

Cais am ddiddymu gorchymyn lleoli (Ffurflen 52)

Nodiadau ar lenwi'r ffurflen

Pwysig

Os ydych yn atodi unrhyw orchymyn gan yr Uchel Lys neu lys sirol i'ch cais, rhaid iddo fod yn gopi wedi'i selio (hynny yw, copi wedi ei stampio â sêl y llys). Os ydych yn atodi gorchymyn a wnaed gan lys ynadon, rhaid iddo fod yn gopi ardystedig (copi yr ardystiwyd gan swyddog y llys ei fod yn gopi cywir o'r gorchymyn gwreiddiol), neu gopi sydd â stamp y llys gwreiddiol arno. Rhaid i orchymyn a gyflwynwyd gan unrhyw awdurdod arall gael ei ddilysu'n briodol gan yr awdurdod hwnnw. Os ydych yn ansicr ynghylch beth sydd ei angen, cysylltwch â'r llys am gymorth.

Ewch â'r ffurflen gais wedi'i chwblhau, ynghyd â **thri chopi** ohoni i'r llys, neu ei hanfon yno, ynghyd â ffi'r llys ac unrhyw ddogfennau yr ydych yn eu hatodi i gefnogi'ch cais. Os nad ydych yn sicr o'r ffi sy'n daladwy i'r llys am eich cais, neu y credwch y gallech fod wedi'ch esemptio rhag talu'r holl ffi neu gyfran ohoni, dylech gysylltu â'r llys i gael gwytodaeth.

Nodiadau ar y ffurflen gais

Nodyn 1

Gall unrhyw un wneud cais am ddiddymu gorchymyn lleoli ond, os nad chi yw'r plentyn a enwir yn y gorchymyn neu'r awdurdod lleol a awdurdodwyd gan y gorchymyn i roi'r plentyn i'w fabwysiadu:

- bydd arnoch angen caniatâd y llys* i wneud cais, ac
- ni allwch wneud cais am ddiddymu gorchymyn lleoli os yw'r awdurdod lleol eisoes wedi rhoi'r plentyn i'w fabwysiadu.

*Rhaid gwneud unrhyw gais am ganiatâd dan Ran 18 Rheoliadau Trefniadaeth Teulu 2010, gan ddefnyddio ffurflen FP2.

Nodyn 2

Os ydych yn ddarpar-fabwysiadwr (hynny yw, y byddwch yn gwneud cais i fabwysiadu'r plentyn) gweler Nodyn 4 isod. Fel arall, os nad ydych eisiau i'ch cyfeiriad preifat a'ch rhif ffôn gael eu datgelu i unrhyw barti arall, **peidiwch â nodi'r manylion hynny ar y ffurflen gais hon**. Yn hytrach, dylech nodi'r manylion ar Ffurflen A65 y mae'n rhaid i chi ei ffeilio yn y llys gyda'ch cais. Ni fydd y wybodaeth yn cael ei datgelu i unrhyw berson arall wedyn, dim ond drwy orchymyn y llys.

Application for revocation of a placement order (Form 52)

Notes on completing the form

Important

If you are attaching any order of the High Court or a county court to your application, it must be a sealed copy of the order (that is, a copy that has been stamped with the seal of the court). If you are attaching an order made by a magistrates' court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court. An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt about what is needed, please contact the court for assistance.

Take or send the completed application form, **and three copies**, to the court, together with the court fee and any documents you are attaching in support of your application. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

Notes on the application form

Note 1

Anyone may apply for a placement order to be revoked but, unless you are the child named in the order or the local authority authorised by the order to place the child for adoption:

- you will need the court's permission* to make the application, and
- you cannot apply for the placement order to be revoked if the local authority has already placed the child for adoption.

*Any application for permission must be made under Part 18 of the Family Procedure Rules 2010, using form FP2

Note 2

If you are a prospective adopter (that is, you will be making an application to adopt the child) please see Note 4 below. Otherwise, if you do not want your private address and telephone number to be disclosed to any other party, **do not enter those details on this application form**. Instead you should enter the details on Form A65, which you must file at the court with your application. The information will not then be disclosed to any other person, except by order of the court.

