

Cais i amrywio gorchymyn lleoli (Ffurflen 51)

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 copi** 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.

Nodiadau ar y ffurflen gais

Nodyn 1

Ni chaniateir i'r llys amrywio gorchymyn lleoli ond er mwyn pennu awdurdod lleol arall yn lle'r awdurdod lleol a awdurdodwyd yn y gorchymyn i roi'r plentyn i'w fabwysiadu, a hynny ar dderbyn cais ar y cyd gan y **ddau** awdurdod dan sylw. (Adran 23(2) Deddf Mabwysiadu a Phlant 2002)

Nodyn 2

Rhowch enw(au) cyntaf a chyfenw'r plentyn yn union fel y dangosir hwy ar y gorchymyn lleoli yr ydych yn gofyn i'r llys ei amrywio. **Rhaid i chi roi copi o'r gorchymyn lleoli ynghlwm â'ch cais.**

Nodyn 3

Nodwch eich rhesymau dros wneud cais am drosglwyddo cyfrifoldeb rhwng awdurdodau lleol. Nodwch paham y byddai'r trosglwyddiad er lles gorau'r plentyn, ac unrhyw resymau gweinyddol sy'n gwneud y trosglwyddiad yn ddymunol.

Application for variation of a placement order (Form A51)

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.

Notes on the application form

Note 1

The court may only vary a placement order so as to substitute another local authority for the local authority authorised by the order to place the child for adoption on the joint application of **both** the authorities involved. (Section 23(2) of the Adoption and Children Act 2002)

Note 2

Enter the child's first names(s) and last name as they are shown on the placement order you are asking the court to vary. **You must attach a copy of the placement order to your application.**

Note 3

Set out your reasons for applying for the transfer of responsibility between local authorities. State why the transfer would be in the best interests of the child, and any administrative reasons which make the transfer desirable.

Nodyn 4

Nodwch fanylion unrhyw achosion llys blaenorol neu gyfredol yn ymwneud â'r plentyn. Peidiwch ag ailadrodd manylion y gorchymyn lleoli a nodwyd ym mharagraff 7. Ym mhob achos, rhowch enw'r llys, natur yr achosion a dyddiad ac effaith unrhyw orchymyn a wnaed. Os oedd y naill awdurdod neu'r llall yn barti yn yr achos, dylid rhoi copi o'r gorchymyn terfynol ynghlwm â'r cais.

Nodyn 5

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

Nodyn 6

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 9 (Ynghylch gorchymynion neu achosion eraill sy'n effeithio ar y plentyn).

Nodyn 7

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 8

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 eu perthynas â'r plentyn, a yw'r cyswllt yn digwydd dan orchymyn llys neu drwy gytundeb, a beth yw natur, hyd ac amlder y cyswllt (e.e. dan oruchwyliad, drwy lythyr, yn fisol, ayb)

Note 4

Enter details of any other earlier and concurrent court proceedings relating to the child. Do not repeat the details of the placement order entered at paragraph 7. In each case, give the name of the court, the nature of the proceedings and the date and effect of any order made. If either authority was a party to any proceedings that have been completed, a copy of the final order should be attached to the application.

Note 5

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

Note 6

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 9 (About other orders or proceedings that affect the child).

Note 7

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 8

Give the full name(s) of the parents, relatives and any significant others who have contact with the child. In each case, state their relationship to the child, whether contact is under a court order or by agreement and the nature, duration and frequency of contact (eg. supervised, by letter, monthly, etc)

Ym mharagraff 15 dylech nodi manylion unrhyw newidiadau a fwriedir i drefniadau cyswllt presennol os caniateir y cais i amrywio'r gorchymyn lleoli, a rhowch y rheswm dros y newidiadau. Os na fwriedir newidiadau, dywedwch hynny, os gwelwch yn dda.

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 9 Os byddwch angen cymorth neu gyfleusterau arbennig 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 sain, 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.

In paragraph 15 you should set out the details of any proposed changes to current contact arrangements if the application to vary the placement order is granted, and the reason for the changes. If no changes are proposed, please say so.

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 9 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.