

Cais am ganiatâd i symud plentyn o'r Deyrnas Unedig (Ffurflen A56)

Nodiadau ar lenwi'r ffurflen

Pwysig

Mae'r ffurflen hon ar gyfer gwneud cais dan Adran 28 o Ddeddf Mabwysiadu a Phlant 2002, am ganiatâd y llys i symud plentyn o'r Deyrnas Unedig.

Os ydych yn atodi unrhyw orchymyn gan yr Uchel Lys neu Lys Teulu i'ch cais, rhaid iddo fod yn gopi dan sêl o'r gorchymyn (hynny yw, copi sydd wedi'i stampio â sêl y llys). Rhaid i orchymyn a gyflwynir gan unrhyw awdurdod arall gael ei ddilysu'n iawn gan yr awdurdod hwnnw. Os ydych yn ansicr ynghylch beth sydd ei angen, cysylltwch â'r llys am gymorth.

Ar ôl ei llenwi, anfonwch neu ewch â'r ffurflen gais, **a thri copi**, i'r llys, ynghyd â ffi'r llys ac unrhyw ddogfennau yr ydych yn eu hatodi i gefnogi'ch cais. Os nad ydych yn sicr faint yw'r ffi sy'n daladwy i'r llys am eich cais, neu os credwch y gallech fod wedi'ch eithrio rhag talu'r holl ffi neu gyfran ohoni, dylech gysylltu â'r llys i gael gwybodaeth.

Efallai y bydd angen i chi dalu ffi gyda'ch cais. Dylech ddarllen taflen EX50 Ffioedd Llys Sifil a Llys Teulu i weld pa ffi, os oes ffi o gwbl, y bydd angen i chi ei dalu. Mae'r daflen hon ar gael o'ch llys lleol neu ar ein gwefan yn hmctsformfinder.justice.gov.uk.

Efallai na fydd yn rhaid i chi dalu rhan o'r ffi neu'r cyfan ohoni. Mae'r llyfryn a'r ffurflen gais ar y cyd, 'EX160A Ffioedd Llys – oes rhaid i mi eu talu?' yn rhoi rhagor o wybodaeth. Mae'r daflen hon ar gael o'ch llys lleol neu ar ein gwefan yn hmctsformfinder.justice.gov.uk.

Nodiadau ar y ffurflen gais

Nodyn 1

Pan fo plentyn wedi cael ei roi i'w fabwysiadu dan adran 19 o Ddeddf Mabwysiadu a Phlant 2002, neu fod asiantaeth fabwysiadu wedi'i awdurdodi i roi plentyn i'w fabwysiadu dan yr adran honno, neu fod gorchymyn lleoli mewn grym mewn perthynas â'r plentyn, ni all y plentyn gael ei symud o'r Deyrnas Unedig, oni bai:

- bod y plentyn yn cael ei symud gan berson sy'n darparu cartref i'r plentyn ac am gyfnod o lai nag un mis; neu
- bod pob un o rieni neu warcheidwaid y plant yn rhoi caniatâd ysgrifenedig, neu
- bod y llys yn rhoi caniatâd.

Application for permission to remove a child from the United Kingdom (Form A56)

Notes on completing the form

Important

This form is for an application under Section 28 of the Adoption and Children Act 2002 for permission of the court to remove a child from the United Kingdom.

If you are attaching any order of the High Court or the family 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). 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.

You may need to pay a fee with your application. You should read leaflet EX50 Civil and family court fees to find out what fee, if any, you need to pay. This leaflet is available from your local court or online at hmctsformfinder.justice.gov.uk

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. This leaflet is available from your local court or online at hmctsformfinder.justice.gov.uk

Notes on the application form

Note 1

Where a child has been placed for adoption under section 19 of the Adoption and Children Act 2002, or an adoption agency is authorised to place a child for adoption under that section, or a placement order is in force in respect of the child, the child may not be removed from the United Kingdom unless:

- the removal is by a person who provides the child's home and is for a period of less than one month; or
- each parent or guardian of the child gives written consent, or
- the court gives permission.

Gall unrhyw berson wneud cais i'r llys am ganiatâd i symud plentyn o'r Deyrnas Unedig, gan gynnwys yr asiantaeth fabwysiadu neu'r awdurdod lleol sydd â'r awdurdod i roi'r plentyn i'w fabwysiadu.

Nodyn 2 ➤ Os ydych yn geisydd nad yw'n ddarpar fabwysiadwr/fabwysiadwyr ac nid ydych eisiau i'ch cyfeiriad a rhif ffôn preifat, na chyfeiriad y plentyn, neu (os nad yw'r plentyn yn byw gyda chi) enw'r person y mae'r plentyn yn byw gyda hwy, 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 ddatgelir yr wybodaeth i unrhyw un arall, ac eithrio drwy orchymyn y llys.

Nodyn 3 ➤ Os ydych chi'n gwneud cais fel un o swyddogion yr asiantaeth fabwysiadu neu awdurdod lleol sydd wedi rhoi'r plentyn i'w fabwysiadu neu sydd wedi'i awdurdodi i roi'r plentyn i'w fabwysiadu, dylech roi enw a chyfeiriad yr asiantaeth/awdurdod, a'r rhif ffôn ar gyfer cysylltu â chi yn ystod oriau gwaith.

