

Atodiad A – Rhesymau Anghymhwysu

Rydych wedi'ch anghymhwysu'n awtomatig rhag gweithredu fel ymddiriedolwr am y rhesymau canlynol:

1. Mae gennych chi euogfarn **heb ei disbyddu** ar gyfer unrhyw un o'r canlynol
 - a) trosedd sy'n cynnwys **dichell neu anonestrwydd**
 - b) trosedd **terfysgaeth** y mae Rhan 4 o Ddeddf Gwrthderfysgaeth 2008 yn gymwys iddi neu o dan adrannau 13 neu 19 o Ddeddf Terfysgaeth 2000
 - c) trosedd **gwyngalchu arian** o fewn ystyr adran 415 o'r Ddeddf Enillion Troseddau 2002
 - d) trosedd **llwgrwobrwyo** o dan adrannau 1, 2, 6 neu 7 o Ddeddf Llwgrwobrwyo 2010
 - e) trosedd o **dorri Gorchymyn neu Gyfarwyddyd y Comisiwn** o dan adran 77 o Ddeddf Elusennau 2011
 - f) trosedd o **gamymddygiad mewn swydd gyhoeddus, tyngu anudon, neu rwystro gweithrediad y gyfraith**
 - g) mewn perthynas â'r troseddau uchod, y drosedd o: geisio, cynllwynio, neu annog i gyflawni'r drosedd; cynorthwyo neu ategu, cwnsela neu gaffael comisiynu'r drosedd; neu o dan Ran 2 o Ddeddf Troseddau Ddifrifol 2007 (annog neu gynorthwyo) mewn perthynas â'r drosedd
2. Rydych **ar y gofrestr troseddwr rhyw** (h.y. yn ddarostyngedig i ofynion hysbysu Rhan 2 o Ddeddf Troseddwr Rhyw 2003).
3. Mae gennych chi sancsiwn heb ei ddisbyddu ar gyfer **dirmyg llys** am wneud, neu achosi i wneud, ddatganiad ffug neu wneud, neu achosi i wneud, ddatganiad ffug mewn dogfen a ddilyswyd gan ddatganiad gwirionedd.
4. Fe gawsoch yn euog o **anufudd-dod i orchymyn neu gyfarwyddyd** y Comisiwn o dan adran 336(1) o Ddeddf Elusennau 2011.
5. Rydych yn **berson dynodedig** at ddibenion Rhan 1 o Ddeddf Rhewi Asedau Terfysgaeth 2010, neu Reoliadau Al Qaida (Rhewi Asedau) 2011.
6. Rydych **wedi cael eich diswyddo o'r blaen fel swyddog, asiant neu weithwr elusen** gan y Comisiwn Elusennau, rheoleidiwr elusennau'r Alban, neu'r Uchel Lys oherwydd camymddygiad neu gamreoli.
7. Rydych **wedi cael eich diswyddo o'r blaen fel ymddiriedolwr** elusen gan y Comisiwn Elusennau, rheoleidiwr elusennau'r Alban, neu'r Uchel Lys oherwydd camymddygiad neu gamreoli.
8. Rydych wedi cael eich **diswyddo rhag rheoli neu reolaeth unrhyw gorff** o dan adran 34(5)(e) o Ddeddf Elusennau a Buddsoddiadau Ymddiriedolwyr (yr Alban) 2005 (neu ddeddfwriaeth gynharach).
9. Rydych wedi'ch **anghymhwysu rhag bod yn gyfarwyddwr cwmni**, neu wedi rhoi ymrwymiad anghymhwysu, ac ni roddwyd caniatâd (fel y disgrifir yn adran 180 o Ddeddf Elusennau) i chi weithredu fel cyfarwyddwr yr elusen.
10. Rydych wedi'ch **datgan yn fethdalwr** (neu'n ddarostyngedig i gyfyngiadau methdaliad neu orchymyn interim).
11. Mae **trefniadau gwirfoddol unigol** (IVA) gennych i dalu dyledion gyda chredydwr.
12. Rydych yn **ddarostyngedig** i gyfnod moratoriwm o dan **orchymyn rhyddhau o ddyled**, neu orchymyn cyfyngiadau rhyddhau o ddyled, neu orchymyn interim.
13. Rydych yn ddarostyngedig i orchymyn a waned o dan adran 429(2) o Ddeddf Ansofedd 1986 (**methu â thalu o dan Orchymyn Gweinyddu Llys Sirol**).

Annex A – Disqualification Reasons

You are automatically disqualified from acting as a trustee if:

1. You have an **unspent** conviction for any of the following
 - a) an offence involving **deception or dishonesty**
 - b) a **terrorism** offence to which Part 4 of the Counter-Terrorism Act 2008 applies or under sections 13 or 19 of the Terrorism Act 2000
 - c) a **money laundering** offence within the meaning of section 415 of the Proceeds of Crime Act 2002
 - d) a **bribery** offence under sections 1, 2, 6 or 7 of the Bribery Act 2010
 - e) an offence of **contravening a Commission Order or Direction** under section 77 of the Charities Act 2011
 - f) an offence of **misconduct in public office, perjury or perverting the course of justice** yes/no
 - g) In relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007(encouraging or assisting)in relation to the offence
2. You are **on the sex offenders register** (ie. subject to notification requirements of Part 2 of the Sexual Offences Act 2003)
3. You have an unspent sanction for **contempt of court** for making, or causing to be made, a false statement or for making, or causing to be made, a false statement in a document verified by a statement of truth
4. You have been found guilty of **disobedience to an order or direction of the Commission** under section 336(1) of the Charities Act 2011.
5. You are a **designated person** for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida (Asset Freezing) Regulations 2011.
6. You have **previously been removed as an officer, agent or employee of a charity** by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
7. You have **previously been removed as a trustee** of a charity by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
8. You have been **removed from management or control of anybody** under section s34(5)(e) of the Charities and Trustee Investment (**Scotland**) Act 2005 (or earlier legislation)
9. You are **disqualified from being a company director**, or have given a disqualification undertaking, and leave has not been granted (as described in section 180 of the Charities Act) for you to act as director of the charity
10. You are **currently declared bankrupt** (or subject to bankruptcy restrictions or an interim order)
11. You **have an individual voluntary arrangement** (IVA) to pay off debts with creditors
12. You are **subject to** a moratorium period under a **debt relief order**, or a debt relief restrictions order, or an interim order
13. You are subject to an order made under s.429(2) of the Insolvency Act 1986. (**Failure to pay under a County Court Administration Order.**)