



OFFERYNNAU STATUDOL
CYMRU

2007 Rhif 2386 (Cy.197) (C. 88)

TIROEDD COMIN, CYMRU

Gorchymyn Deddf Tiroedd Comin
2006 (Cychwyn Rhif 1,
Darpariaethau Trosiannol ac
Arbedion) (Cymru) 2007

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn cychwyn darpariaethau penodol o Ddeddf Tiroedd Comin 2006 ("y Ddeddf") o ran Cymru.

Mae erthygl 2 o'r Gorchymyn hwn yn dod â nifer o ddarpariaethau i rym ar y diwrnod ar ôl y diwrnod y mae'r Gorchymyn hwn yn cael ei wneud gyda'r bwriad cyfyngedig o alluogi Gweinidogion Cymru i roi canllawiau neu gyfarwyddiadau ac i wneud rheoliadau, neu i wneud darpariaeth drwy reoliadau.

Mae erthygl 3 o'r Gorchymyn hwn yn dod â'r darpariaethau o Ddeddf 2006 a nodir yn yr erthygl honno i rym ar 6 Medi 2007.

Mae erthygl 4 o'r Gorchymyn hwn yn cynnwys darpariaethau trosiannol ac arbedion yn ymwneud â'r darpariaethau y daethpwyd â hwy i rym gan erthygl 3 o'r Gorchymyn hwn.

Ymhlith pethau eraill, mae'r Gorchymyn hwn yn dod ag adran 15 o Ddeddf 2006 i rym, sy'n gwneud darpariaeth newydd ynghylch cofrestru tir yng Nghymru fel maes tref neu bentref, ac sy'n cynnwys darpariaethau trosiannol ac arbedion-

- (a) sy'n ei gwneud yn ofynnol, nes bod adran 1 o Ddeddf 2006 yn dod i rym o ran y man perthnasol, i faes a gofrestrwyd o dan adran 15 o Ddeddf 2006 gael ei gofnodi yn y cofrestrau a gedwir o dan Ddeddf Cofrestru Tiroedd Comin 1965 ("Deddf 1965");

WELSH STATUTORY
INSTRUMENTS

2007 No. 2386 (W.197) (C. 88)

COMMONS, WALES

The Commons Act 2006
(Commencement No.1,
Transitional Provisions and
Savings) (Wales) Order 2007

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences certain provisions of the Commons Act 2006 ("the 2006 Act") in relation to Wales.

Article 2 of this Order brings into force, on the day after the day on which this Order is made, a number of provisions for the limited purpose of enabling the Welsh Ministers to give guidance or directions and to make, or to make provision by means of, regulations.

Article 3 of this Order brings into force on 6 September 2007 the provisions of the 2006 Act cited in that article.

Article 4 of this Order contains transitional and saving provisions relating to the provisions brought into force by article 3 of this Order.

Amongst other things, this Order brings into force section 15 of the 2006 Act, which makes new provision about the registration of land in Wales as a town or village green, and contains transitional and saving provisions which-

- (a) require, until section 1 of the 2006 Act is brought into force in relation to the relevant area, a green registered under section 15 of the 2006 Act to be entered in the registers maintained under the Commons Registration Act 1965 ("the 1965 Act");

- (b) sy'n sicrhau bod y darpariaethau presennol ar gyfer cofrestru meysydd a thiroedd comin newydd o dan adran 13(b) o Ddeddf 1965 yn aros mewn grym mewn achosion penodol (megis ar gyfnewid tir sy'n ganlyniad i orchymyn prynu gorfodol); ac
- (c) sy'n cadw unrhyw gais i gofrestru maes a wnaed o dan Ddeddf 1965 cyn 6 Medi 2007, fel bod rhaid pennu ceisiadau o'r fath o dan Ddeddf 1965.

Gellir cael gwybodaeth bellach ar y darpariaethau y daw'r Gorchymyn hwn â hwy i rym yn y Nodiadau Esboniadol i'r Ddeddf Tiroedd Comin 2006, yn www.opsi.gov.uk.

