio (yn gyfan gwbl neu’n rhannol) at ddibenion preswyl.’.

Rhys ab Owen

58

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

[] Remediation orders

- (1) The Welsh Ministers must by regulations –
- (a) provide that a residential property tribunal may make a remediation order on the application of an interested person;
 - (b) make further provision in connection with remediation orders.
- (2) A remediation order is an order requiring a relevant landlord or management company to do one or both of the following by a specified time –
- (a) remedy specified relevant defects in a specified relevant building;
 - (b) take specified relevant steps in relation to a specified relevant defect in a specified relevant building.
- (3) In subsections (1) and (2) –
- “interested person” (“*person a chanddo fuddiant*”), in relation to a relevant building, means –
- (a) the building safety authority for the building;
 - (b) the fire safety authority for the building;
 - (c) a person with a legal or equitable interest in the building or any part of it;
 - (d) any other person specified, or of a description specified, in regulations made by the Welsh Ministers;
- “relevant landlord or management company” (“*landlord perthnasol neu gwmni rheoli perthnasol*”), in relation to a relevant defect in a relevant building, means a person who –
- (a) is a landlord under a lease of the building or any part of it, or a party to such a lease otherwise than as landlord or tenant, and
 - (b) is required, under the lease or by virtue of an enactment, to repair or maintain anything relating to the defect;
- “specified” (“*penodedig*”) means specified in the remediation order.
- (4) The Welsh Ministers must lay a draft of a Welsh statutory instrument containing regulations under subsection (1) before Senedd Cymru before the end of the period of 9 months beginning with the day on which this Act receives Royal Assent.’.

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

[] Gorchmynion cyweirio

- (1) Rhaid i Weinidogion Cymru, drwy reoliadau –

- (a) darparu y caiff tribiwnlys eiddo preswyl wneud gorchymyn cyweirio ar gais person a chanddo fuddiant;
 - (b) gwneud darpariaeth bellach mewn cysylltiad â gorchymynion cyweirio.
- (2) Gorchymyn cyweirio yw gorchymyn sy'n ei gwneud yn ofynnol i landlord perthnasol neu gwmni rheoli perthnasol wneud un neu'r ddau o'r hyn a ganlyn erbyn amser penodedig –
- (a) unioni diffygion perthnasol penodedig mewn adeilad perthnasol penodedig;
 - (b) cymryd camau perthnasol penodedig mewn perthynas â diffyg perthnasol penodedig mewn adeilad perthnasol penodedig.
- (3) Yn is-adrannau (1) a (2) –
- ystyr “landlord perthnasol neu gwmni rheoli perthnasol” (“*relevant landlord or management company*”), mewn perthynas â diffyg perthnasol mewn adeilad perthnasol, yw person –
- (a) sy'n landlord o dan les o'r adeilad neu unrhyw ran ohono, neu'n barti i les o'r fath ac eithrio fel landlord neu denant, a
 - (b) y mae'n ofynnol iddo, o dan y les neu yn rhinwedd deddfiad, atgyweirio neu gynnal a chadw unrhyw beth sy'n ymwneud â'r diffyg;
- ystyr “penodedig” (“*specified*”) yw wedi ei bennu yn y gorchymyn cyweirio;
- ystyr “person a chanddo fuddiant” (“*interested person*”), mewn perthynas ag adeilad perthnasol, yw –
- (a) yr awdurdod diogelwch adeiladau ar gyfer yr adeilad;
 - (b) yr awdurdod diogelwch tân ar gyfer yr adeilad;
 - (c) person a chanddo fuddiant cyfreithiol neu ecwitiol yn yr adeilad neu unrhyw ran ohono;
 - (d) unrhyw berson arall a bennir, neu o ddisgrifiad a bennir, mewn rheoliadau a wneir gan Weinidogion Cymru.
- (4) Rhaid i Weinidogion Cymru osod drafft o offeryn statudol Cymreig sy'n cynnwys rheoliadau o dan is-adran (1) gerbron Senedd Cymru cyn diwedd y cyfnod o 9 mis sy'n dechrau â'r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.'

Rhys ab Owen

59

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

[] Remediation contribution orders

- (1) The Welsh Ministers must by regulations –
 - (a) provide that a residential property tribunal may make a remediation contribution order on the application of an interested person;
 - (b) make further provision in connection with remediation contribution orders.
- (2) A remediation contribution order is an order requiring a relevant body corporate or partnership to make payments to a specified person for the purpose of meeting costs incurred or to be incurred in remedying, or otherwise in connection with, relevant defects (or specified relevant defects) relating to a relevant building (“remediation costs”).

- (3) Regulations under subsection (1) may provide for remediation contribution orders to require the making of payments –
- (a) of specified amounts or in relation to specified things, or both;
 - (b) at specified times or on demand following specified events, or both.
- (4) In subsections (2) and (3) “specified” means specified in the remediation contribution order.
- (5) In this section –
- “developer” (*“datblygwr”*), in relation to a relevant building, means a person who undertook or commissioned the construction or conversion of the building (or part of the building) with a view to granting or disposing of interests in the building or parts of it;
- “interested person” (*“person a chanddo fuddiant”*), in relation to a relevant building, means –
- (a) the Welsh Ministers;
 - (b) the building safety authority for the building;
 - (c) the fire safety authority for the building;
 - (d) a person with a legal or equitable interest in the building or any part of it;
 - (e) any other person specified, or of a description specified, in regulations made by the Welsh Ministers;
- “partnership” (*“partneriaeth”*) means –
- (a) a partnership within the meaning of the Partnership Act 1890, or
 - (b) a limited partnership registered under the Limited Partnerships Act 1907,
- or a firm or entity of a similar character formed under the law of a country or territory outside the United Kingdom;
- “relevant body corporate or partnership” (*“corff corfforedig perthnasol neu bartneriaeth berthnasol”*) means a body corporate or partnership that is –
- (a) a landlord under a lease of the relevant building or any part of it,
 - (b) a person who was such a landlord at the beginning of 20 February 2026,
 - (c) a developer in relation to the relevant building, or
 - (d) a person associated with a person within any of paragraphs (a) to (c).
- (6) The Welsh Ministers may by regulations –
- (a) make provision about costs that are, or are not, to be regarded as remediation costs;
 - (b) make provision about the circumstances in which a partnership or body corporate is associated with another person;
 - (c) provide that this section applies, with or without modifications, in relation to a building that would, but for section [section to be inserted by amendment 56](1)(b) or (2), be a relevant building.
- (7) The Welsh Ministers must lay a draft of a Welsh statutory instrument containing regulations under subsection (1) before Senedd Cymru before the end of the period of 9 months beginning with the day on which this Act receives Royal Assent.’.

