

# Rhybudd o achos a chydabyddiad cyflwyno – achos cynhaliaeth / eiddo

Enw'r llys	Rhif yr achos
Enw'r Ceisydd	
Enw'r Atebydd	

**Dylech ddarllen y Rhybudd hwn o Achos yn ofalus cyn ateb y cwestiynau sy'n dilyn**

## Rhybudd o Achos

Mae cais am orchymyn ar sail –

- [methu â darparu cynhaliaeth resymol]
- [newid cytundeb cynhaliaeth yn ystod oes y partiön]
- [dan adran 17 Deddf Eiddo Menywod Priod 1882]
- [dan adran 66 Deddf Partneriaethau Sifil 2004]

wedi ei gyflwyno gerbron y llys. Anfonir copi dan sêl o'r cais a chopi o ddatganiad gwirionedd y Ceisydd a roddir mewn cefnogaeth gyda'r rhybudd hwn.

1. Rhaid i chi lenwi'r cydnabyddiad cyflwyno a'i anfon i gyrraedd y llys o fewn 14 diwrnod i chi dderbyn y rhybudd hwn. Gallai oedi wrth ddychwelyd y ffurflen hon ychwanegu at y costau.
2. **Os cyflwynir y cais oherwydd methiant i dalu cynhaliaeth resymol** a'ch bod yn dymuno herio awdurdodaeth y llys i wrando'r cais, rhaid i chi ffeilio datganiad gwirionedd yn y llys yn nodi'r hyn sy'n sail i'ch her. Os nad ydych yn dymuno herio awdurdodaeth y llys (neu bod y llys wedi penderfynu o blaid y Ceisydd ynghylch awdurdodaeth) rhaid i chi ffeilio datganiad mewn cefnogaeth wedi'i ddilysu gan ddatganiad gwirionedd yn nodi:

# Notice of proceedings and acknowledgement of service – maintenance/ property proceedings

Name of court	Case No.
Name of Applicant	
Name of Respondent	

**You should read carefully this Notice of Proceedings before answering the questions that follow**

## Notice of Proceedings

An application for an order on the grounds of –

- [a failure to provide reasonable maintenance]
- [alteration of a maintenance agreement during the lifetime of the parties]
- [under section 17 of the Married Women's Property Act 1882]
- [under section 66 of the Civil Partnership Act 2004]

has been presented to the court. A sealed copy of the application and a copy of the Applicant's statement of truth in support are delivered with this notice.

1. You must complete the acknowledgement of service and send it so that it reaches the court **within 14 days** after you receive this notice. Delay in returning this form may add to the costs.
2. **Where the application is for failure to provide reasonable maintenance** and you wish to challenge the jurisdiction of the court to hear the application, you must file in the court a statement of truth setting out the grounds of your challenge. Where you do not wish to challenge the jurisdiction of the court (or where the court decides the question of jurisdiction in the Applicant's favour) you must file a statement in support verified by a statement of truth stating:

- (a) a gyfaddefwyd neu a wadwyd y methiant honedig ai peidio, ac os cafodd ei wadu, ar ba sail yr ydych yn dibynnu;
  - (b) unrhyw honiad yr hoffech ei wneud yn erbyn y Ceisydd; a
  - (c) manylion llawn eich eiddo a'ch incwm, oni chyfarwyddir fel arall.
3. **Os codir y cais er mwyn newid cytundeb cynhaliaeth** a chithau'n dymuno amddiffyn y cais, rhaid i chi ffeilio datganiad gwirionedd mewn ymateb i'r cais, yn nodi unrhyw seiliau y bwriadwch eu defnyddio i wrthwynebu'r cais ac yn cynnwys manylion llawn eich eiddo a'ch incwm.
4. **Os codir y cais dan Adran 17 Deddf Eiddo Menywod Priod 1882** a chithau'n dymuno herio'r cais a wnaed gan y Ceisydd, rhaid i chi ffeilio datganiad gwirionedd sy'n ymateb i'r cais, gan nodi unrhyw sail y bwriadwch ddibynnu arni.
5. **Ymhob achos** rhaid anfon unrhyw ddatganiad(au) gwirionedd, ynghyd â chopi i'r Ceisydd, fel eu bod yn cyrraedd y Llys **o fewn 14 diwrnod** i'r amser a ganiateir ar gyfer anfon y cydnabyddiad cyflwyno (neu, os methodd eich ymdrech i herio'r awdurdodaeth, **o fewn 14 diwrnod** i'r Llys benderfynu bod yr awdurdodaeth angenrheidiol yn bodoli). Os ydych yn cynnwys yn eich datganiad gwirionedd honiad o odinebu neu berthynas amhriodol â pherson a enwir, rhaid i chi gynnwys copi ychwanegol i'w gyflwyno i'r person hwnnw gyda'r datganiad gwirionedd.
6. Os ydych yn bwriadu cyfarwyddo cyfreithiwr i weithredu ar eich rhan, dylech ddangos iddo'r holl ddogfennau sydd wedi'u cyflwyno i chi, fel y gall ddychwelyd y cydnabyddiad i'r Llys ar eich rhan. Os nad ydych yn bwriadu cyfarwyddo cyfreithiwr, dylech roi cyfeiriad yn y cydnabyddiad cyflwyno fel bo unrhyw ddogfennau sy'n effeithio ar eich buddiannau a anfonir atoch yn eich cyrraedd. Eich man preswyllo chi ddylai'r cyfeiriad hwn fod, neu os nad ydych yn byw yng Nghymru neu Loegr, cyfeiriad man yng Nghymru neu Loegr lle gallwn anfon dogfennau atoch.
- (a) whether the alleged failure is admitted or denied, and if denied the grounds on which you rely;
  - (b) any allegation which you wish to make against the Applicant; and
  - (c) full particulars of your property and income, unless otherwise directed.
3. **Where the application is for alteration of a maintenance agreement** and you wish to defend the application you must file a statement of truth in answer to the application, setting out any grounds on which you intend to contest the application and containing full particulars of your property and income.
4. **Where the application is made under Section 17 of the Married Women's Property Act 1882** and you wish to dispute the application made by the Applicant you must file a statement of truth in answer to the application, setting out any grounds on which you intend to rely.
5. **For all cases** any the statement(s) of truth must be sent, together with a copy for the Applicant, so as to reach the Court **within 14 days** after the time allowed for sending the acknowledgement of service (or, if you have unsuccessfully challenged the jurisdiction, **within 14 days** after the Court has decided that the necessary jurisdiction exists). If you include in your statement of truth an allegation of adultery or of an improper association with a named person, the statement of truth must be accompanied by an extra copy for service on that person.
6. If you intend to instruct a solicitor to act for you, you should show them all the documents that have been served on you, so that they may send the acknowledgement to the Court on your behalf. If you do not intend to instruct a solicitor, you should give an address in the acknowledgement of service so that any documents affecting your interests which are sent to you will, in fact, reach you. This address should be your place of residence or, if you do not reside in England and Wales the address of a place in England and Wales to which documents may be sent to you.

**Gwnewch yn sicr eich bod yn hysbysu'r llys ar unwaith os byddwch yn newid eich cyfeiriad.**

**Please make certain that you notify the court immediately if you change your address.**

# Cydnabyddiad cyflwyno

Enw'r llys	Rhif yr achos
Enw'r Ceisydd	
Enw'r Atebydd	

**Llenwch y ffurflen hon mewn inc du a thicio'r blychau perthnasol. Dychwelwch y ffurflen wedi'i llenwi i'r llys.**

1. Ydych chi wedi derbyn y cais a chopi o'r datganiad gwirionedd i gefnogi a anfonwyd gyda'r ffurflen hon?
- Ydw  Nac ydw

- 2a. Ar ba ddyddiad y gwnaethoch eu derbyn?
- /   /

- 2b. Ym mha gyfeiriad y gwnaethoch eu derbyn?
- Cyfeiriad:
- Cod post

3. Ai chi yw'r person a enwir yn Atebydd yn y cais?
- Ie  Na

**Dim ond os yw'r cais yn ymwneud â methu â darparu cynhaliath resymol y dylid ateb cwestiwn 4.**

4. Ydych chi'n bwriadu herio awdurdodaeth y llys?
- Ydw  Nac ydw

Os Ydw chi, rhaid i chi ddilyn y cyfarwyddiadau ym mharagraff 2 y Rhybudd o Achos.

# Acknowledgement of service

Name of court	Case No.
Name of Applicant	
Name of Respondent	

**Please complete this form in black ink and tick the boxes that apply. Return the completed form to the court.**

1. Have you received the application and a copy of the supporting statement of truth delivered with this form?
- Yes  No

- 2a. On what date did you receive them?
- /   /

- 2b. At what address did you receive them?
- Address:
- Postcode

3. Are you the person named as the Respondent in the application?
- Yes  No

**Only answer question 4 if the application is for failure to provide reasonable maintenance.**

4. Do you intend to challenge the jurisdiction of the court?
- Yes  No

If Yes, you must follow the instructions at paragraph 2 of the Notice of Proceedings.

5. Ydych chi'n bwriadu gwrthwynebu'r cais?

Ydw  Nac ydw

Os Ydw, dilynwch y cyfarwyddiadau ym mharagraff 3 neu 4 neu 5 y Rhybudd o Achos.

Llofnod

(Atebydd) (Cyfreithiwr yr Atebydd)

Dyddiad

   /    /    

Cyfeiriad ar gyfer cyflwyno dogfennau

Cod post

     

5. Do you intend to oppose the application?

Yes  No

If Yes, follow the instructions at paragraph 3 or 4 or 5 of the Notice of Proceedings.

Signed

(Respondent) (Solicitor for the Respondent)

Dated

   /    /    

Address for service of documents:

Postcode