- (b) ensure that the existing provisions for registration of new greens and common land under section 13(b) of the 1965 Act remain effective in certain cases (such as on an exchange of land consequential on a compulsory purchase order); and
- (c) preserve any application to register a green made under the 1965 Act before 6 September 2007, so that such applications must be determined under the 1965 Act.

Further information on the provisions brought into force by this Order can be found in the Explanatory Notes to the Commons Act 2006, which can be viewed at www.opsi.gov.uk.

2007 Rhif 2386 (W.197) (Cy.88)

2007 No. 2386 (W. 197) (C. 88)

TIROEDD COMIN, CYMRU

COMMONS, WALES

Gorchymyn Deddf Tiroedd Comin
2006 (Cychwyn Rhif 1,
Darpariaethau Trosiannol ac
Arbedion) (Cymru) 2007

The Commons Act 2006
(Commencement No.1,
Transitional Provisions and
Savings) (Wales) Order 2007

Wedi'i wneud

11 Awst 2007

Made

11 August 2007

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd i'r awdurdod cenedlaethol priodol(1) gan adrannau 56(1) a 59(1) o Ddeddf Tiroedd Comin 2006(2):

The Welsh Ministers make the following Order in exercise of the powers conferred upon the appropriate national authority(1) by sections 56(1) and 59(1) of the Commons Act 2006(2):

Enwi, dehongli a chymhwyso

Title, interpretation and application

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Tiroedd Comin 2006 (Cychwyn Rhif 1, Darpariaethau Trosiannol ac Arbedion) (Cymru) 2007.

1.-(1) The title of this Order is the Commons Act 2006 (Commencement No.1, Transitional Provisions and Savings) (Wales) Order 2007.

(2) Yn y Gorchymyn hwn -

(2) In this Order-

ystyr "Deddf 1965" ("*the 1965 Act*") yw Deddf Cofrestru Tiroedd Comin 1965;(3);

"the 1965 Act" ("*Deddf 1965*") means the Commons Registration Act 1965(3);

ystyr "Ddeddf 2006" ("*the 2006 Act*") yw Deddf Tiroedd Comin 2006;

"the 2006 Act" ("*Deddf 2006*") means the Commons Act 2006.

(3) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) This Order applies in relation to Wales.

Darpariaethau sy'n dod i rym at ddibenion penodol

Provisions coming into force for certain purposes

2.-(1) Mae darpariaethau Deddf 2006 a osodir ym mharagraff (2) yn dod i rym ar y diwrnod ar ôl y diwrnod y mae'r Gorchymyn hwn yn cael ei wneud i'r graddau y maent yn rhoi pŵer, neu'n gosod dyletswydd, ar Weindogion Cymru-

2.-(1) The provisions of the 2006 Act set out in paragraph (2) come into force on the day after the day on which this Order is made insofar as they confer a power, or impose a duty, on the Welsh Ministers to-

(a) i wneud rheoliadau, neu i wneud darpariaeth drwyddynt;

(a) make, or make provision by, regulations;

(b) i roi canllawiau neu gyfarwyddiadau; neu

(b) give guidance or directions; or

(1) *Gweler* adran 61(1) o Ddeddf 2006 am ystyr "awdurdod cenedlaethol priodol" ("appropriate national authority"), y mae ei swyddogaethau bellach arferadwy, o ran Cymru, gan Weindogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (c.32) a pharagraff 30 o Atodlen 11 iddi.

(1) *See* section 61(1) of the 2006 Act for the meaning of "appropriate national authority", the functions of which are now exercisable, in relation to Wales, by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

(2) 2006 p.26.

(2) 2006 c.26.

(3) 1965 p.64.

(3) 1965 c.64.

(c) i wneud darpariaeth parthed arfer unrhyw bwer o'r fath neu parthed cyflawni dyletswydd o'r fath.