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

[1] **Gorchmynion cyfraniadau cyweirio**

- (1) Rhaid i Weinidogion Cymru, drwy reoliadau –
 - (a) darparu y caiff tribiwnlys eiddo preswyl wneud gorchmyn cyfraniadau cyweirio ar gais person a chanddo fuddiant;
 - (b) gwneud darpariaeth bellach mewn cysylltiad â gorchmynion cyfraniadau cyweirio.
- (2) Gorchmyn cyfraniadau cyweirio yw gorchmyn sy'n ei gwneud yn ofynnol i gorff corfforedig perthnasol neu bartneriaeth berthnasol wneud taliadau i berson penodedig at y diben o dalu costau yr aed iddynt neu yr eir iddynt wrth unioni diffygion perthnasol (neu ddiffygion perthnasol penodedig) sy'n ymwneud ag adeilad perthnasol, neu mewn cysylltiad â hynny fel arall (“costau cyweirio”).
- (3) Caiff rheoliadau o dan is-adran (1) ddarparu i orchmynion cyfraniadau cyweirio ei gwneud yn ofynnol gwneud taliadau –
 - (a) o symiau penodedig neu mewn perthynas â phethau penodedig, neu'r ddau;
 - (b) ar adegau penodedig neu ar alw yn dilyn digwyddiadau penodedig, neu'r ddau.
- (4) Yn is-adrannau (2) a (3) ystyr “penodedig” yw wedi ei bennu yn y gorchmyn cyfraniadau cyweirio.
- (5) Yn yr adran hon –

ystyr “corff corfforedig perthnasol neu bartneriaeth berthnasol” (“*relevant body corporate or partnership*”) yw corff corfforedig neu bartneriaeth sydd –

- (a) yn landlord o dan les o'r adeilad perthnasol neu unrhyw ran ohono,
- (b) yn berson a oedd yn landlord o'r fath ar ddechrau 20 Chwefror 2026,
- (c) yn ddatblygwr mewn perthynas â'r adeilad perthnasol, neu
- (d) yn berson sy'n gysylltiedig â pherson o fewn unrhyw un neu ragor o baragraffau (a) i (c);

ystyr “datblygwr” (“*developer*”), mewn perthynas ag adeilad perthnasol, yw person a ymgymrodd neu a gomisiynodd waith adeiladu'r adeilad (neu ran o'r adeilad) neu waith trosi'r adeilad (neu ran o'r adeilad) gyda'r bwriad o roi neu waredu buddiannau yn yr adeilad neu rannau ohono;

ystyr “partneriaeth” (“*partnership*”) yw –

- (a) partneriaeth o fewn yr ystyr a roddir i “partnership” gan Ddeddf Partneriaeth 1890, neu
- (b) partneriaeth gyfyngedig a gofrestrwyd o dan Ddeddf Partneriaethau Cyfyngedig 1907,

neu ffyrm neu endid tebyg ei gymeriad a ffurfir o dan gyfraith gwlad neu diriogaeth y tu allan i'r Deyrnas Unedig;

ystyr “person a chanddo fuddiant” (“*interested person*”), mewn perthynas ag adeilad perthnasol, yw –

- (a) Gweinidogion Cymru;
- (b) yr awdurdod diogelwch adeiladau ar gyfer yr adeilad;
- (c) yr awdurdod diogelwch tân ar gyfer yr adeilad;
- (d) person a chanddo fuddiant cyfreithiol neu ecwitiol yn yr adeilad neu unrhyw ran ohono;

- (e) unrhyw berson arall a bennir, neu o ddisgrifiad a bennir, mewn rheoliadau a wneir gan Weinidogion Cymru.
- (6) Caiff Gweinidogion Cymru, drwy reoliadau –
- (a) gwneud darpariaeth ynghylch costau sydd i'w hystyried yn gostau cyweirio, neu gostau nad ydynt i'w hystyried yn gostau o'r fath;
 - (b) gwneud darpariaeth ynghylch yr amgylchiadau y mae partneriaeth neu gorff corfforedig yn gysylltiedig â pherson arall oddi tanynt;
 - (c) darparu bod yr adran hon yn gymwys, gydag addasiadau neu hebddynt, mewn perthynas ag adeilad a fyddai, oni bai am adran [*adran i'w mewnosod gan welliant 56*](1)(b) neu (2), yn adeilad perthnasol.
- (7) Rhaid i Weinidogion Cymru osod drafft o offeryn statudol Cymreig sy'n cynnwys rheoliadau o dan is-adran (1) gerbron Senedd Cymru cyn diwedd y cyfnod o 9 mis sy'n dechrau â'r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.'

Rhys ab Owen

60

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

[] Remediation costs under qualifying leases etc.

