



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 399 (Cy.45)

2007 No. 399 (W.45)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

Rheoliadau Awdurdodau Lleol
(Trefniadau Gweithrediaeth)
(Swyddogaethau a Chyfrifoldebau)
(Cymru) 2007

The Local Authorities (Executive
Arrangements) (Functions and
Responsibilities) (Wales)
Regulations 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae Rhan II o Ddeddf Llywodraeth Leol 2000 ("Deddf 2000") yn darparu i swyddogaethau awdurdod lleol gael eu cyflawni gan weithrediaeth i'r awdurdod (y mae rhaid iddi fod ar un o'r ffurfiau a bennir yn adran 11(2) i (5) o'r Ddeddf) onid yw'r swyddogaethau hynny wedi'u pennu'n swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth yr awdurdod. Mae'r rheoliadau hyn yn pennu swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod neu sydd i fod yn gyfrifoldeb i weithrediaeth i raddau cyfyngedig yn unig neu o dan amgylchiadau penodedig yn unig. Mae'r rheoliadau hyn yn dirymu Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001, Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2002, Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2003 a Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2004 ("Rheoliadau 2001, 2002, 2003 a 2004"), yn cydgrynhoi darpariaethau'r rheoliadau hynny ac yn gwneud darpariaeth bellach.

Mae rheoliadau 3, 4, 5 a 6, drwy gyfeirio at yr Atodlenni i'r Rheoliadau, yn nodi'r cyfyngiadau ar ba swyddogaethau y caiff gweithrediaeth eu harfer. Yn Atodlen 1 rhestrir y swyddogaethau hynny y mae'n rhaid i weithrediaeth beidio â'u harfer ac yn Atodlen 2

Part II of the Local Government Act 2000 ("the 2000 Act") provides for the discharge of a local authority's functions by an executive of the authority (which must take one of the forms specified in section 11(2) to (5) of that Act) unless those functions are specified as functions that are not to be the responsibility of the authority's executive. These regulations specify functions that are not to be the responsibility of an authority's executive or are to be the responsibility of an executive only to a limited extent or only in specified circumstances. These regulations revoke the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001, the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2002, the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2003 and the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004 ("the 2001, 2002, 2003 and 2004 Regulations"), consolidate the provisions of those regulations and make further provision.

Regulations 3, 4, 5 and 6, by reference to the Schedules to the Regulations, set out the limitations on what functions may be exercised by an executive. Schedule 1 lists those functions which must not be exercised by an executive and Schedule 2 lists those

rhestrir y swyddogaethau hynny y caniateir iddynt fod yn gyfrifoldeb i weithrediaeth awdurdod os bydd yr awdurdod yn penderfynu felly. Mae Rheoliad 5, drwy gyfeirio at Atodlen 3, yn nodi'r camau na chaniateir iddynt fod yn gyfrifoldeb i weithrediaeth awdurdod yn unig.

Yn ôl rheoliad 6, nid yw'r swyddogaethau hynny a restrir yn Atodlen 4, a fyddai'n gyfrifoldeb i weithrediaeth oni bai am reoliad 6, i fod yn gyfrifoldeb i weithrediaeth o dan yr amgylchiadau a nodir yng ngholofn (2) o'r Atodlen honno.

Mae Rheoliad 7 yn dirymu Rheoliadau 2001, 2002, 2003 a 2004.

Paratowyd arfarniad rheoliadol mewn cysylltiad â'r Rheoliadau hyn, ac mae ar gael o Is-adran Polisi Llywodraeth Leol, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd CF10 3NQ (ffôn 02920825111).

functions which may be the responsibility of an authority's executive, if the authority so decides. Regulation 5, by reference to Schedule 3, sets out what actions may not be the sole responsibility of an authority's executive.

By regulation 6 those functions listed in Schedule 4, which but for regulation 6 would be the responsibility of an executive, are not to be an executive's responsibility in the circumstances set out in column (2) of that Schedule.

Regulation 7 revokes the 2001, 2002, 2003 and 2004 Regulations.

A regulatory appraisal has been carried out in connection with these Regulations and is available from the Local Government Policy Division, National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ (telephone 02920825111).

2007 Rhif 399 (Cy.45)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Awdurdodau Lleol
(Trefniadau Gweithrediaeth)
(Swyddogaethau a Chyfrifoldebau)
(Cymru) 2007**

Wedi'u gwneud 14 Chwefror 2007
Yn dod i rym 16 Chwefror 2007

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 13 a 105 a 106 o Ddeddf Llywodraeth Leol 2000(1).

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Swyddogaethau a Chyfrifoldebau) (Cymru) 2007 a deuant i rym ar 16 Chwefror 2007.

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

Dehongli

2. Yn y Rheoliadau hyn -

ystyr "Deddf 1972" ("*the 1972 Act*") yw Deddf Llywodraeth Leol 1972(2);

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Llywodraeth Leol 2000;

mae "deddfiad" ("*enactment*") yn cynnwys deddfiad sydd wedi'i gynnwys mewn Deddf leol neu ddeddfiad y mae is-ddeddfwriaeth wedi'i ffurfio ohono;

mae "gweithrediaeth" i'w dehongli yn unol ag ystyr "*executive*" yn adran 11 o Ddeddf 2000.

(1) 2000 p.22.
(2) 1972 p.70.

2007 No. 399 (W.45)

**LOCAL GOVERNMENT,
WALES**

**The Local Authorities (Executive
Arrangements) (Functions and
Responsibilities) (Wales)
Regulations 2007**

Made 14 February 2007
Coming into force 16 February 2007

The National Assembly for Wales makes the following Regulations in exercise of the powers given to it by sections 13 and 105 and 106 of the Local Government Act 2000(1).

Title, commencement and application

1.-(1) The title of these Regulations is the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and they come into force on 16 February 2007.

(2) These Regulations apply to Wales.

Interpretation

2. In these Regulations -

"the 1972 Act" ("*Deddf 1972*") means the Local Government Act 1972(2);

"the 2000 Act" ("*Deddf 2000*") means the Local Government Act 2000;

"enactment" ("*deddfiad*") includes an enactment contained in a local Act or comprised in subordinate legislation

"executive" ("*gweithrediaeth*") is to be construed in accordance with section 11 of the 2000 Act.

(1) 2000 c.22.
(2) 1972 c.70.

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod

3.-(1) Nid yw'r swyddogaethau a bennir yng ngholofn (1) o Atodlen 1 i'r Rheoliadau hyn drwy gyfeirio at y deddfiadau a bennir mewn perthynas â'r swyddogaethau hynny yng ngholofn (2) o'r atodlen honno i fod yn gyfrifoldeb i weithrediaeth awdurdod.

(2) Nid yw swyddogaethau -

- (a) gosod unrhyw amod, terfyn neu gyfyngiad arall ar gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad a ganiateir -
 - (i) wrth arfer swyddogaeth a bennir yng ngholofn (1) o Atodlen 1; neu
 - (ii) ac eithrio gan weithrediaeth i'r awdurdod, wrth arfer unrhyw swyddogaeth o dan Ddeddf leol; neu
- (b) dyfarnu ar unrhyw delerau eraill y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad o'r fath yn ddarostyngedig iddynt,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(3) Nid yw swyddogaeth dyfarnu a ddylid cymryd camau gorfodi, ac ym mha fodd y dylid eu gorfodi -

- (a) yn erbyn unrhyw fethiant i gydymffurfio â chymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad a roddwyd wrth arfer swyddogaeth a bennir yng ngholofn (1) o Atodlen 1,
- (b) yn erbyn unrhyw fethiant i gydymffurfio ag amod, cyfyngiad neu deler y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad o'r fath yn ddarostyngedig iddo, neu
- (c) yn erbyn unrhyw doriad arall o ran mater na fyddai'r swyddogaeth ynglŷn ag ef o ddyfarnu ar gais am gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad yn gyfrifoldeb i weithrediaeth i'r awdurdod,

i fod yn gyfrifoldeb i weithrediaeth yr awdurdod.

(4) Nid yw swyddogaeth -

- (a) diwygio, addasu neu amrywio unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad a ganiateir, nac unrhyw amod, terfyn, cyfyngiad neu deler o'r math a grybwyllwyd ym mharagraff (2) ac y mae'n ddarostyngedig iddynt; neu
- (b) dirymu unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad o'r fath,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

Functions not to be the responsibility of an authority's executive

3.-(1) The functions specified in column (1) of Schedule 1 to these Regulations by reference to the enactments specified in relation to those functions in column (2) of that schedule are not to be the responsibility of an executive of an authority.

(2) The functions of -

- (a) imposing any condition, limitation or other restriction on an approval, consent, licence, permission or registration granted -
 - (i) in the exercise of a function specified in column (1) of Schedule 1; or
 - (ii) otherwise than by an executive of the authority, in the exercise of any function under a local Act; or
- (b) determining any other terms to which any such approval, consent, licence, permission or registration is subject,

are not to be the responsibility of an executive of the authority.

(3) The function of determining whether, and in what manner, to enforce -

- (a) any failure to comply with an approval, consent, licence, permission or registration granted in the exercise of a function specified in column (1) of Schedule 1,
- (b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject, or
- (c) any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of an executive of the authority,

is not to be the responsibility of the executive of the authority.

(4) The function of -

- (a) amending, modifying or varying any such approval, consent, licence, permission or registration granted or any condition, limitation, restriction or term as mentioned in paragraph (2) to which it is subject; or
- (b) revoking any such approval, consent, licence, permission or registration,

is not to be the responsibility of an executive of the authority.

