

# Cais am Orchymyn Lleoli (Ffurflen A50)

## Nodiadau ar lenwi'r ffurflen

### Pwysig

Os ydych chi'n gosod ynghlwm â'ch cais unrhyw orchymyn gan yr Uchel Lys neu lys sirol, rhaid iddo fod yn gopi wedi'i selio (hynny yw, copi a stampiwyd gyda sêl y llys). Os ydych chi'n atodi gorchymyn a wnaed gan lys ynadon, rhaid iddo fod yn gopi ardystiedig (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 iawn gan yr awdurdod hwnnw. Os oes gennych unrhyw ansicrwydd ynghylch beth sydd ei angen, cysylltwch â'r llys am gymorth.

Ewch a'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 ydych chi'n atodi datganiad ffeithiau (gweler nodyn 11 isod), a wnewch chi ddarparu dau gopi ychwanegol o'r datganiad os gwelwch yn dda.

### Nodiadau ar y ffurflen gais

#### Nodyn 1

Nodwch enw(au) cyntaf a chyfenw'r plentyn yn union fel y dangosir hwy yn y copi ardystiedig o'r cofnod llawn yn y Gofrestr Genedigaethau Byw (neu, os yw'r plentyn wedi'i fabwysiadu'n flaenorol, y gofrestr o Blant a Fabwysiadwyd) yr ydych yn ei anfon gyda'ch cais, fel arall nodwch yr enw(au) cyntaf a'r cyfenw y mae'r plentyn yn cael ei adnabod wrthynt.

#### Nodyn 2

Os nad ydych eisiau i gyfeiriad y plentyn gael ei ddatgelu 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 a Placement Order (Form A50)

## 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 attaching a statement of facts (see note 11 below), please supply two additional copies of the statement.

### Notes on the application form

#### Note 1

Enter the child's first names(s) and last name exactly as they are shown on the certified copy of the full entry in the Register of Live Births (or, if the child has previously been adopted, the register of Adopted Children) you are sending with your application, otherwise enter the first name(s) and last name by which the child is known.

#### Note 2

If you do not want the child's address to be disclosed to any other party, **do not enter the details on this application form**. Instead you should give the details on Form A65, which you must file at the court with your application. The details will not then be disclosed to any person, except by order of the court.

### Nodyn 3

Nodwch ar ba seiliau y mae'r awdurdod lleol yn seilio'i gais am orchymyn lleoli. Nodwch fod yn **rhaidd** i awdurdod lleol wneud cais am orchymyn lleoli os:

- yw'r awdurdod wedi rhoi'r plentyn i'w fabwysiadu neu'n darparu llety ar gyfer y plentyn; ac
- nad oes unrhyw asiantaeth fabwysiadu wedi'i hawdurdodi i roi'r plentyn i'w fabwysiadu; ac
- nad oes gan y plentyn riant na gwarcheidwad, neu fod yr awdurdod yn ystyried fod yr amodau yn adran 31(2) o Ddeddf Plant 1989 (amodau ar gyfer gwneud gorchymyn gofal) wedi'u cwrdd; a
- bod yr awdurdod yn fodlon y dylid rhoi'r plentyn i'w fabwysiadu (Adran 22(1) Deddf Mabwysiadu a Phlant 2002)

#### neu

- fod y plentyn yn destun gorchymyn gofal ac nad yw'r awdurdod wedi'i awdurdodi i roi'r plentyn i'w fabwysiadu, neu fod cais am orchymyn gofal wedi'i wneud (ac nad ydyw wedi'i benderfynu) a
- bod yr awdurdod yn fodlon y dylid rhoi'r plentyn i'w fabwysiadu (Adran 22(2) Deddf Mabwysiadu a Phlant 2002)

**Gall** yr awdurdod lleol wneud cais am orchymyn lleoli os yw'r plentyn yn destun gorchymyn gofal a bod yr awdurdod wedi'i awdurdodi i roi'r plentyn i'w fabwysiadu dan adran 19 Deddf 2002. (Adran 22(3) Deddf Mabwysiadu a Phlant 2002)

