

Ffurflen E

(Datganiad ariannol am orchymyn ariannol neu am gymorth ariannol ar ôl ysgariad neu ddiddymiad dramor)

Canllawiau

Ynghylch y canllawiau hyn:

- Maent yn esbonio rhai o'r termau a ddefnyddir yn Ffurflen E, sydd o bosibl yn anghyfarwydd i chi.
- Mae'r nodiadau pwysicaf mewn print **bras**. Peidiwch â'u hanwybyddu os gwelwch yn dda.
- Hefyd, mae rhestr atgoffa yn Ffurflen E sy'n dweud wrthyfych pa ddogfennau y bydd angen i chi eu cynnwys gyda'r ffurflen.

Dim ond canllaw yw'r nodiadau hyn. Os oes angen rhagor o help arnoch, dylech siarad â chyfreithiwr, canolfan cyngor ar bopeth, canolfan cyngor cyfreithiol neu ganolfan gyfraith. Efallai byddwch yn gallu cael cyngor cyfreithiol am ddim. I gael rhagor o wybodaeth, ewch i www.gov.uk/legal-aid.

Cofiwch, er y bydd staff y llys yn fodlon helpu gyda materion trefniadol, ni allant gynnig unrhyw gyngor cyfreithiol i chi.

Cyflwyniad

Os byddwch chi (neu eich priod neu eich partner sifil) yn gwneud cais i'r llys am orchymyn ariannol neu am gymorth ariannol, **rhaid** i chi a'r unigolyn arall lenwi Ffurflen E ar wahân.

Diben y ffurflen yw eich cynorthwyo i roi manylion llawn eich trefniadau ariannol i'r llys.

Rhaid i chi lenwi Ffurflen E a'i hanfon at y llys ac anfon copi i'r unigolyn arall, o leiaf 35 diwrnod cyn dyddiad yr apwyntiad cyntaf. Mae dyddiad yr apwyntiad cyntaf ar Ffurflen C (Hysbysiad ynghylch yr apwyntiad cyntaf) y bydd y llys yn ei hanfon atoch chi.

Gall y llys wneud gorchymyn am gostau yn eich erbyn os na fyddwch yn ffeilio Ffurflen E mewn pryd.

Os byddwch chi a'r unigolyn arall wedi cytuno ynghylch y materion ariannol, does dim angen i'r naill na'r llall ohonoch chi lenwi Ffurflen E. Dylech gyflwyno'ch cytundeb (a elwir weithiau'n gais cydsynio) i'r Llys cyn yr apwyntiad cyntaf.

Dylech sicrhau eich bod yn rhoi unrhyw ddogfennau sy'n berthnasol i'r cais hwn ynghlwm wrth Ffurflen E.

Form E

(Financial statement for a financial order or for financial relief after an overseas divorce or dissolution)

Notes for guidance

About these notes:

- They explain some of the terms used in Form E that may be unfamiliar to you.
- The most important notes are in **bold**. Please do not ignore them.
- There is also a checklist in Form E to tell you which documents you will need to attach to the form.

These notes are only a guide. If you need more help you should speak to a solicitor, citizens advice bureau, legal advice centre or law centre. You may be able to get free legal advice. For more information, go online at www.gov.uk/legal-aid.

Please note, while court staff will help on procedural matters, they cannot offer any legal advice.

Introduction

If you (or your spouse or civil partner) apply to the court for a financial order or financial relief, both you and the other person **must fill in** a separate Form E.

The purpose of the form is to help you to provide the court with full details of your financial arrangements

You must send your filled-in Form E to the court and a copy to the other person, no later than 35 days before the date of the first appointment. You can find the date of the first appointment on Form C (Notice of a first appointment) which the court will send to you.

The court might make an order for costs against you if you do not follow the deadlines for filing Form E.

If you and the other person have agreed about the financial matters there is no need for either of you to fill in a Form E. You should hand your agreement (sometimes known as a consent application) to the court before the first appointment.

You should make sure that you attach any documents relevant to this application to Form E.

1 Gwybodaeth Gyffredinol

Adran 1.6:

Os nad ydych yn sicr, gall y llys roi'r dyddiadau hyn i chi. Cofiwch roi rhif eich achos wrth holi am fanylion.

Adran 1.11:

Dim ond os ydych chi neu'ch plant yn dioddef o unrhyw anabledd corfforol neu feddyliol y mae angen i chi ddarparu manylion. Does dim angen i'r llys gael gwybod am fân afiechydon.

