

RENTING HOMES (FEES ETC.) (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Julie James AM on 15 February 2019.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
1	<p>Julie James</p> <p>Long title, page 1, line 2, leave out ‘as a condition of the grant, renewal or continuance of standard occupation contracts’ and insert ‘in consideration of the grant, renewal or continuance of a standard occupation contract, or pursuant to a term of a standard occupation contract’.</p>	<p>Julie James</p> <p>Teitl hir, tudalen 1, llinell 2, hepgorer ‘fel amod o roi neu o adnewyddu contractau meddiannaeth safonol, neu o barhau â chontractau o’r fath’ a mewnosoder ‘yn gydnabyddiaeth am roi neu am adnewyddu contract meddiannaeth safonol, neu am barhau â chontract o’r fath, neu yn unol â theler mewn contract meddiannaeth safonol’.</p>	<p>The purpose of the amendment is to remove the words “as a condition of the grant, renewal or continuance of standard occupation contracts” and insert the words “in consideration of the grant, renewal or continuance of a standard occupation contract, or pursuant to a term of a standard occupation contract”.</p> <p>The effect of the amendment is that the long title of the Bill reflects amendments made to sections 1, 2 and 3 in terms of prohibiting payments that may be made pursuant to a term of a standard occupation contract.</p>
2	<p>Julie James</p> <p>Section 1, page 1, line 12, leave out ‘as a condition of the grant, renewal or continuance’ and insert ‘in consideration of the grant, renewal or continuance of a standard occupation contract, or pursuant to a term’.</p>	<p>Julie James</p> <p>Adran 1, tudalen 1, llinell 13, hepgorer ‘, fel amod o roi neu o adnewyddu contract meddiannaeth safonol, neu o barhau â chontract o’r fath’ a mewnosoder ‘yn gydnabyddiaeth am roi neu am adnewyddu contract meddiannaeth safonol, neu am barhau â chontract o’r fath, neu yn unol â theler</p>	<p>The purpose of the amendment is to remove the words “as a condition of the grant, renewal or continuance” and insert the words “in consideration of the grant, renewal or continuance of a standard occupation contract, or pursuant to a term”.</p>

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		mewn contract meddiannaeth safonol’.	The effect of the amendment is that the overview of the Act reflects amendments made to the Bill which prohibit payments pursuant to a term of a standard occupation contract.
3	<p>Julie James Section 2, page 1, line 28, leave out ‘, as a condition of the grant, renewal or continuance of a standard occupation contract’ and insert— ‘—</p> <p>(a) in consideration of the grant, renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require the payment to be made’.</p>	<p>Julie James Adran 2, tudalen 1, llinell 31, hepgorer ‘, fel amod o roi neu o adnewyddu contract meddiannaeth safonol, neu o barhau â chontract o’r fath’ a mewnosoder— ‘—</p> <p>(a) yn gydnabyddiaeth am roi neu am adnewyddu contract meddiannaeth safonol, neu am barhau â chontract o’r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy’n honni ei bod yn ofynnol i’r taliad gael ei wneud’.</p>	<p>The purpose of the amendment is to remove the words “, as a condition of the grant, renewal or continuance of a standard occupation contract” and insert the words “— (a) in consideration of the grant, renewal or continuance of a standard occupation contract, or (b) pursuant to a term of a standard occupation contract which purports to require the payment to be made”.</p> <p>The effect of the amendment is to clarify that contractual payments on termination of an occupation contract are prohibited.</p>
4	<p>Julie James Section 2, page 2, line 2, leave out ‘, as a condition of the grant, renewal or continuance of a standard occupation contract’ and insert— ‘—</p>	<p>Julie James Adran 2, tudalen 2, llinell 2, hepgorer ‘, fel amod o roi neu o adnewyddu contract meddiannaeth safonol, neu o barhau â chontract o’r fath’ a mewnosoder— ‘—</p>	<p>The purpose of the amendment is to remove the words “The purpose of the amendment is to remove the words” and insert the words ‘— (a) in consideration of the grant, renewal or continuance of a standard occupation</p>

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	<p>(a) in consideration of the grant, renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require entry into the contract for services’.</p>	<p>(a) yn gydnabyddiaeth am roi neu am adnewyddu contract meddiannaeth safonol, neu am barhau â chontract o’r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy’n honni ei bod yn ofynnol ymrwymo i’r contract am wasanaethau’.</p>	<p>contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require entry into the contract for services’.</p> <p>The effect of the amendment is to clarify that contractual payments on termination of an occupation contract are prohibited.</p>
5	<p>Julie James</p> <p>Section 2, page 2, line 4, after ‘services’ at the first place where it appears, insert ‘concerned’.</p>	<p>Julie James</p> <p>Adran 2, tudalen 2, llinell 4, ar ôl ‘wasanaethau’, mewnosoder ‘o dan sylw’.</p>	<p>The purpose of the amendment is to insert the word “concerned”.</p> <p>The effect of the amendment is to provide greater clarity in respect of the contract in question.</p>
6	<p>Julie James</p> <p>Section 2, page 2, line 9, leave out ‘, as a condition of the grant, renewal or continuance of a standard occupation contract’ and insert –</p> <p>‘ –</p> <p>(a) in consideration of the grant, renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require the loan to be granted’.</p>	<p>Julie James</p> <p>Adran 2, tudalen 2, llinell 10, hepgorer ‘, fel amod o roi neu o adnewyddu contract meddiannaeth safonol, neu o barhau â chontract o’r fath’ a mewnosoder –</p> <p>‘ –</p> <p>(a) yn gydnabyddiaeth am roi neu am adnewyddu contract meddiannaeth safonol, neu am barhau â chontract o’r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy’n honni</p>	<p>The purpose of the amendment is to remove the words “, as a condition of the grant, renewal or continuance of a standard occupation contract” and insert the words “– (a) in consideration of the grant, renewal or continuance of a standard occupation contract, or (b) pursuant to a term of a standard occupation contract which purports to require the loan to be granted”.</p> <p>The effect of the amendment is to clarify that contractual</p>

