

Cais i newid cytundeb cynhaliaeth yn dilyn marwolaeth un o'r partion dan adran 36 Deddf Achosion Priodasol 1973/paragraff 73 Atodlen 5 Deddf Partneriaeth Sifil 2004

Application for alteration of maintenance agreement after the death of one of the parties under section 36 of the Matrimonial Causes Act 1973/paragraph 73 to Schedule 5 to the Civil Partnership Act 2004

I'w llenwi gan y llys	
Enw'r llys	Rhif yr achos
Enw'r Ceisydd	
Enw'r Atebydd	

(Ticiwch y blychau priodol os gwelwch yn dda)

Os ydych yn llenwi'r ffurflen hon â llaw, defnyddiwch **inc du a PHRIF LYTHRENNAU** os gwelwch yn dda

Cais gan

(enw)

- dan **adran 36 Deddf Achosion Priodasol 1973**
 paragraff 73 Atodlen 5 Deddf Partneriaeth Sifil 2004

Rhwng

(y Ceisydd/Ceisyddion)

a

(yr Atebydd/Atebwyr)

At

(yr Atebydd/Atebwyr)

o

(cyfeiriad)

To be completed by the court	
Name of court	Case No.
Name of Applicant	
Name of Respondent	

(please tick appropriate boxes)

If completing this form by hand please use **black ink and BLOCK CAPITAL LETTERS**

An application by

(name)

- under **section 36 of the Matrimonial Causes Act 1973**
 paragraph 73 of Schedule 5 to the Civil Partnership Act 2004

Between

(the Applicant(s))

and

(the Respondent(s))

To

(Respondent(s))

of

(address)

Mae gofyn i chi fynychu gwrandawriad gerbron
Barnwr Rhanbarth

yn

(enw a chyfeiriad llawn y llys)

ar (dyddiad)

am (amser)

Pan wrandewir cais gan

y dylai'r cytundeb a wnaed ar

rhwng

y Ceisydd (a)

(enw'r ymadawedig)

a fu farw ar (a)

yr Atebydd

gael ei newid fel y dangosir ar y datganiad cefnogi
wedi'i ddilysu gan ddatganiad gwirionedd sydd wedi'i
gynnwys gyda'r cais hwn er mwyn

- gwneud trefniadau ariannol gwahanol.
 cynnwys trefniadau ariannol.

Mae gan y llys awdurdodaeth i ddelio â'r
gweithdrefnau hyn ar y sail ganlynol

You are required to attend a hearing before a
District Judge

at the

(full name of court and address)

on (date)

at (time)

On the hearing of an application by

that the agreement made on

between

the Applicant (and)

(name of deceased)

who died on (and)

the Respondent

should be altered as shown on the statement in
support verified by a statement of truth accompanying
this application so as to

- make different
 contain
financial arrangements.

The court has jurisdiction on the following basis to
deal with these procedures

Cymorth neu gyfleusterau arbennig os byddwch yn dod i'r Llys

Os bydd yn rhaid i chi ddod i'r llys yn ystod yr achos hwn a fydd angen cyfleusterau neu gymorth arbennig arnoch chi?

Bydd (rhowch y manylion isod) Na fydd

Special assistance or facilities if you attend Court

If you are required to attend court during these proceedings will you need any special assistance or facilities?

Yes (please supply details below) No

Rwy'n atodi datganiad sy'n cynnwys yr wybodaeth ganlynol i gefnogi fy nghais –

Rhaid i'r datganiad gynnwys yr wybodaeth ganlynol:

- a fu'r ymadawedig farw ac yntau â'i ddomisil yng Nghymru a Lloegr
- y dyddiad a'r man lle gweinyddwyd/ffurfiwyd priodas/partneriaeth sifil y partiön i'r cytundeb cynhaliath
- enw pob plentyn yn y teulu ac unrhyw blentyn arall y mae'r cytundeb cynhaliath yn gwneud trefniadau ariannol ar ei gyfer ("plentyn â buddiant")
- dyddiad geni unrhyw blentyn â buddiant sy'n dal yn fyw a'r man lle mae unrhyw blentyn o'r fath yn byw a chyda phwy
- dyddiad marwolaeth unrhyw blentyn â buddiant
- a oes unrhyw achos wedi ei gynnal yn delio â'r cytundeb, y briodas, y bartneriaeth sifil neu'r plant â buddiant ac, os oes, crynodeb o'r achosion hynny gan gynnwys dyddiad ac effaith unrhyw orchmynion a wnaed
- a oes unrhyw achos wedi'i ddwyn yn flaenorol gan y Ceisydd yn erbyn ystad yr ymadawedig dan Ddeddf Etifeddiant (Darpariaeth i Deulu a Dibynyddion) 1975 ac, os oes, dyddiad ac effaith unrhyw orchmynion a wnaed
- yn achos cais gan y parti sy'n dal yn fyw, modd y Ceisydd
- yn achos cais gan ystad yr ymadawedig –
 - modd y parti sy'n dal yn fyw cyn belled ag y mae'n hysbys