(2) Y darpariaethau y cyfeirir atynt ym mharagraff (1) yw-

adran 3(5);

adran 6(4);

adran 7(4);

adran 8(1) a (2);

adran 11(5) a (6);

adran 12(a);

adran 13(1)(a);

adran 14;

adran 17(3) a (10);

adran 19(6);

adran 20(2) a (3);

adran 21(2) a (3);

adrannau 22 i 25;

adran 29(1) a (6);

adran 31(6)(a);

adran 39(6);

adran 40;

adran 42(4);

adrannau 43 a 44;

adran 50(1) a (4) i (6);

paragraffau 2(2)(d) a (3), 3(2)(e) a (3), 4(6), 5(3), 6(3), 7(3), 8(3), 9(4) a 10 o Atodlen 2; a

paragraffau 2(1), (5) a (6), 4, 5 ac 8(2) a (3) o Atodlen 3.

(c) make provision with respect to the exercise of any such power or performance of such duty.

(2) The provisions referred to in paragraph (1) are-

section 3(5);

section 6(4);

section 7(4);

section 8(1) and (2);

section 11(5) and (6);

section 12(a);

section 13(1)(a);

section 14;

section 17(3) and (10);

section 19(6);

section 20(2) and (3);

section 21(2) and (3);

sections 22 to 25;

section 29(1) and (6);

section 31(6)(a);

section 39(6);

section 40;

section 42(4);

sections 43 and 44;

section 50(1) and (4) to (6);

paragraphs 2(2)(d) and (3), 3(2)(e) and (3), 4(6), 5(3), 6(3), 7(3), 8(3), 9(4) and 10 of Schedule 2; and

paragraphs 2(1), (5) and (6), 4, 5 and 8(2) and (3) of Schedule 3.

Darpariaethau sy'n dod i rym ar 6 Medi 2007

3. Mae'r darpariaethau a ganlyn o Ddeddf 2006 yn dod i rym ar 6 Medi 2007-

(a) adran 4 (awdurdodau cofrestru tiroedd comin);

(b) adran 5 (tir y mae Rhan 1 yn gymwys iddo);

(c) adran 15 (cofrestru meysydd tref neu bentref);

(ch) adran 23 (trosiannol), i'r graddau y mae yn rhoi ei effaith i baragraff (i) o'r erthygl hon;

(d) adran 24 (ceisiadau etc.) i'r graddau nad yw'n cael ei dwyn i rym gan erthygl 2 o'r Gorchymyn hwn;

Provisions coming into force on 6 September 2007

3. The following provisions of the 2006 Act come into force on 6 September 2007-

(a) section 4 (commons registration authorities);

(b) section 5 (land to which Part 1 applies);

(c) section 15 (registration of greens);

(d) section 23 (transitional), insofar as it gives effect to paragraph (m) of this article;

(e) section 24 (applications etc.), insofar as it is not brought into force by article 2 of this Order;