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		ei bod yn ofynnol i'r benthyciad gael ei roi'.	payments on termination of an occupation contract are prohibited.
7	<p>Julie James Section 3, page 2, line 18, leave out ' , as a condition of arranging the grant, renewal or continuance of a standard occupation contract' and insert— ' —</p> <p>(a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require the payment to be made'.</p>	<p>Julie James Adran 3, tudalen 2, llinell 19, hepgorer ' , fel amod o drefnu i roi neu adnewyddu contract meddiannaeth safonol neu o drefnu i barhau â chontract o'r fath' a mewnosoder — ' —</p> <p>(a) yn gydnabyddiaeth am drefnu i roi neu adnewyddu contract meddiannaeth safonol, neu am drefnu i barhau â chontract o'r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy'n honni ei bod yn ofynnol i'r taliad gael ei wneud'.</p>	<p>The purpose of the amendment is to remove the words " , as a condition of arranging the grant, renewal or continuance of a standard occupation contract" and insert the words "— (a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or (b) pursuant to a term of a standard occupation contract which purports to require the payment to be made".</p> <p>The effect of the amendment is to clarify that contractual payments on termination of an occupation contract are prohibited.</p>
8	<p>Julie James Section 3, page 2, line 21, leave out ' , as a condition of arranging the grant, renewal or continuance of a standard occupation contract' and insert— ' —</p> <p>(a) in consideration of arranging the grant,</p>	<p>Julie James Adran 3, tudalen 2, llinell 22, hepgorer ' , fel amod o drefnu i roi neu adnewyddu contract meddiannaeth safonol, neu o drefnu i barhau â chontract o'r fath' a mewnosoder — ' —</p>	<p>The purpose of the amendment is to remove the words " , as a condition of arranging the grant, renewal or continuance of a standard occupation contract" and insert the words "— (a) in consideration of arranging the grant, renewal or continuance</p>

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	<p>renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require entry into the contract for services’.</p>	<p>(a) yn gydnabyddiaeth am drefnu i roi neu adnewyddu contract meddiannaeth safonol, neu am drefnu i barhau â chontract o’r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy’n honni ei bod yn ofynnol ymrwymo i’r contract am wasanaethau’.</p>	<p>of a standard occupation contract, or (b) pursuant to a term of a standard occupation contract which purports to require entry into the contract for services”.</p> <p>The effect of the amendment is to clarify that contractual payments on termination of an occupation contract are prohibited.</p>
9	<p>Julie James</p> <p>Section 3, page 2, after line 22, insert –</p> <p>‘[] But subsection (2) does not apply if the contract for services concerned is a contract between a landlord and a letting agent only, in respect of lettings work or property management work to be carried out by the agent on the landlord’s behalf.’.</p>	<p>Julie James</p> <p>Adran 3, tudalen 2, ar ôl llinell 24, mewnosoder –</p> <p>‘[] Ond nid yw is-adran (2) yn gymwys os yw’r contract am wasanaethau o dan sylw yn gontract rhwng landlord ac asiant gosod eiddo yn unig, mewn cysylltiad â gwaith gosod neu waith rheoli eiddo y mae’r asiant i ymgymryd ag ef ar ran y landlord.’.</p>	<p>The purpose of the amendment is to insert the words “[] But subsection (2) does not apply if the contract for services concerned is a contract between a landlord and a letting agent only, in respect of lettings work or property management work to be carried out by the agent on the landlord’s behalf.”</p> <p>The effect of the amendment ensures that letting agent may enter into a contract for services with the landlord to undertake lettings or property management work.</p>

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10	<p>Julie James</p> <p>Section 3, page 2, line 24, leave out ‘, as a condition of arranging the grant, renewal or continuance of a standard occupation contract’ and insert—</p> <p>‘ —</p> <p>(a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or</p> <p>(b) pursuant to a term of a standard occupation contract which purports to require the loan to be made’.</p>	<p>Julie James</p> <p>Adran 3, tudalen 2, llinell 26, hepgorer ‘, fel amod o drefnu i roi neu adnewyddu contract meddiannaeth safonol, neu o drefnu i barhau â chontract o’r fath’ a mewnosoder —</p> <p>‘ —</p> <p>(a) yn gydnabyddiaeth am drefnu i roi neu adnewyddu contract meddiannaeth safonol, neu am drefnu i barhau â chontract o’r fath, neu</p> <p>(b) yn unol â theler mewn contract meddiannaeth safonol sy’n honni ei bod yn ofynnol i’r benthyciad gael ei roi’.</p>	<p>The purpose of the amendment is to remove the words “, as a condition of arranging the grant, renewal or continuance of a standard occupation contract’ and insert the words “—</p> <p>(a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or (b) pursuant to a term of a standard occupation contract which purports to require the loan to be made”.</p> <p>The effect of the amendment is to clarify that contractual payments on termination of an occupation contract are prohibited.</p>
11	<p>Julie James</p> <p>Section 10, page 4, line 13, leave out ‘a local housing’ and insert ‘an enforcement’.</p>	<p>Julie James</p> <p>Adran 10, tudalen 4, llinell 13, hepgorer ‘tai lleol’ a mewnosoder ‘gorfodi’.</p>	<p>The purpose of the amendment is to remove the words “a local housing” and insert the words “an enforcement”.</p> <p>The effect of the amendment is to refer to an “enforcement authority” instead of a local housing authority. An enforcement authority is defined as a local housing authority or a licensing</p>

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			authority in relation to the area of a local housing authority for the purposes of Part 4 of the Bill (Enforcement).
12	<p>Julie James</p> <p>Section 10, page 4, line 16, after ‘committed’, insert ‘in respect of a dwelling located in the enforcement authority’s area’.</p>	<p>Julie James</p> <p>Adran 10, tudalen 4, llinell 16, ar ôl ‘hon’, mewnosoder ‘mewn cysylltiad ag annedd sydd wedi ei lleoli yn ardal yr awdurdod gorfodi’.</p>	<p>The purpose of the amendment is to insert the words “in respect of a dwelling located in the enforcement authority’s area”.</p> <p>The effect of the amendment is to set the geographical area an enforcement authority may exercise its powers to require documents or information as part of its investigation of an offence.</p>
13	<p>Julie James</p> <p>Section 13, page 6, line 9, leave out ‘a local housing’ and insert ‘an enforcement’.</p>	<p>Julie James</p> <p>Adran 13, tudalen 6, llinell 9, hepgorer ‘tai lleol’ a mewnosoder ‘gorfodi’.</p>	<p>The purpose of the amendment is to remove the words “a local housing” and insert the words “an enforcement”.</p> <p>The effect of the amendment is consequential to other amendments to refer to an “enforcement authority” which is a local housing authority or licensing authority. The enforcement authority may issue a fixed penalty notice in respect of an offence.</p>