Nodyn 4 ➤ Os ydych chi'n gwneud cais fel un o swyddogion yr asiantaeth fabwysiadu neu'r awdurdod lleol sydd wedi rhoi'r plentyn i'w fabwysiadu, neu sydd wedi'i awdurdodi i roi'r plentyn i'w fabwysiadu, dywedwch hynny a datgan eich swydd yn yr asiantaeth/awdurdod lleol.

Nodyn 5 ➤ Os oes unrhyw achos llys blaenorol neu gyfredol yn ymwneud â'r plentyn, rhowch enw'r llys, natur yr achos a'r dyddiad y daeth unrhyw orchymyn a wnaed i rym. Os oeddech chi'n barti i unrhyw achos a gwblhawyd, dylech roi copi o'r gorchymyn terfynol ynghlwm â'ch cais. Nid oes angen i chi ailadrodd manylion unrhyw orchymyn lleoli yr ydych eisoes wedi'u nodi.

Nodyn 6 ➤ Os yw'r plentyn wedi cael ei fabwysiadu'n flaenorol, rhowch enwau'r rhieni a fabwysiadodd ef/hi ac nid y rhieni naturiol.

Nodyn 7 ➤ Os nad oedd rhieni'r plentyn wedi priodi adeg ei enedigaeth, gallai tad y plentyn fod wedi cael cyfrifoldeb rhiant

- drwy briodi mam y plentyn yn ddiweddarach;
- oherwydd bod ganddo gytundeb cyfrifoldeb rhiant gyda'r fam, neu y dyfarnwyd gorchymyn cyfrifoldeb rhiant iddo, neu
- oherwydd ei fod wedi cofrestru genedigaeth y plentyn ar y cyd â mam y plentyn (ar neu ar ôl 1 Rhagfyr 2003).

An application to the court for permission to remove the child from the United Kingdom may be made by any person, including the adoption agency or local authority authorised to place the child for adoption.

Note 2 ➤ If you are an applicant who is not the prospective adopter(s) and you do not want your private address and telephone number, or the child's address, or (if the child does not live with you) the name of the person with whom the child lives, 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 person, except by order of the court.

Note 3 ➤ If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, you should enter the name and address of the agency/authority and the telephone number on which you can be contacted during working hours.

Note 4 ➤ If you are applying as an officer of the adoption agency or local authority that has placed or is authorised to place the child for adoption, please say so and state your position in the agency/local authority.

Note 5 ➤ If there are 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 repeat the details of any placement order you have already given.

Note 6 ➤ If the child has previously been adopted, give the names of his/her adoptive parents and not those of his/her natural parents.

Note 7 ➤ 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).

Rhowch fanylion unrhyw orchymyn llys neu gytundeb mewn perthynas â chyfrifoldeb rhiant yn Rhan 2, Ynglŷn â'r plentyn, paragraff (h).

Nodyn 8 ➤ 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 mwy 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'r cyfeirnod paragraff ar frig y daflen.

Nodyn 9 ➤ Os mai chi yw'r darpar fabwysiadwr dylech sicrhau nad yw'r wybodaeth yn cynnwys unrhyw fanylion all arwain at ddatgelu pw ydych chi.

Dylai unrhyw un sydd heb ddatgelu ei gyfeiriad neu rif ffôn, neu gyfeiriad y plentyn neu enw'r person y mae'r plentyn yn byw gyda hwy, sicrhau nad ydynt yn cynnwys unrhyw beth all arwain ar ddatgelu'r manylion hyn.

Os nad ydych yn dymuno i'r dyddiadau teithio arfaethedig, y wlad (neu wledydd) pen taith a chyfeiriad(au) tra y tu allan i'r Deyrnas Unedig gael eu datgelu i unrhyw barti arall, dylech ddweud hynny ar y ffurflen ac egluro eich rhesymau am ddymuno i gadw'r wybodaeth yn gyfrinachol. Dylid nodi manylion y daith arfaethedig mewn llythyr ar wahân i'r llys, y bydd rhaid i chi ei atodi i'ch cais. Ni ddatgelir yr wybodaeth i unrhyw un arall, ac eithrio drwy orchymyn y llys.

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

Nodyn 10 ➤ Os bydd angen cymorth neu gyfleusterau arbennig arnoch ar gyfer anabledd neu nam, nodwch eich anghenion yn llawn. Bydd staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Hefyd, bydd angen iddynt wybod am unrhyw ofynion penodol y bydd gennych ar ddiwrnod y gwrandawriad, megis mynediad i gadair olwyn, dolen clyw, neu ddehonglydd iaith arwyddion.

Bydd staff y llys yn cysylltu â chi am eich gofynion. Mae'n bwysig eich bod yn dweud wrth y llys am eich holl anghenion. Oni wnewch hynny, efallai y bydd yn rhaid gohirio'r gwrandawriad o ganlyniad.

Give details of any court order or agreement in respect of parental responsibility in Part 2 About the child, paragraph (h).

Note 8 ➤ If the child does not have a 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 guardians(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 9 ➤ If you are the prospective adopter you should make sure that the information does not include any details which 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 should make sure that they do not include anything which could lead to these details being disclosed.

If you do not want details of the proposed dates of travel, country (or countries) of destination and address(es) while outside the United Kingdom to be disclosed to any other party you should say so on the form and explain your reasons for wishing to keep the information confidential. The details of the proposed travel should be set out in a separate letter to the court, which you must attach to your application. The information will not be then disclosed to any person, except by order of the court.

Special assistance or facilities for disability if you attend the court

Note 10 ➤ 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.