- (dd) adran 44 (materion atodol), i'r graddau y mae yn rhoi ei effaith i baragraff (j) o'r erthygl hon;
- (e) adran 45 (pwerau awdurdodau lleol dros dir nas hawlwyd);
- (f) adran 47 (cau tir gan y perchennig);
- (ff) adran 49 (hysbysiad cau tir);
- (g) adran 51 (mynediad i gerbydau);
- (ng) adran 52 (mân ddiwygiadau a diwygiadau canlyniadol), i'r graddau y mae yn rhoi ei effaith i baragraff (l) o'r erthygl hon;
- (h) adran 53 (diddymiadau), i'r graddau y mae yn rhoi eu heffaith i baragraffau (ll) i (o) o'r erthygl hon;
- (i) yn Atodlen 3 (cofrestru: darpariaeth drosiannol), paragraff 9;
- (j) yn Atodlen 4 (gwaith: materion atodol), paragraff 6;
- (l) yn Atodlen 5 (mân ddiwygiadau a diwygiadau canlyniadol)
 - (i) paragraff 4,
 - (ii) is-baragraff (a) o baragraff 6, a
 - (iii) is-baragraff (5) o baragraff 7 ac is-baragraff (1) o'r paragraff hwnnw i'r graddau y mae yn ymwneud ag ef;
- (ll) yn Rhan 1 o Atodlen 6 (diddymiadau yn ymwneud â chofrestru), y cofnodion sy'n ymwneud ag-
 - (i) Deddf Cofrestru Tiroedd Comin 1965 i'r graddau y mae'n diddymu adrannau 8, 9 a 13(a) a (b)(1) o Ddeddf 1965,
 - (ii) adran 189(1) a (2) o Ddeddf Llywodraeth Leol 1972(2),
 - (iii) paragraff 10(6) o Atodlen 8 i Ddeddf Llywodraeth Leol 1985(3),
 - (iv) adran 8 o Ddeddf Tiroedd Comin Dartmoor 1985(4),
 - (v) Deddf Tiroedd Comin (Cywiro Cofrestrau) 1989(5),
 - (vi) adrannau 46(1) a 98 o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(6), a
 - (vii) adran 33(1) o Ddeddf Tiroedd Comin Greenham a Crookham 2002(7);
- (f) section 44 (supplementary), insofar as it gives effect to paragraph (n) of this article;
- (g) section 45 (powers of local authorities over unclaimed land);
- (h) section 47 (improvement);
- (i) section 49 (notice of inclosure);
- (j) section 51 (vehicular access);
- (k) section 52 (minor and consequential amendments), insofar as it gives effect to paragraph (o) of this article;
- (l) section 53 (repeals), insofar as it gives effect to paragraphs (p) to (s) of this article;
- (m) in Schedule 3 (registration: transitional provision), paragraph 9;
- (n) in Schedule 4 (works: supplementary), paragraph 6;
- (o) in Schedule 5 (minor and consequential amendments)-
 - (i) paragraph 4,
 - (ii) sub-paragraph (a) of paragraph 6, and
 - (iii) sub-paragraph (5) of paragraph 7 and sub-paragraph (1) of that paragraph insofar as it relates thereto;
- (p) in Part 1 of Schedule 6 (repeals relating to registration), the entries relating to-
 - (i) the Commons Registration Act 1965 to the extent of repealing sections 8, 9 and 13(a) and (b)(1) of the 1965 Act,
 - (ii) section 189(1) and (2) of the Local Government Act 1972(2),
 - (iii) paragraph 10(6) of Schedule 8 to the Local Government Act 1985(3),
 - (iv) section 8 of the Dartmoor Commons Act 1985(4),
 - (v) the Common Land (Rectification of Registers) Act 1989(5),
 - (vi) sections 46(1) and 98 of the Countryside and Rights of Way Act 2000(6), and
 - (vii) section 33(1) of the Greenham and Crookham Commons Act 2002(7);

(1) 1965 p.64; diwygiwyd adran 8 gan Ddeddf Llywodraeth Leol 1972 (p.70), adran189(2) a chan Ddeddf Cofrestru Tir 2002 (p.9), Atodlen 11, paragraff 7(1) a (2); diwygiwyd adran 9 gan Ddeddf Cofrestru Tir 2000, Atodlen 11, paragraff 7(1) a (3); diwygiwyd adran 13 gan Ddeddf Cyfraith Eiddo 1969 (p.59), Atodlen 2, Rhan I.

(2) 1972 p.70.

(3) 1985 p.51.

(4) 1985 p.xxxvii.

(5) 1989 p.18

(6) 2000 p.37.

(7) 2002 p.i.

(1) 1965 c.64; section 8 was amended by the Local Government Act 1972 (c.70), section 189(2) and by the Land Registration Act 2002 (c.9), Schedule 11, paragraph 7(1) and (2); section 9 was amended by the Land Registration Act 2000, Schedule 11, paragraph 7(1) and (3); section 13 was amended by the Law of Property Act 1969 (c.59), Schedule 2, Part I.

(2) 1972 c.70.

(3) 1985 c.51.

(4) 1985 c.xxxvii.

(5) 1989 c.18.

(6) 2000 c.37.

(7) 2002 c.i.

- (m) yn Rhan 2 o Atodlen 6 (diddymiadau yn ymwneud â gwaith), y cofnodion yn ymwneud ag
 - (i) adran 21 o Ddeddf y Tiroedd Comin Metropolitanaid 1866(1),
 - (ii) adran 30 o Ddeddf Tiroedd Comin 1876(2),
 - (iii) adran 21o Ddeddf Tiroedd Comin 1899 (3), a
 - (iv) Atodlen 7 i Ddeddf Prynu Gorfodol 1965(4);
- (n) yn Rhan 3 o Atodlen 6 (diddymiadau yn ymwneud â chau tir gan y perchennog a chau tir), y cofnodion yn ymwneud â
 - (i) Deddf Tiroedd Comin 1285(5),
 - (ii) adran 31 o Ddeddf Tiroedd Comin 1876, a
 - (iii) Deddf Diwygio Cyfraith Tiroedd Comin 1893(6); ac
- (o) Rhan 5 o Atodlen 6 (diddymiadau yn ymwneud â mynediad i gerbydau).