Nodyn 3

Os ydych yn gwneud cais fel swyddog o'r awdurdod lleol a enwir yn y gorchymyn lleoli, dylech roi enw a chyfeiriad yr awdurdod lleol a'r rhif ffôn lle gellir cyylltu â chi yn ystod oriau gwaith.

Nodyn 4

Os ydych yn ddarpar-fabwysiadwr (hynny yw, y byddwch yn gwneud cais i fabwysiadu'r plentyn) ac nad ydych eisiau datgelu pwy ydych i rieni neu warcheidwaid y plentyn, bydd y llys yn rhoi rhif cyfresol i chi. Bydd unrhyw ddogfennau a anfonir at y partion eraill yn dangos y rhif cyfresol, nid eich manylion personol. Os yw'n ofynnol i chi fynd i'r un gwrandawriad llys, bydd y llys yn gwneud trefniadau i sicrhau na ddatgelir pwy ydych.

Os ydych eisoes wedi derbyn rhif cyfresol, sicrhewch y nodir ef yn Rhan 2 paragraff (e) (Ynghylch gorchymynion neu achosion eraill sy'n effeithio ar y plentyn).

Nodyn 5

Rhowch enw'r plentyn fel y mae'n ymddangos ar y gorchymyn lleoli. **Rhaid i chi roi copi o'r gorchymyn lleoli ynghlwm â'ch cais.**

Nodyn 6

Os oes unrhyw achosion blaenorol neu gyfredol yn ymwneud â'r plentyn, rhowch enw'r llys, natur yr achos a dyddiad ac effaith unrhyw orchymyn a wnaed. Os oeddech yn barti i unrhyw achos a gwblhawyd, dylech roi copi o'r gorchymyn terfynol ynghlwm â'ch cais. **Nid oes angen i chi nodi yma fanylion y gorchymyn lleoli yr ydych yn gofyn i'r llys ei ddiddymu. Yn hytrach, dylech roi'r manylion hynny yn Rhan 4 'Ynghylch y cais hwn'.**

Nodyn 7

Os yw'r plentyn wedi'i fabwysiadu'n flaenorol, rhowch enwau'r rhieni a'i mabwysiadodd ef/hi ac nid y rhieni naturiol.

Nodyn 8

Os nad oedd rhieni'r plentyn wedi priodi adeg ei enedigaeth ef/ei genedigaeth hi, gallai tad y plentyn fod wedi cael cyfrifoldeb rhieni

- drwy briodi mam y plentyn yn ddiweddarach;
- oherwydd bod ganddo gytundeb cyfrifoldeb rhieni gyda'r fam, neu y dyfarnwyd gorchymyn cyfrifoldeb rhieni iddo, neu

Note 3

If you are applying as an officer of the local authority that is named in the placement order, you should enter the name and address of the local authority and the telephone number on which you can be contacted during working hours.

Note 4

If you are a prospective adopter (that is, you will be making an application to adopt the child) and you do not want your identity to be made known to the parents or guardians of the child, the court will issue you with a serial number. Any documents sent to the other parties will show the serial number, not your personal details. If you are required to attend the same court hearing, the court will make arrangements to ensure that your identity is protected.

If a serial number has already been issued to you, please ensure that it is entered in Part 2 paragraph (e) (About other orders or proceedings that affect the child).

Note 5

Please give the name of the child as it appears on the placement order. **You must attach a copy of the placement order to your application.**

Note 6

If there are any other earlier, or current, court proceedings relating to the child, give the name of the court, the nature of the proceedings and the date and effect of any order made. If you were a party to any proceedings that have been completed, you should attach a copy of the final order to your application. **You do not need to enter here the details of the placement order you are asking the court to revoke. Instead, you should enter those details in Part 4 'About this application'.**

Note 7

If the child has previously been adopted, give the names of his/her adoptive parents and not those of his natural parents.

Note 8

If the child's parents were not married at the time of his/her birth, the child's father may have acquired parental responsibility

- by subsequent marriage to the child's mother;
- because he has a parental responsibility agreement with the mother, or has been granted a parental responsibility order, or

- oherwydd ei fod wedi cofrestru genedigaeth y plentyn ar y cyd â mam y plentyn (ar neu ar ôl 1 Rhagfyr 2003).

