



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 1506 (Cy. 104)

2001 No. 1506 (W. 104)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

**Rheoliadau Gwastraff
Rhagnodedig (Cymru) 2001**

**The Prescribed Waste (Wales)
Regulations 2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau.)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn caniatáu i Gynulliad Cenedlaethol Cymru gyfarwyddo deiliad trwydded reoli gwastraff, drwy hysbysiad ysgrifenedig, i dderbyn a chadw, neu i dderbyn a thrin neu waredu carcasau (neu rannau o garcasau) mathau penodol o anifail a gigyddwyd o ganlyniad i fesurau a gymerwyd mewn cysylltiad â chlwy'r traed a'r genau. Y mathau perthnasol o anifail yw gwartheg (os cawsant eu geni ar neu ar ôl 1 Awst 1996), defaid, anifeiliaid eraill sy'n cnoi cil neu foch. Gellir hefyd roi cyfarwyddiadau mewn perthynas â lludw neu ddeunydd a rendrwyd o ganlyniad i losgi neu rendro carcasau neu rannau o garcasau gwartheg (o unrhyw oed), defaid, anifeiliaid eraill sy'n cnoi cil neu foch pan gafodd yr anifeiliaid hynny eu cigyddu o ganlyniad i fesurau cyfyngu.

Bydd estyn y mathau o wastraff drwy'r Rheoliadau hyn a all fod yn destun cyfarwyddyd gan y Cynulliad Cenedlaethol o dan adran 57(1) a (2) o Ddeddf Diogelu'r Amgylchedd 1990 a ddisgrifir uchod yn cael effaith ledled Cymru gyfan. Ni fydd deiliad trwydded yn euog o dramgwydd troseddol o dan unrhyw un o ddarpariaethau penodedig Deddf Cynllunio Gwlad a Thref 1990 a Deddf Diogelu'r Amgylchedd 1990 dim ond oherwydd unrhyw beth y bu'n rhaid ei wneud neu ei hepgor er mwyn cydymffurfio â chyfarwyddyd o dan adran 57(1) o Ddeddf Diogelu'r Amgylchedd 1990.

Bydd y Rheoliadau'n darford ar 20 Gorffennaf 2001 oni chânt eu hestyn neu eu diddymu cyn hynny.

These Regulations allow the National Assembly for Wales to direct by written notice the holder of a waste management licence to accept and keep, or accept and treat or dispose of the carcasses (or parts of carcasses) of certain types of animal which have been slaughtered as a result of measures taken in connection with foot-and-mouth disease. The relevant types of animal are cattle (if born on or after 1st August 1996), sheep, other ruminating animals or swine. Directions may also be given in relation to ash or rendered material resulting from the burning or rendering of the carcasses or parts of carcasses of cattle (of any age), sheep, other ruminating animals or swine where such animals have been slaughtered as a result of the containment measures.

The extension by these Regulations of the types of waste which may be the subject of a direction of the National Assembly under section 57(1) & (2) of the Environmental Protection Act 1990 described above will have effect throughout the whole of Wales. A licence holder will not be guilty of a criminal offence under any of the specified provisions of the Town and Country Planning Act 1990 and the Environmental Protection Act 1990 by reason only of anything necessarily done or omitted to comply with a direction under section 57(1) of the Environmental Protection Act 1990.

The Regulations will cease to have effect on 20th July 2001 unless previously extended or revoked.

Mae deiliad trwydded rheoli gwastraff sy'n cael ei gollfarnu o fethu â chydymffurfio â chyfarwyddyd o dan adran 57(1) o Ddeddf Diogelu'r Amgylchedd 1990 heb esgus rhesymol yn agored i ddirwy hyd at £5000.

A waste management licence holder convicted of failing to comply with a direction under section 57(1) of the Environmental Protection Act 1990 without reasonable excuse is liable to a fine of up to £5000.

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Regulations 2001***Wedi'u gwneud* 20 Ebrill 2001*Made* 20th April 2001*Yn dod i rym* 21 Ebrill 2001*Coming into force* 21st April 2001

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 57(6) a 63(1) o Ddeddf Diogelu'r Amgylchedd 1990(a) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(b), ac ar ôl ymgynghori yn unol ag adran 63(1) â'r cyrff hynny y mae'n credu eu bod yn briodol, drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 57(6) and 63(1) of the Environmental Protection Act 1990(a) and now vested in it(b), having in accordance with section 63(1) consulted such bodies as it considers appropriate, hereby makes the following Regulations:

Enwi, cychwyn, darford a chymhwyso**Citation, commencement, cessation and extent**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwastraff Rhagnodedig (Cymru) 2001.

1.-(1) These Regulations may be cited as the Prescribed Waste (Wales) Regulations 2001.

(2) Daw'r Rheoliadau hyn i rym ar 21 Ebrill 2001 a byddant yn darford ar 20 Gorffennaf 2001 oni chânt eu hestyn neu eu diddymu cyn hynny gan Reoliadau pellach.

(2) These Regulations shall come into force on 21st April 2001 and shall cease to have effect 20th July 2001 unless previously extended or revoked by further Regulations.

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(3) These Regulations apply to Wales.