(5) Nid yw swyddogaeth gwneud unrhyw gynllun sydd wedi'i awdurdodi neu sy'n ofynnol gan reoliadau o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989 (cynlluniau ar gyfer lwfansau sylfaenol, lwfansau presenoldeb a lwfansau cyfrifoldeb arbennig i aelodau awdurdodau lleol), neu swyddogaeth diwygio, dirymu neu ddisodli unrhyw gynllun o'r fath, i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(6) Nid yw swyddogaethau dyfarnu -

(a) swm unrhyw lwfans sy'n daladwy -

- (i) o dan is-adran (5) o adran 22 o Ddeddf 1972 (treuliau cadeirydd);
- (ii) o dan is-adran (4) o adran 24 o'r Ddeddf honno (treuliau is-gadeirydd);
- (iii) o dan is-adran (4) o adran 173 (lwfans colled ariannol) o'r Ddeddf honno⁽¹⁾;
- (iv) o dan adran 175 o'r Ddeddf honno (lwfansau ar gyfer mynychu cynadleddau a chyfarfodydd);

(b) yn ôl pa gyfraddau y mae taliadau i gael eu gwneud o dan adran 174 o'r Ddeddf honno (lwfansau teithio a lwfansau cynhaliaeth);

(c) swm unrhyw lwfans sy'n daladwy yn unol â chynllun o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989, neu reoliadau a wnaed o dan adran 100 o Ddeddf 2000, neu yn ôl pa gyfraddau y mae taliadau o ran unrhyw lwfans o'r fath i gael eu gwneud;

(ch) a ddylid codi tâl am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestriad nad yw ei dyroddi neu ei ddyroddi yn gyfrifoldeb i weithrediaeth i'r awdurdod; a

(d) pan fo tâl yn cael ei godi am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestriad o'r fath, swm y tâl;

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(7) Ni fydd adran 101 o Ddeddf 1972 (trefniadau ar gyfer cyflawni swyddogaethau gan awdurdodau lleol) yn gymwys mewn perthynas â chyflawni unrhyw swyddogaeth a grybwyllir ym mharagraff (5) neu (6)(a) i (c).

(8) Yn ddarostyngedig i unrhyw ddarpariaeth mewn rheoliadau o dan adran 20 (gweithredu swyddogaethau ar y cyd) o Ddeddf 2000, nid yw swyddogaeth gwneud trefniadau ar gyfer cyflawni swyddogaethau gan bwyllgor neu swyddog o dan adran 101(5) o Ddeddf 1972, i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(5) The function of making any scheme authorised or required by regulations under section 18 of the Local Government and Housing Act 1989 (schemes for basic, attendance and special responsibility allowances for local authority members), or of amending, revoking or replacing any such scheme, is not to be the responsibility of an executive of the authority.

(6) The functions of determining -

(a) the amount of any allowance payable under -

- (i) subsection (5) of section 22 of the 1972 Act (chairman's expenses);
- (ii) subsection (4) of section 24 of that Act (vice-chairman's expenses);
- (iii) subsection (4) of section 173 (financial loss allowance) of that Act⁽¹⁾;
- (iv) section 175 of that Act (allowances for attending conferences and meetings);

(b) the rates at which payments are to be made under section 174 of that Act (travelling and subsistence allowances);

(c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989 or regulations made under section 100 of the 2000 Act, or the rates at which payments by way of any such allowance are to be made;

(d) whether a charge should be made for any approval, consent, licence, permit or registration the issue of which is not the responsibility of an executive of the authority; and

(e) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge;

are not to be the responsibility of an executive of the authority.

(7) Section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) does not apply with respect to the discharge of any function mentioned in paragraph (5) or (6)(a) to (c).

(8) Subject to any provision of regulations under section 20 (joint exercise of functions) of the 2000 Act the function of making arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act is not to be the responsibility of an executive of the authority.

(1) Diwygiwyd adran 173(4) gan Ddeddf Llywodraeth Leol a Thai 1989 (p.42), Atodlen 11, paragraff 26. Gwnaed arbediad perthnasol gan erthygl 3(2) o Ddeddf Llywodraeth Leol a Thai 1989 (Cychwyn Rhif 11 ac Arbedion) 1991 (O.S. 1991/344).

(1) Section 173(4) was amended by the Local Government and Housing Act 1989 (c.42), Schedule 11, paragraph 26. A relevant saving was made by article 3(2) of the Local Government and Housing Act 1989 (Commencement No. 11 and Savings) Order 1991 (S.I. 1991/344).

(9) Nid yw swyddogaeth gwneud penodiadau o dan adran 102 (penodi pwyllgorau) o Ddeddf 1972 i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(10) Oni ddarperir fel arall gan y Rheoliadau hyn, nid yw swyddogaeth awdurdod lleol y caniateir, yn rhinwedd unrhyw ddeddfiad (a basiwyd neu a wnaed cyn i'r Rheoliadau hyn gael eu gwneud) iddi gael ei chyflawni gan awdurdod yn unig, i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

Swyddogaethau y caniateir iddynt fod yn gyfrifoldeb i weithrediaeth awdurdod

4.-(1) Caniateir i'r y swyddogaethau a bennir yn Atodlen 2 fod yn gyfrifoldeb i weithrediaeth i'r awdurdod, ond nid oes angen iddynt fod felly.

(2) Ni fydd dim yn y Rheoliadau hyn yn atal awdurdod lleol rhag arfer y swyddogaethau hynny sydd wedi'u dirprwyo i weithrediaeth i'r awdurdod.

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod yn unig

5.-(1) Mewn cysylltiad â chyflawni swyddogaeth -

- (a) llunio neu baratoi cynllun neu strategaeth o ddisgrifiad a bennir yn ngholofn (1) o Atodlen 3 i'r Rheoliadau hyn;
- (b) llunio cynllun neu strategaeth ar gyfer rheoli benthyciadau neu wariant cyfalaf yr awdurdod; neu
- (c) llunio neu baratoi unrhyw gynllun arall y mae ei fabwysiadu neu ei gymeradwyo neu strategaeth arall y mae ei mabwysiadu neu ei chymeradwyo, yn rhinwedd rheoliad 6(1), yn fater i'r awdurdod ddyfarnu arno;

rhaid i'r camau a ddynodir gan baragraff (3) ("y camau dynodedig") beidio â bod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(2) Ac eithrio fel a ddarperir ym mharagraff (1), cyfrifoldeb gweithrediaeth yw'r swyddogaethau a grybwyllwyd yn y paragraff hwnnw.

(3) Y camau dynodedig yw -

- (a) rhoi cyfarwyddiadau sy'n ei gwneud yn ofynnol i weithrediaeth ailystyried unrhyw gynllun drafft neu strategaeth ddrafft a gyflwynir gan weithrediaeth i'r awdurdod ei ystyried neu ei hystyried;
- (b) diwygio unrhyw gynllun drafft neu strategaeth ddrafft a gyflwynir gan weithrediaeth i'r awdurdod ei ystyried neu ei hystyried;
- (c) cymeradwyo, er mwyn ei gyflwyno neu ei chyflwyno i Gynulliad Cenedlaethol Cymru neu i unrhyw un o Weinidogion y Goron, unrhyw gynllun neu strategaeth (boed ar ffurf

(9) The function of making appointments under section 102 (appointment of committees) of the 1972 Act is not to be the responsibility of an executive of the authority.

(10) Unless otherwise provided by these Regulations, a function of a local authority which, by virtue of any enactment (passed or made before the making of these Regulations) may be discharged only by an authority is not to be the responsibility of an executive of the authority.

Functions which may be the responsibility of an authority's executive

4.-(1) The functions specified in Schedule 2, may, but need not be, the responsibility of an executive of the authority.

(2) Nothing in these Regulations prevents a local authority from exercising those functions delegated to an executive of the authority

Functions which are not to be the sole responsibility of an authority's executive

5.-(1) In connection with the discharge of the function of -

- (a) formulating or preparing a plan, scheme or strategy of a description specified in column (1) of Schedule 3 to these Regulations;
- (b) formulating a plan, scheme or strategy for the control of the authority's borrowing or capital expenditure; or
- (c) formulating or preparing any other plan, scheme or strategy whose adoption or approval is, by virtue of regulation 6(1), a matter for determination by the authority;

the actions designated by paragraph (3) ("the designated actions") must not be the responsibility of an executive of the authority.

(2) Subject as provided in paragraph (1) the functions mentioned in that paragraph must be the responsibility of an executive.

(3) The designated actions are -

- (a) the giving of instructions requiring an executive to reconsider any draft plan, scheme or strategy submitted by an executive for the authority's consideration;
- (b) the amendment of any draft plan, scheme or strategy submitted by an executive for the authority's consideration;
- (c) the approval, for the purpose of its submission to the National Assembly for Wales or any Minister of the Crown for approval of any plan, scheme or strategy (whether or not in the

drafft neu beidio) y mae'n ofynnol cyflwyno unrhyw ran ohono neu ohoni felly;

(ch) mabwysiadu'r cynllun neu'r strategaeth (gydag addasiadau neu hebddynt).

(4) O ran swyddogaeth diwygio, addasu, amrywio neu ddiddymu unrhyw gynllun neu strategaeth o ddisgrifiad y cyfeirir ato ym mharagraff (1), (p'un a yw'n gynllun neu strategaeth a gymeradwyd neu'n un a fabwysiadwyd, cyn neu ar ôl i'r Rheoliadau hyn ddod i rym) -

(a) mae'n gyfrifoldeb i weithrediaeth i'r awdurdod i'r graddau y mae gwneud y diwygio, yr addasu, yr amrywio neu'r dirymu -

(i) yn ofynnol er mwyn rhoi eu heffaith i ofynion Cynulliad Cenedlaethol Cymru neu un o Weinidogion y Goron mewn perthynas â chynllun neu strategaeth a gyflwynir i gael ei gymeradwyo neu ei chymeradwyo, neu ag unrhyw ran a gyflwynir felly; neu

(ii) wedi'i awdurdodi drwy ddyfarniad a wnaed gan yr awdurdod wrth wneud y trefniadau neu gymeradwyo neu fabwysiadu'r cynllun neu'r strategaeth, yn ôl y digwydd; ond

(b) nid yw'n gyfrifoldeb i weithrediaeth i unrhyw raddau eraill.

(5) Ac eithrio i'r graddau a grybwyllir ym mharagraff (6), mae swyddogaeth gwneud cais -

(a) o dan is-adran (5) o adran 135 o Ddeddf Diwygio Cyfraith Lesddaliad, Tai a Datblygu Trefol 1993 (rhaglenni ar gyfer gwaredu) (1); neu

(b) o dan adran 32 (pŵer i waredu tir a ddelir at ddibenion Rhan II neu adran 43 (cydsyniad sy'n ofynnol ar gyfer gwarediadau penodol nad ydynt yn dod o dan adran 32) o Ddeddf Tai 1985(2),

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(6) Awdurdodi gwneud y cais yw'r graddau a grybwyllir yn y paragraff hwn.

