



Mesur Gwasttraff (Cymru) 2010

2010 mccc 8

Waste (Wales) Measure 2010

2010 nawm 8

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Mesur hwn ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Measure and are available separately.

£5.75



Mesur Gwastraff (Cymru) 2010

CYNNWYS

Bagiau siopa untro

1. Y taliadau a godir am fagiau siopa untro: pen taith yr enillion
2. Rheoliadau: y weithdrefn

Targedau gwastraff

3. Targedau ailgylchu, paratoi i aildddefnyddio a chompostio
4. Rheoliadau i osod targedau gwastraff
5. Monitro ac archwilio cydymffurfedd â thargedau
6. Rheoliadau ynghylch cosbau
7. Canllawiau
8. Ymgynghori

Tirlenwi

9. Rheoliadau yn gwahardd gollwng gwastraff ar safle tirlenwi
10. Sancsiynau sifil mewn cysylltiad â gollwng gwastraff ar safle tirlenwi
11. Ymgynghori

Cynlluniau rheoli gwastraff safle

12. Cynlluniau rheoli gwastraff safle
13. Tramgwyddau a chosbau
14. Sancsiynau sifil mewn cysylltiad â chynlluniau rheoli gwastraff safle
15. Canllawiau
16. Ymgynghori



Waste (Wales) Measure 2010

CONTENTS

Single use carrier bags

1. Charges for single use carrier bags: destination of proceeds
2. Regulations: procedure

Waste targets

3. Recycling, preparation for re-use and composting targets
4. Regulations to set waste targets
5. Monitoring and auditing compliance with targets
6. Regulations about penalties
7. Guidance
8. Consultation

Landfill

9. Regulations prohibiting deposit of waste in a landfill
10. Civil sanctions in respect of the deposit of waste in a landfill
11. Consultation

Site waste management plans

12. Site waste management plans
13. Offences and penalties
14. Civil sanctions in respect of site waste management plans
15. Guidance
16. Consultation

Cyffredinol

17. Dehongli
18. Mân ddiwygiadau a diwygiadau canlyniadol
19. Gorchmynion a rheoliadau
20. Gorchmynion a rheoliadau: gweithdrefnau
21. Cychwyn
22. Enw byr

Yr Atodlen – Mân ddiwygiadau a diwygiadau canlyniadol

General

17. Interpretation
18. Minor and consequential amendments
19. Orders and regulations
20. Orders and regulations: procedures
21. Commencement
22. Short title

Schedule – Minor and consequential amendments



Mesur Gwastraff (Cymru) 2010

Mesur gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth ynghylch pen taith enillion o daliadau a godir am fagiau siopa untro; i wneud darpariaeth ynghylch y targedau sydd i'w cyrraedd gan awdurdodau lleol mewn perthynas â gwastraff; i wneud darpariaeth ynghylch gwahardd neu reoleiddio fel arall y weithred o ollwng gwastraff ar safle tirlenwi; i ddarparu ar gyfer cynlluniau rheoli gwastraff safle i weithfeydd sy'n cynnwys adeiladu neu ddymchwel; ac at ddibenion cysylltiedig.

Mae'r Mesur hwn, a basiwyd gan Gynulliad Cenedlaethol Cymru ar 2 Tachwedd 2010 ac a gymeradwywyd gan Ei Mawrhydi yn Ei Chyngor ar 15 Rhagfyr 2010, yn deddfu'r darpariaethau a ganlyn:—

Bagiau siopa untro

1 Y taliadau a godir am fagiau siopa untro: pen taith yr enillion

(1) Mae Atodlen 6 i Ddeddf Newid yn yr Hinsawdd 2008 wedi ei diwygio'n unol â'r adran hon.

(2) Ar ôl paragraff 4 mewnosoder—

"Destination of proceeds – Wales

4A (1) This paragraph applies to regulations made by the Welsh Ministers in relation to Wales.

(2) The regulations may provide for the application of the net proceeds of the charge to specified purposes.

(3) Regulations under sub-paragraph (2) may (among other things)—

(a) require sellers to apply the net proceeds of the charge to any one or more specified purposes;

(b) provide for any duty imposed under paragraph (a) to be discharged (subject to any provision made under paragraph (c)) by the net proceeds of the charge being accepted by any one or more of the following persons—

(i) specified persons;



Waste (Wales) Measure 2010

A Measure of the National Assembly for Wales to make provision about the destination of proceeds from charges for single use carrier bags; to make provision about targets to be met by local authorities in relation to waste; to make provision about prohibiting or otherwise regulating the deposit of waste in a landfill; to provide for site waste management plans for works involving construction or demolition; and for connected purposes.

This Measure, passed by the National Assembly for Wales on 2 November 2010 and approved by Her Majesty in Council on 15 December 2010, enacts the following provisions:—

Single use carrier bags

1 Charges for single use carrier bags: destination of proceeds

- (1) Schedule 6 to the Climate Change Act 2008 is amended in accordance with this section.
- (2) After paragraph 4 insert—

“Destination of proceeds – Wales

- 4A (1) This paragraph applies to regulations made by the Welsh Ministers in relation to Wales.
- (2) The regulations may provide for the application of the net proceeds of the charge to specified purposes.
- (3) Regulations under sub-paragraph (2) may (among other things)—
 - (a) require sellers to apply the net proceeds of the charge to any one or more specified purposes;
 - (b) provide for any duty imposed under paragraph (a) to be discharged (subject to any provision made under paragraph (c)) by the net proceeds of the charge being accepted by any one or more of the following persons—
 - (i) specified persons;

- (ii) persons who fall within a specified category of person;
 - (c) make provision about the arrangements under which the net proceeds of the charge are to be given by sellers to the persons mentioned in paragraph (b) or any other person;
 - (d) require persons who accept any net proceeds of the charge under paragraph (b) to apply the proceeds to any one or more specified purposes;
 - (e) provide for recovery by the Welsh Ministers of sums equal to the proceeds of the charge that have been accepted or applied otherwise than in accordance with provision made under sub-paragraph (2);
 - (f) provide for the application of sums recovered under paragraph (e) to specified purposes (this includes making provision to the effect that such sums are not to be paid into the Welsh Consolidated Fund);
 - (g) require the Welsh Ministers to give guidance about compliance with the regulations.
- (4) The purposes that may be specified under sub-paragraph (2) are limited to purposes relating to any of the following –
- (a) preventing or reducing waste;
 - (b) the collection, management, treatment or disposal of waste;
 - (c) protecting or improving the environment in relation to pollution or nuisances;
 - (d) educational or recreational activities for children or young people which relate to any of the matters specified in paragraphs (a) to (c).
- (5) But purposes concerning the production of renewable energy for consumption in transport or the use of that energy in transport may not be specified under sub-paragraph (2).
- (6) The regulations may make provision for regulations under this Schedule to apply to persons other than sellers, if the Welsh Ministers consider that such provision is appropriate for the enforcement of provision made under sub-paragraph (2) or for otherwise making such provision effective.
- (7) The specified factors under paragraph 3(2)(c) may also include –
- (a) a seller's arrangements for applying the net proceeds of the charge, or
 - (b) any other factor that the Welsh Ministers consider appropriate, whether or not that factor is of the same kind as the factors listed in that paragraph.
- (8) The regulations may provide for exceptions and exemptions.