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14	<p>Julie James Section 13, page 6, line 21, leave out 'local housing' and insert 'enforcement'.</p>	<p>Julie James Adran 13, tudalen 6, llinell 21, hepgorer 'tai lleol' a mewnosoder 'gorfodi'.</p>	<p>The purpose of the amendment is to remove the words "local housing" and insert the words "enforcement". The effect of the amendment is consequential to other amendments regarding an enforcement authority. A reference to "licensing authority" in s29(8)(a) of the Housing (Wales) Act 2014 is to be treated as a reference to an "enforcement authority" for the purpose of issuing a fixed penalty notice</p>
15	<p>Julie James Section 13, page 6, line 22, leave out 'a local housing' and insert 'an enforcement'.</p>	<p>Julie James Adran 13, tudalen 6, llinell 22, hepgorer 'tai lleol' a mewnosoder 'gorfodi'.</p>	<p>The purpose of the amendment is to remove the words "local housing" and insert the words "enforcement". The effect of the amendment is consequential to other amendments to provide that an enforcement authority may retain fixed penalty receipts received by virtue of section 13.</p>
16	<p>Julie James Section 14, page 6, line 28, leave out 'located wholly or partly'.</p>	<p>Julie James Adran 14, tudalen 6, llinell 28, hepgorer 'sy'n gyfan gwbl neu'n rhannol'.</p>	<p>The purpose of the amendment is to remove the words "located wholly or partly". The effect of this amendment is to maintain consistency with</p>

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			the new references to dwellings “in an authority’s area” and these words are best omitted.
17	<p>Julie James</p> <p>Section 14, page 6, after line 32, insert –</p> <p>‘(3) This section does not require a local housing authority to give a licensing authority notification of a conviction if the proceedings which led to the conviction were brought by the licensing authority under section <i>[section to be inserted by amendment 22]</i>’.</p>	<p>Julie James</p> <p>Adran 14, tudalen 6, ar ôl llinell 32, mewnosoder –</p> <p>‘(3) Nid yw’r adran hon yn ei gwneud yn ofynnol i awdurdod tai lleol roi hysbysiad am euogfarn i awdurdod trwyddedu os cafodd yr achos a arweiniodd at yr euogfarn ei ddwyn gan yr awdurdod trwyddedu o dan adran <i>[adran i gael ei mewnosod gan welliant 22]</i>’.</p>	<p>The purpose of the amendment is to insert the words “(3) This section does not require a local housing authority to give a licensing authority notification of a conviction if the proceedings which led to the conviction were brought by the licensing authority under section <i>[section to be inserted by amendment 22]</i>.”.</p> <p>The effect of the amendment disapples the requirement for a local housing authority to inform a licensing authority of a conviction if the licensing authority brought proceedings.</p>
18	<p>Julie James</p> <p>Section 15, page 6, line 35, leave out ‘a local housing’ and insert ‘an enforcement’.</p>	<p>Julie James</p> <p>Adran 15, tudalen 6, llinell 35, hepgorer ‘tai lleol’ a mewnosoder ‘gorfodi’.</p>	<p>The purpose of the amendment is to remove the words “local housing” and insert the words “enforcement”.</p> <p>The effect of the amendment is consequential to other amendments in respect of referring to an enforcement authority, providing that an enforcement authority must</p>

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			have regard to Guidance issued by the Welsh Ministers under Part 4 of the Bill.
19	<p>Julie James Section 16, page 7, line 3, leave out ‘a local housing’ and insert ‘an enforcement’.</p>	<p>Julie James Adran 16, tudalen 7, llinell 3, hepgorer ‘tai lleol’ a mewnosoder ‘gorfodi’.</p>	<p>The purpose of the amendment is to remove the words “local housing” and insert the words “enforcement”. The effect of the amendment is consequential to other amendments to change the reference to an enforcement authority and the definition of an authorised officer includes an authorised officer of an enforcement authority.</p>
20	<p>Julie James Page 7, after line 5, insert a new section – <i>‘The enforcement authority for the purposes of this Part</i></p> <p>[] Enforcement authorities</p> <p>(1) For the purposes of this Part, each of the following is the enforcement authority in relation to the area of a local housing authority –</p> <p style="padding-left: 40px;">(a) the local housing authority for the area, and</p> <p style="padding-left: 40px;">(b) the licensing authority for the area.</p> <p>(2) But a licensing authority which, by virtue of</p>	<p>Julie James Tudalen 7, ar ôl llinell 5, mewnosoder adran newydd – <i>‘Yr awdurdod gorfodi at ddibenion y Rhan hon</i></p> <p>[] Awdurdodau gorfodi</p> <p>(1) At ddibenion y Rhan hon, yr awdurdod gorfodi mewn perthynas ag ardal awdurdod tai lleol yw pob un o’r canlynol –</p> <p style="padding-left: 40px;">(a) yr awdurdod tai lleol ar gyfer yr ardal, a</p> <p style="padding-left: 40px;">(b) yr awdurdod trwyddedu ar gyfer yr ardal.</p>	<p>The purpose of the amendment is to provide that an enforcement authority may enforce the Bill. The enforcement authority in relation to the area of a local housing authority is, defined as the local housing authority for the area and the licensing authority for the area. The licensing authority is the person designated under section 3 of Part 1 of the Housing (Wales) Act 2014 (currently Rent Smart Wales). The effect of this amendment is that an enforcement</p>