(7) Nid yw swyddogaeth gwneud cais o'r math y cyfeiriwyd ato ym mharagraff (5), i'r graddau a grybwyllwyd ym mharagraff (6), yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(8) Ni fydd adran 101 o Ddeddf 1972 yn gymwys ynglŷn â chyflawni -

(a) swyddogaeth a bennir ym mharagraff (1) i'r

form of a draft) of which any part is required to be so submitted;

(d) the adoption (with or without modification) of the plan, scheme or strategy.

(4) The function of amending, modifying, varying or revoking any plan, scheme or strategy of a description referred to in paragraph (1), (whether approved or adopted, before or after the coming into force of these Regulations) -

(a) is the responsibility of an executive of the authority to the extent that the making of the amendment, modification, variation or revocation -

(i) is required for giving effect to requirements of the National Assembly for Wales or a Minister of the Crown in relation to a plan, scheme or strategy submitted for approval or to any part so submitted; or

(ii) is authorised by a determination made by the authority when making the arrangements or approving or adopting the plan, scheme or strategy, as the case may be; but

(b) is not the responsibility of an executive to any other extent.

(5) Except to the extent mentioned in paragraph (6), the function of making an application -

(a) under subsection (5) of section 135 of the Leasehold Reform, Housing and Urban Development Act 1993 (programmes for disposals)(1); or

(b) under section 32 (power to dispose of land held for the purposes of Part II or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985(2),

is the responsibility of an executive of the authority.

(6) The extent mentioned in this paragraph is the authorisation of the making of the application.

(7) The function of making such an application as is referred to in paragraph (5), to the extent mentioned in paragraph (6), is not the responsibility of an executive of the authority.

(8) Section 101 of the 1972 Act does not apply with respect to the discharge -

(a) of a function specified in paragraph (1) to the

(1) 1993 p.28, sef Deddf y mae diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) 1985 p.68. Yr oedd diwygiadau perthnasol yn is-adran (3) o adran 32 ac is-adran (1)(a) o adran 43 wedi'u gwneud gan baragraff 3(a), (d) ac (e) o'r Atodlen i O.S. 1997/74.

(1) 1993 c.28, to which there are amendments not relevant to these Regulations.

(2) 1985 c.68. Relevant amendments, in subsection (3) of section 32 and subsection (1)(a) of section 43, were made by paragraph 3(a), (d) and (e) of the Schedule to S.I. 1997/74.

graddau nad yw'n gyfrifoldeb i weithrediaeth i'r awdurdod yn rhinwedd y paragraff hwnnw;

- (b) y swyddogaethau a bennir ym mharagraffau (4) a (5) i'r graddau nad ydynt yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(9) Mewn cysylltiad â chyflawni swyddogaeth-

- (a) yn ddarostyngedig i'r darpariaethau ynglŷn â chyfrifo sylfaen treth gyngor ym mharagraff 22 o Atodlen 2, cyfrifo yn unol ag unrhyw un o adrannau 32 i 37, 43 i 51, 52I, 52J, 52T a 52U o Ddeddf Cyllid Llywodraeth Leol 1992(1), p'un ai drwy'r adran wreiddiol neu drwy gyfrwng adran amnewid; neu
- (b) dyroddi praesept o dan Bennod IV o Ran 1 o'r Ddeddf honno,

mae'r camau a ddynodir gan baragraff (11) ("y camau dynodedig") yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(10) Yn ddarostyngedig i'r hyn a ddarperir ym mharagraff (9), nid cyfrifoldeb gweithrediaeth yw'r swyddogaeth a grybwyllwyd yn y paragraff hwnnw.

(11) Y camau dynodedig yw -

- (a) paratoi'r canlynol, er mwyn eu cyflwyno i'r awdurdod eu hystyried -
 - (i) amcangyfrifon o'r symiau sydd i'w hagregu wrth gyfrifo neu amcangyfrifon o symiau eraill sydd i'w defnyddio at ddibenion y cyfrifo;
 - (ii) y symiau y mae'n ofynnol eu datgan yn y praesept;
- (b) ailystyried yr amcangyfrifon a'r symiau hynny yn unol â gofynion yr awdurdod;
- (c) cyflwyno amcangyfrifon a symiau diwygiedig i'r awdurdod eu hystyried.

Cyflawni swyddogaethau penodedig gan awdurdodau

6.-(1) Yn ddarostyngedig i baragraff (2), rhaid i swyddogaeth o unrhyw un o'r disgrifiadau a bennir yng ngholofn (1) o Atodlen 4 (a allai, oni bai am y paragraff hwn, fod yn gyfrifoldeb i weithrediaeth i'r awdurdod) beidio â bod yn gyfrifoldeb i weithrediaeth o dan yr amgylchiadau a bennir yng ngholofn (2) mewn perthynas â'r swyddogaeth honno.

(2) Ni fydd paragraff (1) yn gymwys mewn perthynas â chyflawni swyddogaeth o'r disgrifiad a bennir ym mharagraff 3 o golofn (1) o Atodlen 4 -

extent that, by virtue of that paragraph, it is not the responsibility of an executive of the authority;

- (b) of the functions specified in paragraphs (4) and (5) to the extent that they are not the responsibility of an executive of the authority.

(9) In connection with the discharge of the function of-

- (a) subject to the provisions in respect of calculations of council tax base in paragraph 22 of Schedule 2 making a calculation in accordance with any of sections 32 to 37, 43 to 51, 52I, 52J, 52T and 52U of the Local Government Finance Act 1992(1), whether originally or by way of substitute; or
- (b) issuing a precept under Chapter IV of Part 1 of that Act,

the actions designated by paragraph (11) ("the designated actions") are the responsibility of an executive of the authority.

(10) Subject as provided in paragraph (9), the function mentioned in that paragraph is not the responsibility of an executive.

(11) The designated actions are -

- (a) the preparation, for submission to the authority for their consideration, of -
 - (i) estimates of the amounts to be aggregated in making the calculation or of other amounts to be used for the purposes of the calculation;
 - (ii) the amounts required to be stated in the precept;
- (b) the reconsideration of those estimates and amounts in accordance with the authority's requirements;
- (c) the submission for the authority's consideration of revised estimates and amounts.

Discharge of specified functions by authorities

6.-(1) Subject to paragraph (2), a function of any of the descriptions specified in column (1) of Schedule 4 (which, but for this paragraph, might be the responsibility of an executive of the authority), is not the responsibility of an executive in the circumstances specified in column (2) in relation to that function.

(2) Paragraph (1) does not apply in relation to the discharge of a function of the description specified in paragraph 3 of column (1) of Schedule 4 where -

(1) 1992 p.14; mewnosodwyd adrannau 52I, 52J, 52T a 52U gan Ddeddf Llywodraeth Leol 1999 (p.27), Atodlen 1, paragraff 1.

(1) 1992 c.14; sections 52I, 52J, 52T and 52U were inserted by the Local Government Act 1999 (c.27) Schedule 1, paragraph 1.

- (a) pan fo'n rhesymol barnu bod yr amgylchiadau, sy'n peri iddi fod yn angenrheidiol gwneud y dyfarniad, yn amgylchiadau brys; a
- (b) pan fo'r unigolyn neu'r corff y mae'r dyfarniad i'w wneud ganddo wedi cael oddi wrth gadeirydd pwyllgor craffu perthnasol neu, os nad oes person o'r fath neu os yw cadeirydd pob pwyllgor craffu perthnasol yn methu gweithredu neu'n anfodlon gweithredu, oddi wrth gadeirydd yr awdurdod neu, yn absenoldeb y person hwnnw, oddi wrth yr is-gadeirydd, ddatganiad mewn ysgrifenedig bod angen i'r penderfyniad gael ei wneud ar frys.

(3) Ym mharagraff (2) ystyr "pwyllgor craffu perthnasol" yw pwyllgor craffu i'r awdurdod y mae ei gylch gwaith yn cynnwys y pŵer i adolygu neu i graffu ar benderfyniadau neu gamau eraill a gymerwyd wrth gyflawni'r swyddogaeth y mae'r dyfarniad yn ymwneud â hi.

(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i ddyfarniad gael ei wneud, rhaid i'r unigolyn neu'r corff y gwneir y dyfarniad ganddo yn unol â pharagraff (2), gyflwyno i'r awdurdod adroddiad y mae'n rhaid iddo gynnwys manylion -

- (a) y dyfarniad;
- (b) yr argyfwng neu'r amgylchiadau eraill y cafodd ei wneud odano neu odanynt; ac
- (c) y rhesymau dros y dyfarniad.

(5) Nid yw adran 101 o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni swyddogaeth y cyfeiriwyd ati ym mharagraff (1) nad yw, yn rhinwedd y paragraff hwnnw, yn gyfrifoldeb i weithrediaeth i'r awdurdod.

Dirymu

7. Mae'r canlynol wedi'u dirymu-

- (a) Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001(1);
- (b) Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2002(2);
- (c) Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2003(3); ac
- (ch) Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Diwygio) (Cymru) 2004 (4).

- (a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and
- (b) the individual or body by whom the determination is to be made has obtained from the chairperson of a relevant scrutiny committee or, if there is no such person or the chairperson of every relevant scrutiny committee is unable or unwilling to act, from the chairperson of the authority or, in that person's absence, from the vice-chairperson, a statement in writing that the determination needs to be made as a matter of urgency.

(3) In paragraph (2) "relevant scrutiny committee" means a scrutiny committee of the authority whose terms of reference include the power to review or scrutinise decisions or other action taken in the discharge of the function to which the determination relates.

(4) The individual or body by whom a determination is made pursuant to paragraph (2) must, as soon as reasonably practicable after the making of the determination, submit to the authority a report which shall include particulars of -

- (a) the determination;
- (b) the emergency or other circumstances in which it was made; and
- (c) the reasons for the determination.

(5) Section 101 of the 1972 Act does not apply with respect to the discharge of a function referred to in paragraph (1) which, by virtue of that paragraph, is not the responsibility of an executive of the authority.

Revocation

7. The following are revoked-

- (a) the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001(1);
- (b) the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2002(2);
- (c) the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2003(3); and
- (d) the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2004(4).

(1) O.S. 2001/2291 (Cy.179).

(2) O.S. 2002/783 (Cy.84).

(3) O.S. 2003/153 (Cy.23).

(4) O.S. 2004/3093 (Cy.267)

(1) S.I. 2001 / 2291 (W.179).

(2) S.I. 2002 / 783 (W.84).

(3) S.I. 2003 / 153 (W.23).

(4) S.I. 2004 / 3093 (W.267).