Interpretation of paragraph 4A

- 4B (1) This paragraph applies for the purposes of paragraph 4A.
- (2) "Children" means persons who have not attained the age of 18.
- (3) "Pollution" means pollution of the air, water or land which may give rise to any environmental harm, including (but not limited to) pollution caused by light, noise, heat or vibrations or any other kind of release of energy.

- (ii) persons who fall within a specified category of person;
 - (c) make provision about the arrangements under which the net proceeds of the charge are to be given by sellers to the persons mentioned in paragraph (b) or any other person;
 - (d) require persons who accept any net proceeds of the charge under paragraph (b) to apply the proceeds to any one or more specified purposes;
 - (e) provide for recovery by the Welsh Ministers of sums equal to the proceeds of the charge that have been accepted or applied otherwise than in accordance with provision made under sub-paragraph (2);
 - (f) provide for the application of sums recovered under paragraph (e) to specified purposes (this includes making provision to the effect that such sums are not to be paid into the Welsh Consolidated Fund);
 - (g) require the Welsh Ministers to give guidance about compliance with the regulations.
- (4) The purposes that may be specified under sub-paragraph (2) are limited to purposes relating to any of the following –
- (a) preventing or reducing waste;
 - (b) the collection, management, treatment or disposal of waste;
 - (c) protecting or improving the environment in relation to pollution or nuisances;
 - (d) educational or recreational activities for children or young people which relate to any of the matters specified in paragraphs (a) to (c).
- (5) But purposes concerning the production of renewable energy for consumption in transport or the use of that energy in transport may not be specified under sub-paragraph (2).
- (6) The regulations may make provision for regulations under this Schedule to apply to persons other than sellers, if the Welsh Ministers consider that such provision is appropriate for the enforcement of provision made under sub-paragraph (2) or for otherwise making such provision effective.
- (7) The specified factors under paragraph 3(2)(c) may also include –
- (a) a seller's arrangements for applying the net proceeds of the charge, or
 - (b) any other factor that the Welsh Ministers consider appropriate, whether or not that factor is of the same kind as the factors listed in that paragraph.
- (8) The regulations may provide for exceptions and exemptions.

Interpretation of paragraph 4A

- 4B (1) This paragraph applies for the purposes of paragraph 4A.
- (2) "Children" means persons who have not attained the age of 18.
- (3) "Pollution" means pollution of the air, water or land which may give rise to any environmental harm, including (but not limited to) pollution caused by light, noise, heat or vibrations or any other kind of release of energy.

- (4) For the purposes of the definition in sub-paragraph (3), “environmental harm” means any of the following –
- (a) harm to the health of humans and other living organisms;
 - (b) harm to the quality of the environment, including –
 - (i) harm to the quality of the environment taken as a whole,
 - (ii) harm to the quality of the air, water or land, and
 - (iii) other impairment of, or interference with, the ecological systems of which any living organisms form part;
 - (c) offence to the senses of human beings;
 - (d) damage to property;
 - (e) impairment of, or interference with, the amenity of the environment or any legitimate use of the environment.
- (5) For the purposes of sub-paragraphs (3) and (4), “air” includes (but is not limited to) air within buildings and air within other natural or man-made structures above or below ground.
- (6) “Nuisance” means an act or omission affecting any place, or a state of affairs in any place, which may impair, or interfere with, the amenity of the environment or any legitimate use of the environment.
- (7) “Net proceeds of the charge” has the same meaning as in paragraph 7(4).
- (8) “Young people” means persons who have attained the age of 18, but not the age of 25.”.

(3) Ar ôl paragraff 7(3) mewnosoder –

“(3A) Regulations made by the Welsh Ministers may also require the publication or supply of records or information relating to the amount received by a person from a seller by way of net proceeds of the charge to be applied to purposes specified under paragraph 4A(2).”.

(4) Ar ôl paragraff 8(2) mewnosoder –

“(2A) Regulations made by the Welsh Ministers may also confer powers on an administrator to question a person the administrator reasonably believes has received any net proceeds of the charge or officers or employees of such a person.”.

2 Rheoliadau: y weithdrefn

Yn adran 77 o Ddeddf Newid yn yr Hinsawdd 2008, ar ôl is-adran (4)(a) mewnosoder –

“(aa) they are the first regulations to be made by the Welsh Ministers under paragraph 4A of the Schedule.”.

Targedau gwastraff

3 Targedau ar gyfer ailgylchu, paratoi i aildddefnyddio a chompostio

- (1) Pennir y targedau ar gyfer ailgylchu, paratoi i aildddefnyddio a chompostio yn is-adrannau (2) a (3).

-
- (4) For the purposes of the definition in sub-paragraph (3), “environmental harm” means any of the following –
- (a) harm to the health of humans and other living organisms;
 - (b) harm to the quality of the environment, including –
 - (i) harm to the quality of the environment taken as a whole,
 - (ii) harm to the quality of the air, water or land, and
 - (iii) other impairment of, or interference with, the ecological systems of which any living organisms form part;
 - (c) offence to the senses of human beings;
 - (d) damage to property;
 - (e) impairment of, or interference with, the amenity of the environment or any legitimate use of the environment.
- (5) For the purposes of sub-paragraphs (3) and (4), “air” includes (but is not limited to) air within buildings and air within other natural or man-made structures above or below ground.
- (6) “Nuisance” means an act or omission affecting any place, or a state of affairs in any place, which may impair, or interfere with, the amenity of the environment or any legitimate use of the environment.
- (7) “Net proceeds of the charge” has the same meaning as in paragraph 7(4).
- (8) “Young people” means persons who have attained the age of 18, but not the age of 25.”.
- (3) After paragraph 7(3) insert –
- “(3A) Regulations made by the Welsh Ministers may also require the publication or supply of records or information relating to the amount received by a person from a seller by way of net proceeds of the charge to be applied to purposes specified under paragraph 4A(2).”.
- (4) After paragraph 8(2) insert –
- “(2A) Regulations made by the Welsh Ministers may also confer powers on an administrator to question a person the administrator reasonably believes has received any net proceeds of the charge or officers or employees of such a person.”.