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	<p>subsection (1)(b), is the enforcement authority for the area of a local housing authority, may not exercise any function of an enforcement authority in relation to that area, nor bring proceedings under section <i>[section to be inserted by amendment 22]</i> in relation to that area, without the prior written consent of the local housing authority for the area.</p> <p>(3) Consent under subsection (2) may be given generally or in relation to specific cases or functions.</p> <p>(4) For the purposes of this section, “licensing authority” means a person designated as a licensing authority under section 3 of Part 1 of the Housing (Wales) Act 2014.</p> <p>(5) In this Part, references to the area of an enforcement authority are references to the area or, as the case may be, areas for which it is the enforcement authority.’.</p>	<p>(2) Ond ni chaiff awdurdod trwyddedu sydd, yn rhinwedd is-adran (1)(b), yn awdurdod gorfodi ar gyfer ardal awdurdod tai lleol, arfer unrhyw swyddogaeth awdurdod gorfodi mewn perthynas â’r ardal honno, na dwyn achos o dan adran <i>[adran i gael ei mewnosod gan welliant 22]</i>, mewn perthynas â’r ardal honno, heb gael cydsyniad ysgrifenedig ymlaen llaw gan yr awdurdod tai lleol ar gyfer yr ardal.</p> <p>(3) Caniateir i gydsyniad o dan is-adran (2) gael ei roi yn gyffredinol neu mewn perthynas ag achosion penodol neu swyddogaethau penodol.</p> <p>(4) At ddibenion yr adran hon, ystyr “awdurdod trwyddedu” yw person sydd wedi ei ddynodi’n awdurdod trwyddedu o dan adran 3 o Ran 1 o Ddeddf Tai (Cymru) 2014.</p> <p>(5) Yn y Rhan hon, mae cyfeiriadau at ardal awdurdod gorfodi yn gyfeiriadau at yr ardal y mae’n awdurdod gorfodi ar ei chyfer, neu’r ardaloedd y mae’n awdurdod gorfodi ar eu cyfer, yn ôl y digwydd.’.</p>	<p>authority if it is the licensing authority may not exercise enforcement function or bring proceedings, without prior written consent of the local housing authority for the area.</p>

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21	<p>Julie James Page 7, after line 5, insert a new section – <i>‘Information sharing and power to bring criminal proceedings</i></p> <p>[] Supply and use of information by enforcement authorities</p> <p>(1) If an enforcement authority requests information from another enforcement authority, that other authority must comply with the request unless it considers that doing so would be incompatible with the exercise of its functions (including functions exercisable otherwise than under this Part).</p> <p>(2) The information that may be requested of an enforcement authority under subsection (1) is information that has been obtained by that authority –</p> <p>(a) under this section, or</p> <p>(b) otherwise in the exercise of its functions under this Part.</p> <p>(3) An enforcement authority may use information within subsection (5)(a), (b) or (c) for any purpose connected to the exercise of the authority’s functions under this Part;</p> <p>(4) An enforcement authority may, in addition, use information within subsection (5)(a) or (b) for any purpose connected to the exercise of</p>	<p>Julie James Tudalen 7, ar ôl llinell 5, mewnosoder adran newydd – <i>‘Rhannu gwybodaeth a’r pŵer i ddwyn achos troseddol</i></p> <p>[] Darparu a defnyddio gwybodaeth gan awdurdodau gorfodi</p> <p>(1) Os yw awdurdod gorfodi yn gofyn am wybodaeth gan awdurdod gorfodi arall, rhaid i’r awdurdod arall hwnnw gydymffurfio â’r cais oni bai ei fod yn ystyried y byddai gwneud hynny yn anghydnaws ag arfer ei swyddogaethau (gan gynnwys swyddogaethau sy’n arferadwy ar wahân i fod o dan y Rhan hon).</p> <p>(2) Yr wybodaeth y gellir gofyn amdani gan awdurdod gorfodi o dan is-adran (1) yw gwybodaeth y mae’r awdurdod hwnnw wedi ei chael –</p> <p>(a) o dan yr adran hon, a</p> <p>(b) fel arall wrth arfer ei swyddogaethau o dan y Rhan hon.</p> <p>(3) Caiff awdurdod gorfodi ddefnyddio gwybodaeth o fewn is-adran (5)(a), (b) neu (c) at unrhyw ddiben sy’n gysylltiedig ag arfer swyddogaethau’r awdurdod o dan y Rhan hon.</p>	<p>The purpose of the amendment is to make provision about sharing information and the use of information by enforcement authorities. The provision enables an enforcement authority to seek information from another enforcement authority unless in doing so would be incompatible with the exercise of the other authority’s functions. The enforcement authority may use the information within subsection 5(a), (b) or (c) for any purpose connected to the exercise of the authority’s functions under Part 4.</p> <p>The effect of this amendment is to ensure sharing of information between enforcement authorities to enable offences to be investigated and proceedings brought if necessary. The duty to supply information will apply unless the request is incompatible with the other authority’s functions.</p>

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	<p>any of its functions under Part 1 of the Housing (Wales) Act 2014 (“the 2014 Act”).</p> <p>(5) The information is information –</p> <p>(a) that has been supplied to it by another enforcement authority under subsection (1);</p> <p>(b) that has otherwise been obtained by the enforcement authority in the exercise of its functions under this Part;</p> <p>(c) that, by virtue of section 36 of the 2014 Act, it is permitted to use for purposes connected to the exercise of its functions under Part 1 of that Act.</p> <p>(6) Section [section to be inserted by amendment 20](2) does not apply in relation to the functions conferred on an enforcement authority by this section. ‘.</p>	<p>(4) Yn ogystal â hynny, caiff awdurdod gorfodi ddefnyddio gwybodaeth o fewn is-adran (5)(a) neu (b) at unrhyw ddiben sy’n gysylltiedig ag arfer unrhyw un neu ragor o’i swyddogaethau o dan Ran 1 o Ddeddf Tai (Cymru) 2014 (“Deddf 2014”).</p> <p>(5) Yr wybodaeth yw honno –</p> <p>(a) sydd wedi ei darparu iddo gan awdurdod gorfodi arall o dan is-adran (1);</p> <p>(b) y mae’r awdurdod gorfodi wedi ei chael fel arall wrth arfer ei swyddogaethau o dan y Rhan hon;</p> <p>(c) y mae ganddo, yn rhinwedd adran 36 o Ddeddf 2014, ganiatâd i’w defnyddio at ddibenion sy’n gysylltiedig ag arfer ei swyddogaethau o dan Ran 1 o’r Ddeddf honno.</p> <p>(6) Nid yw adran [adran i gael ei mewnosod gan welliant 20](2) yn gymwys mewn perthynas â’r swyddogaethau a roddir i awdurdod gorfodi gan yr adran hon.’.</p>	
22	<p>Julie James</p> <p>Page 7, after line 5, insert a new section –</p> <p>[1] Power of licensing authority to bring</p>	<p>Julie James</p> <p>Tudalen 7, ar ôl llinell 5, mewnosoder adran newydd –</p>	<p>The purpose of this amendment is to provide an enforcement authority which is a licensing authority with power to bring criminal proceedings in</p>

