

Datganiad i gefnogi cais i hepgor cyflwyno'r ddeiseb ysgaru/diddymu/dirymu/ ymwahanu (cyfreithiol) i'r Atebydd

I'w lenwi gan y Deisebydd
Enw'r llys
Rhif yr Achos
Enw'r Deisebydd
Enw'r Atebydd
Enw'r Cyd-Atebydd

Darllenwch y nodiadau canllaw yn ofalus cyn ateb y cwstiynau a rhowch ynghlwm â'ch datganiad bob gohebiaeth yn ymwneud â lleoliad yr Atebydd.

Rhaid ateb pob cwestiwn

1. Ar ba ddyddiad ac ym mha gyfeiriad wnaethoch chi a'r Atebydd fyw gyda'ch gilydd ddiwethaf?

Dyddiad //

Cyfeiriad

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Statement in support of a request to dispense with service of the divorce/dissolution/nullity/ (judicial) separation petition on the Respondent

To be completed by the Petitioner
Name of court
Case No.
Name of Petitioner
Name of Respondent
Name of Co-Respondent

Read the notes for guidance carefully before answering the questions and exhibit to your statement all correspondence relating to the Respondent's' whereabouts.

All questions must be answered

1. On what date and at what address did you and the Respondent last live together?

Date //

Address

Postcode <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>

parhad dros y dudalen ⇨

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2. Ble'r oedd yr Atebydd yn byw wedi'r gwahanu?

Rhowch y cyfeiriad (neu gyfeiriadau) a chanlyniadau ymholiadau a wnaethpwyd yn y cyfeiriad hwnnw (neu'r cyfeiriadau hynny).

2. Where did the Respondent live after the parting?

State the address (or addresses) and the results of enquiries made at that address (or those addresses).

Cyfeiriad(au) Address(es)	Canlyniadau'r ymholiadau Results of enquiries

3. Pa bryd y gwelwyd neu y clywyd am yr Atebydd ddiwethaf?

Dyddiad //

3. When was the Respondent last seen or heard of?

Date //

Nodwch yr amgylchiadau, gan gynnwys manylion byr am bob ymholiad a wnaethpwyd i geisio dod o hyd i'r Atebydd o ganlyniad i'r wybodaeth hon.

State the circumstances, including brief details of all enquiries made to trace the Respondent as a result of this information.

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4. Pa berthnasau neu gyfeillion i'r Atebydd ydych chi'n eu hadnabod?

Rhowch eu henwau, eu cyfeiriadau a'u perthynas, a'r ymholiadau a wnaethoch gyda phob un ohonynt a beth oedd y canlyniad.

4. What relatives or friends of the Respondent are known to you?

State their names, addresses and relationship and the enquiries you have made of each of them and with what result.

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5. Os oes unrhyw blant yn y teulu, hyd y gwyddoch, a yw'r Atebydd mewn cysylltiad ag unrhyw un ohonynt?

Os ydyw, rhowch fanylion; os nac ydyw, nodwch pa bryd y bu'r Atebydd mewn cysylltiad â nhw.

5. If there are any children of the family, does the Respondent, to your knowledge, have contact with any of them?

If so, please give details; if not, please state when the Respondent, to your knowledge has had any contact with them.

6. A oedd yr Atebydd yn gyflogedig adeg y gwahanu neu ar ôl y dyddiad hwnnw?

Rhowch enw a chyfeiriad cyflogwr diwethaf yr Atebydd, galwedigaeth yr Atebydd a chanlyniad eich ymholiadau gyda'r cyflogwr hwnnw.

6. Was the Respondent in employment at or after the date of parting?

State the name and address of the Respondent's last known employer, the Respondent's occupation and the result of your enquiry of the employer.

7. (a) Hyd y gwyddoch, a oedd gan yr Atebydd gyfrif mewn banc neu gymdeithas adeiladu?

Oedd Nac oedd

(b) A oedd yr Atebydd yn aelod o undeb llafur neu gorff proffesiynol?

Oedd Nac oedd

Os Oedd, rhowch fanylion canlyniadau unrhyw ymholiadau a wnaethoch gyda'r cyrff hyn.

7. (a) Had the Respondent to your knowledge, a bank or building society account?

Yes No

(b) Was the Respondent a member of a trade union or professional organisation?

Yes No

If Yes, state the details of the results of any enquiries that you have made of these bodies.