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

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

14 Chwefror 2007

14 February 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

SWYDDOGAETHAU NAD YDYNT I FOD
YN GYFRIFOLDEB I WEITHREDIAETH
AWDURDOD

FUNCTIONS NOT TO BE THE
RESPONSIBILITY OF AN AUTHORITY'S
EXECUTIVE

(1) Y Swyddogaeth	(2) Y ddarpariaeth mewn Deddf neu Offeryn Statudol
A. Swyddogaethau sy'n ymwneud â chynllunio gwlad a thref a rheoli datblygu	
1. Y pŵer i ddyfarnu ar geisiadau am ganiatâd cynllunio.	Adrannau 70(1)(a) a (b) a 72 o Ddeddf Cynllunio Gwlad a Thref 1990 (p.8).
2. Y pŵer i ddyfarnu ar geisiadau am ddatblygu tir heb gydymffurfio ag amodau a osodwyd o'r blaen.	Adran 73 o Ddeddf Cynllunio Gwlad a Thref 1990.
3. Y pŵer i roi caniatâd cynllunio ar gyfer datblygiad sydd eisoes wedi'i gyflawni.	Adran 73A o Ddeddf Cynllunio Gwlad a Thref 1990(1).
4. Y pŵer i wrthod dyfarnu ar gais am ganiatâd cynllunio.	Adran 70A o Ddeddf Cynllunio Gwlad a Thref 1990(2).
5. Dyletswyddau sy'n ymwneud â gwneud dyfarniadau ar geisiadau cynllunio.	Adrannau 69, 76 a 92 o Ddeddf Cynllunio Gwlad a Thref 1990 ac Erthyglau 8, 10 i 13, 15 i 22 a 25 a 26 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) 1995 (O.S. 1995/419) a chyfarwyddiadau a wneir odanynt.

(1) Function	(2) Provision of Act or Statutory Instrument
A. Functions relating to town and country planning and development control	
1. Power to determine applications for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).
2. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.
3. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990(1).
4. Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990(2).
5. Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made there under.

(1) Mewnosodwyd adran 73A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34), Atodlen 7, paragraff 8.

(2) Mewnosodwyd adran 70A gan Ddeddf Cynllunio ac Iawndal 1991, adran 17.

(1) Section 73A was inserted by the Planning and Compensation Act 1991 (c.34), Schedule 7, paragraph 8.

(2) Section 70A was inserted by the Planning and Compensation Act 1991, section 17.

6. Y pŵer i ddyfarnu ar gais am ganiatâd cynllunio a wneir gan awdurdod lleol, ar ei ben ei hun neu ar y cyd â pherson arall.	Adran 316 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cyffredinol Cynllunio Gwlad a Thref 1992 (O.S. 1992/1492)(1).
7. Y pŵer i wneud dyfarniadau, i roi cymeradwyaethau ac i gytuno ar faterion penodol eraill sy'n ymwneud ag arfer hawliau datblygu a ganiateir.	Rhannau 6, 7, 11, 17, 19, 20, 21 i 24, 30 a 31 o Atodlen 2 i Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995 (O.S. 1995/418).
8. Y pŵer i gytuno ar rwymedigaeth gynllunio sy'n rheoleiddio datblygu tir neu ddefnyddio tir.	Adran 106 o Ddeddf Cynllunio Gwlad a Thref 1990(2).
9. Y pŵer i ddyroddi tystysgrif o ddefnydd neu ddatblygiad cyfreithlon presennol neu arfaethedig.	Adrannau 191(4) a 192(2) o Ddeddf Cynllunio Gwlad a Thref 1990(3).
10. Y pŵer i gyflwyno hysbysiad cwblhau.	Adran 94(2) o Ddeddf Cynllunio Gwlad a Thref 1990.
11. Y pŵer i roi cydsyniad i arddangos hysbysebion.	Adran 220 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cynllunio Gwlad a Thref (Rheoli Hysbysebion) 1992(4).
12. Y pŵer i awdurdodi mynd ar dir.	Adran 196A o Ddeddf Cynllunio Gwlad a Thref 1990(5).
13. Y pŵer i'w gwneud yn ofynnol rhoi'r gorau i ddefnyddio tir.	Adran 102 o Ddeddf Cynllunio Gwlad a Thref 1990.

6. Power to determine applications for planning permission made by a local authority, alone or jointly with another person	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning Regulations 1992 (S.I. 1992/1492) (1)
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).
8. Power to enter into planning obligation, regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.(2)
9. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990(3).
10. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.
11. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992(4).
12. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990(5).
13. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.

(1) Amnewidiwyd adran 316 gan adran 20 o Ddeddf Cynllunio ac Iawndal 1991 (p.34). Yr offerynnau diwygio perthnasol yw O.S. 1992/1982 a 1998/2800.

(2) Amnewidiwyd adran 106 gan adran 12(1) o Ddeddf Cynllunio ac Iawndal 1991.

(3) Amnewidiwyd adrannau 191 a 192 gan adran 10 o Ddeddf Cynllunio ac Iawndal 1991.

(4) O.S. 1992/666, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(5) Mewnosodwyd adran 196A gan adran 11 o Ddeddf Cynllunio ac Iawndal 1991. I gael gwybod o dan ba amgylchiadau y caniateir i'r hawl gael ei harfer, gweler adrannau 196A i 196C o Ddeddf Cynllunio Gwlad a Thref 1990.

(1) Section 316 was substituted by section 20 of the Planning and Compensation Act 1991 (C.34). Relevant amending instruments are S.I. 1992 / 1982 and 1998 / 2800.

(2) Section 106 was substituted by section 12(1) of the Planning and Compensation Act 1991.

(3) Sections 191 and 192 were substituted by section 10 of the Planning and Compensation Act 1991.

(4) S.I. 1992/666, to which there are amendments not relevant to these Regulations.

(5) Section 196A was inserted by section 11 of the Planning and Compensation Act 1991. For the circumstances in which the right may be exercised, see sections 196A to 196C of the Town and Country Planning Act 1990.

14. Y pŵer i gyflwyno hysbysiad torri rheolau cynllunio, hysbysiad torri amod neu hysbysiad stop.	Adrannau 171C, 187A a 183(1) o Ddeddf Cynllunio Gwlad a Thref 1990(1).
15. Y pŵer i ddyroddi hysbysiad gorfodi.	Adran 172 o Ddeddf Cynllunio Gwlad a Thref 1990(2).
16. Y pŵer i wneud cais am waharddeb i atal torri rheol gynllunio.	Adran 187B o Ddeddf Cynllunio Gwlad a Thref 1990(3).
17. Y pŵer i ddyfarnu ar geisiadau am gydsyniad sylweddau peryglus, a phwerau cysylltiedig.	Adrannau 9(1) a 10 o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 (p. 10).
18. Y ddyletswydd i ddyfarnu ar amodau y mae hen ganiatadau mwyngloddio, caniatadau cynllunio perthnasol sy'n ymwneud â safleoedd cwsg neu safleoedd Rhan I neu Ran II gweithredol, neu ganiatadau mwynol sy'n ymwneud â safleoedd mwyngloddio, yn ôl y digwydd, i fod yn ddarostyngedig iddynt.	Paragraff 2(6)(a) o Atodlen 2 i Ddeddf Cynllunio ac Iawndal 1991, paragraff 9(6) o Atodlen 13 i Ddeddf yr Amgylchedd 1995 (p.25) a pharagraff 6(5) o Atodlen 14 i'r Ddeddf honno.
19. Y pŵer i'w gwneud yn ofynnol bod tir yn cael ei gynnal yn iawn.	Adran 215(1) o Ddeddf Cynllunio Gwlad a Thref 1990.
20. Y pŵer i ddyfarnu ar gais am gydsyniad adeilad rhestredig, a phwerau cysylltiedig.	Adrannau 16(1) a (2), 17 a 33(1) o Ddeddf Cynllunio Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 (p.9).
21. Y pŵer i ddyfarnu ar geisiadau am gydsyniad ardal gadwraeth.	Adran 16(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990, fel y'i cymhwysir gan adran 74(3) o'r Ddeddf honno(4).

14. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990(1).
15. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990(2).
16. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990(3).
17. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).
18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.
19. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.
20. Power to determine applications for listed building consent, and related powers.	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).
21. Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act(4).

- (1) Mewnosodwyd adrannau 171C a 187A gan adrannau 1 a 2 o Ddeddf Cynllunio ac Iawndal 1991. Amnewidiwyd is-adrannau (1) i (5A) o adran 183 gan adran 9 o Ddeddf Cynllunio ac Iawndal 1991.
- (2) Amnewidiwyd adran 172 gan adran 5 o Ddeddf Cynllunio ac Iawndal 1991.
- (3) Mewnosodwyd adran 187B gan adran 3 o Ddeddf Cynllunio ac Iawndal 1991.
- (4) *Gweler* hefyd Reoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 (O.S. 1990/1519), y mae diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

- (1) Sections 171C and 187A were inserted by sections 1 and 2 of the Planning and Compensation Act 1991. Subsections (1) to (5A) of section 183 were substituted by section 9 of the Planning and Compensation Act 1991.
- (2) Section 172 was substituted by section 5 of the Planning and Compensation Act 1991.
- (3) Section 187B was inserted by section 3 of the Planning and Compensation Act 1991.
- (4) *See* also the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519), to which there are amendments not relevant to these Regulations.