- (q) in Part 2 of Schedule 6 (repeals relating to works), the entries relating to-
 - (i) section 21 of the Metropolitan Commons Act 1866(1),
 - (ii) section 30 of the Commons Act 1876(2),
 - (iii) section 21 of the Commons Act 1899(3), and
 - (iv) Schedule 7 to the Compulsory Purchase Act 1965(4);
- (r) in Part 3 of Schedule 6 (repeals relating to improvement and inclosure), the entries relating to-
 - (i) the Commons Act 1285(5),
 - (ii) section 31 of the Commons Act 1876, and
 - (iii) the Law of Commons Amendment Act 1893(6); and
- (s) Part 5 of Schedule 6 (repeals relating to vehicular access).

Darpariaethau trosiannol ac arbedion

4.-(1) Pan fo awdurdod cofrestru tiroedd comin yn caniatáu cais o dan adran 15 o Ddeddf 2006 i gofrestru tir fel maes tref neu bentref cyn bod adran 1 o Ddeddf 2006 wedi dod i rym mewn perthynas â'r man lle lleolir y tir-

- (a) rhaid i'r awdurdod cofrestru gofrestru'r tir yn y gofrestr o feysydd trefi neu bentrefi sy'n cael ei chadw ar gyfer y man hwnnw dan Ddeddf 1965; a
- (b) hyd nes y daw adran 1 o Ddeddf 2006 i rym mewn perthynas â'r man hwnnw, mae Deddf 1965 yn gymwys mewn perthynas â'r cofrestru megis petai wedi'i wneud yn unol ag adran 13(b) o Ddeddf 1965.

(2) O ran unrhyw ardal o Gymru-

- (a) mae cyfeiriadau yn adran 24 o Ddeddf 2006, ac mewn rheoliadau a wnaed o dan yr adran honno, at gofrestru tiroedd comin neu neu feysydd trefi neu bentrefi, i'w cymryd, hyd nes y daw adran 1 o Ddeddf 2006 i rym o ran yr ardal honno, fel cyfeiriadau at gofrestr o'r fath a gedwir o dan Ddeddf 1965; a

Transitional provisions and savings

4.-(1) Where a commons registration authority grants an application under section 15 of the 2006 Act for the registration of land as a town or village green before section 1 of the 2006 Act has come into force in relation to the area in which the land is situated-

- (a) the registration authority must register the land in the register of town or village greens maintained for that area under the 1965 Act; and
- (b) until the coming into force of section 1 of the 2006 Act in relation to that area, the 1965 Act applies in relation to the registration as if it had been made pursuant to section 13(b) of the 1965 Act.

(2) In relation to any area of Wales-

- (a) references in section 24 of the 2006 Act, and in regulations made under that section, to a register of common land or town or village greens are, until the coming into force of section 1 of the 2006 Act in relation to that area, to be taken to be references to such a register maintained under the 1965 Act; and

(1) 1866 p.122.

(2) 1876 p.56; diwygiwyd adran 30 gan Ddeddf Gweinyddu Cyfiawnder (Apelau) 1934 (p.40), yr Atodlen, Rhan I a chan Ddeddf Diwygio'r Cyfansoddiad 2005 (p.4), Atodlen 11, Rhan 4, paragraff 13.

(3) 1899 p.30; diwygiwyd adran 21 gan Ddeddf Adolygu Cyfraith Statud 1908 (p.49).

(4) 1965 p.56.

(5) 13 Edw 1 p.46.

(6) 1893 p.57.

(1) 1866 c.122.

(2) 1876 c.56; section 30 was amended by the Administration of Justice (Appeals) Act 1934 (c.40), Schedule, Part I and by the Constitutional Reform Act 2005 (c.4), Schedule 11, Part 4, paragraph 13.

