

Pwysig

Nodiadau i atebyddion

Mae copi o rybudd apelydd (apêl) wedi'i gyflwyno i chi.

Os ydy'r rhybudd yn cynnwys cais am hawl i apelio, does dim rhaid i chi wneud unrhyw beth nes i chi dderbyn hysbysiad gan y llys bod caniatâd wedi'i roi.

Os rhoddir caniatâd, dim ond ychydig o amser fydd gennych i ymateb i'r apêl. Rhaid i chi benderfynu beth i'w wneud ar frys.

Gallwch:

- ◆ hefyd apelio yn erbyn yr un gorchymyn; neu
- ◆ ofyn am amrywio'r gorchymyn; neu
- ◆ ofyn i'r llys apêl gadarnhau'r gorchymyn am resymau gwahanol neu ychwanegol i'r rheini a roddwyd gan y llys is (y llys a wnaeth y gorchymyn rydych chi'n apelio yn ei erbyn); neu
- ◆ ofyn i'r gorchymyn gael ei gadarnhau am yr un rhesymau ag yr oedd y llys is wedi dibynnu arnynt; neu
- ◆ wneud dim

Os ydych chi am apelio, amrywio neu gadarnhau'r gorchymyn rydych chi'n apelio yn ei erbyn am resymau gwahanol neu ychwanegol, **bydd angen i chi lenwi Rhybudd Atebydd** (Ffurflen N162) a'i anfon i'r llys.

Does gennych chi ddim llawer o amser i wneud hyn.

Mae'r ffurflen hon, y nodiadau cyfarwyddyd ar gyfer ei llenwi a thaflen o'r enw *Rwyf am apelio* ar gael yn rhad ac am ddim o unrhyw swyddfa llys neu Swyddfa Ceisiadau Interim Barnwyr yn y Llysoedd Barn Brenhinol, Strand, Llundain, WC2A 2LL. Byddant yn egluro'r terfynau amser ac yn dweud wrthych chi am y dogfennau bydd eu hangen arnoch i gefnogi'ch apêl.

Gallwch hefyd lenwi rhybudd atebydd os ydych chi am ofyn i'r llys apêl gadarnhau'r gorchymyn am yr un rhesymau a roddwyd yn y llys is ond bod gennych ddadleuon ychwanegol i'w rhoi gerbron y llys apêl. Fel arall, gallwch osod y dadleuon ychwanegol hyn mewn 'dadl fframwaith', h.y. dogfen sy'n nodi'r pwyntiau rydych chi am eu rhoi gerbron y llys apêl. Gallwch ddefnyddio Ffurflen N163 i osod eich dadl fframwaith. Mae'r ffurflen hon hefyd ar gael o unrhyw swyddfa llys neu'r Llysoedd Barn Brenhinol yn y cyfeiriad uchod.

Mae gwybodaeth am apelio gerbron y Llys Apêl ar gael gan Gofrestrfa'r Swyddfa Apeliadau Sifil, Ystafell E307, Y Llysoedd Barn Brenhinol, Strand, WC2A 2LL.

Os na fyddwch chi'n llenwi rhybudd atebydd nac yn ffeilio dadl fframwaith, chewch chi ddim dibynnu ar unrhyw ddadleuon ychwanegol yng ngwrandawiad yr apêl oni bai fod y rheini wedi'u codi yn y llys is, neu oni bai fod y llys yn caniatâu i chi wneud hynny.

Important

Notes for respondents

You have been served with a copy of an appellant's notice (an appeal).

If the notice includes an application for permission to appeal, you need do nothing unless and until you receive notice from the court that permission has been given.

If permission is given, you will only have a limited time in which to reply to the appeal. You must decide what to do quickly.

You can:

- ◆ also appeal against the same order; or
- ◆ ask for the order to be varied; or
- ◆ ask that the order be upheld by the appeal court for different or additional reasons than those given by the lower court (the court who made the order being appealed); or
- ◆ ask that the order be upheld for the same reasons relied on by the lower court; or

- ◆ do nothing

If you wish to appeal, vary or uphold the order being appealed for different or additional reasons, **you will need to complete a Respondent's Notice** (Form N162) and send it to the court. **You have a very limited time to do this.** This form, the notes for guidance for completing it and a leaflet *I want to appeal* can be obtained free from any court office or Judges' Interim Applications Office at the Royal Courts of Justice, Strand, London, WC2A 2LL. They will explain about time limits and tell you the documents you will need to support your appeal.

You may also complete a respondent's notice if you simply wish to ask the appeal court to uphold the order for the reasons given in the lower court but have additional arguments to make to the appeal court. Alternatively you may set these additional arguments out in a 'skeleton argument', i.e. a document which just sets out the points you wish to make to the appeal court. Form N163 can be used to set out your skeleton argument. This form can also be obtained from any court office or the Royal Courts of Justice at the above address.

Information about making an appeal to the Court of Appeal can be obtained from the Civil Appeals Office Registry, Room E307, Royal Courts of Justice, Strand, WC2A 2LL.

If you do not complete a respondent's notice or file a skeleton argument, you will not be able to rely on any additional arguments at the hearing of the appeal which were not raised in the lower court unless the court gives you permission.