2 Regulations: procedure

In section 77 of the Climate Change Act 2008, after subsection (4)(a) insert –

“(aa) they are the first regulations to be made by the Welsh Ministers under paragraph 4A of the Schedule,”.

Waste targets

3 Recycling, preparation for re-use and composting targets

- (1) The recycling, preparation for re-use and composting targets are specified in subsections (2) and (3).

- (2) Rhaid i awdurdod lleol sicrhau yr adenillir, drwy gyfrwng unrhyw un o'r gweithrediadau a bennir yn is-adran (5), o leiaf y maint targed o'i wastraff bwrdeistrefol –
- (a) bob blwyddyn ariannol darged, a
 - (b) bob blwyddyn ariannol ddilynol tan y flwyddyn ariannol darged nesaf.
- (3) Yn y tabl canlynol –
- (a) mae colofn 1 yn pennu'r maint targed ar gyfer blwyddyn ariannol darged (a'r blynyddoedd ariannol sy'n dod o fewn is-adran (2)(b)), a
 - (b) mae colofn 2 yn pennu'r flwyddyn ariannol darged y mae'r maint targed yn y cofnod cyfatebol yng ngholofn 1 yn gymwys iddi.

TABL

| Maint targed | Blwyddyn ariannol darged |
|--------------|--------------------------|
| 52% | 2012/13 |
| 58% | 2015/16 |
| 64% | 2019/20 |
| 70% | 2024/25 |

- (4) Caiff Gweinidogion Cymru ddiwygio'r tabl hwn drwy orchymyn.
- (5) Y gweithrediadau y cyfeiriwyd atynt yn is-adran (2) yw –
- (a) ailgylchu;
 - (b) paratoi i aildddefnyddio;
 - (c) compostio (gan gynnwys unrhyw ffurf arall ar drawsnewid drwy brosesau biolegol).
- (6) Caiff Gweinidogion Cymru wneud darpariaeth drwy orchymyn i ganfod a yw gwastraff yn cael ei ailgylchu, ei baratoi i'w aildddefnyddio, neu ei gompostio at ddibenion y targedau o dan yr adran hon.
- (7) Mae awdurdod lleol nad yw'n cyrraedd targed ailgylchu, paratoi i aildddefnyddio a chompostio yn agored i gosb sydd i'w thalu i Weinidogion Cymru.
- (8) At ddibenion yr adran hon, gwastraff trefol awdurdod lleol o flwyddyn ariannol darged yw maint cyfan pob un o'r canlynol yn ôl pwysau –
- (a) yr holl wastraff a gasglwyd yn y flwyddyn honno gan awdurdod lleol o dan adran 45 o Ddeddf Diogelu'r Amgylchedd 1990;
 - (b) yr holl wastraff a ollyngwyd yn y flwyddyn honno mewn mannau a ddarparwyd gan awdurdod lleol o dan is-adrannau (1)(b) a (3) o adran 51 o'r Ddeddf honno;
 - (c) unrhyw wastraff arall a bennir drwy orchymyn gan Weinidogion Cymru.

- (2) A local authority must secure the recovery, by means of any of the operations specified in subsection (5), of at least the target amount of its municipal waste from—
- (a) each target financial year, and
 - (b) each subsequent financial year until the next target financial year.
- (3) In the following table—
- (a) column 1 specifies the target amount for a target financial year (and the financial years falling within subsection (2)(b)), and
 - (b) column 2 specifies the target financial year to which the target amount in the corresponding entry in column 1 applies.

TABLE

| Target amount | Target financial year |
|---------------|-----------------------|
| 52% | 2012/13 |
| 58% | 2015/16 |
| 64% | 2019/20 |
| 70% | 2024/25 |

- (4) The Welsh Ministers may amend this table by order.
- (5) The operations referred to in subsection (2) are—
- (a) recycling;
 - (b) preparation for re-use;
 - (c) composting (including any other form of transformation by biological processes).
- (6) The Welsh Ministers may make provision by order for establishing whether waste is recycled, prepared for re-use, or composted for the purposes of the targets under this section.
- (7) A local authority that does not meet a recycling, preparation for re-use and composting target is liable to a penalty to be paid to the Welsh Ministers.
- (8) For the purposes of this section, a local authority's municipal waste from a target financial year is the total amount by weight of each of the following—
- (a) all waste collected in that year by a local authority under section 45 of the Environmental Protection Act 1990;
 - (b) all waste deposited in that year at places provided by a local authority under subsections (1)(b) and (3) of section 51 of that Act;
 - (c) such other waste as may be specified by order of the Welsh Ministers.

- (9) Yn yr adran hon, ystyr “blwyddyn ariannol” yw cyfnod o 12 mis sy’n diweddu ar 31 Mawrth.

4 Rheoliadau i osod targedau gwastraff

- (1) Caiff Gweinidogion Cymru, drwy reoliadau –
- (a) pennu targedau gwastraff sydd i’w cyrraedd gan awdurdod lleol wrth arfer ei swyddogaethau;
 - (b) pennu dangosyddion y gellir cyfeirio atynt i fesur i ba raddau y mae awdurdod lleol yn bodloni’r targedau o dan baragraff (a);
 - (c) gosod atebolrwydd ar awdurdod lleol i dalu cosb i Weinidogion Cymru os na chyrhaeddir targed o dan baragraff (a).
- (2) At ddibenion is-adran (1)(a), mae “targedau gwastraff” yn dargedau sy’n ymwneud ag atal, lleihau, casglu, rheoli, trin neu waredu gwastraff.

5 Monitro ac archwilio cydymffurfedd â thargedau

- (1) Caiff Gweinidogion Cymru wneud darpariaeth drwy reoliadau –
- (a) ynghylch sut y mae cydymffurfedd ag unrhyw darged perthnasol i’w asesu;
 - (b) ynghylch trefniadau ar gyfer monitro ac archwilio cydymffurfedd ag unrhyw darged perthnasol;
 - (c) sy’n rhoi pwerau mynediad a phwerau arolygu mewn cysylltiad â’r monitro a’r archwilio hwnnw ar gyfer personau a awdurdodir gan Weinidogion Cymru;
 - (d) sy’n ei gwneud yn ofynnol i gofnodion gael eu cadw gan awdurdod lleol mewn cysylltiad â thargedau perthnasol;
 - (e) sy’n ei gwneud yn ofynnol i wybodaeth gael ei darparu gan awdurdod lleol i bersonau penodedig ar ffurf benodedig neu mewn dull penodedig mewn cysylltiad â thargedau perthnasol;
 - (f) sy’n ei gwneud yn ofynnol i wybodaeth gael ei chyhoeddi mewn cysylltiad â thargedau perthnasol;
 - (g) sy’n gosod atebolrwydd ar awdurdod lleol i dalu cosb os yw’n methu â chydymffurfio â gofyniad mewn rheoliadau o dan unrhyw un neu unrhyw rai o baragraffau (b) i (f).
- (2) Yn yr adran hon, “targedau perthnasol” yw –
- (a) targedau ailgylchu, paratoi i aildddefnyddio a chompostio o dan adran 3;
 - (b) unrhyw dargedau gwastraff o dan adran 4(1)(a).