Ni all y llys wneud gorchymyn lleoli mewn perthynas â'r plentyn oni fo'r amgylchiadau canlynol yn bodoli -

- bod y plentyn yn destun gorchymyn gofal, neu
- bod y llys yn fodlon bod yr amodau yn adran 31(2) Deddf Plant 1989 (amodau ar gyfer gwneud gorchymyn gofal) wedi'u cwrdd, neu
- nad oes gan y plentyn riant na gwarcheidwad. (Adran 21(2) Deddf Mabwysiadu a Phlant 2002)

### Nodyn 4

Os ydy'r plentyn wedi cael ei fabwysiadu'n flaenorol, dylid atodi copi ardystiedig o'r cofnod yn y Gofrestr Plant Mabwysiedig ac nid copi ardystiedig o'r cofnod gwreiddiol yn y Gofrestr Genedigaethau Byw. Lle nad oes modd i chi atodi tystysgrif, nodwch leoliad geni'r plentyn (gan gynnwys y wlad), os gwyddoch.

### Note 3

State the grounds on which the local authority is basing its application for a placement order. Note that a local authority **must** apply for a placement order if:

- the authority have placed the child for adoption, or are providing the child with accommodation; and
- no adoption agency is authorised to place the child for adoption; and
- the child has no parent or guardian, or the authority consider that the conditions in section 31(2) of the Children Act 1989 (conditions for making a care order) are met; and
- the authority are satisfied that the child ought to be placed for adoption; (Section 22(1) of the Adoption and Children Act 2002)

#### or

- the child is subject to a care order and the authority is not authorised to place the child for adoption, or an application for a care order has been made (and has not been disposed of), and
- the authority are satisfied that the child ought to be placed for adoption (section 22(2) of the Adoption and Children Act 2002)

The local authority **may** apply for a placement order if the child is subject to a care order and the authority are authorised to place the child for adoption under section 19 of the 2002 Act. (Section 22(3) of the Adoption and Children Act 2002)

The court cannot make a placement order in respect of a child unless –

- the child is subject to a care order; or
- the court is satisfied that the conditions in section 31(2) of the Children Act 1989 (conditions for making a care order) are met, or
- the child has no parent or guardian. (Section 21(2) of the Adoption and Children Act 2002)

### Note 4

If the child has previously been adopted, a certified copy of the entry in the Adopted Children Register should be attached and not a certified copy of the entry in the Register of Live Births. Where you are unable to attach a certificate, enter the place (including the country) of birth, if known.

**Nodyn 5**

Dylid llenwi'r adran hon lle bo rhyw berson yn atebol i dalu tâl cynhaliaeth ar gyfer y plentyn dan orchymyn llys neu gytundeb, neu gynhaliaeth cynnal plant a ddyfarnwyd dan Ddeddf Cynnal Plant 1991. Os yn bosibl, dylid gosod copi o'r gorchymyn llys neu gopi o'r cytundeb cynhaliaeth neu ddyfarniad cynhaliaeth, ynghlwm â'r cais.

**Nodyn 6**

Nodwch fanylion unrhyw achosion llys blaenorol neu gyfredol yn ymwneud â'r plentyn. (Peidiwch ag ailadrodd manylion unrhyw achosion gofal cyfredol/ar droed/ na gorchymyn/cytundeb cynhaliaeth yr ydych wedi'u nodi ym mharagraffau 13 neu 14). Ym mhob achos, rhowch enw'r llys, natur yr achos a dyddiad ac effaith unrhyw orchymyn a wnaed. Sicrhewch, os gwelwch yn dda, eich bod yn cynnwys manylion unrhyw orchymyn gofal terfynol ac unrhyw orchymyn cyswllt neu orchymyn arall dan Ddeddf Plant 1989, sydd mewn grym ar hyn o bryd mewn perthynas â'r plentyn. Os oedd yr awdurdod yn barti yn yr achos, dylid rhoi copi o'r gorchymyn terfynol ynghlwm â'r cais.