I attach a statement containing the following information in support of my application –

The statement must include the following information:

- whether the deceased died domiciled in England and Wales
- the place at and date on which the parties to the maintenance agreement formed their marriage or civil partnership
- the name of every child of the family and any other child for whom the maintenance agreement makes financial arrangements ("interested child")
- the date of birth of any interested child who is still living and the place where and person with whom any such child is living
- the date of death of any interested child
- whether there have been any proceedings dealing with the agreement, marriage, civil partnership or interested children and, if so, a summary of those proceedings including the date and effect of any orders made
- whether there have been any previous proceedings by the Applicant against the deceased's estate under the Inheritance (Provision for Family and Dependents) Act 1975 and, if so, the date and effect of any orders made
- in the case of an application by the surviving party, the Applicant's means
- in the case of an application by the deceased's estate –
 - the surviving party's means so far as they are known

- manylion llawn gwerth ystad yr ymadawedig ar gyfer profiant ar ôl darparu ar gyfer talu costau'r angladd a'r costau gweinyddu a thestamentaidd, dyledion a rhwymedigaethau (gan gynnwys treth etifeddu a llog), a hefyd
- y bobl (gan gynnwys enwau, cyfeiriadau a manylion unrhyw blentyn neu barti dan warchodaeth) neu ddsbarthiadau o bobl sydd â lles buddiannol yn yr ystad a gwerth eu buddiannau hyd y gwyddys
- y ffeithiau y mae'r Ceisydd yn honni sy'n cyfiawnhau newid y cytundeb a natur y newid sy'n cael ei gynnig.

Pan wneir y cais ar ôl i chwe mis ddod i ben ers y dyddiad y cafwyd cynrychiolaeth am y tro cyntaf yng nghyswllt ystad yr ymadawedig, rhaid i'r cais nodi ar ba sail, gan gynnwys y rheswm dros yr oedi, y ceisir caniatâd y llys i wneud y cais.

Rhaid i'r Ceisydd ffeilio'r dogfennau canlynol gyda'r cais:

- copi o'r cytundeb cynhaliath wedi'i ddilysu gan ddatganiad gwirionedd
- copi swyddogol o'r grant cynrychiolaeth ar gyfer ystad yr ymadawedig, a
- copi swyddogol o bob dogfen destamentaidd y maent yn bwriadu dibynnu arnynt.

Dylech atodi'r ffurflen hon i Ffurflen A1 wedi'i llenwi wrth gyflwyno eich cais.

Dyddiedig / /

Cyflwynwyd y cais hwn gan

*[Enw a chyfeiriad (y Cyfreithiwr ar ran) y Ceisydd (Ceiswyr) a enwir uchod]

*dileer fel sy'n briodol

- full particulars of the value of the deceased's estate for probate after providing for the discharge of the funeral, testamentary and administration expenses, debts and liabilities (including inheritance tax and interest), and
- the people (including names, addresses and details of any child or protected party) or classes of people beneficially interested in the estate and the value of their interests so far as ascertained
- the facts alleged by the Applicant as justifying an alteration in the agreement and the nature of the proposed alteration.

Where the application is made after the expiry of six months from the date on which representation to the deceased's estate was first granted, the application must state the grounds including the reasons for the delay on which the court's permission to make the application is sought.

The Applicant must file the following documents with the application:

- a copy of the maintenance agreement verified by a statement of truth
- an official copy of the grant of representation to the deceased's estate, and
- an official copy of every testamentary document upon which they propose to rely.

You should attach this form to a completed Form A1 when issuing your application.

Dated / /

This application was issued by

*[Name and address of [Solicitor for] the above named Applicant(s)]

*delete as appropriate

Datganiad Gwirionedd

*dileer fel sy'n briodol

*[Rwy'n credu] [Mae'r Ceisydd yn credu] bod y ffeithiau a nodir yn y cais hwn a'r datganiad atodedig yn wir

*Cefais ganiatâd priodol gan y Ceisydd i lofnodi'r datganiad hwn

Printiwch eich enw'n llawn

Cyfeiriad ar gyfer cyflwyno

Enw ffym cyfreithwyr y Ceisydd

Llofnod

(Ceisydd)(Cyfaill cyfreitha)
(Cyfreithiwr y Ceisydd)

Dyddiedig / /

Safle neu swydd a ddelir

(os ydych yn lofnodi ar ran cwmni neu ffym)

Efallai y bydd achos dirmyg llys yn cael ei ddwyn yn erbyn rhywun sy'n gwneud datganiad anwir neu sy'n achosi i ddatganiad anwir gael ei wneud mewn dogfen a ddilysir gan ddatganiad gwirionedd.

Statement of Truth

*delete as appropriate

*[I believe] [the Applicant believes] that the facts stated in this application and attached statement are true

*I am duly authorised by the Applicant to sign this statement

Print full name

Address for service

Name of Applicant's solicitor's firm

Signed

(Applicant) (Litigation friend)
(Applicant's solicitor)

Dated / /

Position or office held

(if signing on behalf of firm or company)

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.