6 Rheoliadau am gosbau

- (1) Mae’r adran hon yn gymwys i gosbau o dan adran 3(7), adran 4(1)(c) ac adran 5(1)(g).
- (2) Caiff Gweinidogion Cymru, drwy reoliadau –
- (a) pennu symiau cosbau neu reolau ar gyfer cyfrifo’r symiau hynny;

- (9) In this section, “financial year” means a period of 12 months ending on 31 March.

4 Regulations to set waste targets

- (1) The Welsh Ministers may by regulations—
- (a) specify waste targets to be met by a local authority in exercising its functions;
 - (b) specify indicators by reference to which a local authority’s achievement of targets under paragraph (a) can be measured;
 - (c) impose liability on a local authority to pay a penalty to the Welsh Ministers if a target under paragraph (a) is not met.
- (2) For the purposes of subsection (1)(a), “waste targets” are targets relating to preventing, reducing, collecting, managing, treating or disposing of waste.

5 Monitoring and auditing compliance with targets

- (1) The Welsh Ministers may make provision by regulations—
- (a) about how compliance with any relevant target is to be assessed;
 - (b) about arrangements for monitoring and auditing compliance with any relevant target;
 - (c) conferring powers of entry and inspection in connection with such monitoring and auditing for persons authorised by the Welsh Ministers;
 - (d) requiring the maintenance of records by a local authority in connection with relevant targets;
 - (e) requiring the provision of information by a local authority to specified persons in a specified form or manner in connection with relevant targets;
 - (f) requiring the publication of information in connection with relevant targets;
 - (g) imposing liability on a local authority to pay a penalty if it fails to comply with a requirement in regulations under any of paragraphs (b) to (f).
- (2) In this section, “relevant targets” are—
- (a) the recycling, preparation for re-use and composting targets under section 3;
 - (b) any waste targets under section 4(1)(a).

6 Regulations about penalties

- (1) This section applies to penalties under section 3(7), section 4(1)(c) and section 5(1)(g).
- (2) The Welsh Ministers may by regulations—
- (a) specify the amounts of penalties or rules for calculating their amounts;

- (b) gwneud darpariaeth ynghylch pryd y mae taliadau o ran cosbau yn ddyledus;
- (c) gwneud darpariaeth ar gyfer llog pan fo taliadau o ran cosbau yn ddyledus ond heb eu gwneud;
- (d) gwneud darpariaeth ar gyfer adennill neu wrth-hawlio, a sicrhau, symiau, o ran cosbau a llog, sydd heb eu talu;
- (e) gwneud darpariaeth ynghylch hepgor cosbau.

7 Canllawiau

Wrth arfer ei swyddogaethau o dan adrannau 3 i 6, rhaid i awdurdod lleol roi sylw i ganllawiau o roddir o bryd i'w gilydd gan Weinidogion Cymru.

8 Ymgynghori

- (1) Cyn gwneud gorchymyn neu reoliadau o dan adran 3 neu reoliadau o dan adrannau 4, 5 neu 6, neu rhoi canllawiau o dan adran 7, rhaid i Weinidogion Cymru ymgynghori â'r canlynol –
 - (a) Asiantaeth yr Amgylchedd;
 - (b) pob awdurdod lleol;
 - (c) unrhyw bersonau eraill y mae Gweinidogion Cymru yn barnu eu bod yn briodol.
- (2) At ddibenion is-adran (1), mae ymgynghoriad sydd wedi ei wneud cyn pasio'r Mesur hwn yn cael effaith fel pe bai wedi ei wneud ar ôl ei basio.

Tirlenwi

9 Rheoliadau sy'n gwahardd gollwng gwastraff ar safle tirlenwi

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer gwahardd neu reoleiddio fel arall y weithred o ollwng mathau penodedig o wastraff ar safle tirlenwi yng Nghymru, ac mewn cysylltiad â'i wahardd neu ei reoleiddio.
- (2) Caiff rheoliadau o dan is-adran (1) wneud y canlynol (ymhlith pethau eraill) –
 - (a) diwygio rheoliadau a wnaed o dan adran 2 o Ddeddf Atal a Rheoli Llygredd 1999 ac sy'n ymwneud â dull gweithredu safle tirlenwi;
 - (b) darparu ar gyfer tramgwyddau mewn perthynas â methiant i gydymffurfio â darpariaeth a wnaed o dan y rheoliadau;
 - (c) darparu ar gyfer cosbau mewn perthynas â'r tramgwyddau hynny;
 - (d) darparu ar gyfer awdurdodau gorfodi a swyddogaethau'r awdurdodau hynny.
- (3) Yn is-adran (1), mae i "safle tirlenwi" yr ystyr a roddir i "landfill" yn Erthygl 2(g) o Gyfarwyddeb y Cyngor 1999/31/EC dyddiedig 26 Ebrill 1999 am dirlenwi gwastraff.

10 Sancsiynau sifil mewn cysylltiad â gollwng gwastraff ar safle tirlenwi

- (1) Mae'r adran hon yn gymwys pan fo'r pŵer i wneud rheoliadau yn adran 9(1) wedi ei arfer neu'n cael ei arfer yn y fath fodd ag i greu tramgwydd.

- (b) make provision as to when payments in respect of penalties are due;
- (c) make provision for interest where payments in respect of penalties are due but unmade;
- (d) make provision for recovering or setting off, and securing, unpaid amounts in respect of penalties and interest;
- (e) make provision about waiver of penalties.

7 Guidance

In exercising its functions under sections 3 to 6 a local authority must have regard to guidance given from time to time by the Welsh Ministers.

8 Consultation

- (1) Before making an order or regulations under section 3 or regulations under sections 4, 5 or 6, or giving guidance under section 7, the Welsh Ministers must consult the following—
 - (a) the Environment Agency;
 - (b) each local authority;
 - (c) such other persons as the Welsh Ministers consider appropriate.
- (2) For the purposes of subsection (1), consultation undertaken before the passing of this Measure has effect as if undertaken after that passing.