(3) 1899 c.30; section 21 was amended by the Statute Law Revision Act 1908 (c.49).

(4) 1965 c.56.

(5) 13 Edw 1 c.46.

(6) 1893 c.57.

(b) mae adran 13(b) o Ddeddf 1965, a rheoliadau a wnaed oddi tani(1), yn parhau i gael eu heffaith hyd nes y daw'r canlynol i rym-

(i) adran 6 o Ddeddf 2006 o ran yr ardal honno, i'r graddau y maent yn ymwneud â thir sy'n dod yn dir comin ac eithrio yn rhinwedd unrhyw offeryn a wnaed o dan ddeddfiad neu'n unol â deddfiad, a

(ii) adran 14 o Ddeddf 2006 o ran yr ardal honno, i'r graddau y maent yn ymwneud â thir sy'n dod yn dir comin neu'n faes tref neu bentref yn rhinwedd unrhyw offeryn a wnaed o dan ddeddfiad neu'n unol â deddfiad.

(3) Pan fo-

(a) cais yn cael ei wneud cyn 6 Medi 2007 i awdurdod cofrestru, yn unol ag adran 13(b) o Ddeddf 1965, i ddiwygio'r gofrestr o feysydd trefi neu bentrefi o ganlyniad i fod tir wedi dod yn faes tref neu bentref, a

(b) nad yw'r awdurdod cofrestru yn dyfarnu ar y cais cyn y dyddiad hwnnw,

rhaid i'r awdurdod cofrestru barhau i ymwneud â'r cais ar 6 Medi 2007 ac ar ôl hynny megis pe na bai adran 13(b) o Ddeddf 1965 wedi'i diddymu.

(4) O ran unrhyw ardal o Gymru, mae'r cyfeiriad yn adran 45(1) o Ddeddf 2006 at dir sydd wedi'i gofrestru fel tir comin neu faes tref neu bentref i'w ddarllen, hyd nes daw adran 1 o Ddeddf 2006 i rym o ran yr ardal honno, fel petai yn gyfeiriad at fod tir wedi'i gofrestru felly o dan Ddeddf 1965.

(5) Pan fo Comisiynydd Tiroedd Comin, cyn 6 Medi 2007, yn rhoi cyfarwyddyd o dan adran 8(2) neu (3) o Ddeddf 1965 i awdurdod cofrestru gofrestru person fel perchennog tir, ond nad yw'r awdurdod cofrestru yn cydymffurfio â'r cyfarwyddyd cyn y dyddiad hwnnw-

(a) mae'r cyfarwyddyd yn parhau i fod yn effeithiol ar 6 Medi 2007 ac ar ôl hynny er gwaethaf diddymiad adran 8(2) a (3) o Ddeddf 1965; a

(b) os mai'r cyfarwyddyd yw i awdurdod lleol gael ei gofrestru fel perchennog y tir, pan wneir y cofrestrriad, bydd adran 8(4) o Ddeddf 1965 yn gymwys megis pe na bai wedi cael ei diddymu.

(b) section 13(b) of the 1965 Act, and regulations made under it(1), continue to have effect until the coming into force of-

(i) section 6 of the 2006 Act in relation to that area, insofar as they relate to land which becomes common land other than by virtue of any instrument made under or pursuant to an enactment, and

(ii) section 14 of the 2006 Act in relation to that area, insofar as they relate to land which becomes common land or a town or village green by virtue of any instrument made under or pursuant to an enactment.

(3) Where-

(a) an application is made to a registration authority before 6 September 2007 pursuant to section 13(b) of the 1965 Act for the amendment of the register of town or village greens as a result of any land having become a town or village green, and

(b) the registration authority does not determine the application before that date,

the registration authority must continue to deal with the application on and after 6 September 2007 as if section 13(b) of the 1965 Act had not been repealed.

(4) In relation to any area of Wales, the reference in section 45(1) of the 2006 Act to land being registered as common land or a town or village green is, until the coming into force of section 1 of the 2006 Act in relation to that area, to be read as a reference to land being so registered under the 1965 Act.