22. Dyletswyddau sy'n ymwneud â cheisiadau am gydsyniad adeilad rhestredig a chydsyniad ardal gadwraeth.	Adran 13(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 a rheoliadau 3 i 13 o Reoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 a pharagraff 127 o gylchlythyr y Swyddfa Gymreig 61/96: Cynllunio a'r Amgylchedd Hanesyddol: Adeiladau Hanesyddol ac Ardaloedd Cadwraeth.	22. Duties relating to applications for listed building consent and conservation area consent.	Section 13(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and paragraph 127 of the Welsh Office circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas.
23. Y pŵer i gyflwyno hysbysiad cadw adeilad, a phwerau cysylltiedig.	Adrannau 3(1) a 4(1) Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.	23. Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
24. Y pŵer i ddyroddi hysbysiad gorfodi adeilad rhestredig.	Adran 38 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.	24. Power to issue a listed building enforcement notice.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
25. Pwerau i gaffael adeilad rhestredig y mae angen ei drwsio a chyflwyno hysbysiad trwsio.	Adrannau 47 a 48 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.	25. Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
26. Y pŵer i wneud cais am waharddeb mewn perthynas ag adeilad rhestredig.	Adran 44A o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(1).	26. Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990(1).
27. Y pŵer i wneud gwaith brys.	Adran 54 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.	27. Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.
28. Pŵer yn gysylltiedig â gweithio mwynau.	Atodlen 9 i Ddeddf Cynllunio Gwlad a Thref 1990.	28. Power related to mineral working.	Schedule 9 of the Town and Country Planning Act 1990.
29. Pŵer yn gysylltiedig â llwybrau troed a llwybrau ceffylau.	Adran 257 o Ddeddf Cynllunio Gwlad a Thref 1990.	29. Power related to footpaths and bridleways.	Section 257 of the Town and Country Planning Act 1990.
30. Pŵer ynghylch tystysgrifo datblygiadau amgen priodol.	Adran 17 o Ddeddf Iawndal Tir 1961 (p.33).	30. Power as to certification of appropriate alternative development.	Section 17 of the Land Compensation Act 1961 (c.33).
31. Dyletswyddau mewn perthynas â gorchmynion prynu.	Adrannau 137-144 o Ddeddf Cynllunio Gwlad a Thref 1990.	31. Duties in relation to purchase notices.	Sections 137-144 of the Town and Country Planning Act 1990.

(1) Mewnosodwyd adran 44A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34), adran 25, Atodlen 3, paragraff 7.

(1) Section 44A was inserted by the Planning and Compensation Act 1991 (c.34), section 25, Schedule 3, paragraph 7.

32. Pwerau sy'n ymwneud â hysbysiadau malltod.	Adrannau 149-171 o Ddeddf Cynllunio Gwlad a Thref 1990.	32. Powers related to blight notices.	Sections 149-171 of the Town and Country Planning Act 1990.
B. Swyddogaethau trwyddedu a chofrestru (i'r graddau nad oes unrhyw baragraff arall yn yr Atodlen hon yn ymdrin â hwy)		B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)	
1. Y pŵer i ddyroddi trwyddedau sy'n awdurdodi defnyddio tir fel safle carafannau ("trwyddedau safle").	Adran 3(3) o Ddeddf Safleoedd Carafannau a Rheoli Datblygu 1960 (p.62).	1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62).
2. Y pŵer i drwyddedu defnyddio anheddau symudadwy a safleoedd gwerysyla.	Adran 269(1) o Ddeddf Iechyd y Cyhoedd 1936 (p.49).	2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).
3. Y pŵer i drwyddedu cerbydau hacnai a cherbydau hurio preifat.	(a) o ran cerbydau hacnai, Deddf Cymalau Heddluoedd Tref 1847 (10 a 11 Vict. p. 89), fel y'i hestynnwyd gan adran 171 o Ddeddf Iechyd y Cyhoedd 1875 (38 a 39 Vict. p. 55), ac adran 15 o Ddeddf Trafnidiaeth 1985 (p. 67); ac adrannau 47, 57, 58, 60 a 79 o Ddeddf Llywodraeth Lleol (Darpariaethau Amrywiol) 1976 (p. 57); (b) o ran cerbydau hurio preifat, adrannau 48, 57, 58, 60 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.	3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c. 55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57); (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Y pŵer i drwyddedu gyrrwyr cerbydau hacnai a cherbydau hurio preifat.	Adrannau 51, 53, 54, 59, 61 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.	4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
5. Y pŵer i drwyddedu gweithredwyr cerbydau hacnai a cherbydau hurio preifat.	Adrannau 55 i 58, 62 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.	5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.

6. Y pŵer i gofrestru hyrwyddwyr pyllau.	Atodlen 2 i Ddeddf Betio, Hapchwarae a Loteriau 1963 (p. 2)(1).
7. Y pŵer i roi trwyddedau betio ar gyfer traciau.	Atodlen 3 i Ddeddf Betio, Hapchwarae a Loteriau 1963(2).
8. Y pŵer i drwyddedu cynlluniau betio ar gyfer traciau ar y cyd â'i.	Atodlenni 5ZA i Ddeddf Betio, Hapchwarae a Loteriau 1963(3).
9. Y pŵer i roi trwyddedau mewn perthynas â mangreoedd sydd â pheiriannau chwarae.	Atodlen 9 i Ddeddf Hapchwarae 1968 (p. 65) (4).
10. Y pŵer i gofrestru cymdeithasau sy'n dymuno hyrwyddo loteriau.	Atodlen 1 i Ddeddf Loteriau a Difyrion 1976 (p. 32)(5).
11. Y pŵer i roi trwyddedau mewn perthynas â mangreoedd lle darperir difyrion â gwobrau.	Atodlen 3 i Ddeddf Loteriau a Difyrion 1976 (6).

6. Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963 (c. 2)(1).
7. Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963(2).
8. Power to license inter-track betting schemes.	Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963(3).
9. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 (c. 65)(4).
10. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 (c. 32)(5).
11. Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976(6).

- (1) Diddymwyd Atodlen 2 i Ddeddf Betio, Hapchwarae a Loteriau 1963 gan adran 356(3)(f) a (4) o Ddeddf Gamblo 2005 ac Atodlen 17 iddi. Mae adran 358(1) o Ddeddf 2005 yn darparu bod y diddymiad hwnnw i'w ddwyn i rym ar ddyddiad sydd i'w benodi. Nid yw'r diddymiad wedi'i ddwyn i rym.
- (2) Diddymwyd Atodlen 3 i Ddeddf Betio, Hapchwarae a Loteriau 1963 gan adran 356(3)(f) a (4) o Ddeddf Gamblo 2005 ac Atodlen 17 iddi. I gael darpariaethau trosiannol ynglŷn â thrwydded betio ar gyfer trac sydd i fod i ddod i ben yn y cyfnod sy'n dechrau ar 1 Medi 2006 ac sy'n diweddau ar 30 Awst 2007, gweler O.S. 2006/1758, erthygl 2. Mae adran 358(1) o Ddeddf 2005 yn darparu bod y diddymiad hwnnw i'w ddwyn i rym ar ddyddiad sydd i'w benodi. Nid yw'r diddymiad wedi'i ddwyn i rym.
- (3) Mewnosodwyd Atodlen 5ZA gan O.S. 1995/3231, erthygl 5(6). Diddymwyd Atodlen 5ZA i Ddeddf Betio, Hapchwarae a Loteriau 1963 gan adran 356(3)(f) o Ddeddf Gamblo 2005 ac Atodlen 17 iddi. Mae'r diddymiad i'w ddwyn i rym ar ddyddiad sydd i'w benodi o dan adran 358(1) o Ddeddf 2005. Nid yw'r diddymiad wedi'i ddwyn i rym.
- (4) Diddymwyd Atodlen 9 i Ddeddf Hapchwarae 1968 gan adran 356(g) a (4) o Ddeddf Gamblo 2005 ac Atodlen 17 iddi. I gael darpariaethau trosiannol ynglŷn ag adnewyddu neu roi trwyddedau, gweler O.S. 2006/1758, erthyglau 5 a 6. Mae adran 358(1) o Ddeddf 2005 yn darparu bod y diddymiad hwnnw i'w ddwyn i rym ar ddyddiad sydd i'w benodi. Nid yw'r diddymiad wedi'i ddwyn i rym.
- (5) Diddymwyd Atodlen 1 i Ddeddf Loteriau a Difyrion 1976 gan adran 356(3)(i) a (4) o Ddeddf Gamblo 2005 ac Atodlen 17 iddi. Mae diddymu Atodlen 1 i'w ddwyn i rym ar ddyddiad sydd i'w benodi o dan adran 358(1) o Ddeddf 2005. Nid yw'r diddymiad wedi'i ddwyn i rym.
- (6) Wedi'i diddymu gan Ddeddf Gamblo 2005, adran 356(3)(i),(4), Atodlen 17. I gael gweld y darpariaethau trosiannol mewn perthynas ag unrhyw drwydded o dan adran 16 sydd i fod i ddod i ben yn y cyfnod sy'n dechrau ar 1 Medi 2006 ac sy'n diweddau ar 30 Awst 2007. Gweler O.S. 2006/1758, erthygl 7. Mae diddymiad Atodlen 3 i'w ddwyn i rym ar ddyddiad sydd i'w bennu o dan adran 358(1) o Ddeddf 2005. Nid yw'r diddymiad wedi'i ddwyn i rym.

- (1) Schedule 2 to the Betting, Gaming and Lotteries Act 1963 was repealed by section 356(3)(f) and (4) of and Schedule 17 to the Gambling Act 2005. Section 358(1) of the 2005 Act provides for that repeal to be brought into force on a date to be appointed. The repeal has not been brought into force.
- (2) Schedule 3 to the Betting, Gaming and Lotteries 1963 was repealed by section 356(3)(f) and (4) of and Schedule 17 to the Gambling Act 2005. For transitional provisions in relation to a track betting licence which is due to expire in the period beginning on 1 September 2006 and ending on 30 August 2007 see S.I. 2006/1758, article 2. Section 358(1) of the 2005 Act provides for that repeal to be brought into force on a date to be appointed. The repeal has not been brought into force.
- (3) Schedule 5ZA was inserted by S.I. 1995/3231, article 5(6). Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963 was repealed by section 356(3)(f) and Schedule 17 to the Gambling Act 2005. The repeal is to be brought into force on a date to be appointed under section 358(1) of the 2005 Act. The repeal has not been brought into force.
- (4) Schedule 9 to the Gaming Act 1968 was repealed by section 356(g) and (4) of and Schedule 17 to the Gambling Act 2005. For transitional provisions in relation to the renewal or grant of permits see S.I. 2006/1758, articles 5 and 6. Section 358(1) of the 2005 Act provides for the repeal to be brought into force on a date to be appointed. The repeal has not been brought into force.
- (5) Schedule 1 to the Lotteries and Amusements Act 1976 was repealed by section 356(3)(i) and (4) of and Schedule 17 of the Gambling Act 2005. The repeal of Schedule 1 is to be brought into force on a date to be appointed under section 358(1) of the 2005 Act. The repeal has not been brought into force.
- (6) Repealed by the Gambling Act 2005, section 356(3)(i),(4), schedule 17, for transitional provisions in relation to any permit under section 16 which is due to expire in the period beginning on 1st September 2006 and ending on 30 August 2007. See S.I. 2006 / 1758, article 7. The repeal of Schedule 3 is to be brought into force on a date to be appointed under section 358(1) of the 2005 Act. The repeal has not been brought into force.