Gwastraff Rhagnodedig**Prescribed Waste**

2.-(1) Bydd adran 57 o Ddeddf Diogelu'r Amgylchedd 1990 (pŵer yr Ysgrifennydd Gwladol i'w gwneud yn ofynnol i wastraff gael ei ddebyn, ei drin, ei waredu neu ei draddodi) yn cael effaith yng Nghymru fel pe bai cyfeiriadau at wastraff a reolir yn cynnwys cyfeiriadau at unrhyw wastraff sy'n dod o safleoedd a ddefnyddir ar gyfer amaethyddiaeth o fewn ystyr Deddf Amaethyddiaeth 1947(c) ac yn cynnwys-

2.-(1) Section 57 of the Environmental Protection Act 1990 (power of Secretary of State to require waste to be accepted, treated, disposed of or delivered) shall have effect in Wales as if references to controlled waste included references to any waste which is from premises used for agriculture within the meaning of the Agriculture Act 1947(c) and which consist of-

(a) yn ddarostyngedig i baragraff (3), carcasau (neu rannau o garcasau, gan gynnwys gwaed) yr anifeiliaid a bennir ym mharagraff (2); neu

(a) subject to paragraph (3), carcasses (or parts of carcasses, including blood) of animals specified in paragraph (2); or

(b) rendered material or ash resulting from the

(a) 1990 p.43

(a) 1990 c.43.

(b) Mae pwerau'r Ysgrifennydd Gwladol i'r graddau y maent yn arferadwy mewn perthynas â Chymru wedi'u trosglwyddo i Gynulliad Cenedlaethol Cymru: gweler Erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(b) The powers of the Secretary of State in so far as exercisable in relation to Wales have been transferred to the National Assembly for Wales; see Article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) 1947 p.48

(c) 1947 c.48.

(b) deunydd wedi'i rendro neu ludw o ganlyniad i rendro neu losgi'r carcassau (neu rannau o garcasau, gan gynnwys gwaed) yr anifeiliaid a bennir ym mharagraff (2).

(2) Dyma'r anifeiliaid y cyfeirir atynt ym mharagraff (1)(a) a (b)-

(a) gwartheg, defaid, geifr, unrhyw anifeiliaid eraill sy'n no'i cil neu foch; a'r rheiny

(b) wedi'u cigydda o ganlyniad uniongyrchol neu anuniongyrchol i fesurau a gymerwyd mewn cysylltiad â chlwy'r traed a'r genau.

(3) Ni fydd paragraff (1)(a) yn gymwys i wartheg a anwyd cyn 1 Awst 1996.

Deddfiadau a ragnodir at ddibenion adran 57(6) o Ddeddf Diogelu'r Amgylchedd 1990

3. Rhagnodir y deddfiadau canlynol at ddibenion adran 57(6) o Ddeddf Diogelu'r Amgylchedd 1990 (amddiffyniadau yn achos cydymffurfio â chyfarwyddyd)-

(a) adrannau 179, 187, 187A, 216 a 331 o Ddeddf Cynllunio Gwlad a Thref 1990(a); a

(b) adran 33 o Ddeddf Diogelu'r Amgylchedd 1990(b).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(c)

Carwyn Jones

20 Ebrill 2001

Ysgrifennydd Cynulliad

rendering or burning of carcasses (or parts of carcasses, including blood) of animals specified in paragraph (2).

(2) The animals referred to in paragraph (1)(a) and (b) are animals which -

(a) are cattle, sheep, goats, any other ruminating animals or swine; and

(b) are slaughtered as a direct or indirect result of measures taken in connection with foot-and-mouth disease.

(3) Paragraph (1)(a) shall not apply to cattle born before 1st August 1996.

Enactment prescribed for the purposes of section 57(6) of the Environmental Protection Act 1990

3. The following enactments are prescribed for the purposes of section 57(6) of the Environmental Protection Act 1990 (defences in the case of compliance with a direction)-

(a) sections 179, 187, 187A, 216 and 331 of the Town and Country Planning Act 1990(a); and

(b) section 33 of the Environmental Protection Act 1990(b).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c)

20 April 2001

Assembly Secretary

(a) 1990 p.8; gwnaed diwygiadau perthnasol gan adrannau 2, 8 a 9(4) o Ddeddf Cynllunio ac Iawndal 1991 (p.34) a pharagraff 35 o Atodlen 7 i Ddeddf 1991.

(b) Gwnaed diwygiadau perthnasol gan adran 33 o Ddeddf Dadreoleiddio a Chontractio Allan 1994 (p.40), adran 120(1) o Ddeddf yr Amgylchedd 1995 (p.25), paragraffau 64 a 65 o Atodlen 22 i'r Ddeddf honno, rheoliad 19 o O.S. 1994/1056, paragraff 11 o Ran I o Atodlen 4 i O.S. 1994/1056 a pharagraffau 2 a 4 o Ran I o Atodlen 10 i O.S. 2000/1973.

(c) 1998 p.38.

(a) 1990 c.8; relevant amendments were made by sections 2, 8 and 9(4) of the Planning and Compensation Act 1991 (c.34) and paragraph 35 of Schedule 7 to the 1991 Act.

(b) Relevant amendments were made by section 33 of the Deregulation and Contracting Out Act 1994 (c.40), section 120(1) of the Environment Act 1995 (c.25), paragraphs 64 and 65 of Schedule 22 to that Act, regulation 19 of S.I. 1994/1056, paragraph 11 of Part I of Schedule 4 to S.I. 1994/1056 and paragraphs 2 and 4 of Part I of Schedule 10 to S.I. 2000/1973.

(c) 1998 c.38.

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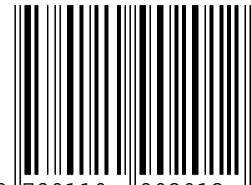
W/273/05/01

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ISBN 0-11-090201-7



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