Adran 1.13:

Rhaid i chi roi manylion unrhyw asesiadau Asiantaeth Cynnal Plant/asesiadau neu gytundebau'r Gwasanaeth Cynhaliath Plant neu orchmynion llys ynghylch eich plentyn.

Hefyd, os oes cais wedi'i wneud i'r Asiantaeth Cynnal Plant/Gwasanaeth Cynhaliath Plant ond nad oes penderfyniad wedi'i wneud, rhowch wybod i'r llys beth yw canlyniad y cais, ar ôl i'r penderfyniad gael ei wneud. Os ydych angen cymorth i lenwi'r adran hon, gallwch gysylltu â Llinell Ymholiadau Genedlaethol yr Asiantaeth Cynnal Plant ar 0845 7133133 neu'r Gwasanaeth Cynhaliath Plant ar 0800 083 4375.

Adran 1.15:

Dylech roi manylion unrhyw achosion llys blaenorol neu bresennol rhyngoch chi â'r unigolyn arall. (Byddai'n help i'r llys hefyd petaech yn rhoi manylion cryno am natur yr achosion hyn e.e. trefniadau preswyllo/cyswllt ar gyfer y plant.)

2 Manylion Ariannol

Adran 2.1;

Rhaid i chi ddweud wrth y llys os ydych yn berchen neu'n rhan-berchen ar y cartref teuluol (neu unrhyw eiddo arall) a faint ydy ei werth ar hyn o bryd yn eich tyb chi.

Gallwch gael manylion rhif teitl y Gofrestrfa Tir a'r gweddill sydd i'w dalu ar unrhyw forgais drwy gysylltu â'r cwmni lle mae eich morgais neu drwy gysylltu â'ch cwmni morgais. Gallwch hefyd gael eich rhif teitl Cofrestrfa Dir o'r Land Registry Head Office, Trafalgar House, 1 Bedford Park, Croydon, CR0 2AQ, 0844 892 1111.

Adran 2.3:

Dylid cynnwys cyfrifon banc sydd yn dangos gorddrafft yn yr adran hon, ac nid yn adran 2.9.

1 General information

Section 1.6:

The court can provide you with these dates if you are unsure. Please quote your case number when asking for details.

Section 1.11:

You only need to provide details if you or your children are suffering from any form of physical or mental disability. The court does not need to know about minor ailments.

Section 1.13:

You need to supply details of any Child Support Agency/Child Maintenance Service assessments, agreements or court orders about your child.

Also, if an application has been made to the Child Support Agency/Child Maintenance Service but not decided let the court know the result of the application, when it has been decided. If you need help to complete this section you can contact the National Enquiry Line of the Child Support Agency on 0845 7133133 or the Child Maintenance Service on 0800 083 4375.

Section 1.15:

You should give details of any other previous or current court cases between you and the other person. (It would also help the court if you provided brief details about the nature of these proceedings e.g. residence/contact in respect of the children.)

2 Financial details

Section 2.1:

You need to tell the court if you own or part own the family home (or any other property) and how much you think it is currently worth.

You can get details of the Land Registry title number and of the balance outstanding on any mortgage can be obtained by contacting the company with whom you have your mortgage by contacting your mortgage company. You can also get your Land Registry title number from Land Registry Head Office, Trafalgar House, 1 Bedford Park, Croydon, CR0 2AQ, 0844 892 1111.

Section 2.3:

Overdrawn bank accounts should be included in this section and not in section 2.9.

Adran 2.10:

I gael rhagor o wybodaeth am Dreth Enillion Cyfalaf, cysylltwch â Chyllid a Thollau EM ar 0845 900 0404 sy'n cynhyrchu llyfryn am ddim o'r enw '**CGT1 Treth Enillion Cyfalaf - cyflwyniad**'. Efallai yr hoffech chi geisio cael cyngor cyfreithiol neu ariannol i ateb y cwestiwn hwn.

Adran 2.13:

Rhaid i chi roi manylion i'r llys am eich holl hawliau pensiwn, unrhyw hawl iawndal Y Gronfa Diogelu Pensiynau (pa un ai'n hawl presennol neu'n ddisgwyledig), gan gynnwys y rheiny sy'n ymwneud â'ch swydd gyfredol a/neu swydd flaenorol a/neu sy'n codi o aelodaeth o gynllun pensiwn personol (h.y. un rydych wedi'i drefnu'n breifat).