- (1) The Welsh Ministers may by regulations make provision for and in connection with –
- (a) ensuring that no service charge is payable under a lease of premises in a relevant building in respect of a relevant measure relating to a relevant defect where a person of a specified description –
 - (i) was a developer of the building (within the meaning given by section [*section to be inserted by amendment 59*]), or
 - (ii) undertook or commissioned works relating to the defect;
 - (b) ensuring that in specified circumstances no service charge is payable under a qualifying lease in respect of –
 - (i) a relevant measure relating to a relevant defect;
 - (ii) other specified works or services;
 - (c) ensuring that a service charge is payable under a qualifying lease in respect of a relevant measure relating to a relevant defect only if (and so far as) specified conditions are met;
 - (d) requiring a tenant under a qualifying lease to give relevant information or documents to the landlord under the lease or any superior landlord;
 - (e) requiring a current or former landlord under a lease of premises in a relevant building to give relevant information or documents to a tenant under a lease of premises in the building or another person.
- (2) Regulations under this section may make provision for and in connection with –
- (a) preventing costs from being –
 - (i) taken into account in determining any service charge or other amount payable under a lease, or



- (ii) met from a fund of a specified description;
- (b) ensuring that the regulations do not have the effect of increasing an amount payable by a tenant under a lease;
- (c) enabling an amount that is not recoverable under a lease as a result of the regulations to be recovered from –
 - (i) a current or former landlord or superior landlord under the lease;
 - (ii) a successor in title of such a person.
- (3) The provision that may be made by regulations under this section includes –
 - (a) provision for circumstances in which the condition in subsection (1)(a) is to be treated as being met;
 - (b) provision conferring functions on any devolved Welsh authority (within the meaning given by section 157A of the Government of Wales Act 2006 (c. 32));
 - (c) provision for a covenant or agreement (whenever made) to be void insofar as it purports to exclude or limit any provision made by the regulations.
- (4) In this section –
 - “relevant information or documents” (“*gwybodaeth neu ddogfennau perthnasol*”) means information or documents that –
 - (a) relate to a relevant building, and
 - (b) are relevant to any matter in respect of which provision is made by regulations under this section;
 - “relevant measure” (“*mesur perthnasol*”), in relation to a relevant defect, means –
 - (a) a measure taken to remedy the relevant defect, or
 - (b) a relevant step taken in relation to the relevant defect;
 - “service charge” (“*tâl gwasanaeth*”) has the meaning given by section 18 of the Landlord and Tenant Act 1985 (c. 70) (and that definition applies in relation to a lease of premises that do not include a dwelling as it applies in relation to a lease of a dwelling);
 - “specified” (“*penodedig*”) means specified in the regulations.’.

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

[] Costau cyweirio o dan lesioedd cymhwysol etc.

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer yr hyn a ganlyn, ac mewn cysylltiad â'r hyn a ganlyn –
 - (a) sicrhau nad oes unrhyw dâl gwasanaeth yn daladwy o dan les mangre mewn adeilad perthnasol mewn cysylltiad â mesur perthnasol sy'n ymwneud â diffyg perthnasol os oedd person o ddisgrifiad penodedig –
 - (i) yn ddatblygwr yr adeilad (o fewn yr ystyr a roddir gan adran [*adran i'w mewnosod gan welliant 59*]), neu
 - (ii) wedi ymgymryd â gwaith yn ymwneud â'r diffyg, neu wedi comisiynu gwaith o'r fath;
 - (b) sicrhau nad oes unrhyw dâl gwasanaeth yn daladwy o dan les gymhwysol (naill ai'n gyffredinol neu o dan amgylchiadau penodedig) mewn cysylltiad ag –

- (i) mesur perthnasol sy'n ymwneud â diffyg perthnasol;
 - (ii) gwaith neu wasanaethau penodedig eraill;
 - (c) sicrhau nad yw tâl gwasanaeth yn daladwy o dan les gymhwysol mewn cysylltiad â mesur perthnasol sy'n ymwneud â diffyg perthnasol ond os (ac i'r graddau) y bodlonir amodau penodedig;
 - (d) ei gwneud yn ofynnol i denant o dan les gymhwysol roi gwybodaeth neu ddogfennau perthnasol i'r landlord o dan y les neu unrhyw uwchlandlord;
 - (e) ei gwneud yn ofynnol i landlord presennol neu flaenorol o dan les mangre mewn adeilad perthnasol roi gwybodaeth neu ddogfennau perthnasol i denant o dan les mangre yn yr adeilad, neu i berson arall.
- (2) Caiff rheoliadau o dan yr adran hon wneud darpariaeth ar gyfer yr hyn a ganlyn ac mewn cysylltiad â'r hyn a ganlyn –
- (a) atal costau rhag –
 - (i) cael eu hystyried wrth benderfynu ar unrhyw dâl gwasanaeth neu swm arall sy'n daladwy o dan les, neu
 - (ii) cael eu talu o gronfa o ddisgrifiad penodedig;
 - (b) sicrhau nad yw'r rheoliadau yn cael yr effaith o gynyddu swm sy'n daladwy gan denant o dan les;
 - (c) galluogi swm nad yw'n adenilladwy o dan les o ganlyniad i'r rheoliadau gael ei adennill oddi wrth –
 - (i) landlord presennol neu flaenorol o dan y les neu uwchlandlord presennol neu flaenorol;
 - (ii) olynydd yn nheidl lanldord o dan y les neu olynydd yn nheidl uwchlandlord.
- (3) Mae'r ddarpariaeth y caniateir ei gwneud drwy reoliadau o dan yr adran hon yn cynnwys –
- (a) darpariaeth ar gyfer amgylchiadau pan fo'r amod yn is-adran (1)(a) i'w drin fel pe bai wedi ei fodloni;
 - (b) darpariaeth sy'n rhoi swyddogaethau ar unrhyw awdurdod Cymreig datganoledig (o fewn yr ystyr a roddir i "devolved Welsh authority" gan adran 157A o Ddeddf Llywodraeth Cymru 2006 (p. 32));
 - (c) darpariaeth i gyfamod neu gytundeb (pa bryd bynnag y'u gwneir) fod yn annilys i'r graddau ei bod yn honni i eithrio neu gyfyngu ar unrhyw ddarpariaeth a wneir gan y rheoliadau.
- (4) Yn yr adran hon –
- ystyr "gwybodaeth neu ddogfennau perthnasol" (*"relevant information or documents"*) yw gwybodaeth neu ddogfennau sydd –
- (a) yn ymwneud ag adeilad perthnasol, a
 - (b) yn berthnasol i unrhyw fater y gwneir darpariaeth mewn cysylltiad ag ef drwy reoliadau o dan yr adran hon;
- ystyr "mesur perthnasol" (*"relevant measure"*), mewn perthynas â diffyg perthnasol, yw –
- (a) mesur a gymerir i unioni'r diffyg perthnasol, neu