12. Y pŵer i ddyroddi trwyddedau adloniant.	Adran 12 o Ddeddf Plant a Phobl Ifanc 1933 (p. 12).
13. Y pŵer i drwyddedu siopau rhyw a sinemâu rhyw.	Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982, adran 2 ac Atodlen 3.
14. Y pŵer i drwyddedu perfformiadau hypnotiaeth.	Deddf Hypnotiaeth 1952 (p.46).
15. Y pŵer i drwyddedu mangroedd ar gyfer aciwbgiadau, tatws, tyllu clustiau ac electrolysis.	Adrannau 13 i 17 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982.
16. Y pŵer i drwyddedu cychod pleser a llongau pleser.	Adran 94 o Ddeddf Diwygio Deddfau Iechyd y Cyhoedd 1907 (p. 53)(1).
17. Y pŵer i drwyddedu masnachu mewn marchnadoedd ac ar y stryd.	Rhan III o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 ac Atodlen 4 iddi.
18. Y ddyletswydd i gadw rhestr o bersonau sydd â'r hawl i werthu gwenwynau nad ydynt yn feddyginiaeth.	Adrannau 3(1)(b)(ii), 5, 6 ac 11 o Ddeddf Gwenwynau 1972(p. 66) (2).
19. Y pŵer i drwyddedu delwyr helgig a lladd a gwerthu helgig.	Adrannau 5, 6, 17, 18 a 21 i 23 o Ddeddf Anifeiliaid Hela 1831 (p. 32); adrannau 2 i 16 o Ddeddf Trwyddedau Helwriaeth 1860 (p. 90), adran 4 o Ddeddf Tollau Cartref a Chyllid y Wlad 1883 (p. 10), adran 27 o Ddeddf Llywodraeth Lleol 1894 (p. 73), ac adran 213 o Ddeddf Llywodraeth Leol 1972 (p. 70).

12. Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c.12)
13. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
14. Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46).
15. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
16. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907 (c. 53)(1).
17. Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982.
18. Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c. 66)(2).
19. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c. 32); sections 2 to 16 of the Game Licences Act 1860 (c. 90), section 4 of the Customs and Inland Revenue Act 1883 (c. 10), section 27 of the Local Government Act 1894 (c. 73), and section 213 of the Local Government Act 1972 (c. 70).

(1) Wedi'i diwygio gan Ddeddf Llywodraeth Leol 1974 (p.7), Atodlen 6, paragraff 1, adran 18 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 (p.57) ac adran 186 o Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980 (p.65). Annwidiwyd adran 94(8) gan Orchymyn Dadreoleiddio (Deddf Diwygio Deddfau Iechyd y Cyhoedd) 1997 (O.S. 1997/1187).

(2) Diwygiwyd adran 5 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 13(1). *Gweler* O.S. 1973/1851 ac O.S. 1977/2128.

(1) Amended by the Local Government Act 1974 (c.7), Schedule 6, paragraph 1, section 18 of the Local Government (Miscellaneous Provisions) Act 1976 (c.57) and section 186 of the Local Government, Planning and Land Act 1980 (c.65). Section 94(8) was substituted by the Deregulation (Public Health Acts Amendment Act) Order 1997 (S.I. 1997/1187).

(2) Section 5 was amended by the Local Government, Planning and Land Act 1980, Schedule 6, paragraph 13(1). *See* S.I 1973 / 1851 S.I 1977 / 2128

20. Y pŵer i gofrestru a thrwyddedu mangreoedd ar gyfer paratoi bwyd.	Adran 19 o Ddeddf Diogelwch Bwyd 1990 (p. 16).
21. Y pŵer i drwyddedu iardiau sgrap.	Adran 1 o Ddeddf Delwyr Metel Sgrap 1964 (p. 69).
22. Y pŵer i ddyroddi, diwygio neu amnewid tystysgrifau diogelwch (cyffredinol neu arbennig) ar gyfer meysydd chwaraeon.	Deddf Diogelwch Meysydd Chwaraeon 1975 (p. 52)(1).
23. Y pŵer i ddyroddi, dileu, diwygio neu amnewid tystysgrifau diogelwch ar gyfer standiau rheoledig mewn meysydd chwaraeon.	Rhan III o Ddeddf Diogelwch Rhag Tân a Diogelwch Lleodd Chwaraeon 1987 (p.27).
24. Dyletswydd i hyrwyddo diogelwch rhag tân.	Adran 6 o Ddeddf y Gwasanaethau Tân ac Achub 2004 (p.21).
25. Y pŵer i drwyddedu mangreoedd ar gyfer bridio cwn.	Adran 1 o Ddeddf Bridio Cwn 1973 (p. 60) ac adran 1 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999 (p. 11).
26. Y pŵer i drwyddedu siopau anifeiliaid anwes a sefydliadau eraill lle caiff anifeiliaid eu bridio neu eu cadw er mwyn cynnal busnes.	Adran 1 o Ddeddf Anifeiliaid Anwes 1951 (p. 35)(2); adran 1 o Ddeddf Sefydliadau Byrddio Anifeiliaid 1963(p. 43)(3); Deddfau Sefydliadau Marchogaeth 1964 a 1970 (1964 p. 70 a 1970 p. 70)(4); adran 1 o Ddeddf Bridio Cwn 1973 (p. 60)(5), ac adrannau 1 ac 8 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999.

20. Power of register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).
21. Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964 (c. 69).
22. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52) (1).
23. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).
24. Duty to promote fire safety	Section 6 of the Fire and Rescue Services Act 2004 (c.21)
25. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).
26. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c. 35) (2); section 1 of the Animal Boarding Establishments Act 1963 (c. 43)(3); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70)(4); section 1 of the Breeding of Dogs Act 1973 (c. 60) (5), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.

(1) Wedi'i diwygio gan Ddeddf Diogelwch Rhag Tân a Diogelwch Lleodd Chwaraeon 1987 (p.27). *Gweler*, yn benodol, Ran II o'r Ddeddf honno, ac Atodlen 2 iddi.

(2) Diwygiwyd gan Ddeddf Llywodraeth Leol 1974, Atodlen 6, paragraff 17 a chan Ddeddf Amddiffyn Anifeiliaid (Diwygio) 1988 (p.29), adran 3(2) a (3) a'r Atodlen.

(3) Diwygiwyd gan Ddeddf Llywodraeth Leol 1974, adran 35(1) a (2) ac Atodlen 6, paragraff 18 a chan Ddeddf Amddiffyn Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) o'r Atodlen.

(4) Diwygiwyd adran 1 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, adran 1(6), Atodlen 6, Atodlen 34, paragraff 15 a chan Ddeddf Amddiffyn Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) a'r Atodlen.

(5) Diwygiwyd gan Ddeddf Llywodraeth Leol 1974, adrannau 35(1) a (2) a 42, Atodlen 6, paragraff 2(1) ac Atodlen 8.

(1) Amended by the Fire Safety and Safety of Places of Sport Act 1987 (c.27). *See*, in particular, Part II of, and Schedule 2 to, that Act.

(2) Amended by the Local Government Act 1974, Schedule 6, paragraph 17 and by the Protection of Animals (Amendment) Act 1988 (c.29), section 3(2) and (3) and the Schedule.

(3) Amended by the Local Government Act 1974, section 35(1) and (2) and Schedule 6, paragraph 18 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) of the Schedule.

(4) Section 1 was amended by the Local Government, Planning and Land Act 1980, section 1(6), Schedule 6, Schedule 34, paragraph 15 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) and the Schedule.

(5) Amended by the Local Government Act 1974 sections 35(1) and (2) and 42, Schedule 6, paragraph 2(1) and Schedule 8.

27. Y pŵer i gofrestru hyfforddwyr ac arddangoswyr anifeiliaid.	Adran 1 o Ddeddf Anifeiliaid Perfformio (Rheoleiddio) 1925 (p. 38)(1).	27. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925 (c. 38)(1).
28. Y pŵer i drwyddedu swau.	Adran 1 o Ddeddf Trwyddedu Swau 1981 (p. 37).	28. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981 (c. 37)
29. Y pŵer i drwyddedu anifeiliaid gwyllt peryglus	Adran 1 o Ddeddf Anifeiliaid Gwyllt Peryglus 1976 (p. 38).	29. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).
30. Y pŵer i orfodi rheoliadau mewn perthynas â sgil-gynhyrchion anifeiliaid.	Rheoliad 49 o Reoliadau Sgil-gynhyrchion Anifeiliaid (Cymru) 2006 (O.S. 2006/1292 (Cy.127)).	30. Power to enforce regulations in relation to animal by-products	Regulation 49 of the Animal By-products (Wales) Regulations 2006 (S.I 1292 (W.127))
31. Y pŵer i drwyddedu cyflogi plant.	Rhan II o Ddeddf Plant a Phobl Ifanc 1933 (p. 12), is-ddeddfau a wneir o dan y Rhan honno, a Rhan II o Ddeddf Plant a Phobl Ifanc 1963 (p. 37).	31. Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c.12), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c. 37).
32. Y pŵer i gymeradwyo mangreoedd ar gyfer gweinyddu priodasau a chofrestru partneriaethau sifil.	Adran 46A o Ddeddf Priodasau 1949 (p. 76), adran 6A o Ddeddf Partneriaethau Sifil 2004 (p.33) a Rheoliadau Priodasau a Phartneriaethau Sifil (Mangreoedd a Gymeradwywyd) 2005 (O. S. 2005/3168 (2)).	32. Power to approve premises for the solemnisation of marriages and the registration of civil partnerships.	Section 46A of the Marriage Act 1949 (c. 76), section 6A of the Civil Partnership Act 2004 (c.33) and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (S. I. 2005/3168)(2).
33. Y pŵer i gofrestru tir comin neu feysydd gleision trefi neu bentrefi, ac eithrio os yw'r pŵer yn arferadwy ar gyfer rhoi effaith i'r canlynol yn unig- (a) cyfnewid tiroedd y mae gorchymyn o dan adran 19(3) o Ddeddf Caffael Tir 1981 (p.67) neu baragraff 6(4) o Atodlen 3 iddi yn rhoi effaith iddo (p. 67); neu	Rheoliad 6 o Reoliadau Cofrestru Tiroedd Comin (Tir Newydd) 1969 (O.S. 1969/1843).	33. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to- (a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).

