CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 1795 (Cy.170)

IECHYD CYHOEDDUS, CYMRU

Gorchymyn Rheoli Sŵn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) (Cymru) 2002

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

O dan adrannau 71 a 104(1) o Ddeddf Rheoli Llygredd 1974, caiff yr Ysgrifennydd Gwladol gymeradwyo codau ymarfer er mwyn rhoi cyfarwyddyd ar ddulliau priodol o leiafu sŵn (sy'n cynnwys dirgryniad) a rhaid i'r Ysgrifennydd Gwladol gymeradwyo cod ymarfer o'r fath ar gyfer cyflawni gweithfeydd y mae adran 60 o'r Ddeddf yn gymwys iddynt. Mae'r rhain yn cynnwys gwaith adeiladu a thrwsio ffyrdd, gwaith dymchwel, gwaith carthu a mathau eraill o weithfeydd adeiladu peirianyddol.

Mae pwerau'r Ysgrifennydd Gwladol i gymeradwyo codau ymarfer wedi'u trosglwyddo i Gynulliad Cenedlaethol Cymru mewn perthynas â Chymru.

Mae'r Gorchymyn hwn yn cymeradwyo'r pedwar cod ymarfer a grybwyllir yn Erthygl 2. Mae'r cod ymarfer ar wybodaeth a gweithdrefnau sylfaenol ar gyfer rheoli sŵn a dirgryniad a grybwyllir yn Erthygl 2(a) yn gymwys i bob safle adeiladu a safle agored. Mae'r codau ymarfer a grybwyllir yn Erthygl 2(b), (c) a (ch) yn gymwys, yn ychwanegol, i echdynnu glo arwyneb, gwaith gosod pyst a safleoedd echdynnu mwynau arwyneb yn y drefn honno.

Mae'r Gorchymyn hwn yn disodli Gorchymyn Rheoli Sŵn (Codau Ymarfer ar gyfer Safleoedd Adeiladau a Safleoedd Agored) 1984 a Gorchymyn Rheoli Sŵn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) 1987 mewn perthynas â Chymru.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 1795 (W.170)

PUBLIC HEALTH, WALES

The Control of Noise (Codes of Practice for Construction and Open Sites) (Wales) Order 2002

EXPLANATORY NOTE

(This note is not part of the Order)

Under sections 71 and 104(1) of the Control of Pollution Act 1974, the Secretary of State may approve codes of practice for the purpose of giving guidance on appropriate methods for minimising noise (which includes vibration) and the Secretary of State must approve such a code of practice for the carrying out of works to which section 60 of the Act applies. These works include building and roadworks, demolition, dredging and other works of engineering construction.

The Secretary of State's powers to approve codes of practice are exercisable by the National Assembly for Wales in relation to Wales.

This Order approves the four codes mentioned in Article 2. The code of practice for basic information and procedures for noise vibration and control mentioned in Article 2(a) applies to all construction sites and other open sites. The codes of practice mentioned in Article 2(b), (c) and (d) apply, in addition, in relation to surface coal extraction, piling operations and surface mineral extraction sites respectively.

This Order replaces, in relation to Wales, the Control of Noise (Codes of Practice for Construction and Open Sites) Order 1984 and the Control of Noise (Codes of Practice for Construction and Open Sites) Order 1987.

Gellir cael copiau o'r codau ymarfer sydd wedi'u cymeradwyo, yn bersonol neu drwy'r post, oddi wrth y Sefydliad Safonau Prydeinig ("British Standards Institution"). Eu cyfeiriad yw Customer Services Sales Department, BSI, 389 Chiswick High Road, London W4 4AL; ffôn 020 8996 7000.

Dyma rifau ISBN y codau ymarfer sydd wedi'u cymeradwyo:

BS 5228: Rhan 1: 1997 (gyda Diwygiad 1)	ISBN 0 580 26845 4
BS 5228: Rhan 3: 1997	ISBN 0 580 26874 8
BS 5228: Rhan 4: 1992	ISBN 0 580 20381 6
BS 5228: Rhan 5: 1997	ISBN 0 580 28306 2

The approved codes of practice can be obtained in person or by post from the British Standards Institution at the Customer Services Sales Department, BSI, 389 Chiswick High Road, London W4 4AL; telephone 020 8996 7000.

The ISBN numbers for the approved codes of practice are as follows:

BS 5228: Part 1: 1997 (with Amendment 1)	ISBN 0 580 26845 4
BS 5228: Part 3: 1997	ISBN 0 580 26874 8
BS 5228: Part 4: 1992	ISBN 0 580 20381 6
BS 5228: Part 5: 1997	ISBN 0 580 28306 2

OFFERYNNAU STATUDOL

2002 Rhif 1795 (Cy.170)

IECHYD CYHOEDDUS, CYMRU

Gorchymyn Rheoli Swn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) (Cymru) 2002

Wedi'i wneud	*9 Gorffennaf 2002*
Yn dod i rym	*1 Awst 2002*

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 71 a 104(1) o Ddeddf Rheoli Llygredd 1974(**a**) ac sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol(**b**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Rheoli Swn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) (Cymru) 2002 a daw i rym ar 1 Awst 2002.