(b) cam perthnasol a gymerir mewn perthynas â'r diffyg perthnasol; ystyr “penodedig” (“specified”) yw wedi ei bennu yn y rheoliadau; mae i “tâl gwasanaeth” yr ystyr a roddir i “service charge” gan adran 18 o Ddeddf Landlord a Tenant 1985 (p. 70) (ac mae'r diffiniad hwnnw yn gymwys mewn perthynas â les mangre nad yw'n cynnwys annedd yn yr un modd ag y mae'n gymwys mewn perthynas â les annedd).

Rhys ab Owen

61

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

[] Meaning of “qualifying lease”

- (1) For the purposes of section [section to be inserted by amendment 60], a lease is a “qualifying lease” if –
 - (a) it was granted before the relevant time,
 - (b) it is a long lease of a single dwelling in a relevant building,
 - (c) the tenant under the lease is liable to pay a service charge, and
 - (d) at the relevant time there was a tenant under the lease who met at least one of the following conditions –
 - (i) the dwelling was the tenant’s only or principal home,
 - (ii) the tenant did not own any other dwelling in the United Kingdom, or
 - (iii) the tenant owned no more than two dwellings in the United Kingdom apart from their interest under the lease.
- (2) But where a dwelling was at the relevant time let under two or more leases to which subsection (1)(b) and (c) apply, any of those leases which is superior to any of the other leases is not a qualifying lease.
- (3) The Welsh Ministers may by regulations make provision for circumstances in which the condition in subsection (1)(d) is to be treated as being met.
- (4) The Welsh Ministers may by regulations make provision for and in connection with treating a lease as a qualifying lease if –
 - (a) it was granted at or after the relevant time,
 - (b) it is a lease of a single dwelling in a relevant building,
 - (c) the tenant under the lease is liable to pay a service charge,
 - (d) it replaces –
 - (i) one other lease that is a qualifying lease (whether under subsection (1) or regulations made under this section), or
 - (ii) two or more leases, at least one of which is a qualifying lease (whether under subsection (1) or regulations made under this section), and
 - (e) there is continuity in the property let.
- (5) Regulations under subsection (4) may make provision about the circumstances in which paragraphs (d) and (e) of that subsection are met.

(6) For the purposes of this section –

- (a) “long lease” means a lease granted for a fixed term of more than 21 years from the date of the grant, whether or not it is (or may become) terminable before the end of that term by notice given by or to the tenant or by re-entry, forfeiture or otherwise;
- (b) a person “owns” a dwelling in Wales, England or Northern Ireland if the person has a freehold interest in it or is a tenant under a long lease of it;
- (c) “the relevant time” means the beginning of 20 February 2026;
- (d) “service charge” has the meaning given by section 18 of the Landlord and Tenant Act 1985 (c. 70).

Tudalen 98, ar ôl llinell 22, mewnosoder adran newydd –

[1] Ystyr “les gymhwysol”

- (1) At ddibenion adran [*adran i'w mewnosod gan welliant 60*], mae les yn “les gymhwysol” os –
 - (a) cafodd ei rhoi cyn yr adeg berthnasol,
 - (b) yw'n les hir o annedd unigol mewn adeilad perthnasol,
 - (c) yw'r tenant o dan y les yn atebol i dalu tâl gwasanaeth, a
 - (d) ar yr adeg berthnasol y bu tenant o dan y les a oedd yn bodloni o leiaf un o'r amodau a ganlyn –
 - (i) yr annedd oedd unig gartref neu prif gartref y tenant,
 - (ii) nad oedd y tenant yn berchen ar unrhyw annedd arall yn y Deyrnas Unedig, neu
 - (iii) bod y tenant yn berchen ar ddim mwy na dwy annedd yn y Deyrnas Unedig heblaw am ei fuddiant o dan y les.
- (2) Ond pan oedd annedd, ar yr adeg berthnasol, yn cael ei gosod o dan ddwy neu fwy o lesoedd y mae is-adran (1)(b) ac (c) yn gymwys iddynt, nid yw unrhyw un o'r lesoedd hynny sy'n rhagori ar unrhyw un neu ragor o'r lesoedd eraill yn les gymhwysol.
- (3) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer amgylchiadau pan fo'r amod yn is-adran (1)(d) i'w drin fel pe bai wedi ei fodloni.
- (4) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer trin les fel les gymhwysol, ac mewn cysylltiad â hynny, os –
 - (a) cafodd ei rhoi ar yr adeg berthnasol neu ar ôl hynny,
 - (b) yw'n les o annedd unigol mewn adeilad perthnasol,
 - (c) yw'r tenant o dan y les yn atebol i dalu tâl gwasanaeth,
 - (d) yw'n disodli –
 - (i) un les arall sy'n les gymhwysol (pa un ai o dan is-adran (1) neu reoliadau a wneir o dan yr adran hon), neu
 - (ii) dwy les neu ragor, y mae o leiaf un ohonynt yn les gymhwysol (pa un ai o dan is-adran (1) neu reoliadau a wneir o dan yr adran hon), ac
 - (e) oes parhad yn yr eiddo sy'n cael ei osod.
- (5) Caiff rheoliadau o dan is-adran (4) wneud darpariaeth ynghylch yr amgylchiadau y caiff paragraffau (d) ac (e) o'r is-adran honno eu bodloni oddi tanynt.
- (6) At ddibenion yr adran hon –