8. A oes gorchymyn cynhaliaeth gan lys ynadon mewn grym?

Oes Nac oes

Os Oes, nodwch ganlyniad unrhyw ymholiad a wnaethoch gyda'r llys hwnnw ynghylch ble mae'r Atebydd.

8. Is there a magistrates' court order for maintenance in force?

Yes No

If Yes, state the result of any enquiry you have made of that court relating to the Respondent's whereabouts.

9. A oes cyfrifiad gan yr Asiantaeth Cynnal Plant am gynhaliaeth plant mewn grym?

Oes Nac oes

Os Oes, nodwch ganlyniad unrhyw ymholiadau a wnaethoch ynghylch ble mae'r Atebydd.

9. Is there a Child Support Agency calculation for child maintenance in force?

Yes No

If Yes, state the result of any enquiries made to the Respondent's whereabouts.

10. Pa ymholiadau eraill a wnaethoch, neu pa wybodaeth sydd gennych, ynghylch ble mae'r Atebydd?

Rhowch fanylion byr.

10. What other enquiries have you made, or information do you have concerning the whereabouts of the Respondent?

State brief details.

Datganiad Gwirionedd

*dileer fel sy'n briodol

*[Credaf] [Cred y Deisebydd] fod y ffeithiau a nodir yn y datganiad hwn yn wir, a dywedaf:

- Mai fi yw'r Deisebydd yn y cais hwn.
- Fod yr atebion i gwestiynau 1 - 10 uchod yn wir.
- Fy mod yn cyflwyno'r dogfennau y cyfeirir atynt ym mharagraff
- 2, 3, 4, 5, 6, 7, 8, 9, 10
ac a farciwyd:

- Ni wn am ymholiad arall y gellid ei wneud a allai arwain at ddod o hyd i'r Atebydd.
- Gofynnaf i'r Llys wneud gorchymyn i hepgor cyflwyno'r ddeiseb i'r Atebydd neu ba bynnag orchymyn arall y gwêl y Barnwr Rhanbarth yn dda ei wneud.

Printiwch eich enw llawn

Cyfeiriad ar gyfer cyflwyno

Enw ffyrn cyfreithiwr y Deisebydd

Llofnod

(Deisebydd)(Cyfaill cyfreitha)
(Cyfreithiwr y Deisebydd)

Dyddiad

Safle neu swydd a ddelir

(os ydych yn llofnodi ar ran ffyrn neu gwmni)

Efallai y bydd achos dirmyg llys yn cael ei ddwyn yn erbyn rhywun sy'n gwneud datganiad anwir neu sy'n achosi i ddatganiad anwir gael ei wneud mewn dogfen a ddilysir gan ddatganiad gwirionedd.

Statement of Truth

*delete as appropriate

*[I believe] [the Petitioner believes] that the facts stated in this statement are true and say that:

- I am the Petitioner in this application.
- The answers to the questions 1 - 10 above are true.
- I produce the documents referred to in paragraphs
- 2, 3, 4, 5, 6, 7, 8, 9, 10
and marked:

- I know of no other enquiry that can be made which might lead to the Respondent being traced.
- I ask the Court to make this and order dispensing with service of the petition on the Respondent or other such order as the District Judge thinks fit.

Print full name

Address for service

Name of Petitioner's solicitor's firm

Signed

(Petitioner) (Litigation friend)
(Petitioner's solicitor)

Dated

Position or office held

(if signing on behalf of firm or company)

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

Datganiad i gefnogi cais i hepgor cyflwyno'r ddeiseb ysgaru/diddymu/dirymu/ ymwahanu (cyfreithiol) i'r Atebydd (ffurflen D13B)

Nodiadau Canllaw

Cyffredinol

Os na wyddoch ble mae'r Atebydd, yna, cyn y gallwch fwrw ymlaen â'ch achos, bydd angen i chi wneud cais i'r Llys am orchymyn i hepgor cyflwyno'r ddeiseb iddynt. Ni wneir gorchymyn o'r fath oni bai y gallwch fodloni'r Llys eich bod wedi gwneud pob ymholiad rhesymol i geisio dod o hyd iddynt.

Bydd yr hyn sy'n rhesymol yn amrywio o un achos i'r llall yn ôl yr amgylchiadau dan sylw. Yn gyffredinol, bydd yn rhaid i chi ddangos eich bod wedi gwneud yr ymholiadau a nodir isod.

Ateb y cwestiynau

Mae'r paragraffau canlynol â rhifau iddynt yn cyfeirio at rifau cyfatebol y cwestiynau yn ffurflen D13B.