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	<p>criminal proceedings</p> <p>An enforcement authority which is a licensing authority may bring criminal proceedings in respect of an offence alleged to have been committed under this Act in respect of a dwelling located in its area (but this is subject to section [section to be inserted by amendment 20](2)).’.</p>	<p>[] Pŵer awdurdod trwyddedu i ddwyn achos troseddol</p> <p>Caiff awdurdod gorfodi sy’n awdurdod trwyddedu ddwyn achos troseddol mewn cysylltiad â throsedd yr honnir iddi gael ei chyflawni o dan y Ddeddf hon mewn cysylltiad ag annedd sydd wedi ei lleoli yn ei ardal (ond mae hyn yn ddarostyngedig i adran [adran i gael ei mewnosod gan welliant 20](2)).’.</p>	<p>respect of an alleged offence under the Act.</p> <p>The effect of the amendment will be that criminal proceedings can be brought by an enforcement authority which is a licensing authority if it considers an offence has been committed.</p>
23	<p>Julie James</p> <p>Section 17, page 7, line 17, leave out ‘, as a condition of the grant, renewal or continuance of the contract’ and insert ‘as described in section 2 or 3 of that Act’.</p>	<p>Julie James</p> <p>Adran 17, tudalen 7, llinell 16, hepgorer ‘, fel amod o roi, adnewyddu neu barhau â’r contract’ a mewnosoder ‘fel a ddisgrifir yn adran 2 neu 3 o’r Ddeddf honno’.</p>	<p>The purpose of the amendment is to remove the words “, as a condition of the grant, renewal or continuance of the contract” and insert the words “as described in section 2 or 3 of that Act”.</p> <p>The effect of the amendment is to refer to the offences in sections 2 and 3.</p>
24	<p>Julie James</p> <p>Section 17, page 8, line 16, leave out ‘, as a condition of the grant, renewal or continuance of the contract’ and insert ‘as described in section 2 or 3 of that Act’.</p>	<p>Julie James</p> <p>Adran 17, tudalen 8, llinell 16, hepgorer ‘, fel amod o roi, adnewyddu neu barhau â’r contract’ a mewnosoder ‘fel a ddisgrifir yn adran 2 neu 3 o’r Ddeddf honno’.</p>	<p>The purpose of the amendment is to remove the words “, as a condition of the grant, renewal or continuance of the contract” and insert the words “as described in section 2 or 3 of that Act”.</p> <p>The effect of the amendment is to refer to the offences in sections 2 and 3.</p>

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25	<p>Julie James</p> <p>Page 9, after line 8, insert a new section –</p> <p><i>‘Guidance to a licensing authority under Part 1 of the Housing (Wales) Act 2014</i></p> <p>[] Amendment to section 41 of Housing (Wales) Act 2014</p> <p>In section 41 of the Housing (Wales) Act 2014 (guidance under Part 1 of Act), after subsection (2) insert –</p> <p>“(2A) Guidance given to a licensing authority may (among other things) include provision about matters to be taken into account by a licensing authority in deciding whether a failure to repay the amount of any prohibited payment or holding deposit (within the meaning of the Renting Homes (Fees etc.) (Wales) Act 2019) affects a person’s fitness to be licensed under this Part.”’.</p>	<p>Julie James</p> <p>Tudalen 9, ar ôl llinell 8, mewnosoder adran newydd –</p> <p><i>‘Canllawiau i awdurdod trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014</i></p> <p>[] Diwygio adran 41 o Ddeddf Tai (Cymru) 2014</p> <p>Yn adran 41 o Ddeddf Tai (Cymru) 2014 (canllawiau o dan Ran 1 o’r Ddeddf), ar ôl is-adran (2) mewnosoder –</p> <p>“(2A) Caiff canllawiau a roddir i awdurdod trwyddedu gynnwys (ymysg pethau eraill) ddarpariaeth ynghylch materion sydd i’w hystyried gan awdurdod trwyddedu wrth benderfynu a yw methiant i ad-dalu swm unrhyw daliad gwaharddedig neu flaendal cadw (o fewn ystyr Deddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019) yn effeithio ar addasrwydd person i</p>	<p>The purpose of the amendment is to insert provision so that guidance may be given to a licensing authority under section 41 of the Housing (Wales) Act 2014. Failure by a landlord to repay a prohibited payment or holding deposit in accordance with Schedule 2 may affect a person’s fitness to be licensed as a letting agent or landlord under the 2014 Act.</p> <p>The effect of the amendment is that a licensing authority will be able to issue guidance to include provision about the fitness of a landlord where there is a failure to repay a prohibited payment or holding deposit.</p>

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		gael ei drwyddedu o dan y Rhan hon.”’.	
26	<p>Julie James Page 10, after line 18, insert a new section –</p> <p>[] Requirement for local housing authority to promote awareness of effect of Act</p> <p>(1) A local housing authority must make arrangements for information to be made publicly available in its area, in whatever way the authority thinks appropriate, about the effect of this Act, including about how prohibited payments and holding deposits may be recovered.</p> <p>(2) In making arrangements for the purposes of this section, a local housing authority must have regard to any guidance given by the Welsh Ministers.’.</p>	<p>Julie James Tudalen 10, ar ôl llinell 20, mewnosoder adran newydd –</p> <p>[] Gofyniad i awdurdod tai lleol hyrwyddo ymwybyddiaeth o effaith y Ddeddf</p> <p>(1) Rhaid i awdurdod tai lleol wneud trefniadau i wybodaeth fod ar gael yn gyhoeddus yn ei ardal, ym mha ffordd bynnag y mae’r awdurdod yn meddwl sy’n briodol, am effaith y Ddeddf hon, gan gynnwys sut y gellir adennill taliadau gwaharddedig a blaendaliadau cadw.</p> <p>(2) Wrth wneud trefniadau at ddibenion yr adran hon, rhaid i awdurdod tai lleol roi sylw i unrhyw ganllawiau a roddir gan Weinidogion Cymru.’.</p>	<p>The purpose of the amendment is to include provision to require a local housing authority to make arrangements for information to be made available about how to recover a prohibited payment or holding deposit.</p> <p>The effect of the amendment is a local housing authority is required to publish information about the effect of the Act, in particular, how to recover a prohibited payment or holding deposit. In making arrangements, the local housing authority must have regard to Guidance given by the Welsh Ministers.</p>
27	<p>Julie James Section 22, page 11, line 10, leave out ‘6’ and insert ‘5’.</p>	<p>Julie James Adran 22, tudalen 11, llinell 10, hepgorer ‘6’ a mewnosoder ‘5’.</p>	<p>The purpose of the amendment is to remove the numeral “6” and insert “5”.</p> <p>The effect of the amendment is that regulations made under paragraph 5 of Schedule 1 to set a limit on default payments will follow the affirmative</p>