- (a)styr “les hir” yw les a roddir am gyfnod penodol o fwy nag 21 o flynyddoedd o’r dyddiad y rhoddir y les, pa un ai ei fod (neu a all ddod) yn derfynadwy ai peidio cyn diwedd y cyfnod hwnnw drwy hysbysiad a roddir gan y tenant neu iddo, neu drwy ailfyndiad, fforffediad neu fel arall;
- (b)mae person yn “perchen” ar annedd yng Nghymru, Lloegr neu Ogledd Iwerddon os oes gan y person fuddiant rhydd-ddaliadol ynddi neu os yw’n denant o dan les hir ar ei chyfer;
- (c)ystyr “yr adeg berthnasol” yw dechrau 14 Chwefror 2022;
- (d)mae i “tâl gwasanaeth” yr ystyr a roddir i “service charge” gan adran 18 o Ddeddf Landlord a Tenant 1985 (p. 70).’.

Jayne Bryant

30

Gyda chefnogaeth / Supported by: Sian Gwenllian

Page 98, after line 21, insert a new section –

‘PART []

REMEDICATION OF CERTAIN DEFECTS

[] Reports on progress under the Welsh building safety programme

- (1) The Welsh Ministers must prepare a remediation progress report for each reporting period.
- (2) A “remediation progress report” is a report summarising the Welsh Ministers’ assessment of progress during the reporting period in carrying out –
 - (a) works required by developer remediation contracts;
 - (b) works funded by grants made by the Welsh Ministers under schemes known as the Welsh Building Safety Fund.
- (3) The Welsh Ministers must, as soon as reasonably practicable after the end of each reporting period –
 - (a) publish the remediation progress report for the reporting period, and
 - (b) lay it before Senedd Cymru.
- (4) In this section –

“developer remediation contract” (“*contract cyweirio gan ddatblygwr*”) means a contract between the Welsh Ministers and a participant developer made by a deed of bilateral contract relating to developer self-remediation to deliver safe residential and mixed-use buildings of 11 metres and over in height;

“reporting period” (“*cyfnod adrodd*”) means –

- (a) the period of 1 year beginning with the day on which this Part comes into force, and
- (b) each successive period of 1 year, ending with the first period in which –
 - (i) all works required by developer remediation contracts have been completed and the Welsh Ministers do not expect any more developers to enter into developer remediation contracts, and
 - (ii) all works funded by grants from the Welsh Building Safety Fund have been completed and the fund no longer accepts new applications.’.

‘RHAN []

CYWEIRIO DIFFYGIION PENODOL

[] Adroddiadau ar gynnydd o dan raglen diogelwch adeiladau Cymru

- (1) Rhaid i Weinidogion Cymru lunio adroddiad cynnydd ar gyweirio ar gyfer pob cyfnod adrodd.
- (2) Mae “adroddiad cynnydd ar gyweirio” yn adroddiad sy’n crynhoi asesiad Gweinidogion Cymru o gynnydd yn ystod y cyfnod adrodd o ran gwneud –
 - (a) gwaith sy’n ofynnol gan gontractau cyweirio gan ddatblygwr;
 - (b) gwaith sy’n cael ei ariannu gan grantiau a wneir gan Weinidogion Cymru o dan gynlluniau a elwir yn Gronfa Diogelwch Adeiladau Cymru.
- (3) Rhaid i Weinidogion Cymru, cyn gynted ag y bo’n rhesymol ymarferol ar ôl diwedd pob cyfnod adrodd –
 - (a) cyhoeddi’r adroddiad cynnydd ar gyweirio ar gyfer y cyfnod adrodd, a
 - (b) ei osod gerbron Senedd Cymru.

(4) Yn yr adran hon –

ystyr “contract cyweirio gan ddatblygwr” (“*developer remediation contract*”) yw contract rhwng Gweinidogion Cymru a datblygwr cyfranogol a wneir drwy weithred contract dwyochrog sy’n ymwneud â hunangyweirio gan ddatblygwr er mwyn darparu adeiladau preswyl ac adeiladau defnydd cymysg diogel gydag uchder o 11 o fetrau ac uwch;

ystyr “cyfnod adrodd” (“*reporting period*”) yw –

- (a) y cyfnod o 1 flwyddyn sy’n dechrau â’r diwrnod y daw’r Rhan hon i rym, a
- (b) pob cyfnod dilynol o 1 flwyddyn, sy’n dod i ben â’r cyfnod cyntaf –
 - (i) y mae’r holl waith sy’n ofynnol gan gontractau cyweirio gan ddatblygwr wedi ei gwblhau ac nad yw Gweinidogion Cymru yn disgwyl i unrhyw ddatblygwyr eraill ymrwymo i gontractau cyweirio gan ddatblygwr, a
 - (ii) y mae’r holl waith a ariannwyd gan grantiau o Gronfa Diogelwch Adeiladau Cymru wedi ei gwblhau ac nad yw’r gronfa yn derbyn ceisiadau newydd mwyach.’.

Jayne Bryant

31

Section 111, page 100, line 7, leave out ‘building safety authority’ and insert ‘county council and county borough council in Wales’.

Adran 111, tudalen 100, llinell 9, hepgorer ‘awdurdod diogelwch adeiladau’ a mewnosoder ‘cyngor sir a chyngor bwrdeistref sirol yng Nghymru’.

Jayne Bryant

32

Section 113, page 103, after line 29, insert –

'() In this section, references to the area of each fire and rescue authority in Wales are to be interpreted in accordance with Part 1 of the Fire and Rescue Services Act 2004 (c. 21).'