Landfill

9 Regulations prohibiting deposit of waste in a landfill

- (1) The Welsh Ministers may by regulations make provision for and in connection with prohibiting or otherwise regulating the deposit of specified kinds of waste in a landfill in Wales.
- (2) Regulations under subsection (1) may (among other things)—
 - (a) amend regulations made under section 2 of the Pollution Prevention and Control Act 1999 which relate to the operation of a landfill;
 - (b) provide for offences in relation to failure to comply with provision made under the regulations;
 - (c) provide for penalties in relation to such offences;
 - (d) provide for enforcement authorities and the functions of such authorities.
- (3) In subsection (1), “landfill” has the meaning given in Article 2(g) of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste.

10 Civil sanctions in respect of the deposit of waste in a landfill

- (1) This section applies where the power to make regulations in section 9(1) has been or is being exercised so as to create an offence.

- (2) Caiff rheoliadau o dan adran 9(1) wneud, mewn perthynas ag awdurdod gorfodi, ddarpariaeth y gellid ei gwneud drwy orchymyn o dan Ran 3 o Ddeddf Gorfodi Rheoleiddiol a Sanctsiynau 2008 (“RESA 2008”) fel pe byddai, at ddibenion Rhan 3 o’r Ddeddf honno –
 - (a) yr awdurdod gorfodi yn rheoleiddiwr, a
 - (b) y tramgwydd yn dramgwydd perthnasol mewn perthynas â’r rheoleiddiwr hwnnw.
- (3) Ond wrth eu cymhwyso i dramgwyddau a grëwyd gan reoliadau o dan adran 9(1) –
 - (a) nid yw adrannau 39(4) a 42(6) o RESA 2008 yn gymwys, a
 - (b) mae adran 49(1) wedi ei haddasu fel bod y cyfeiriad at “£20,000” i’w ddarllen fel cyfeiriad at “level 5 on the standard scale”.
- (4) Mae adrannau 63 i 69 o RESA 2008 yn gymwys i ddarpariaeth a wneir o dan reoliadau o dan is-adran (2), neu yn rhinwedd y rheoliadau hynny, fel y maent yn gymwys i ddarpariaeth a wneir o dan Ran 3 o RESA 2008 neu yn rhinwedd y Rhan honno.
- (5) At ddibenion is-adran (4), mae’r cyfeiriadau at “regulator” yn adrannau 63 i 69 o RESA 2008 i’w darllen fel cyfeiriadau at awdurdod gorfodi.
- (6) Yn yr adran hon, ystyr “awdurdod gorfodi” yw person sydd â swyddogaeth orfodi mewn perthynas â thramgwydd a grëwyd drwy reoliadau o dan adran 9(1).

11 Ymgynghori

- (1) Cyn gwneud unrhyw reoliadau o dan adran 9, rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
 - (a) Asiantaeth yr Amgylchedd;
 - (b) pob awdurdod lleol;
 - (c) unrhyw bersonau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau sy’n agored i fod yn ddarostyngedig i ddyletswyddau o dan y rheoliadau ac y mae Gweinidogion Cymru’n barnu eu bod yn briodol;
 - (d) unrhyw bersonau eraill y maent yn barnu eu bod yn briodol.
- (2) At ddibenion is-adran (1), mae ymgynghoriad sydd wedi ei wneud cyn pasio’r Mesur hwn yn cael effaith fel pe bai wedi ei wneud ar ôl ei basio.

Cynlluniau rheoli gwastraff safle

12 Cynlluniau rheoli gwastraff safle

- (1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth sy’n ei gwneud yn ofynnol i bersonau o ddisgrifiad penodedig –
 - (a) paratoi cynlluniau ar gyfer rheoli a gwaredu gwastraff a grëir wrth lunio disgrifiadau penodedig o weithiau yng Nghymru sy’n cynnwys adeiladu neu ddymchwel;
 - (b) cydymffurfio â’r cynlluniau hynny.
- (2) Caiff rheoliadau gynnwys darpariaeth hefyd ynghylch –
 - (a) yr amgylchiadau y mae’n rhaid paratoi cynlluniau odanynt;

-
- (2) Regulations under section 9(1) may make provision, in relation to an enforcement authority, which could be made by an order under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (“RESA 2008”) as if, for the purposes of Part 3 of that Act—
 - (a) the enforcement authority were a regulator, and
 - (b) the offence were a relevant offence in relation to that regulator.
 - (3) But in their application to offences created by regulations under section 9(1)—
 - (a) sections 39(4) and 42(6) of RESA 2008 do not apply, and
 - (b) section 49(1) is modified so that the reference to “£20,000” is to be read as a reference to “level 5 on the standard scale”.
 - (4) Sections 63 to 69 of RESA 2008 apply to provision made under or by virtue of regulations under subsection (2) as they apply to provision made under or by virtue of Part 3 of RESA 2008.
 - (5) For the purposes of subsection (4), the references to a “regulator” in sections 63 to 69 of RESA 2008 are to be read as references to an enforcement authority.
 - (6) In this section, “enforcement authority” means a person who has an enforcement function in relation to an offence created by regulations under section 9(1).

11 Consultation

- (1) Before making any regulations under section 9 the Welsh Ministers must consult the following—
 - (a) the Environment Agency;
 - (b) each local authority;
 - (c) such persons appearing to them to be representative of the interests of persons liable to be subject to duties under the regulations as they consider appropriate;
 - (d) such other persons as they consider appropriate.
- (2) For the purposes of subsection (1), consultation undertaken before the passing of this Measure has effect as if undertaken after that passing.

Site waste management plans

12 Site waste management plans

- (1) The Welsh Ministers may by regulations make provision requiring persons of a specified description—
 - (a) to prepare plans for the management and disposal of waste created in the course of specified descriptions of works in Wales involving construction or demolition;
 - (b) to comply with such plans.
- (2) Regulations may also include provision as to—
 - (a) the circumstances in which plans must be prepared;

- (b) cynnwys y cynlluniau;
 - (c) awdurdodau gorfodi mewn perthynas â chynlluniau a swyddogaethau'r awdurdodau hynny;
 - (d) cadw cynlluniau a'u dangos i awdurdodau gorfodi;
 - (e) y dull o wneud cynlluniau gan Weinidogion Cymru neu awdurdod gorfodi sy'n gosod gofynion ar bersonau o ddisgrifiad penodedig i dalu ffioedd neu daliadau eraill a godir fel cyfrwng i adennill y costau rhesymol a dynnir gan awdurdod gorfodi wrth gyflawni ei swyddogaethau o dan yr adran hon.
- (3) Mae disgrifiadau o weithiau y caniateir eu pennu o dan is-adran (1) yn cynnwys (ymhlith pethau eraill) disgrifiad drwy gyfeirio at gost neu gost debygol y gweithiau hynny.
- (4) Mae unrhyw reoliadau sydd wedi eu gwneud gan Weinidogion Cymru o dan adran 54 o Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005 ac sydd mewn grym yn union cyn i'r Rhan hon ddod i rym yn cael effaith fel petaent wedi eu gwneud o dan yr adran hon ac adran 13.
- (5) Yn yr adran hon, nid yw "Cymru" yn cynnwys unrhyw ran o'r môr sy'n gyfagos i Gymru.

