



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 907 (Cy.90)

2004 No. 907 (W.90)

**DATBLYGU ECONOMAIDD,
CYMRU**

**ECONOMIC DEVELOPMENT,
WALES**

Gorchymyn Awdurdod Datblygu
Cymru (Tir Diffaith) 2004

The Welsh Development Agency
(Derelict Land) Order 2004

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae adran 16(1) o Ddeddf Awdurdod Datblygu Cymru 1975 ("y Ddeddf") yn darparu y caiff Awdurdod Datblygu Cymru ("yr Awdurdod") lle bo'n ymddangos iddo y dylid cymryd camau at ddibenion adfer neu wella unrhyw dir y mae adran 16(1) yn gymwys iddo, neu sy'n galluogi unrhyw dir o'r fath i gael ei ddefnyddio, arfer y pwerau a bennir yn adran 16(3) o'r Ddeddf mewn perthynas â'r tir hwnnw, gyda chaniatâd Cynulliad Cenedlaethol Cymru.

Section 16(1) of the Welsh Development Agency Act 1975 ("the Act") provides that where it appears to the Welsh Development Agency ("the Agency") that steps should be taken for the purpose of reclaiming or improving any land to which section 16(1) applies, or enabling any such land to be brought into use, the Agency may, with the consent of the National Assembly for Wales, exercise as respects that land the powers specified in section 16(3) of the Act.

Mae adran 16(2) o'r Ddeddf yn disgrifio'r tir y mae adran 16(1) yn gymwys iddo ac yn cynnwys tir sy'n ddiffaith, sydd wedi'i esgeuluso neu sydd wedi'i anharddu.

Section 16(2) of the Act describes the land to which section 16(1) applies and includes land which is derelict, neglected or unsightly.

O dan adran 16(3)(a) o'r Ddeddf, mae gan yr Awdurdod bŵer i dalu grantiau i unrhyw berson o'r cyfryw symiau ac sy'n daladwy ar y cyfryw adegau ac sy'n ddarostyngedig i'r cyfryw amodau ag y gall yr Awdurdod eu pennu o bryd i'w gilydd mewn perthynas â gwariant perthnasol a dynnir gan y person hwnnw. Diffinnir y term 'relevant expenditure' yn adran 16(4) o'r Ddeddf. Mae'n cynnwys gwariant a dynnir, gyda chymeradwyaeth yr Awdurdod, i gyflawni neu mewn cysylltiad â chyflawni gwaith ar dir diffaith at ddibenion adfer neu wella'r tir hwnnw neu ei alluogi i gael ei ddefnyddio.

Under section 16(3)(a) of the Act, the Agency has power to pay to any person grants of such amounts and payable at such times and subject to such conditions as the Agency may from time to time determine in respect of relevant expenditure incurred by that person. The term 'relevant expenditure' is defined in section 16(4) of the Act. It includes expenditure incurred, with the approval of the Agency, in or in connection with the carrying out of works on derelict land for the purposes of reclaiming or improving that land or enabling it to be brought into use.

Mae adran 16(6) o'r Ddeddf yn darparu bod rhaid i swm y grant y gellir ei dalu o dan adran 16(3)(a) i berson, heblaw cyngor sir neu gyngor bwrdeistref sirol y lleolir y tir y mae adran 16(1) yn gymwys iddo yn ei ardal, beidio â bod yn uwch na therfyn arbennig. Y

Section 16(6) of the Act provides that the amount of grant which may be paid under section 16(3)(a) to a person, other than a county or county borough council in whose area the land to which section 16(1) applies is situated, must not exceed a certain limit. That limit is

terfyn hwnnw yw naill ai'r ganran ragnodedig o'r gwariant perthnasol (adran 16(6)(a)) neu, yn achos grant cyfnodol mewn perthynas â chostau a dynnir o bryd i'w gilydd (neu sy'n cael eu trin fel costau a dynnir mewn perthynas â benthyca arian er mwyn talu'r gwariant perthnasol), y ganran ragnodedig o'r costau a dynnir (neu sy'n cael eu trin fel petant wedi'u tynnu) (adran 16(6)(b)).

Mae adran 16(6) o'r Ddeddf yn diffinio'r term "the prescribed percentage" (sef y ganran ragnodedig) fel 80 y cant, neu'r cyfryw ganran arall a ragnodir trwy orchymyn.

Mae'r Gorchymyn hwn yn ragnodi'r ganran fel 100 y cant.

either the prescribed percentage of the relevant expenditure (section 16(6)(a)) or, in the case of a periodical grant in respect of costs from time to time incurred (or treated as incurred in respect of the borrowing of money to defray the relevant expenditure), the prescribed percentage of the costs incurred (or treated as incurred) (section 16(6)(b)).

Section 16(6) of the Act defines the term 'the prescribed percentage' as 80 per cent, or such other percentage as may be prescribed by order.

This Order prescribes the percentage as 100 per cent.

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Cymru (Tir Diffaith) 2004****The Welsh Development Agency
(Derelict Land) Order 2004***Wedi'i wneud**24 Mawrth 2004**Made**24th March 2004**Yn dod i rym**1 Ebrill 2004**Coming into force**1st April 2004*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 16(6) o Ddeddf Awdurdod Datblygu Cymru 1975(a) a freiniwyd yng Nghynulliad Cenedlaethol Cymru bellach(b):

The National Assembly for Wales makes the following Order in exercise of the power conferred on the Secretary of State by section 16(6) of the Welsh Development Agency Act 1975(a) which is now vested in the National Assembly for Wales(b):

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Awdurdod Datblygu Cymru (Tir Diffaith) 2004 a daw i rym ar 1 Ebrill 2004.

Citation and commencement

1. This Order may be cited as the Welsh Development Agency (Derelict Land) Order 2004 and comes into force on 1st April 2004.

Cynnydd y Ganran Ragnodedig

2. At ddibenion is-adran (6) o adran 16 o Ddeddf Awdurdod Datblygu Cymru 1975, ystyr "the prescribed percentage" (y ganran a ragnodwyd) yw 100 y cant.

Increase of the Prescribed Percentage

2. For the purposes of subsection (6) of section 16 of the Welsh Development Agency Act 1975, "the prescribed percentage" means 100 per cent.

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

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

24 Mawrth 2004

24th March 2004

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National
Assembly

(a) 1975 p.70; amnewidiwyd adran 16 gan adran 2(1) o Ddeddf Tir Diffaith 1982 (p.42) a'i diwygio gan adran 66(6) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 48 o Atodlen 16 iddi ac adran 120 o Ddeddf yr Amgylchedd 1995 (p.25) ac Atodlen 24 iddi ac adran 152 o Ddeddf Llywodraeth Cymru 1998 (p. 38) a Rhan III o Atodlen 18 iddi.

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) 1998 p.38.

(a) 1975 c.70; section 16 was substituted by section 2(1) of the Derelict Land Act 1982 (c.42) and amended by section 66(6) of and paragraph 48 of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19) and section 120 of and Schedule 24 to the Environment Act 1995 (c. 25) and section 152 of and Part III of Schedule 18 to the Government of Wales Act 1998 (c.38).

(b) *See the* National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) 1998 c.38.

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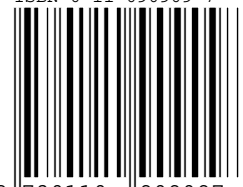
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