Adran 113, tudalen 103, ar ôl llinell 30, mewnosoder –

'() Yn yr adran hon, mae cyfeiriadau at ardal pob awdurdod tân ac achub yng Nghymru i'w dehongli yn unol â Rhan 1 o Ddeddf Gwasanaethau Tân ac Achub 2004 (p. 21).'

Jayne Bryant

33

Section 116, page 105, line 15, leave out 'building safety authority' and insert 'county council and county borough council in Wales'.

Adran 116, tudalen 105, llinell 15, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir a chyngor bwrdeistref sirol yng Nghymru'.

Jayne Bryant

34

Section 117, page 106, line 2, leave out 'means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21) or a scheme to which section 4 of that Act applies' and insert 'has the meaning given by Part 1 of the Fire and Rescue Services Act 2004 (c. 21)'.

Adran 117, tudalen 106, llinell 4, hepgorer 'ystyr "awdurdod tân ac achub" ("*fire and rescue authority*") yw awdurdod a ffurfiwyd drwy gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac Achub 2004 neu gynllun y mae adran 4 o'r Ddeddf honno'n gymwys iddo' a mewnosoder 'mae i "awdurdod tân ac achub" yr ystyr a roddir i "*fire and rescue authority*" gan Ran 1 o Ddeddf Gwasanaethau Tân ac Achub 2004 (p. 21)'.

Jayne Bryant

35

Section 120, page 106, line 28, leave out 'in connection with a relevant function to another relevant' and insert 'to an enforcing'.

Adran 120, tudalen 106, llinell 31, hepgorer 'mewn cysylltiad â swyddogaeth berthnasol i awdurdod perthnasol arall' a mewnosoder 'i awdurdod gorfodi'.

Jayne Bryant

36

Section 120, page 107, line 4, leave out 'building safety authority' and insert 'county council or county borough council in Wales'.

Adran 120, tudalen 107, llinell 4, hepgorer 'awdurdod diogelwch adeiladau' a mewnosoder 'cyngor sir neu gyngor bwrdeistref sirol yng Nghymru'.

Joel James

48

Section 126, page 109, line 30, after 'purposes', insert '(including different provision for buildings of different descriptions, whether by reference to the categories set out in section 6 or any other matter)'.

Adran 126, tudalen 109, llinell 33, ar ôl 'gwahanol', mewnosoder '(gan gynnwys darpariaeth wahanol ar gyfer adeiladau o ddisgrifiadau gwahanol, pa un ai drwy gyfeirio at y categorïau a nodir yn adran 6 neu unrhyw fater arall)'.

[Inserts wording to put beyond doubt that regulations under the Bill may make different provision in relation to different descriptions of buildings, which do not need to correspond to categories 1, 2 and 3.]

[Yn mewnosod geiriad i'w gwneud yn hollol glir y caiff rheoliadau o dan y Bil wneud darpariaeth wahanol mewn perthynas â disgrifiadau gwahanol o adeiladau, nad oes angen iddynt gyfateb i categorïau 1, 2 a 3.]

Joel James

49

Section 126, page 110, after line 14, insert –

'() section 31([subsection to be inserted by amendment 47]);'.

Adran 126, tudalen 110, ar ôl llinell 16, mewnosoder –

'() adran 31([is-adran i'w mewnosod gan welliant 47]);'.

[Applies the Senedd approval procedure to regulations amending the period in section 31.]

[Yn cymhwyso gweithdrefn gymeradwyo'r Senedd i reoliadau sy'n diwygio'r cyfnod yn adran 31.]

Jayne Bryant

37

Section 126, page 110, leave out line 15.

Adran 126, tudalen 110, hepgorer llinell 17.

Joel James

5

Section 126, page 110, after line 16, insert –

'() section [section to be inserted by amendment 4];'.

Adran 126, tudalen 110, ar ôl llinell 18, mewnosoder –

'() adran [adran i'w mewnosod gan welliant 4];'.

Jayne Bryant

38

Section 126, page 110, after line 20, insert –

'() section [section to be inserted by amendment 24] (see also section 75 for further provision about a Welsh statutory instrument containing regulations under section [section to be inserted by amendment 24]);'.

Adran 126, tudalen 110, ar ôl llinell 22, mewnosoder –

'() adran [adran i'w mewnosod gan welliant 24] (gweler hefyd adran 75 am ddarpariaeth bellach ynghylch offeryn statudol Cymreig sy'n cynnwys rheoliadau o dan adran [adran i'w mewnosod gan welliant 24]);'.

Rhys ab Owen

62

Section 126, page 110, after line 23, insert –

'() Part [*Part to be inserted by amendment 56*];'.

Adran 126, tudalen 110, ar ôl llinell 25, mewnosoder –

'() Rhan [*Rhan i'w mewnosod gan welliant 56*];'.

Joel James

50

Section 126, page 110, after line 24, insert –

'() paragraph 1(*[sub-paragraph to be inserted by amendment 51]*) of Schedule 4.'

Adran 126, tudalen 110, ar ôl llinell 26, mewnosoder –

'() paragraff 1(*[is-baragraff i'w fewnosod gan welliant 51]*) o Atodlen 4.'

[Applies the Senedd approval procedure to regulations amending the period in paragraph 1 of Schedule 4.]

[Yn cymhwyso gweithdrefn gymeradwyo'r Senedd i reoliadau sy'n diwygio'r cyfnod ym mharagraff 1 o Atodlen 4.]