13 Tramgwyddau a chosbau

- (1) Caiff Gweinidogion Cymru wneud darpariaeth drwy reoliadau –
- (a) ar gyfer tramgwyddau mewn perthynas â methiant i gydymffurfio â darpariaeth a wnaed o dan adran 12;
 - (b) ar gyfer cosbau mewn perthynas â'r tramgwyddau hynny;
 - (c) ar gyfer rhyddhau o atebolrwydd am dramgwydd o dan baragraff (a) drwy dalu cosb benodedig i awdurdod gorfodi o dan adran 12;
 - (d) ynghylch y ffyrdd y caniateir i daliadau a wneir o dan baragraff (c) gael eu defnyddio gan awdurdodau gorfodi sy'n arfer swyddogaethau o dan adran 12.
- (2) Ni chaniateir i'r rheoliadau greu tramgwyddau –
- (a) y gellir eu cosbi â chyfnod yn y carchar, neu
 - (b) y gellir eu cosbi ar gollfarn ddiannod â dirwy sy'n fwy na £50,000.
- (3) Ni chaniateir i'r rheoliadau greu tramgwyddau o fethu â chydymffurfio â darpariaeth a wneir o dan adran 12(2)(e) y gellir eu cosbi ar gollfarn ddiannod â dirwy sy'n fwy na lefel 5 ar y raddfa safonol.

14 Sanctsiynau sifil mewn cysylltiad â chynlluniau rheoli gwastraff safle

- (1) Mae'r adran hon yn gymwys pan fo'r pŵer i wneud rheoliadau yn adran 13 wedi ei arfer neu'n cael ei arfer yn y fath fodd ag i greu tramgwydd.
- (2) Caiff rheoliadau wneud darpariaeth, mewn perthynas ag awdurdod gorfodi, y gellid ei gwneud drwy orchymyn o dan Ran 3 o Ddeddf Gorfodi Rheoleiddiol a Sanctsiynau 2008 ("RESA 2008") fel pe byddai, at ddibenion Rhan 3 o'r Ddeddf honno –
- (a) yr awdurdod gorfodi yn rheoleiddiwr, a

- (b) the contents of plans;
 - (c) enforcement authorities in relation to plans and the functions of such authorities;
 - (d) the keeping of plans and their production to enforcement authorities;
 - (e) the making of schemes by the Welsh Ministers or an enforcement authority which impose requirements on persons of a specified description to pay fees or other charges as a means of recovering the reasonable costs incurred by an enforcement authority in performing its functions under this section.
- (3) Descriptions of works that may be specified under subsection (1) include (among other things) description by reference to the cost or likely cost of such works.
- (4) Any regulations made by the Welsh Ministers under section 54 of the Clean Neighbourhoods and Environment Act 2005 that are in force immediately before this Part comes into force have effect as if made under this section and section 13.
- (5) In this section, “Wales” does not include any area of the sea adjacent to Wales.

13 Offences and penalties

- (1) The Welsh Ministers may make provision by regulations for—
- (a) offences in relation to failure to comply with provision made under section 12;
 - (b) penalties in relation to such offences;
 - (c) the discharging of liability for an offence under paragraph (a) by the payment of a fixed penalty to an enforcement authority under section 12;
 - (d) about the uses to which payments under paragraph (c) may be put by enforcement authorities exercising functions under section 12.
- (2) The regulations may not create offences that are—
- (a) punishable by imprisonment, or
 - (b) punishable on summary conviction by a fine exceeding £50,000.
- (3) The regulations may not create offences for failure to comply with provision made under section 12(2)(e) that are punishable on summary conviction by a fine exceeding level 5 on the standard scale.

14 Civil sanctions in respect of site waste management plans

- (1) This section applies where the power to make regulations in section 13 has been or is being exercised so as to create an offence.
- (2) Regulations may make provision, in relation to an enforcement authority, which could be made by an order under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (“RESA 2008”) as if, for the purposes of Part 3 of that Act—
- (a) the enforcement authority were a regulator, and

- (b) y tramgwydd yn dramgwydd perthnasol mewn perthynas â'r rheoleiddiwr hwnnw.
- (3) Ond mae adran 49(1) o RESA 2008 yn cael ei haddasu wrth ei chymhwyso i dramgwyddau a grëwyd gan y rheoliadau fel y bydd y cyfeiriad at “£20,000” i’w ddarllen fel cyfeiriad at “level 5 on the standard scale”.
- (4) Mae adrannau 63 i 69 o RESA 2008 yn gymwys i ddarpariaeth a wneir o dan reoliadau o dan adran 13 neu yn rhinwedd y rheoliadau hynny fel y maent yn gymwys i ddarpariaeth a wneir o dan Ran 3 o RESA 2008 neu yn rhinwedd y Rhan honno.
- (5) At ddibenion is-adran (4), mae’r cyfeiriadau at “regulator” yn adrannau 63 i 69 o RESA 2008 i’w darllen fel cyfeiriadau at awdurdod gorfodi.
- (6) Yn yr adran hon, ystyr “awdurdod gorfodi” yw person sydd â swyddogaeth orfodi mewn perthynas â thrangwydd a grëwyd gan reoliadau o dan adran 13.

15 Canllawiau

Rhaid i berson sy’n awdurdod gorfodi o dan adran 12 roi sylw i ganllawiau a roddir o bryd i’w gilydd gan Weinidogion Cymru pan fo’n arfer swyddogaethau awdurdod gorfodi.

16 Ymgynghori

- (1) Cyn gwneud unrhyw reoliadau o dan adran 12, rhaid i Weinidogion Cymru ymgynghori â’r canlynol—
- Asiantaeth yr Amgylchedd;
 - pob awdurdod lleol;
 - unrhyw bersonau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau sy’n agored i fod yn ddarostyngedig i ddyletswyddau o dan y rheoliadau ac y mae Gweinidogion Cymru’n barnu eu bod yn briodol;
 - unrhyw bersonau eraill y maent yn barnu eu bod yn briodol.
- (2) At ddibenion is-adran (1), mae ymgynghoriad sydd wedi ei wneud cyn pasio’r Mesur hwn yn cael effaith fel pe bai wedi ei wneud ar ôl ei basio.