**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
- 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 15 (Ynghylch gorchymynion neu achosion eraill sy'n effeithio ar y plentyn).

**Note 5**

This section should be completed where some person is liable to pay maintenance for the child under a court order or agreement, or child support maintenance awarded under the Child Support Act 1991. If possible, a copy of the court order or a copy of the maintenance agreement or maintenance award should be attached to the application.

**Note 6**

Enter details of any other earlier and concurrent court proceedings relating to the child. (Do not repeat the details of any concurrent/ongoing care proceedings or maintenance order/agreement you have entered at paragraphs 13 or 14.) In each case, give the name of the court, the nature of the proceedings and the date and effect of any order made. Please ensure that you include details of any final care order, and any contact order or other order under the Children Act 1989 that is currently in force in respect of the child. If the authority was a party to the proceedings, a copy of the final order should be attached to the application.

**Note 7**

If the child has previously been adopted, give the names of his/her adoptive parents and not those of his/her 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
- 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 15 (About other orders or proceedings that affect the child).

**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 ben y daflen.

**Nodyn 10**

Os oes unrhyw riant/warcheidwad wedi rhoi caniatâd i'r plentyn gael ei roi i'w fabwysiadu, atodwch gopi o'r ffurflen(ni) caniatâd wedi'u llofnodi a'u hardystio, os gwelwch yn dda. Os oes unrhyw riant/warcheidwad wedi rhoi caniatâd ac wedi tynnu'r caniatâd hwnnw'n ôl yn ddiweddarach, atodwch gopi o'r rhybudd tynnu'n ôl ac unrhyw ddogfennau ynghlwm â'r rhybudd tynnu caniatâd yn ôl.

**Nodyn 11**

Ni all y llys hepgor caniatâd unrhyw riant neu warcheidwad i wneud y gorchymyn lleoli, oni fo'n fodlon o'r canlynol:

- na ellir dod o hyd iddo ef/hi
- ei fod ef/hi'n analluog i roi caniatâd; neu
- ei bod yn ofynnol hepgor ei ganiatâd ef/ei chaniatâd hi, er budd y plentyn.

Os ydych chi'n gofyn i'r llys hepgor cytundeb riant neu warcheidwad, nodwch, os gwelwch yn dda, pa un o'r tair sail hyn sy'n berthnasol. Bydd yn ofynnol gan y llys hefyd dderbyn datganiad ffeithiau byr yn rhoi crynodeb o hanes yr achos ac unrhyw ffeithiau eraill i fodloni'r llys fod y rhesymau dros eich cais yn berthnasol. Oni ellir dod o hyd i riant, dylai eich datganiad ffeithiau roi manylion y camau a gymerwyd i ddod o hyd iddo ef/iddi hi.

**Nodyn 12**

Dylech roi eich datganiad ffeithiau, ynghyd â dau gopi, ynghlwm â'ch cais. Dylech hefyd atodi unrhyw ddogfennau yr ydych yn eu cyflwyno i gefnogi eich datganiad ffeithiau.

**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**

If any parent/guardian has given consent to the child being placed for adoption, please attach a copy of the signed and witnessed consent form(s). If any parent/guardian has given consent and has subsequently withdrawn that consent, please also attach a copy of the notice of withdrawal and any documentation attached to the notice of withdrawal.

**Note 11**

The court cannot dispense with the consent of any parent or guardian to the making of the placement order unless it is satisfied that:

- he or she cannot be found
- he or she is incapable of giving consent, or
- the welfare of the child requires his or her consent to be dispensed with.