Rhys ab Owen

63

Section 127, page 111, line 13, leave out –

'"building safety risk" ("*risg diogelwch adeilad*")', in relation to a regulated building, has the meaning given by section 28;'

Adran 127, tudalen 112, llinell 29, hepgorer –

'mae i "*risg diogelwch adeilad*" ("*building safety risk*")', mewn perthynas ag adeilad rheoleiddiedig, yr ystyr a roddir gan adran 28;'

Jayne Bryant

40

Schedule 3, page 128, line 6, leave out –

“51B Wales: premises to which other fire safety legislation applies

- (1) So far as they relate to matters falling within subsection (2), this Part and regulations made under it do not apply to premises forming part of an occupied regulated building or a relevant HMO.
- (2) The matters falling within this subsection are any matters in relation to which requirements are imposed by, or are or could be imposed under –
 - (a) the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541), or
 - (b) the following provisions of the Building Safety (Wales) Act 2026 –
 - (i) sections 29 to 33;

- (ii) sections 47 to 49 insofar as those sections enable the imposition of requirements relating to fire safety risk;
- (iii) section 53;
- (iv) section 67 insofar as that section imposes requirements relating to fire safety risk or to duties under the Regulatory Reform (Fire Safety) Order 2005;
- (v) sections 79 to 86;
- (vi) section 89.

(3) In this section –

“fire safety risk” has the meaning given by section 27(2) of the Building Safety (Wales) Act 2026;

“occupied” has the meaning given by section 127(1) of that Act;

“regulated building” has the meaning given by sections 2 and 7 of that Act;

“relevant HMO” has the meaning given by section 76 of that Act.”

and insert –

“51B Premises to which the Building Safety (Wales) Act 2026 applies

(1) Provision made by this Part or regulations made under it does not apply to premises forming part of an occupied regulated building or a relevant HMO to the extent that the condition in subsection (2) is met in relation to the provision.

(2) The condition is that the provision relates to any matters in relation to which requirements were or could have been imposed in relation to the premises by or under the Fire Safety Order as that order had effect immediately before the relevant time (whether or not the premises existed immediately before the relevant time).

(3) In this section –

“the Fire Safety Order” means the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541);

“occupied” has the meaning given by section 127(1) of the Building Safety (Wales) Act 2026;

“regulated building” has the meaning given by sections 2 and 7 of that Act;

“relevant HMO” has the meaning given by section 76 of that Act;

“the relevant time” means the time when paragraph 7 of Schedule 3 to that Act came into force (partial disapplication of the Fire Safety Order in relation to occupied regulated buildings and relevant HMOs).”.

Atodlen 3, tudalen 128, llinell 6, hepgorer –

“51B Wales: premises to which other fire safety legislation applies

- (1) So far as they relate to matters falling within subsection (2), this Part and regulations made under it do not apply to premises forming part of an occupied regulated building or a relevant HMO.
- (2) The matters falling within this subsection are any matters in relation to which requirements are imposed by, or are or could be imposed under –
 - (a) the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541), or
 - (b) the following provisions of the Building Safety (Wales) Act 2026 –
 - (i) sections 29 to 33;
 - (ii) sections 47 to 49 insofar as those sections enable the imposition of requirements relating to fire safety risk;
 - (iii) section 53;
 - (iv) section 67 insofar as that section imposes requirements relating to fire safety risk or to duties under the Regulatory Reform (Fire Safety) Order 2005;
 - (v) sections 79 to 86;
 - (vi) section 89.
- (3) In this section –

“fire safety risk” has the meaning given by section 27(2) of the Building Safety (Wales) Act 2026;

“occupied” has the meaning given by section 127(1) of that Act;

“regulated building” has the meaning given by sections 2 and 7 of that Act;

“relevant HMO” has the meaning given by section 76 of that Act.”

a mewnosoder –

“51B Premises to which the Building Safety (Wales) Act 2026 applies

- (1) Provision made by this Part or regulations made under it does not apply to premises forming part of an occupied regulated building or a relevant HMO to the extent that the condition in subsection (2) is met in relation to the provision.
- (2) The condition is that the provision relates to any matters in relation to which requirements were or could have been imposed in relation to the premises by or under the Fire Safety Order as that order had effect immediately before the relevant time (whether or not the premises existed immediately before the relevant time).
- (3) In this section –

“the Fire Safety Order” means the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541);

“occupied” has the meaning given by section 127(1) of the Building Safety (Wales) Act 2026;

“regulated building” has the meaning given by sections 2 and 7 of that Act;

“relevant HMO” has the meaning given by section 76 of that Act;

“the relevant time” means the time when paragraph 7 of Schedule 3 to that Act came into force (partial disapplication of the Fire Safety Order in relation to occupied regulated buildings and relevant HMOs).”.

Jayne Bryant

41

Schedule 3, page 129, line 17, leave out ‘In section 18B(8) of the Fire and Rescue Services Act 2004’ and insert—

‘The Fire and Rescue Services Act 2004 is amended as follows.

[] In section 2, after subsection (11) insert—

“(12) An order under this section that applies to Wales may provide that it does not apply for the purposes of section 113(2) of the Building Safety (Wales) Act 2026 (and may amend section 113([*subsection to be inserted by amendment 25*]) of that Act in consequence of doing so).”

[] In section 4, after subsection (7) insert—

“(8) An order under this section that applies to Wales may provide that it does not apply for the purposes of section 113(2) of the Building Safety (Wales) Act 2026 (and may amend section 113([*is-adran i’w mewnosod gan welliant 25*]) of that Act in consequence of doing so).”

[] In section 18B(8)’.

Atodlen 3, tudalen 129, llinell 18, hepgorer ‘Yn adran 18B(8) o Ddeddf Gwasanaethau Tân ac Achub 2004’ a mewnosoder—

‘Mae Deddf Gwasanaethau Tân ac Achub 2004 wedi ei diwygio fel a ganlyn.

[] Yn adran 2, ar ôl is-adran (11) mewnosoder—

“(12) An order under this section that applies to Wales may provide that it does not apply for the purposes of section 113(2) of the Building Safety (Wales) Act 2026 (and may amend section 113([*subsection to be inserted by amendment 25*]) of that Act in consequence of doing so).”