Cyffredinol

17 Dehongli

- (1) Yn y Mesur hwn—

ystyr “awdurdod lleol” (“*local authority*”) yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;

ystyr “gwastraff” (“*waste*”) yw unrhyw beth—

- sy’n wastraff at ddibenion y Gyfarwyddeb Fframwaith Gwastraff, a
- nas eithriwyd o gwmpas y Gyfarwyddeb honno gan Erthygl 2 o’r Gyfarwyddeb honno;

ystyr “pennu” (“*specified*”) yw pennu mewn rheoliadau a wnaed gan Weinidogion Cymru, ac ystyr “penodedig” yw wedi ei bennu mewn rheoliadau o’r fath;

- (b) the offence were a relevant offence in relation to that regulator.
- (3) But section 49(1) of RESA 2008 is modified in its application to offences created by the regulations so that the reference to “£20,000” is to be read as a reference to “level 5 on the standard scale”.
- (4) Sections 63 to 69 of RESA 2008 apply to provision made under or by virtue of regulations under section 13 as they apply to provision made under or by virtue of Part 3 of RESA 2008.
- (5) For the purposes of subsection (4), the references to a “regulator” in sections 63 to 69 of RESA 2008 are to be read as references to an enforcement authority.
- (6) In this section, “enforcement authority” means a person who has an enforcement function in relation to an offence created by regulations under section 13.

15 Guidance

A person who is an enforcement authority under section 12 must have regard to guidance given from time to time by the Welsh Ministers when exercising the functions of an enforcement authority.

16 Consultation

- (1) Before making any regulations under section 12, the Welsh Ministers must consult the following –
- (a) the Environment Agency;
 - (b) each local authority;
 - (c) such persons appearing to them to be representative of the interests of persons liable to be subject to duties under the regulations as they consider appropriate;
 - (d) such other persons as they consider appropriate.
- (2) For the purposes of subsection (1), consultation undertaken before the passing of this Measure has effect as if undertaken after that passing.

General

17 Interpretation

- (1) In this Measure –
- “function” (*“swyddogaeth”*) means power or duty;
 - “local authority” (*“awdurdod lleol”*) means a county or county borough council in Wales;
 - “specified” (*“pennu”*) means specified in regulations made by the Welsh Ministers;

ystyr “swyddogaeth” (“function”) yw pŵer neu ddyletswydd.

- (2) At ddibenion y diffiniad o “gwastraff” yn is-adran (1), ystyr “y Gyfarwyddeb Fframwaith Gwastraff” yw Cyfarwyddeb 2008/98/EC Senedd Ewrop a’r Cyngor dyddiedig 19 Tachwedd 2008 sy’n ymwneud â gwastraff ac sy’n diddymu Cyfarwyddebau penodol.

18 Mân ddiwygiadau a diwygiadau canlyniadol

Mae’r Atodlen yn cynnwys mân ddiwygiadau a diwygiadau canlyniadol.

19 Gorchmynion a rheoliadau

- (1) Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchmyn neu reoliadau o dan y Mesur hwn yn arferadwy drwy offeryn statudol.
- (2) Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchmyn neu reoliadau o dan y Mesur hwn yn cynnwys pŵer –
 - (a) i wneud darpariaeth wahanol ar gyfer achosion gwahanol neu ddisbarthiadau gwahanol ar achos, ardaloedd gwahanol, personau gwahanol neu ddisgrifiadau gwahanol o berson neu ddibenion gwahanol;
 - (b) i beri i ddarpariaeth wahanol fod yn gymwys ar adegau gwahanol;
 - (c) i wneud darpariaeth yn gyffredinol neu mewn perthynas ag achosion penodol;
 - (d) i wneud darpariaethau cysylltiedig, atodol, canlyniadol, dros dro, trosiannol neu ddarpariaethau arbed fel y gwel Gweinidogion Cymru yn dda.
- (3) Caniateir i unrhyw ddarpariaeth y caniateir ei gwneud drwy orchymyn o dan y Mesur hwn gael ei gwneud drwy reoliadau.
- (4) Caniateir i unrhyw ddarpariaeth y caniateir ei gwneud drwy reoliadau o dan y Mesur hwn gael ei gwneud drwy orchymyn.

20 Gorchmynion a rheoliadau: gweithdrefnau

- (1) Mae unrhyw offeryn statudol sy’n cynnwys gorchymyn neu reoliadau a wneir o dan y Mesur hwn yn ddarostyngedig i’w diddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.
- (2) Nid yw is-adran (1) yn gymwys –
 - (a) i orchymyn o dan adran 21(1);
 - (b) i orchmynion a rheoliadau y mae is-adran (3) yn gymwys iddynt.
- (3) Ni chaniateir gwneud offeryn statudol sy’n cynnwys gorchymyn o dan adran 3(4) neu reoliadau o dan adran 4, 5(1)(g), 6, 9, neu 14 (p’un ai ar ei ben ei hun neu ar eu pennau eu hunain neu ynghyd â darpariaethau eraill) oni fydd drafft o’r offeryn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru, a’i gymeradwyo drwy benderfyniad ganddo.
- (4) Pan fo rheoliadau yn gwneud darpariaeth y caniateir ei gwneud drwy orchymyn, bydd unrhyw weithdrefn a fyddai’n gymwys i’r gorchymyn o dan yr adran hon yn gymwys i’r rheoliadau.
- (5) Pan fo gorchymyn yn gwneud darpariaeth y caniateir ei gwneud drwy reoliadau, bydd unrhyw weithdrefn a fyddai’n gymwys i’r rheoliadau o dan yr adran hon yn gymwys i’r gorchymyn.

“waste” (“*gwastraff*”) means anything that—

- (a) is waste for the purposes of the Waste Framework Directive, and
 - (b) is not excluded from the scope of that Directive by Article 2 of that Directive.
- (2) For the purposes of the definition of “waste” in subsection (1), “the Waste Framework Directive” means Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

18 Minor and consequential amendments

The Schedule contains minor and consequential amendments.

19 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Measure is exercisable by statutory instrument.
- (2) Any power of the Welsh Ministers to make an order or regulations under this Measure includes power—
 - (a) to make different provision for different cases or classes of case, different areas, different persons or descriptions of person or different purposes;
 - (b) to make different provision to apply at different times;
 - (c) to make provision generally or in relation to specific cases;
 - (d) to make incidental, supplementary, consequential, transitory, transitional or saving provision as the Welsh Ministers think fit.
- (3) Any provision that may be made by order under this Measure may be made by regulations.
- (4) Any provision that may be made by regulations under this Measure may be made by order.