Rhowch fanylion unrhyw orchymyn llys neu gytundeb mewn perthynas â chyfrifoldeb rhieni ym mharagraff (e) Rhan 2 (Ynghylch gorchmynion neu achosion eraill sy'n effeithio ar y plentyn).

Nodyn 9

Os nad oes gan y plentyn warcheidwad, nodwch 'amherthnasol'. Fel arall, rhowch fanylion unrhyw berson a benodwyd i fod yn warcheidwad i'r plentyn drwy weithred neu ewyllys neu fel arall yn ysgrifenedig yn unol ag adran 5(5) Deddf Plant 1989, neu drwy orchymyn a wnaed dan adran 5(1) neu 14A y Ddeddf honno. Os oes gan y plentyn fwy nag un gwarcheidwad, rhowch enw a chyfeiriad unrhyw warcheidwad/warcheidwaid eraill ar daflen ar wahân, gan nodi enw llawn y plentyn, rhif y Rhan a chyfeirnod y paragraff ar frig y daflen.

Nodyn 10

Nodwch y rhesymau dros eich cais a pham y credwch mai diddymu'r gorchymyn lleoli fyddai orau er lles y plentyn. Os nad oes digon o le ar gyfer eich ateb, ewch ymlaen ar ddalen ar wahân. Rhowch enw'r plentyn, rhif y Rhan a chyfeirnod y paragraff ar frig y ddalen barhau.

Pwysig: Os chi yw'r darpar-fabwysiadwr a bod gennych eisoes rif cyfresol neu eich bod wedi gofyn am un, dylech sicrhau nad yw'r rhesymau dros eich cais yn cynnwys unrhyw wybodaeth allai arwain at ddatgelu pwy ydych. Dylai unrhyw geisydd sydd wedi gwrthod rhoi eu cyfeiriad neu rif ffôn, neu gyfeiriad y plentyn neu enw'r person y mae'r plentyn yn byw gydag ef/hi, ar y ffurflen gais, sicrhau nad ydynt yn cynnwys unrhyw wybodaeth a allai arwain at ddatgelu'r manylion hyn.

- because he registered the child's birth jointly with the child's mother (on or after 1 December 2003).

Give details of any court order or agreement in respect of parental responsibility in paragraph (e) of Part 2 (About other orders or proceedings that affect the child).

Note 9

If the child has no guardian, enter 'not applicable'. Otherwise, enter the details of any person appointed to be the child's guardian by deed or will or otherwise in writing in accordance with section 5(5) of the Children Act 1989, or by an order made under section 5(1) or 14A of that Act. If the child has more than one guardian, please give the name and address of any other guardian(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

Note 10

Please set out the reasons for your application and why you believe that revocation of the placement order would be in the best interests of the child. If there is not enough room for your reply, please continue on a separate sheet. Put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.

Important: If you are the prospective adopter and you already have a serial number or have asked for one to be issued, you should make sure that the reasons for your application do not include any information that could lead to your identity being disclosed. Any applicant who has withheld their address or telephone number, or the child's address or the name of the person with whom the child lives on the application form should make sure that they do not include any information that could lead to these details being disclosed.

Cymorth neu gyfleusterau arbennig ar gyfer anabledd os byddwch yn mynychu'r llys

Note 11

Os bydd angen cymorth neu gyfleusterau arbennig arnoch ar gyfer anabledd neu nam, nodwch eich gofynion yn llawn. Bydd ar staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Bydd arnynt angen gwybod hefyd am unrhyw ofynion penodol a allai fod gennych ar ddiwrnod y gwrandawriad, megis mynediad at gadair olwyn, system dolen glyw, neu ddehonglydd iaith arwyddion. Bydd staff y llys yn cysylltu â chi ynghylch eich gofynion. Mae'n bwysig eich bod yn hysbysu'r llys o'ch holl anghenion. Oni wnewch hynny, efallai y bydd yn rhaid gohirio'r gwrandawriad o ganlyniad.

Special assistance or facilities for disability if you attend court

Note 11

If you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter. The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.