(1) Diwygiwyd gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 6, a chan adran 3 o Ddeddf Amddiffyn Anifeiliaid (Diwygio) 1988.

(2) Mewnosodwyd adran 46A gan adran 1 o Ddeddf Priodasau 1994 (p.34).

(1) Amended by the Local Government, Planning and Land Act 1980, Schedule 6, paragraph 6, and by section 3 of the Protection of Animals (Amendment) Act 1988.

(2) Section 46A was inserted by section 1 of the Marriage Act 1994 (c.34).

(b) gorchymyn o dan adran 147 o Ddeddf Amgáu Tiroedd 1845 (p. 8 a 9 Vict. p. 118).	
34. Y pŵer i gofrestru amrywiadau ar hawliau comin.	Rheoliad 29 o Reoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966 (O.S. 1966/1471)(1).
35. Y pŵer i ddyroddi trwydded i gasglu ar gyfer achosion elusennol.	Adran 68 o Ddeddf Elusennau 1992.
36. Y pŵer i roi cydsyniad ar gyfer gweithredu uchelseinydd.	Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 (p. 40).
37. Y pŵer i roi trwydded ar gyfer gweithfeydd stryd.	Adran 50 o Ddeddf Ffyrdd Newydd a Gwaith Stryd 1991 (p. 22).
38. Dyletswydd i gofrestru symudiadau moch.	Rheoliadau 21(3) and (4) o Orchymyn Moch (Cofnodion, Adnabod a Symud) (Cymru) 2004 (O.S. 2004/996 (Cy.104)).
39. Y pŵer i orfodi rheoliadau mewn perthynas â symud moch.	Rheoliad 27(1) o Orchymyn Moch (Cofnodion, Adnabod a Symud) (Cymru) 2004 (O.S. 2004 /996 (Cy.104)).
40. Y pŵer i ddyroddi trwydded i symud gwartheg o farchnad.	Erthygl 5(2) o Reoliadau Adnabod Gwartheg 1998 (O.S. 1998/871).
41. Y pŵer i roi hawl i rannau o adeiladau gael eu defnyddio i storio seliwloid.	Adran 1 o Ddeddf Ffilmiau Seliwloid a Sinematograff 1922 (p. 35).
42. Y ddyletswydd i orfodi a gweithredu Rheoliadau (EC) Rhif 852/2004 a 853/2004 mewn perthynas â gweithredwyr busnesau bwyd fel y'u pennir ymhellach yn rheoliad 5 o Reoliadau Bwyd (Hylendid) (Cymru) 2006.	Rheoliad 5 o Reoliadau Bwyd (Hylendid) (Cymru) 2006(2).

(b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).	
34. Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)(1).
35. Power to issue a permit to conduct charitable collections.	Section 68 of the Charities Act 1992.
36. Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).
37. Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c. 22).
38. Duty to register the movement of pigs.	Regulations 21(3) and (4) of the Pigs (Records Identification and Movement) (Wales) Order 2004 (S.I 2004/996 (W.104)).
39. Power to enforce regulations in relation to the movement of pigs.	Regulation 27(1) of the Pigs (Records, Identification and Movement (Wales) Order 2004/996 (W.104).
40. Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).
41. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).
42. Duty to enforce and execute Regulations (EC) No. 852/2004 and 853/2004 in relation to food business operators as further specified in regulation 5 of the Food (Hygiene) (Wales) Regulations 2006.	Regulation 5 of the Food (Hygiene) (Wales) Regulations 2006(2).

(1) Diwygiwyd gan adran 22 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p.30).

(2) O.S. 2006/31 (Cy.5) fel y'i diwygiwyd gan Reoliadau Bwyd (Hylendid) (Cymru) (Diwygio) 2006 (O.S. 2006 / 1534 (Cy.151)).

(1) Amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30).

(2) S.I 2006 / 31 (W.5) as amended by the Food (Hygiene) (Wales) (Amendment) Regulations 2006 (S.I 2006 / 1534 (W.151)).

43. Swyddogaethau mewn perthynas â sefydlu Pwyllgor Trwyddedu.	Adran 6 o Ddeddf Trwyddedu 2003 (p.17).
C. Swyddogaethau sy'n ymwneud ag iechyd a diogelwch yn y gwaith	
Swyddogaethau o dan unrhyw un o'r "darpariaethau statudol perthnasol" o fewn ystyr Rhan I (iechyd, diogelwch a lles mewn cysylltiad â gwaith, a rheoli sylweddau peryglus) o Ddeddf Iechyd a Diogelwch yn y Gwaith etc. 1974, i'r graddau y mae'r swyddogaethau hynny'n cael eu cyflawni mewn fordd wahanol i'w cyflawni yn rhinwedd swyddogaeth yr awdurdod fel cyflogwr.	Rhan I o Ddeddf Iechyd a Diogelwch yn y Gwaith etc. 1974 (p. 37).
Ch. Swyddogaethau sy'n ymwneud ag etholiadau	
1. Y ddyletswydd i benodi swyddog cofrestru etholiadol.	Adran 8(2A) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2)(1).
2. Y pŵer i ddyrannu swyddogion mewn perthynas ag angenrheidiau'r swyddog cofrestru.	Adran 52(4) o Ddeddf Cynrychiolaeth y Bobl 1983(2).
3. Y pŵer i ddileu cynghorau cymuned.	Adran 28 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i wneud gorchmynion ar gyfer grwpio cymunedau.	Adran 29 o Ddeddf Llywodraeth Leol 1972.
5. Y pŵer i wneud gorchmynion i ddileu grwpiau a gwahanu cynghorau cymuned oddi wrth grwpiau.	Adran 29A o Ddeddf Llywodraeth Leol 1972.

43. Functions in respect of establishing a Licensing Committee.	Section 6 of the Licensing Act 2003 (c.17).
C. Functions relating to health and safety at work	
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c. 37).
D. Functions relating to elections	
1. Duty to appoint an electoral registration officer.	Section 8(2A) of the Representation of the People Act 1983 (c. 2).
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983(1).
3. Power to dissolve community councils.	Section 28 of the Local Government Act 1972.
4. Power to make orders for grouping communities.	Section 29 of the Local Government Act 1972.
5. Power to make orders for dissolving groups and separating community councils from groups.	Section 29A of the Local Government Act 1972.

(1) Wedi'i deddfu'n wreiddiol fel Deddf Etholiadau Cynulliad Ewrop 1978 a'i hailenwi yn rhinwedd adran 3 o Ddeddf y Cymunedau Ewropeaidd (Diwygio) 1986 (p.58). Amnewidiwyd Atodlen 1 gan Ddeddf Etholiadau Seneddol Ewrop 1999 (p.1), Atodlen 2.

(2) Amnewidiwyd is-adran (4) o adran 52 gan Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(1) Subsection (4) of section 52 was substituted by the Representation of the People Act 1985 (c.50).

6. Y ddyletswydd i benodi swyddog canlyniadau ar gyfer etholiadau llywodraeth leol.	Adran 35 o Ddeddf Cynrychiolaeth y Bobl 1983.	6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7. Y ddyletswydd i roi cymorth yn etholiadau'r Senedd Ewropeaidd.	Adran 6(7) ac (8) o Ddeddf Etholiadau Senedd Ewrop 2002.	7. Duty to provide assistance at European Parliamentary elections.	Section 6(7) and (8) of the European Parliamentary Elections Act 2002.
8. Y ddyletswydd i rannu'r etholaeth yn rhanbarthau pleidleisio.	Adran 18 o Ddeddf Cynrychiolaeth y Bobl 1983.	8. Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9. Y pŵer i rannu adrannau etholiadol yn rhanbarthau pleidleisio mewn etholiadau llywodraeth leol.	Adran 31 o Ddeddf Cynrychiolaeth y Bobl 1983.	9. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10. Pwerau mewn perthynas â chynnal etholiadau.	Adran 39(4) o Ddeddf Cynrychiolaeth y Bobl 1983.	10. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.
11. Y pŵer i dalu treuliau a dynnir yn briodol gan swyddogion cofrestru etholiadol.	Adran 54 o Ddeddf Cynrychiolaeth y Bobl 1983.	11. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12. Y pŵer i lenwi lleoedd gwag os na cheir digon o enwebiadau.	Adran 21 o Ddeddf Cynrychiolaeth y Bobl 1985.	12. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13. Y ddyletswydd i ddatgan bod lle gwag mewn swydd mewn achosion penodol.	Adran 86 o Ddeddf Llywodraeth Leol 1972	13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14. Y ddyletswydd i roi hysbysiad cyhoeddus o le gwag achlysurol.	Adran 87 o Ddeddf Llywodraeth Leol 1972.	14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15. Y pŵer i wneud penodiadau dros dro i gynghorau cymuned.	Adran 91 o Ddeddf Llywodraeth Leol 1972.	15. Power to make temporary appointments to community councils.	Section 91 of the Local Government Act 1972.
16. Y pŵer i ddyfarnu ar ffioedd ac amodau ar gyfer rhoi copïau o ddogfennau etholiadol neu ddarnau allan ohonynt.	Rheol 48(3) o Reolau Etholiadau Lleol (Prif Ardaloedd) 1986 (O.S. 1986/2214) a rheol 48(3) o Reolau Etholiadau Lleol (Plwyfi a Chymunedau) 1986 (O.S. 1986/2215).	16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I.1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215).
17. Y pŵer i gyflwyno cynigion i'r Ysgrifennydd Gwladol ar gyfer gorchymyn o dan adran 10 (cynlluniau peilot ar gyfer etholiadau lleol yng Nghymru a Lloegr) o Ddeddf Cynrychiolaeth y Bobl 2000.	Adran 10 o Ddeddf Cynrychiolaeth y Bobl 2000 (p. 2).	17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).