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			procedure. This would include any regulations dealing with the late payment of rent or another description of default payments prescribed in regulations made by the Welsh Ministers.
28	<p>Julie James Section 23, page 11, line 31, leave out subsection (2).</p>	<p>Julie James Adran 23, tudalen 11, llinell 34, hepgorer is-adran (2).</p>	<p>The purpose of the amendment is to remove subsection (2) from section 23.</p> <p>The effect of the amendment is to ensure there is consistency with the changes made to sections 2 and 3 of the Bill and is no longer required.</p>
29	<p>Julie James Schedule 1, page 14, line 33, leave out 'person acting on behalf of a landlord' and insert 'letting agent'.</p>	<p>Julie James Atodlen 1, tudalen 14, llinell 32, hepgorer 'berson sy'n gweithredu ar ran landlord' a mewnosoder 'asiant gosod eiddo'.</p>	<p>The purpose of the amendment is to remove the words "person acting on behalf of a landlord" and insert the words "letting agent".</p> <p>The effect of the amendment is to clarify that a holding deposit may be paid to a letting agent and a landlord.</p>
30	<p>Julie James Schedule 1, page 14, line 35, after 'the' at the second place where it appears, insert 'prospective'.</p>	<p>Julie James Atodlen 1, tudalen 14, llinell 35, hepgorer 'deiliad' a mewnosoder 'darpar ddeiliad'.</p>	<p>The purpose of the amendment is to insert the word "prospective".</p> <p>The effect of the amendment is to clarify that at the point a holding deposit is paid, the contract-holder will be the</p>

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			prospective contract-holder.
31	<p>Julie James Schedule 1, page 14, after line 37, insert— [] Where an amount required in purported compliance with this paragraph exceeds an amount equivalent to one week's rent under the contract, the amount of the excess is a prohibited payment, with the remainder falling to be treated under Schedule 2.'</p>	<p>Julie James Atodlen 1, tudalen 14, ar ôl llinell 37, mewnosoder— '[] Pan fo swm sy'n ofynnol gan honni cydymffurfio â'r paragraff hwn yn fwy na swm sy'n gyfwerth ag un wythnos o rent o dan y contract, mae'r swm ychwanegol yn daliad gwaharddedig, ac mae'r gweddill i'w drin yn unol ag Atodlen 2.'</p>	<p>The purpose of the amendment is to add paragraph 5 to ensure that if a holding deposit exceeds one week's rent, the amount of the excess is a prohibited payment. The effect of the amendment ensures that anything paid in excess of one week's rent is a prohibited payment with the remainder falling to be treated under Schedule 2.</p>
32	<p>Julie James Schedule 1, page 15, line 3, after 'payment', insert ', but this is subject to sub-paragraph (3)'</p>	<p>Julie James Atodlen 1, tudalen 15, llinell 3, ar ôl 'ganiateir', mewnosoder ', ond mae hyn yn ddarostyngedig i is-baragraff (3)'</p>	<p>The purpose of the amendment is to insert the words ", but this is subject to sub-paragraph (3)". This amendment ensures that restrictions set out within regulations to the treatment of a payment in default are made consistent with this subsection of the Bill.</p>
33	<p>Julie James Schedule 1, page 15, line 4, leave out 'sub-paragraph (1)' and insert 'this paragraph'</p>	<p>Julie James Atodlen 1, tudalen 15, llinell 4, hepgorer 'is-baragraff (1)' a mewnosoder 'y paragraff hwn'</p>	<p>The purpose of the amendment is to remove the word "sub-paragraph (1)" and insert the words "this paragraph". The effect of the amendment is to that paragraph 5(1) of</p>

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			Schedule 1 is subject to new sub-paragraph (3) and provides consistency with amendments to provide a regulation-making power in respect of default payments.
34	<p>Julie James</p> <p>Schedule 1, page 15, after line 7, insert –</p> <p>‘(3) In the case of a default to which sub-paragraph (4) applies, if the amount of a payment required in the event of the default exceeds the prescribed limit, the amount of the excess is a prohibited payment.</p> <p>(4) This sub-paragraph applies to –</p> <p>(a) a failure by the contract-holder to make a payment of rent by the due date to the landlord;</p> <p>(b) any additional description of default which is specified by regulations.</p> <p>(5) In sub-paragraph (3), the “prescribed limit” means a limit specified by, or determined in accordance with, regulations.’.</p>	<p>Julie James</p> <p>Atodlen 1, tudalen 15, ar ôl llinell 7, mewnosoder –</p> <p>‘(3) Yn achos diffyg daliad y mae is-baragraff (4) yn gymwys iddo, os yw swm y taliad sy’n ofynnol yn achos y diffyg daliad yn fwy na’r terfyn rhagnodedig, mae’r swm ychwanegol yn daliad gwaharddedig.</p> <p>(4) Mae’r is-baragraff hwn yn gymwys i –</p> <p>(a) methiant gan ddeiliad contract i dalu rhent i’r landlord erbyn y dyddiad dyledus;</p> <p>(b) unrhyw ddisgrifiad ychwanegol o ddiffyg daliad a bennir gan reoliadau.</p> <p>(5) Yn is-baragraff (3), ystyr y “terfyn rhagnodedig” yw terfyn a bennir gan reoliadau, neu y penderfynir arno yn unol â rheoliadau.’.</p>	<p>The purpose of the amendment is to include new sub-paragraphs (3)-(5) into paragraph 5 of Schedule 1. The Welsh Ministers may prescribe through regulations a limit on payments required in the event of a default. Regulations follow the affirmative procedure.</p> <p>The effect of the amendment will be that it will be possible for Welsh Ministers to prescribe a limit on default payments and any excess is a prohibited payment this applies to late payment of rent and any other default specified in regulations.</p>
35	<p>Julie James</p> <p>Schedule 1, page 16, line 5, leave out –</p>	<p>Julie James</p> <p>Atodlen 1, tudalen 16, llinell 5, hepgorer-</p>	<p>The purpose of the amendment is to remove sub-paragraphs (1) and (2) and</p>