[] Yn adran 4, ar ôl is-adran (7) mewnosoder—

“(8) An order under this section that applies to Wales may provide that it does not apply for the purposes of section 113(2) of the Building Safety (Wales) Act 2026 (and may amend section 113([*is-adran i’w mewnosod gan welliant 25*]) of that Act in consequence of doing so).”

[] Yn adran 18B(8)’.

Jayne Bryant 42

Schedule 3, page 129, line 24, leave out '(3)' and insert '(4) or (5)'.

Atodlen 3, tudalen 129, llinell 25, hepgorer '(3)' a mewnosoder '(4) or (5)'.

Jayne Bryant 43

Schedule 3, page 129, line 25, leave out 'and 29' and insert ', 29 and 31'.

Atodlen 3, tudalen 129, llinell 26, hepgorer 'and 29' a mewnosoder ', 29 and 31'.

Jayne Bryant 44

Schedule 3, page 129, line 27, leave out '(3)' and insert '(4) or (5)'.

Atodlen 3, tudalen 129, llinell 28, hepgorer '(3)' a mewnosoder '(4) or (5)'.

Jayne Bryant 45

Schedule 3, page 129, line 30, leave out—

- '(3) This paragraph applies to premises to the extent that the premises are a workplace and to the extent that the workplace is under the control of an employer.
- (4) Articles 31, 37 and 38 do not apply to premises that are or form part of a regulated building or a relevant HMO.
- (5) In this article—
"occupied" has the meaning given by section 127(1) of the Building Safety (Wales) Act 2026;

and insert—

- '(3) Except where paragraph (5) applies, articles 37 and 38 do not apply to premises that are or form part of a regulated building or a relevant HMO.
- (4) This paragraph applies to premises—
 - (a) to the extent that the premises are a workplace;
 - (b) to the extent that work is taking place in, on or to the premises, where the premises are not a workplace of the person carrying out the work.
- (5) This paragraph applies to premises—
 - (a) that form part of an occupied regulated building, and
 - (b) for which no accountable person has been made responsible by regulations under section 16 of the Building Safety (Wales) Act 2026.
- (6) In this article—

“accountable person” has the meaning given by section 8 of the Building Safety (Wales) Act 2026;

“occupied” has the meaning given by section 127(1) of that Act;’.

Atodlen 3, tudalen 129, llinell 31, hepgorer –

- ‘(3) This paragraph applies to premises to the extent that the premises are a workplace and to the extent that the workplace is under the control of an employer.
- (4) Articles 31, 37 and 38 do not apply to premises that are or form part of a regulated building or a relevant HMO.
- (5) In this article –
 - “occupied” has the meaning given by section 127(1) of the Building Safety (Wales) Act 2026;’

a mewnosoder –

- ‘(3) Except where paragraph (5) applies, articles 37 and 38 do not apply to premises that are or form part of a regulated building or a relevant HMO.
- (4) This paragraph applies to premises –
 - (a) to the extent that the premises are a workplace;
 - (b) to the extent that work is taking place in, on or to the premises, where the premises are not a workplace of the person carrying out the work.
- (5) This paragraph applies to premises –
 - (a) that form part of an occupied regulated building, and
 - (b) for which no accountable person has been made responsible by regulations under section 16 of the Building Safety (Wales) Act 2026.
- (6) In this article –
 - “accountable person” has the meaning given by section 8 of the Building Safety (Wales) Act 2026;
 - “occupied” has the meaning given by section 127(1) of that Act;’.

Jayne Bryant

46

Schedule 3, page 130, line 29, leave out paragraph 10.

Atodlen 3, tudalen 130, llinell 29, hepgorer paragraff 10.

WITHDRAWN / TYNNWYD YN ÔL

Joel James

6

Schedule 4, page 132, line 16, leave out ‘Section 31(1)’ and insert ‘If section 31(1) would otherwise apply to the building, it’.

Atodlen 4, tudalen 132, llinell 18, hepgorer 'Nid yw adran 31(1) yn' a mewnosoder 'Os byddai adran 31(1) fel arall yn gymwys i'r adeilad, nid yw'n'.

WITHDRAWN / TYNNWYD YN ÔL

Joel James

7

Schedule 4, page 132, after line 18, insert –

'() If section 31(*[second subsection to be inserted by amendment 2]*) would otherwise apply to the building, it does not apply but the principal accountable person must ensure that a fire risk assessment for the building is made under section 29 no later than 18 months after the day on which the existing risk assessment was made or reviewed.'

Atodlen 4, tudalen 132, ar ôl llinell 20, mewnosoder –

'() Os byddai adran 31(*[ail is-adran i'w mewnosod gan welliant 2]*) fel arall yn gymwys i'r adeilad, nid yw'n gymwys ond rhaid i'r prif berson atebol sicrhau y gwneir asesiad risg tân ar gyfer yr adeilad o dan adran 29 heb fod yn hwyrach na 18 mis ar ôl y diwrnod y gwnaed neu yr adolygwyd yr asesiad risg presennol.'

Joel James

51

Schedule 4, page 132, after line 20, insert –

'() The Welsh Ministers may by regulations amend this paragraph to vary the period for making a fire risk assessment for a regulated building.'

Atodlen 4, tudalen 132, ar ôl llinell 22, mewnosoder –

'() Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio'r paragraff hwn i amrywio'r cyfnod ar gyfer gwneud asesiad risg tân ar gyfer adeilad rheoleiddiedig.'

[Confers power to amend the period for a fire risk assessment in paragraph 1 of Schedule 4.]

[Yn rhoi pŵer i ddiwygio'r cyfnod ar gyfer asesiad risg tân ym mharagraff 1 o Atodlen 4.]

Sian Gwenllian

53

Page 114, after line 3, insert a new section –

[] Progress reports on bringing this 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.’.

Tudalen 114, ar ôl llinell 3, mewnosoder adran newydd –

[1] Adroddiadau cynnydd ar ddwyn y Ddeddf hon 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.’.