Os ydych wedi cael prisiad o'ch hawliau pensiwn neu'ch buddiannau gan y sawl sy'n gyfrifol am eich cynllun pensiwn, rhaid i chi roi copi ohono gyda Ffurflen E. (Dim ond os na fydd y prisiad yn fwy na blwydd oed ar ddyddiad yr apwyntiad cyntaf y cewch ddefnyddio hwn.) Os nad ydy'r wybodaeth hon gennych chi, neu os yw'r prisiad sydd gennych dros flwydd oed, dylech ysgrifennu at y sawl sy'n gyfrifol am eich cynllun pensiwn gan ofyn iddynt roi prisiad diweddar i chi. Os nad yw'r prisiad ar gael, dylech roi copi o'ch llythyr yn gofyn am y prisiad gyda Ffurflen E ynghyd ag unrhyw ateb gan y cynllun pensiwn yn rhoi gwybod i chi pa bryd fydd y wybodaeth hon ar gael. Os bydd gennych fwy nag un cynllun pensiwn rhaid i chi ddarparu'r wybodaeth hon ar gyfer pob un.

Bydd gweinyddwyr eich cynllun yn gallu darparu'r wybodaeth sydd ei hangen. **Gall fod o help i chi anfon copi o adran 2.13 Ffurflen E at y gweinyddwyr.**

Os oes gennych gynllun pensiwn galwedigaethol, bydd eich cyflogwr yn gallu rhoi enw a chyfeiriad gweinyddwyr eich pensiwn i chi.

Os oes gennych gynllun pensiwn personol (un sydd wedi'i drefnu'n breifat) dylech gysylltu â'r gweinyddwyr yn uniongyrchol. Os nad ydych yn siŵr ynghylch manylion eich cynllun pensiwn, gallwch gysylltu â:

The Pensions Schemes Registry
PO Box 1NN
Newcastle Upon Tyne
NE99 1NN

Section 2.10:

For further information about Capital Gains Tax you can contact the HM Revenue and Customs on 0845 900 0404 who produce a free booklet called '**CGT1 Capital Gains Tax – an introduction**'. You may want to seek legal or financial advice to answer this question.

Section 2.13:

You will need to provide the court with details of all your pension rights, and any Pension Protection Fund compensation entitlement (whether current or prospective), including those relating to your present and/or a previous job and/or resulting from membership of a personal (i.e. privately arranged) pension scheme.

If you have been provided with a valuation of your pension rights or benefits by the person responsible for your pension scheme you must attach a copy of it to Form E. (You may only use a valuation if it will not be more than a year old at the date of the first appointment.) If you do not have this information, or the valuation you have will be more than a year old, you should write to the person responsible for your pension scheme and ask them to provide you with an up to date valuation. If the valuation is not available a copy of your letter requesting the valuation should be attached to Form E together with any reply from the pension scheme letting you know when this information will be available. If you have more than one pension plan or scheme you must provide this information for each one.

The administrators of your scheme will be able to provide the information requested. **It may help to send the administrators a copy of section 2.13 of Form E.**

If you have an occupational pension scheme your employer will be able to provide you with the name and address of your pension administrators.

If you have a personal pension scheme (one that is privately arranged) you should contact the administrators directly. If you are not sure of the details of your pension scheme you can contact:

The Pensions Schemes Registry
PO Box 1NN
Newcastle Upon Tyne
NE99 1NN

Dylech gael prisiad o'ch pensiwn gwladwriaeth ychwanegol drwy wneud cais am y ffurflen BR20 o'r cyfeiriad neu'r rhif ffôn isod. Efallai y byddai'n ddefnyddiol i chi hefyd ofyn am ragamcan o'r budd-dal a fydd yn cael ei dalu drwy lenwi'r ffurflen BR19 sydd hefyd ar gael o'r cyfeiriad isod neu drwy ffonio'r rhif isod neu o unrhyw swyddfa nawdd cymdeithasol.

Future Pensions Centre
The Pension Service
Tyneview Park
Whitley Road
Newcastle upon Tyne
NE98 1BA
Rhif ffôn: 0845 3000168

Os oes gennych unrhyw hawl i iawndal Y Gronfa Diogelu Pensiynau, dylech gael prisiad ar gyfer pob un hawl iawndal ar wahân gan Fwrdd Y Gronfa Diogelu Pensiynau o'r cyfeiriad isod.

Er sylw: Compensation Team
The Pension Protection Fund
Knollys House
17 Addiscombe Road
Croydon
Surrey
CR0 6SR

Sylwch: Cofiwch roi eich rhif yswiriant gwladol i'r llys. Os nad oes blwch ar gyfer y rhif ar y Ffurflen E rydych yn ei defnyddio, ysgrifennwch y rhif dan 'Enw a chyfeiriad eich cynllun neu'ch polisi pensiwn'.