If you are asking the court to dispense with the agreement of a parent or guardian, please state which of these three grounds applies. The court will also require from you a brief statement of facts setting out a summary of the history of the case and any other facts to satisfy the court that the grounds for your request apply. If a parent cannot be found, your statement of facts should give details of the steps taken to trace him/her.

**Note 12**

You should attach your statement of facts, and two copies, to your application form. You should also attach any documents you are submitting in support of your statement of facts.

Rhowch enw(au) llawn y rhieni, perthnasau ac unrhyw bobl allweddol eraill sydd ar hyn o bryd yn cael cyswllt â'r plentyn. Ym mhob achos, nodwch y berthynas â'r plentyn, ac a yw'r cyswllt yn digwydd dan orchymyn llys neu drwy gytundeb, neu yn unol â dyletswydd yr awdurdod lleol dan Ddeddf Plant 1989 i hyrwyddo cyswllt. Dylech hefyd nodi natur, hyd ac amllder y cyswllt (e.e. a yw'n digwydd dan oruchwyliaeth, drwy lythyr, yn fisol, wythnosol ayb). Ar gyfer pob gorchymyn cyswllt, dylid nodi enw'r llys, y dyddiad a rhif yr achos ym mharagraff 15 (Ynghylch gorchymynion neu achosion eraill sy'n effeithio ar y plentyn).

**Noder:** Anfonir copi o'ch cais i bob un o rieni neu warcheidwaid y plentyn. Os nad ydych eisiau i fanylion cyswllt gael eu datgelu, dylech wneud cais i'r llys am gyfarwyddiadau.

**Nodyn 13** ➤ Rhowch enw pob person y bwriedir iddynt gael cyswllt â'r plentyn, eu perthynas â'r plentyn a natur, hyd ac amllder y cyswllt arfaethedig. Nodwch ym mhob achos a fydd y trefniadau arfaethedig yn berthnasol cyn ac ar ôl i'r plentyn gael ei roi gydag unrhyw ddarpar fabwysiadwyr. Os byddant yn newid pan fydd y plentyn yn cael ei leoli, nodwch beth fydd y gwahaniaethau.

**Noder:** Anfonir copi o'ch cais i bob un o rieni neu warcheidwaid y plentyn. Os nad ydych eisiau i fanylion cyswllt gael eu datgelu, dylech wneud cais i'r llys am gyfarwyddiadau.

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

**Nodyn 14** ➤ Os bydd angen cymorth neu gyfleusterau arbennig arnoch ar gyfer anabledd neu nam, nodwch eich gofynion yn llawn os gwelwch yn dda. Bydd staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Byddant hefyd angen gwybod am unrhyw ofynion penodol allai fod gennych ar ddiwrnod y gwrandawriad, megis mynediad i gadair olwyn, system dolen clyw, 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 anghenion. Oni wnewch hynny, efallai y bydd yn rhaid gohirio'r gwrandawriad o ganlyniad.

Give the full name(s) of the parents, relatives and any significant others who currently have contact with the child. In each case, state their relationship to the child, whether contact is under a court order or by agreement, or pursuant to the duty of the local authority under the Children Act 1989 to promote contact. You should also give the nature, duration and frequency of contact (eg. whether supervised, by letter, monthly, weekly etc). For each contact order, the name of the court, date and case number should be entered at paragraph 15 (About other orders or proceedings that affect the child).

**Note:** A copy of your application will be sent to each parent or guardian of the child. If you do not want details of contact to be disclosed, you should apply to the court for directions.

**Note 13** ➤ Give the name of each person who it is proposed will have contact with the child, their relationship to the child, and the nature, duration and frequency of the proposed contact. State in each case whether the proposed arrangements will apply both before and after the child is placed with any prospective adopters. If they will change when the child is placed, state what the differences will be.

**Note:** A copy of your application will be sent to each parent or guardian of the child. If you do not want details of contact to be disclosed, you should apply to the court for directions.

### **Special assistance or facilities for disability if you attend court**

**Note 14** ➤ 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.