(2) Mae'r Gorchymyn hwn yn gymwys i Gymru.

Cymeradwyo codau ymarfer

2. Mae Codau Ymarfer canlynol y Sefydliad Safonau Prydeinig ("*British Standards Institution*") wedi'u cymeradwyo fel codau addas ar gyfer rhoi cyfarwyddyd ar leiafu sŵn:

(a) y Cod Ymarfer ar wybodaeth a gweithdrefnau sylfaenol ar gyfer rheoli sŵn a dirgryniad, sy'n dwyn y rhif BS 5228: Rhan 1: 1997 gan ymgorffori Diwygiad Rhif 1, a ddaeth i rym ar 15 Ebrill 1999 (ac sy'n ymwneud â chyflawni gwaith y mae adran 60 o Ddeddf Rheoli Llygredd 1974 yn gymwys iddo, ymhlith pethau eraill);

(b) y Cod Ymarfer sy'n gymwys i echdynnu glo arwyneb drwy ddefnyddio dulliau cloddio

(a) 1974 p.40.

(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.

STATUTORY INSTRUMENTS

2002 No. 1795 (W.170)

PUBLIC HEALTH, WALES

The Control of Noise (Codes of Practice for Construction and Open Sites) (Wales) Order 2002

Made	*9th July 2002*
Coming into force	*1st August 2002*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred on the Secretary of State by sections 71 and 104(1) of the Control of Pollution Act 1974(**a**) and which are now exercisable by the National Assembly(**b**), hereby makes the following Order:

Citation, commencement and application

1.-(1) This Order may be cited as the Control of Noise (Codes of Practice for Construction and Open Sites) (Wales) Order 2002 and shall come into force on 1st August 2002.

(2) This Order applies to Wales.

Approval of Codes of Practice

2. The following British Standards Institution Codes of Practice are approved as being suitable for giving guidance on minimising noise:

(a) the Code of Practice for basic information and procedures for noise and vibration control, numbered BS 5228: Part 1: 1997 incorporating Amendment No.1, which came into effect on 15 April 1999 (and which is concerned, amongst other things, with the carrying out of works to which section 60 of the Control of Pollution Act 1974 applies);

(b) the Code of Practice applicable to surface coal extraction by opencast methods, numbered BS

(a) 1974 c.40.

(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).

brig, sy'n dwyn y rhif BS 5228: Rhan 3: 1997, a ddaeth rym ar 15 Mai 1997;

(c) y Cod Ymarfer ar gyfer rheoli sŵn a dirgryniad sy'n gymwys i waith gosod pyst, sy'n dwyn y rhif BS 5228: Rhan 4: 1992, a ddaeth i rym ar 1 Mai 1992, fel y'i diwygiwyd gan Ddiwygiad Rhif 1 a ddaeth i rym ar 15 Gorffennaf 1993 (ac sy'n ymwneud â chyflawni gwaith y mae adran 60 o Ddeddf Rheoli Llygredd 1974 yn gymwys iddo, ymhlith pethau eraill); ac

(ch) y Cod Ymarfer sy'n gymwys i safleoedd echdynnu mwynau (heblaw glo) arwyneb, sy'n dwyn y rhif BS 5228: Rhan 5: 1997, a ddaeth i rym ar 15 Tachwedd 1997.

Diddymu

3. Mae Gorchymyn Rheoli Sŵn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) 1984(**a**) a Gorchymyn Rheoli Sŵn (Codau Ymarfer ar gyfer Safleoedd Adeiladu a Safleoedd Agored) 1987(**b**) wedi'u diddymu mewn perthynas â Chymru.

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

9 Gorffennaf 2002

Dirprwy Lywydd y Cynulliad Cenedlaethol

(a) O.S. 1984/1992.

(b) O.S. 1987/1730.

(c) 1998 p.38.

5228: Part 3: 1997, which came into effect on 15 May 1997;

(c) the Code of Practice for noise and vibration control applicable to piling operations, numbered BS 5228: Part 4: 1992, which came into effect on 1 May 1992, as amended by Amendment No.1 which came into effect on 15 July 1993 (and which is concerned, amongst other things, with the carrying out of works to which section 60 of the Control of Pollution Act 1974 applies); and

(d) the Code of Practice applicable to surface mineral extraction (except coal) sites, numbered BS 5228: Part 5: 1997, which came into effect on 15 November 1997.

Revocation

3. The Control of Noise (Codes of Practice for Construction and Open Sites) Order 1984(**a**) and the Control of Noise (Codes of Practice for Construction and Open Sites) Order 1987(**b**) are revoked in relation to Wales.

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

9th July 2002

John Marek

The Deputy Presiding Officer of the National Assembly

(a) S.I. 1984/1992.

(b) S.I. 1987/1730.

(c) 1998 c. 38.

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