1. Dylech nodi'r dyddiad pan oeddech chi a'r Atebydd yn byw gyda'ch gilydd ddiwethaf a'r cyfeiriad lle'r oeddech yn byw. Os dywedodd yr Atebydd ble'r oedd yn mynd pan oeddech yn gwahanu, dylech roi manylion.
2. Dylech roi'r holl wybodaeth sydd gennych i ddangos nad yw'r Atebydd yn byw yn y cyfeiriad/ cyfeiriadau a nodwyd mwyach. Dylai hyn gynnwys unrhyw lythyrau wedi'u cyfeirio at yr Atebydd sydd wedi cael eu dychwelyd wedi'u marcio "ddim yn hysbys yn y cyfeiriad hwn" neu "wedi mynd i ffwrdd" ac unrhyw ymholiadau a wnaethpwyd gyda'r cymdogion.
3. Dylech ddisgrifio'r tro diwethaf i chi weld (neu glywed am) yr Atebydd, gan roi ffynhonnell yr wybodaeth a'r ymholiadau a wnaethoch â'r ffynhonnell honno.
4. Dylech gysylltu â perthnasau y gwyddoch a
5. amdanynt (gan gynnwys plant) a chyfeillion yr Atebydd, gan esbonio eich bod wedi cychwyn cais am ysgariad/diddymiad/dirymiad/ymwahaniad (cyfreithiol) er mwyn i'r llys anfon copi o'r ddeiseb ato/ati ac, felly, rhoi gwybod i'r Atebydd beth yw ei hawliau.

Statement in support of a request to dispense with service of the divorce/ dissolution/nullity/(judicial) separation petition on the Respondent (form D13B)

Notes for Guidance

General

If you do not know the present whereabouts of the Respondent, then, before you can proceed with your case, you will need to make an application to the Court for an order dispensing with service of the petition on them. Such an order will only be made where you are able to satisfy the Court that you have made all reasonable enquiries to trace them.

What is reasonable will vary from case to case according to the particular circumstances. In general, you will have to show that you have made the enquiries set out below.

Completing questions

The following numbered paragraphs relate to the corresponding question numbers in form D13B.

1. You should state the date on and address at which you and the Respondent last lived together. If the Respondent on parting indicated where he was going to, you should give details.
2. You should give all the information that you have to show that the Respondent is no longer living at the stated address(es). This should include any letters addressed to the Respondent that have been returned "not known at that address" or "gone away" and any enquiries that have been made of the neighbours.
3. You should describe the last time that you saw (or heard of) the Respondent, giving the source of your information and the enquiries you have made of that source.
4. You should contact known relatives (including
5. and children) and friends of the Respondent, explaining that you have commenced an application for divorce/dissolution/nullity/(judicial) separation and need to know the Respondent's address in order that the Court may send him/her a copy of the petition and so inform the Respondent of his/her rights.

6. Dylech wneud ymholiadau â chyflogwr diwethaf yr Atebydd gan holi a yw'r Atebydd yn parhau'n gyflogedig yno ac a all y cyflogwr eich cynorthwyo i ddod o hyd iddo/iddi, neu a fyddai'n fodlon anfon amlen barod ymlaen iddo/iddi a rhoi gwybod ichi pan fo hynny wedi digwydd.

Os yw'r cyflogwr yn fodlon anfon llythyr ymlaen, dylech gynnwys yn yr amlen gopi o'r cais a'r dogfennau i gyd-fynd, y gallwch eu cael gan y Llys drwy wneud cais. Nid oes angen ichi ddweud wrth y cyflogwr beth sydd yn yr amlen.