(5) Where, before 6 September 2007, a Commons Commissioner makes a direction under section 8(2) or (3) of the 1965 Act for a registration authority to register a person as the owner of land, but the registration authority does not comply with the direction before that date-

(a) the direction continues to have effect on and after 6 September 2007 notwithstanding the repeal of section 8(2) and (3) of the 1965 Act; and

(b) if the direction is for a local authority to be registered as the owner of land, on the registration being made, section 8(4) of the 1965 Act will apply as if it had not been repealed.

(1) Mae rheoliad 28 o Reoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966 (O.S. 1966/1471) fel y'i diwygiwyd gan O.S. 1969/1843 (mae yna offerynnau diwygio eraill, ond nid oes unrhyw un yn berthnasol), a Rheoliadau Cofrestru Tiroedd Comin (Tir Newydd) 1969 (O.S. 1969/1843) wedi'u gwneud o dan adran 13(b).

(1) Regulation 28 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471), as amended by S.I. 1969/1843 (there are other amending instruments, but none is relevant), and the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843) are made under section 13(b).

(6) O ran unrhyw ardal o Gymru, mae adran 13(a) o Ddeddf 1965, a rheoliadau a wnaed oddi tani(1), yn parhau i gael eu heffaith, hyd nes daw adran 14 o Ddeddf 2006 i rym o ran yr ardal honno, i'r graddau y maent yn ymwneud â thir sy'n peidio â bod yn dir comin neu'n faes tref neu bentref yn rhinwedd unrhyw offeryn a wnaed o dan ddeddfiad neu'n unol â deddfiad.

(7) Os, o ran unrhyw dir ac eithrio tir y cyfeirir ato ym mharagraff (6),-

- (a) oes cais yn cael ei wneud cyn 6 Medi 2007 i awdurdod cofrestru, yn unol â rheoliadau o dan adran 13(a) o Ddeddf 1965, i dir gael ei dynnu oddi ar y gofrestr o ganlyniad i fod y tir hwnnw wedi peidio â bod yn dir comin neu'n faes tref neu bentref; a
- (b) nad yw'r awdurdod cofrestru yn dyfarnu ar y cais cyn y dyddiad hwnnw,

rhaidd i'r awdurdod cofrestru barhau i ymwneud â'r cais ar 6 Medi 2007 ac ar ôl hynny megis pe na bai adran 13(a) o Ddeddf 1965 wedi'i diddymu.

(6) In relation to any area of Wales, section 13(a) of the 1965 Act, and regulations made under it(1), continue to have effect, until the coming into force of section 14 of the 2006 Act in relation to that area, insofar as they relate to land which ceases to be common land or a town or village green by virtue of any instrument made under or pursuant to an enactment.

(7) Where, in relation to any land other than land referred to in paragraph (6),-

- (a) an application is made to a registration authority before 6 September 2007 pursuant to regulations under section 13(a) of the 1965 Act for land to be removed from the register as a result of that land having ceased to be common land or a town or village green; and
- (b) the registration authority does not determine the application before that date,

the registration authority must continue to deal with the application on and after 6 September 2007 as if section 13(a) of the 1965 Act had not been repealed.

Jane Davidson

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

11 Awst 2007

11 August 2007

(1) Mae rheoliad 27 o Reoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966 (O.S. 1966/1471), fel y'i diwygiwyd gan O.S. 1968/658, yn gwneud darpariaeth o dan adran 13(a) o Ddeddf 1965.

(1) Regulation 27 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471), as amended by S.I. 1968/658, makes provision under section 13(a) of the 1965 Act.

OFFERYNNAU STATUDOL
CYMRU

2007 Rhif 2386 (Cy.197) (C. 88)

TIROEDD COMIN, CYMRU

Gorchymyn Deddf Tiroedd Comin
2006 (Cychwyn Rhif 1,
Darpariaethau Trosiannol ac
Arbedion) (Cymru) 2007

WELSH STATUTORY
INSTRUMENTS

2007 No. 2386 (W.197) (C. 88)

COMMONS, WALES

The Commons Act 2006
(Commencement No.1,
Transitional Provisions and
Savings) (Wales) Order 2007

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