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	<p>'Regulations may amend this Schedule so as to change the meaning of "permitted variation" for the purposes of paragraph 1.</p> <p>(2) Regulations under sub-paragraph (1) may (for instance)-</p> <p>(a) define a permitted variation by reference to when it is made;</p> <p>(b) define a permitted variation by reference to whether it results in an increase or decrease in the amount of rent payable under a standard occupation contract in respect of a relevant period;</p> <p>(c) define a permitted variation by reference to whether the variation is made pursuant to a term of the contract as originally agreed between the parties, or pursuant to a change, by agreement, to the original terms on which the contract was entered into.</p> <p>(3) Regulations under sub-paragraph (1)'</p> <p>and insert-</p> <p>'If regulations made under section 7 amend this Schedule so as to change the meaning of "permitted variation" for the purposes of paragraph 1, they'</p>	<p>'Caiff rheoliadau ddiwygio'r Atodlen hon er mwyn newid ystyr "amrywiad a ganiateir" at ddibenion paragraff 1.</p> <p>(2) Caiff rheoliadau o dan is-baragraff (1) (er enghraifft) –</p> <p>(a) diffinio amrywiad a ganiateir drwy gyfeirio at ba bryd y'i gwneir;</p> <p>(b) diffinio amrywiad a ganiateir drwy gyfeirio at ba un a yw'n arwain at gynnydd neu at ostyngiad yn swm y rhent sy'n daladwy o dan gontract meddiannaeth safonol mewn cysylltiad â chyfnod perthnasol;</p> <p>(c) diffinio amrywiad a ganiateir drwy gyfeirio at ba un a wneir yr amrywiad yn unol ag un o delerau'r contract fel y'i cytunwyd yn wreiddiol rhwng y partion, neu'n unol â newid, drwy gytundeb, i'r telerau yr ymrwymwyd i'r contract yn unol â hwy yn wreiddiol.</p> <p>(3) Caiff rheoliadau o dan is-baragraff (1)'</p> <p>a mewnosoder –</p> <p>'Os yw rheoliadau a wneir o dan adran 7 yn diwygio'r Atodlen hon er mwyn</p>	<p>part of (3) and replace it with one paragraph dealing with regulations made under section 7 so if regulations made under section 7 amend Schedule 1 to amend the meaning of "permitted variation" for the purposes of paragraph 1, they may also make consequential amendments to Chapter 3 of Part 6 and chapter 3 of Part 7 of the Renting Homes (Wales) Act 2016 (variation of standard occupation contracts).</p> <p>The effect of the amendment is to provide that if regulations are made to amend Schedule 1 they may also make consequential amendments.</p>

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		newid ystyr “amrywiad a ganiateir” at ddibenion paragraff 1, cânt’.	
36	<p>Julie James</p> <p>Schedule 2, page 17, after line 6, insert –</p> <p>‘[] References in this Schedule to a contract-holder, in relation to a holding deposit, are to the person whose right of first refusal has been reserved by the holding deposit.’.</p>	<p>Julie James</p> <p>Atodlen 2, tudalen 17, ar ôl llinell 6, mewnosoder –</p> <p>‘[] Mae cyfeiriadau yn yr Atodlen hon at ddeiliad contract, mewn perthynas â blaendal cadw, yn gyfeiriadau at y person y mae ei hawl i gael y cynnig cyntaf wedi ei gadw gan y blaendal cadw.’.</p>	<p>The purpose of the amendment is to insert the words “(1) References in this Schedule to a contract-holder, in relation to a holding deposit, are to the person whose right of first refusal has been reserved by the holding deposit.”.</p> <p>The effect of the amendment is to clarify that in Schedule 2 the references to a contract-holder in relation to a holding deposit are to the person whose first right of refusal has been reserved by that deposit.</p>
37	<p>Julie James</p> <p>Schedule 2, page 17, line 14, leave out ‘landlord must repay the holding deposit’ and insert ‘person who received the holding deposit must repay it’.</p>	<p>Julie James</p> <p>Atodlen 2, tudalen 17, llinell 14, hepgorer ‘landlord ad-dalu’r blaendal cadw’ a mewnosoder ‘person a gafodd y blaendal cadw ei ad-dalu’.</p>	<p>The purpose of the amendment is to remove the words “landlord must repay the holding deposit” and insert the words “person who received the holding deposit must repay it”.</p> <p>The effect of the amendment is to clarify that whoever received the holding deposit must repay it.</p>

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38	<p>Julie James</p> <p>Schedule 2, page 17, line 24, leave out 'the landlord applies all or part of the amount of the deposit' and insert 'all or part of the holding deposit is applied'.</p>	<p>Julie James</p> <p>Atodlen 2, tudalen 17, llinell 26, hepgorer 'yw'r landlord yn cymhwyso'r blaendal' a mewnosoder 'cymhwysir y blaendal cadw'.</p>	<p>The purpose of the amendment is to remove the words "the landlord applies all or part of the amount of the deposit" and insert the words "all or part of the holding deposit is applied".</p> <p>The effect of the amendment is to clarify that all or part of a holding deposit is used for the security deposit it does not have to be repaid.</p>
39	<p>Julie James</p> <p>Schedule 2, page 17, line 29, after 'landlord', insert 'or letting agent'.</p>	<p>Julie James</p> <p>Atodlen 2, tudalen 17, llinell 31, ar ôl 'landlord', mewnosoder 'neu'r asiant gosod eiddo'.</p>	<p>The purpose of the amendment is to insert the words "letting agent" into paragraph 7 of Schedule 2.</p> <p>The effect of the amendment is to include a letting agent in the exception to the requirement to repay a holding deposit .Paragraph 3(b) of Schedule 2 will not apply if the contract-holder provides false or misleading information to either the landlord or the letting agent.</p>
40	<p>Julie James</p> <p>Schedule 2, page 18, line 4, after 'landlord', insert 'or letting agent'.</p>	<p>Julie James</p> <p>Atodlen 2, tudalen 18, llinell 4, ar ôl 'landlord', mewnosoder 'neu'r asiant gosod eiddo'.</p>	<p>The purpose of the amendment is to insert the words "or letting agent".</p> <p>The effect of the amendment is to extend the exception to a letting agent, as well as a landlord. A letting agent, may</p>