Adran 2.14:

"Asedau anwireddadwy" ydy'r rheini nad oes modd eu troi'n arian parod yn rhwydd.

Bydd cyfreithiwr yn gallu'ch cynghori ynghylch a ydy ased yn un gwiredadwy ai peidio. Os oes unrhyw amheuaeth, dylid sôn am yr ased yn yr adran hon a bydd y barnwr yn penderfynu.

Adran 2.20 a 2.21:

Ceir yma grynoded o'r wybodaeth roesoeh chi o'r blaen yn rhannau 1-10 Ffurflen E. I'w llenwi, bydd rhaid i chi gyfeirio yn ôl at bob adran eto a dim ond nodi'r ffigur yn y blwch sydd ag un o lythrennau'r wyddor wrth ei ymyl fel cyfeirnod. Er enghraifft, fe welwch chi'r ffigur ar gyfer (A) ar dudalen 4, yn adran 2.1.

You should get a valuation of your additional state pension by requesting form BR20 from the address or telephone number below. You may also find it useful to request a forecast of the benefit to be paid by filling in form BR19 which you can also get from the address or phone number below or from any social security office.

Future Pensions Centre
The Pension Service
Tyneview Park
Whitley Road
Newcastle upon Tyne
NE98 1BA
Telephone number: 0845 3000168

If you have any entitlement to PPF compensation you should get a valuation for each separate compensation entitlement from the PPF Board at the address below.

Attn: Compensation Team
The Pension Protection Fund
Knollys House
17 Addiscombe Road
Croydon
Surrey
CR0 6SR

Note: Please make certain that you provide the court with your national insurance number. If the Form E that you are using does not include a box for this, please write this information in below the 'Name and address of your pension scheme, plan or policy'.

Section 2.14:

'Unrealisable assets' are those which cannot be easily converted into cash.

A solicitor will be able to advise you whether an asset is realisable or not. If in doubt, the asset should be mentioned in this section and the judge will decide.

Section 2.20 and 2.21:

This is a summary of the information you have provided previously in parts 1-10 of Form E. To complete it, you will need to refer back to each section again and only note the figure in the box with an alphabetical reference number next to it. For example, you will find the figure for (A) on page 4, in section 2.1.

3 Gofynion Ariannol

Adran 3.1:

Yn y blwch â phennawd 'Anghenion Incwm eich hunan', bydd angen i chi gynnwys cost wythnosol, misol neu flynyddol pob un eitem. Er enghraifft, dylai gynnwys taliadau pan brynir car neu nwyddau'r cartref ar gredyd. (Os byddwch chi'n mynd yn brin o le wrth lenwi'r adran hon, ewch ymlaen ar ddalen arall a'i rhoi ynghlwm wrth Ffurflen E, gan rifo'n glir yr adran maent yn cyfeirio ati er enghraifft 'adran 2.3 parhad'.

Adran 3.2:

Dylech hefyd gynnwys yn yr adran hon fanylion unrhyw eitemau rydych yn gobeithio'u prynu yn y dyfodol agos. Er enghraifft, cost resymol prynu car neu dŷ newydd.

4 Gwybodaeth arall

Adran 4.2:

Mae'r term 'safon byw' yn eich gwahodd i fynegi eich safbwynt neu'ch barn eich hun. Ceisiwch roi manylion sy'n dangos pa fath o fywyd yr oeddech chi a'r teulu'n ei fwynhau yn ystod eich priodas neu eich partneriaeth sifil. Er enghraifft, sawl gwaith roeddech chi'n mynd ar wyliau dros gyfnod o flwyddyn.

Adran 4.3:

Nid at gyfraniadau ariannol y mae'r term 'cyfraniad' yn cyfeirio ato'n unig, ac fe allwch gynnwys y ffaith eich bod wedi gofalu am gartref y teulu ac wedi gofalu am uned y teulu.

Adran 4.6:

Os ydych wedi ailbriodi neu ffurfio partneriaeth sifil (neu'n bwriadu gwneud hynny) wedi hynny neu'n byw gyda rhywun arall (neu'n bwriadu gwneud hynny) bydd angen i chi lenwi'r adran hon. Mae'n bwysig bod gan y llys sy'n gwneud y penderfyniad ddarlun mor gyflawn ag y bo modd o'r sefyllfa ariannol.