20 Orders and regulations: procedures

- (1) Any statutory instrument containing an order or regulations made under this Measure is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (2) Subsection (1) does not apply to—
 - (a) an order under section 21(1);
 - (b) orders and regulations to which subsection (3) applies.
- (3) A statutory instrument containing an order under section 3(4) or regulations under section 4, 5(1)(g), 6, 9, or 14 (whether alone or with other provisions) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (4) Where regulations make provision that may be made by order, any procedure that would apply to the order under this section applies to the regulations.
- (5) Where an order makes provision that may be made by regulations, any procedure that would apply to the regulations under this section applies to the order.

21 Cychwyn

- (1) Mae adran 3 yn dod i rym yn unol â darpariaeth a wneir gan Weinidogion Cymru drwy orchymyn.
- (2) Mae gweddill y darpariaethau sydd yn y Mesur hwn yn dod i rym ar ddiwedd cyfnod o ddeufis sy'n dechrau ar y diwrnod y cymeradwyir y Mesur hwn gan Ei Mawrhydi yn y Cyfrin Gyngor.

22 Enw byr

Enw'r Mesur hwn yw Mesur Gwastraff (Cymru) 2010.

21 Commencement

- (1) Section 3 comes into force in accordance with provision made by the Welsh Ministers by order.
- (2) The remaining provisions of this Measure come into force at the end of a period of two months beginning on the day on which this Measure is approved by Her Majesty in Council.

22 Short title

This Measure may be cited as the Waste (Wales) Measure 2010.

YR ATODLEN
(a gyflwynwyd gan adran 18)

MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL

Deddf Cymdogaethau Glân a'r Amgylchedd 2005

- 1 (1) Mae adran 54 o Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005 wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (1)–
 - (a) yn lle “appropriate person” rhodder “Secretary of State”;
 - (b) ym mharagraff (a), ar ôl “works” mewnosoder “in England”.
- (3) Yn is-adran (8), yn lle “appropriate person” rhodder “Secretary of State”.
- (4) Yn is-adran (9), hepgorer y geiriau o ““appropriate person”” hyd at “for Wales;”.

Deddf Newid yn yr Hinsawdd 2008

- 2 (1) Mae Adran 98 (mynegai o ymadroddion sydd wedi eu diffinio) o Ddeddf Newid yn yr Hinsawdd 2008 wedi ei diwygio fel a ganlyn.
- (2) Yn y golofn gyntaf, ar ôl ““the chair” (in Schedule 1)” mewnosoder ““children” (in Schedule 6)” ac yn y lle cyfatebol yn yr ail golofn mewnosoder “paragraph 4B(2) of Schedule 6”.
- (3) Yn y golofn gyntaf, ar ôl ““non-monetary discretionary requirement” (in Schedule 6)” mewnosoder ““nuisance” (in Schedule 6)” ac yn y lle cyfatebol yn yr ail golofn mewnosoder “paragraph 4B(6) of Schedule 6”.
- (4) Yn y golofn gyntaf, ar ôl ““participant” (in Part 3)” mewnosoder ““pollution” (in Schedule 6)” ac yn y lle cyfatebol yn yr ail golofn mewnosoder “paragraph 4B(3) of Schedule 6”.
- (5) Yn y golofn gyntaf, ar ôl ““the waste reduction provisions” (in section 72)” mewnosoder ““young people” (in Schedule 6)” ac yn y lle cyfatebol yn yr ail golofn mewnosoder “paragraph 4B(8) of Schedule 6”.

SCHEDULE
(introduced by section 18)

MINOR AND CONSEQUENTIAL AMENDMENTS

Clean Neighbourhoods and Environment Act 2005

- 1 (1) Section 54 of the Clean Neighbourhoods and Environment Act 2005 is amended as follows.
- (2) In subsection (1) –
 - (a) for “appropriate person” substitute “Secretary of State”;
 - (b) in paragraph (a), after “works” insert “in England”.
- (3) In subsection (8), for “appropriate person” substitute “Secretary of State”.
- (4) In subsection (9), omit the words from ““appropriate person”” to “for Wales;”.

Climate Change Act 2008

- 2 (1) Section 98 (index of defined expressions) of the Climate Change Act 2008 is amended as follows.
- (2) In the first column, after ““the chair” (in Schedule 1)” insert ““children” (in Schedule 6)” and at the corresponding place in the second column insert “paragraph 4B(2) of Schedule 6”.
- (3) In the first column, after ““non-monetary discretionary requirement” (in Schedule 6)” insert ““nuisance” (in Schedule 6)” and at the corresponding place in the second column insert “paragraph 4B(6) of Schedule 6”.
- (4) In the first column, after ““participant” (in Part 3)” insert ““pollution” (in Schedule 6)” and at the corresponding place in the second column insert “paragraph 4B(3) of Schedule 6”.
- (5) In the first column, after ““the waste reduction provisions” (in section 72)” insert ““young people” (in Schedule 6)” and at the corresponding place in the second column insert “paragraph 4B(8) of Schedule 6”.

Cyhoeddwyd gan (The Stationery Office)
ac mae ar gael oddi wrth:

Online
www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail
TSO
PO Box 29, Norwich NR3 1GN
Archebion / ymholiadau ffôn 0870 600 5522
Archebion ffacs 0870 600 5533
book.orders@theso.co.uk
<http://www.ukstate.com>

Siopau Llyfrau The Stationery Office
16 Arthur Street, Belfast BT1 4GD
028 9023 8451 Ffacs 028 9023 5401

The Parliamentary Bookshop
12 Bridge Street, Parliament Square,
Llundain SW1A 2JX
Archebion dros y ffôn/ Ymholiadau cyffredinol: 020 7219 3890
Archebion ffacs: 020 7219 3866
E-bost: bookshop@parliament.uk
Gwefan: <http://www.bookshop.parliament.uk>

TSO @ Blackwell ac Asiantau Achrededig eraill

Published by TSO (The Stationery Office)
and available from:

Online
www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail
TSO
PO Box 29, Norwich NR3 1GN
General enquiries: 0870 600 5522
Order through the Parliamentary Hotline *Lo-call* 0845 7 023474
Fax orders: 0870 600 5533
E-mail: customer.service@tso.co.uk
Textphone: 0870 240 3701

TSO Shops
16 Arthur Street, Belfast BT1 4GD
028 9023 8451 Fax 028 9023 5401

The Parliamentary Bookshop
12 Bridge Street, Parliament Square,
London SW1A 2JX
Telephone orders/General enquiries: 020 7219 3890
Fax orders: 020 7219 3866
Email: bookshop@parliament.uk
Internet: <http://www.bookshop.parliament.uk>

TSO @ Blackwell and other Accredited Agents

ISBN 978-0-348-10493-6



9 780348 104936