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			retain a holding deposit, if the contract-holder gives notice before the deadline for agreement that they do not want to enter into a contract.
41	<p>Julie James Schedule 2, page 18, line 6, after ‘apply’, insert ‘in relation to a holding deposit paid to a landlord’.</p>	<p>Julie James Atodlen 2, tudalen 18, llinell 7, ar ôl ‘gymwys’, mewnosoder ‘mewn perthynas â blaendal cadw a delir i landlord’.</p>	<p>The purpose of the amendment is to insert the words “in relation to a holding deposit paid to a landlord”.</p> <p>The effect of the amendment is to clarify that this provision applies to holding deposits paid to a landlord.</p>
42	<p>Julie James Schedule 2, page 18, after line 10, insert –</p> <p>‘10 Paragraph 3(b) does not apply in relation to a holding deposit paid to a letting agent if –</p> <ul style="list-style-type: none"> (a) the agent takes all reasonable steps to assist the landlord to enter into a contract before the deadline for agreement, and (b) the landlord takes all reasonable steps to enter into a contract before that date, but (c) the contract-holder fails to take all reasonable steps to enter into a contract before that date. <p><i>Supplemental provision about exceptions in paragraphs 8 to</i></p>	<p>Julie James Atodlen 2, tudalen 18, ar ôl llinell 11, mewnosoder –</p> <p>10 Nid yw paragraff 3(b) yn gymwys mewn perthynas â blaendal cadw a delir i asiant gosod eiddo –</p> <ul style="list-style-type: none"> (a) os yw’r asiant yn cymryd pob cam rhesymol i gynorthwyo’r landlord i ymrwymo i gontract cyn y terfyn amser ar gyfer cytundeb, a (b) bod y landlord yn cymryd pob cam rhesymol i ymrwymo i gontract cyn y dyddiad hwnnw, ond 	<p>The purpose of the amendment is to include new paragraphs 10 and 11 into Schedule 2.</p> <p>The effect of paragraph 10 is to disapply the requirement to repay a holding deposit under paragraph 3(b) where a holding deposit is paid to the letting agent and the agent takes all reasonable steps to assist the landlord to enter into the contract before the deadline for agreement and the landlord takes all reasonable steps, but the contract-holder fails to take all reasonable steps to enter into a contract before the deadline. In such</p>

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	<p>10</p> <p>11 (1) The exceptions specified in paragraphs 8, 9 and 10 may not be relied upon unless the condition in sub-paragraph (2) is met.</p> <p>(2) The condition is that, before payment of the holding deposit, information within sub-paragraph (3) has been provided to the contract-holder by either the landlord or (if one has been instructed by the landlord in relation to the contract) the letting agent.</p> <p>(3) Information within this sub-paragraph is information specified in, or of a description specified in, regulations.</p> <p>(4) Information is not to be treated as having been provided to the contract-holder, for the purposes of sub-paragraph (1), unless it has been provided in whatever way (if any) is specified in the regulations.</p> <p>(5) In a case where a landlord has instructed a letting agent in relation to a contract, the exception in paragraph 9 may, in addition, not be relied upon unless the agent takes all reasonable steps to assist the landlord to enter into a contract before the deadline for agreement.'</p>	<p>(c) bod deiliad y contract yn methu â chymryd pob cam rhesymol i ymrwymo i gontract cyn y dyddiad hwnnw.</p> <p><i>Darpariaeth atodol ynghylch eithriadau ym mharagraffau 8 i 10</i></p> <p>11 (1) Ni ellir dibynnu ar yr eithriadau a bennir ym mharagraffau 8, 9 a 10 oni fodlonir yr amod yn is-baragraff (2).</p> <p>(2) Yr amod yw, cyn talu'r blaendal cadw, fod deiliad y contract wedi cael yr wybodaeth sydd o fewn is-baragraff (3) oddi wrth naill ai'r landlord neu'r asiant gosod eiddo (os yw asiant o'r fath wedi ei gyfarwyddo gan y landlord mewn perthynas â'r contract).</p> <p>(3) Mae gwybodaeth sydd o fewn yr is-baragraff hwn yn wybodaeth a bennir mewn rheoliadau, neu'n wybodaeth o ddisgrifiad a bennir mewn rheoliadau.</p> <p>(4) Nid yw gwybodaeth i'w thrin fel pe bai wedi ei darparu i ddeiliad y contract, at ddibenion is-baragraff (1), oni bai ei bod wedi ei darparu ym mha ffordd bynnag (os oes un) a bennir yn y rheoliadau.</p> <p>(5) Mewn achos pan fo landlord wedi cyfarwyddo asiant gosod eiddo mewn perthynas â chontract, ni chaniateir</p>	<p>circumstances, there is no requirement on the letting agent to repay the holding deposit.</p> <p>New paragraph 11 contains supplemental provision about the exceptions to the requirement to repay a holding deposit.</p> <p>The effect of paragraph 11 is that the exceptions to repay in paragraphs 8 to 10 may not be relied on unless the condition in paragraph 11(2) is met. That condition is that before a holding deposit is paid, information must be provided by the landlord or agent (if one is instructed) to the contract-holder. If information which is prescribed in regulations is not provided by the landlord in accordance with regulations, the exceptions in paragraphs 8-10 may not be relied on and the holding deposit must be repaid.</p> <p>In addition where a landlord has instructed a letting agent, the exception in paragraph 9 may not be relied on unless the letting agent takes all reasonable steps to assist the</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
		<p>dibynnu ar yr eithriad ym mharagraff 9, yn ogystal, oni bai bod yr asiant yn cymryd pob cam rhesymol i gynorthwyo'r landlord i ymrwymo i gontract cyn y terfyn amser ar gyfer cytundeb.'.</p>	<p>landlord to enter into a contract before the deadline for agreement.</p>