3 Financial requirements

Section 3.1:

In the box headed 'Income needs of yourself' you need to add the weekly, monthly or annual cost of each item. It should include, for example, finance payments where a car or household goods are being purchased on credit. (If you run out of space when completing this section, please continue on a separate sheet of paper and attach to Form E, clearly numbering the section they refer to for example 'section 2.3 cont'.

Section 3.2:

You should also include in this section details of any items you hope to buy in the near future. For example, the reasonable cost of buying a new car or house.

4 Other information

Section 4.2:

The term 'standard of living' invites you to express your own view or opinion. Try to give details of the kind of lifestyle you and the family enjoyed during your marriage or civil partnership. For example, the number of holidays you took over the course of a year.

Section 4.3:

The term 'contribution' does not refer solely to financial contributions and you can include the fact that you looked after the family home and cared for the family unit.

Section 4.6:

If you have remarried or subsequently formed a civil partnership (or intend to) or are living with another person (or intend to) you will need to complete this section. It is important that the court making the decision has as complete a picture of the available finances as possible.

5 Y Gorchymyn a geisir

Efallai eich bod eisiau ceisio cyngor cyfreithiol i ateb y cwestiynau yn y rhan hon o Ffurflen E. Mae'n bosibl eich bod yn gymwys i gael cymorth cyhoeddus tuag at eich costau cyfreithiol gan gymorth cyfreithiol sifil.

Adran 5.3:

'Gorchymyn Osgoi Gwaredu' ydy'r gorchymyn y gall y llys ei wneud i osod o'r naill du neu wrthdroi trafodiad sydd eisoes wedi'i wneud (neu un rydych yn credu sydd ar fin cael ei wneud) er enghraifft, gwerthu neu morgeisio tir neu ased arall. Efallai eich bod yn meddwl bod y parti arall yn cymryd y cam hwn er mwyn eich atal chi rhag rhannu'r budd, neu fe allai gael yr effaith o leihau'r asedau sydd ar gael i'w dosbarthu rhyngoch chi.

Rhestr o ddogfennau i gyd-fynd â Ffurflen E

A chithau bellach wedi gorffen llenwi Ffurflen E, gwnewch yn siŵr bod y copïau o'r eitemau sydd yn y rhestr atgoffa, sy'n berthnasol i'ch cais, wedi'u rhoi ynghlwm.

Peidiwch â chynnwys dogfennau gwreiddiol, ond yn hytrach sicrhewch eu bod ar gael ar gyfer eu harchwilio gan y parti arall a'r llys.

Os na allwch roi copïau o ddogfennau ynghlwm wrth Ffurflen E wrth i chi ei ffeilio *rhaid* i chi ychwanegu nodyn byr at Ffurflen E yn esbonio pam nad oedd modd i chi eu cynnwys.

Sylwch os gwelwch yn dda – rhaid i chi gadarnhau unrhyw gopïau o ddogfennau y dymunwch eu rhoi ynghlwm wrth Ffurflen E fel arddangosiad neu atodiad i Ffurflen E.

Datganiad Gwirionedd bod yr wybodaeth a roesoch chi yn Ffurflen E yn wir

Rhaid llenwi'r adran hon. Rhaid ichi gadarnhau bod yr wybodaeth a roesoch yn **datgelu'n llawn, yn ddidwyll, yn glir ac yn gywir eich amgylchiadau ariannol ac amgylchiadau perthnasol eraill.**

5 Order sought

You may want to seek legal advice to answer the questions in this part of Form E. Public funding of your legal costs may be available from civil legal aid.

Section 5.3:

An 'Avoidance of Disposition Order' is an order that the court can make to set aside or overturn a transaction that has already taken place (or that you believe is about to take place) for example, a sale or mortgage of land or other asset. You might consider this transaction to be a step intended by the other party to deprive you of the benefit of sharing in it, or may have the effect of reducing the assets available for distribution between you.

Schedule of documents to accompany Form E

Now that you have completed Form E please make sure that copies of the items listed in the checklist, relevant to your application, are attached.

You should not attach original documents but keep them available for inspection by the other party and the court.

If you are unable to attach any copy documents to Form E when you file it you *must* add a short note to Form E explaining why you were unable to attach the copy document.

Please note – any copy documents that you wish to attach to Form E will need to be verified as an exhibit or attachment to Form E.

Statement of Truth of the information you have provided in Form E is true

This section must be completed. You have to confirm that the information you have provided is a **full, frank, clear and accurate disclosure** of your financial and other relevant circumstances.