7. Os, hyd y gwyddoch, yr oedd gan yr Atebydd gyfrif banc neu gymdeithas adeiladu, neu ei fod yn aelod o undeb llafur neu unrhyw fudiad neu glwb arall, dylech holi'r cyrff hyn fel ym mharagraff 5 uchod.
8. Oes oes llys ynadon wedi gwneud gorchymyn cynhaliath, dylid gwneud ymholiad a chais (fel ym mharagraff 5 uchod) i Glerc yr Ynadon yn y Llys hwnnw.
9. Os oes asesiad am gynhaliath Cynnal Plant yn yr arfaeth neu eisoes wedi'i wneud gan yr Asiantaeth Cynnal Plant, dylid gwneud ymholiad a chais i ganolfan yr Asiantaeth Cynnal Plant sy'n ymdrin â'ch cais.
10. Dylid rhestru'r holl ymholiadau eraill a wnaethoch, neu'r wybodaeth sydd gennych, ynghylch ble mae'r Atebydd. Mewn achosion priodol (e.e. lle na chlywyd dim am yr Atebydd ers 2 flynedd neu fwy) dylech sicrhau y gwneir chwiliad o'r cofnod mynegai dyfarniadau absoliwt/gorchymynion terfynol a gedwir yn y Brif Gofrestrfa yn Llundain i sicrhau nad yw'r Atebydd eisoes wedi'ch ysgaru/wedi terfynu'r bartneriaeth sifil â chi. I wneud hyn, dylech gysylltu â Phrif Gofrestrfa'r Adran Teulu (PRFD), First Avenue House, 42-49 High Holborn, Llundain WC1V 6NP (020 7947 6000). Mae'n bosib y bydd rhaid i chi dalu ffi i'r llys. Holwch PRFD i bennu'r ffi sy'n daladwy. Pan fyddwch yn gwneud ymholiad o'r fath, dylech roi eich enw llawn, enw llawn yr Atebydd, dyddiad eich priodas/partneriaeth sifil, dyddiad neu ddyddiad bras y gwahanu, a'ch cyfeiriad pan wnaethoch wahanu.

6. You should make enquiries of the Respondent's last known employer enquiring whether the Respondent is still employed there and whether the employer can assist you in tracing him/her or would be willing to forward to him/her a stamped envelope and to let you know when this has been done.

If the employer is willing to forward a letter, you should enclose in the envelope a copy application and accompanying documents which the Court will supply to you on request. You need not tell the employer about the enclosures.

7. If, to your knowledge, the Respondent had a bank or building society account, or was a member of a trade union or any other organisation or club, you should make enquiries of these bodies as in paragraph 5 above.
8. If a maintenance order has been made by a magistrates' court an enquiry and request (as in paragraph 5 above) should be made to the Clerk to the Justices of that Court.
9. If an assessment for Child Support maintenance is pending or has already been made by the Child Support Agency, an enquiry and request should be made to the Child Support Agency Centre dealing with your case.
10. All other enquiries that you have made, or information that you have, concerning the whereabouts of the Respondent should be listed. In appropriate cases (e.g. where the Respondent has not been heard of for 2 years or more) you should have a search made in the decree absolute/final order index record maintained in the Principal Registry in London to ensure that the Respondent has not already divorced/ended the civil partnership with you. To do this you should contact the Principal Registry of the Family Division (PRFD), First Avenue House, 42-49 High Holborn, London WC1V 6NP (020 7947 6000). You may have to pay a court fee. Please check with PRFD to determine the fee payable. You should, when making any such enquiry, give your full name, the Respondent's full name, your date of marriage/civil partnership, the date or approximate date of separation, and your address at the time of separation.

Datganiad Gwirionedd

Wedi ichi ateb y cwestiynau a restrir ar y ffurflen, rhaid ichi wedyn lenwi'r datganiad gwirionedd drwy ysgrifennu eich enw, eich cyfeiriad a'ch swydd yn y bwllch a ddarperir.

Wedi ichi lenwi eich datganiad gwirionedd, dylech ei anfon neu fynd ag ef i swyddfa'r llys ynghyd â'r arddangosion (a ddylai fod wedi cael eu marcio felly gennych chi neu eich cyfreithiwr) a ffi'r llys.

Os bydd o'r farn ei bod yn angenrheidiol, gall y Barnwr Rhanbarth, wedi ystyried eich cais, fynnu eich bod yn ymddangos yn bersonol. Beth bynnag a ddigwydd, bydd swyddfa'r llys yn rhoi gwybod i chi beth oedd canlyniad eich cais.

Efallai y bydd achos dirmyg llys yn cael ei ddwyn yn erbyn rhywun sy'n gwneud datganiad anwir neu sy'n achosi i ddatganiad anwir gael ei wneud mewn dogfen a ddilysir gan ddatganiad gwirionedd.

Statement of Truth

Having answered the listed questions in the form, you must then complete the statement of truth by writing your name, address and occupation in the space provided.

After you have completed your statement of truth you should send or take it to the court office together with the exhibits (which should have been marked as such by you or your solicitor) and the court fee.

If he think it is necessary, the District Judge may, on considering your application, require your personal attendance. In any event, the court office will notify you of the result of your application.

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.