18. Swyddogaethau etholiadol amrywiol o dan Ran II, O.S. 2003/284.	Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2003, OS 2003/284(1).
D. Swyddogaethau sy'n ymwneud ag enw a statws ardaloedd ac unigolion	
1. Y pŵer i newid enw sir, neu enw bwrdeistref sirol.	Adran 74 o Ddeddf Llywodraeth Leol 1972.
2. Y pŵer i newid enw cymuned.	Adran 76 o Ddeddf Llywodraeth Leol 1972.
3. Y pŵer i roi teitl henadur mygedol neu i dderbyn rhywun yn rhyddfrefiniwr mygedol.	Adran 249 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i ddeisebu o blaid siarter i roi statws bwrdeistref sirol.	Adran 245A o Ddeddf Llywodraeth Leol 1972.
Dd. Y pŵer i wneud, diwygio, dirymu neu ailddeddfu is-ddeddfau	Unrhyw ddarpariaeth mewn unrhyw ddeddfiad (gan gynnwys Deddf leol), pryd bynnag y cafodd ei phasio, ac adran 14 o Ddeddf Dehongli 1978 (p. 300)(2).
E. Y pŵer i hyrwyddo neu i wrthwynebu Mesurau lleol neu bersonol.	Adran 239 o Ddeddf Llywodraeth Leol 1972.
F. Swyddogaethau sy'n ymwneud â phensiynau etc.	
1. Swyddogaethau sy'n ymwneud â phensiynau llywodraeth leol, etc.	Rheoliadau o dan adran 7, 12 neu 24 o Ddeddf Blwydd-dal 1972 (p.11)(3).

18. Miscellaneous electoral functions under Part II, S.I. 2003/284.	The National Assembly for Wales (Representation of the People) Order 2003, S.I. (2003/284)(1).
E. Functions relating to name and status of areas and individuals	
1. Power to change the name of a county or county borough.	Section 74 of the Local Government Act 1972.
2. Power to change the name of a community.	Section 76 of the Local Government Act 1972.
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.
4. Power to petition for a charter to confer county borough status.	Section 245A of the Local Government Act 1972.
F. Power to make, amend, revoke or re-enact byelaws	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 300)(2).
G. Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.
H. Functions relating to pensions etc.	
1. Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11) (3).

(1) Dirymodd O.S. 2003/284 Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 1999 (O.S. 1999/450) a Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) (Diwygio) 2002 (O.S. 2002/834). Mae O.S. 2003/284 yn atgynhyrchu O.S. 1999/450 fel y'i diwygiwyd gan O.S. 2002/834 gan wneud darpariaethau ychwanegol.

(2) Cymhwysir adran 14 o Ddeddf Dehongli 1978 i is-ddeddfau sy'n cael eu gwneud o dan adran 235 o Ddeddf Llywodraeth Leol 1972 gan adran 22(1) o Ddeddf Dehongli 1978 a pharagraff 3 o Ran I o Atodlen 2 iddi.

(3) O ran adran 7 gweler hefyd adran 99 o Ddeddf Llywodraeth Leol 2000 (p.22). Diwygiwyd adran 12 o Ddeddf Blwydd-dal 1972 gan adran 10 o Ddeddf Pensiynau (Darpariaethau Amrywiol) 1990 (p.7).

(1) S.I. 2003/284 revoked the National Assembly for Wales (Representation of the People) Order 1999. (S.I. 1999/450 and the National Assembly for Wales (Representation of the People) (Amendment) Order 2002 (S.I. 2002/834). S.I. 2003/284 reproduces 1999/450 as amended by S.I. 2002/834 making additional provisions.

(2) Section 14 of the Interpretation Act 1978 is applied to byelaws made under section 235 of the Local Government Act 1972 by section 22(1) of and paragraph 3 of Part 1 of Schedule 2 to, the Interpretation Act 1978.

(3) As to section 7 see also section 99 of the Local Government Act 2000 (c.22). Section 12 of the Superannuation Act 1972 is amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c.7).

2. Swyddogaethau sy'n ymwneud â phensiynau, lwfansau ac arian rhodd.	Rheoliadau o dan adran 18(3A) o Ddeddf Llywodraeth Leol a Thai 1989 (p.42).
3. Swyddogaethau o dan gynlluniau pensiwn sy'n bodoli eisoes o ran personau sy'n cael eu cyflogi gan awdurdodau tân ac achub yn unol ag adran 1 o Ddeddf Gwasanaethau Tân ac Achub 2004.	Adrannau 34 a 36 o Ddeddf y Gwasanaethau Tân ac Achub 2004.
Ff. Swyddogaethau amrywiol	
1. Y ddyletswydd i gymeradwyo datganiad awdurdod o'i gyfrifon, ei incwm, a'i wariant a'i fantolen neu ei gofnod o dderbyniadau a thaliadau (yn ôl y digwydd).	Rheoliadau Cyfrifon ac Archwilio (Cymru) 2005 (1).
2. Swyddogaethau sy'n ymwneud â physgodfeydd môr.	Adrannau 1, 2, 10 a 19 o Ddeddf Rheoleiddio Pysgodfeydd Môr 1966(p.38).
3. Pwerau sy'n ymwneud â chadw coed.	Adrannau 197 i 214D o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cynllunio Gwlad a Thref (Coed) 1999 (O.S. 1999/1892).
4. Pwerau sy'n ymwneud â diogelu gwrychoedd (perthi) pwysig.	Rheoliadau Gwrychoedd (Perthi) 1997 (O.S. 1997/1160).
5. Y pŵer i wneud rheolau sefydlog.	Adran 106 o Ddeddf Llywodraeth Leol 1972 a pharagraff 42 o Atodlen 12 iddi.
6. Penodi a diswyddo staff.	Adran 112 o Ddeddf Llywodraeth Leol 1972 ac adrannau 7 ac 8 o Ddeddf Llywodraeth Leol a Thai 1989.
7. Y pŵer i wneud rheolau sefydlog ynghylch contractau.	Adran 135 o Ddeddf Llywodraeth Leol 1972.

2. Functions relating to pensions, allowances and gratuities.	Regulations under section 18 (3A) of the Local Government and Housing Act 1989 (c.42).
3. Functions under existing pension schemes as respects persons employed by the fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004.	Sections 34 and 36 of the Fire and Rescue Services Act 2004.
1. Miscellaneous functions	
1. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be).	The Accounts and Audit (Wales) Regulations 2005 (1).
2. Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c.38).
3. Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999 (S.I. 1999/1892).
4. Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).
5. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972
6. Appointment and dismissal of staff	Section 112 of the Local Government Act 1972 and sections 7 and 8 of the Local Government and Housing Act 1989.
7. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.

(1) O.S. 2005/368 (Cy.34).

(1) S.I 2005/368 (W.34).

8. Y pŵer i ystyried adroddiadau gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru.	Adran 19 o Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (p.10).	8. Power to consider reports from the Public Services Ombudsman for Wales.	Section 19 of the Public Services Ombudsman (Wales) Act 2005 (c.10).
9. Y pŵer i wneud gorchymyn yn nodi lle fel lle cyhoeddus dynodedig at ddibenion pwerau heddlu mewn perthynas ag yfed alcohol.	Adran 13(2) o Ddeddf Cyfiawnder Troseddol a'r Heddlu 2001 (p.16).	9. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.	Section 13(2) of the Criminal Justice and Police Act 2001 (c.16).
10. Y pwerau mewn perthynas â chofrestru gweithredwyr achub cerbydau modur.	Rhan 1 o Ddeddf Cerbydau (Troseddau) 2001 (p.3).	10. Powers in respect of registration of motor salvage operators.	Part 1 of the Vehicles (Crime) Act 2001 (c.3).
11. Y pŵer i benodi swyddogion at ddibenion penodol (penodi "priod swyddogion").	Adran 270(3) o Ddeddf Llywodraeth Leol 1972.	11. Power to appoint officers for particular purposes (appointment of "proper officers").	Section 270(3) of the Local Government Act 1972 (c.42).
12. Y ddyletswydd i ddyynodi swyddog yn bennaeth gwasanaeth taledig yr awdurdod, ac i ddarparu staff, etc.	Adran 4(1) o Ddeddf Llywodraeth Leol a Thai 1989 (p.42).	12. Duty to designate an officer as the head of the authority's paid service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989 (c.42).
13. Y ddyletswydd i ddyynodi swyddog yn swyddog monitro, ac i ddarparu staff, etc.	Adran 5(1) o Ddeddf Llywodraeth Leol a Thai 1989.	13. Duty to designate an officer as the monitoring officer and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.
14. Y ddyletswydd i ddyfarnu ar derfyn benthyca fforddiadwy.	Adran 3 o Ddeddf Llywodraeth Leol 2003 (p.22).	14. Duty to determine affordable borrowing limit.	Section 3 of the Local Government Act 2003 (c.22).
15. Cymeradwyo strategaeth fuddsoddi flynyddol yn unol â chanllawiau.	Adran 15 o Ddeddf Llywodraeth Leol 2003.	15. Approval of annual investment strategy in accordance with guidance.	Section 15 of the Local Government Act 2003.
16. Y ddyletswydd i wneud trefniadau ar gyfer gweinyddu materion ariannol yn briodol.	Adran 151 o Ddeddf Llywodraeth Leol 1972 (p.11).	16. Duty to make arrangements for proper administration of financial affairs	Section 151 of the Local Government Act 1972 (c.11).

SWYDDOGAETHAU Y CANIATEIR
IDDYNT FOD (OND NAD OES ANGEN
IDDYNT FOD) YN GYFRIFOLDEB I
WEITHREDIAETH AWDURDOD

1. Unrhyw swyddogaeth a dan Ddeddf leol ac eithrio swyddogaeth a bennwyd neu y cyfeiriwyd ati yn Atodlen 1.
2. Dyfarnu ar apêl yn erbyn unrhyw benderfyniad a wnaed gan yr awdurdod neu ar ei ran.
3. Swyddogaethau mewn perthynas ag adolygu penderfyniadau a wnaed mewn cysylltiad â hawliadau budd-dal tai neu fudd-dal treth gyngor ac am apelau yn erbyn penderfyniadau o'r fath o dan adran 68 o Ddeddf Cymorth Plant, Pensiynau a Nawdd Cymdeithasol ac Atodlen 7 iddi.(1).
4. Gwneud trefniadau ynglŷn ag apelau yn erbyn gwahardd disgyblion mewn ysgolion a gynhelir o dan adran 52 o Ddeddf Addysg 2002.
5. Gwneud trefniadau yn unol ag adran 94(1), (1A) a (4) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (apelau derbyn) ac Atodlen 24 iddi.
6. Gwneud trefniadau yn unol ag adran 95(2) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (plant y mae adran 87 yn gymwys iddynt: apelau gan gyrrff llywodraethu).
7. Gwneud trefniadau o dan adran 20 (cwestiynau ynghylch materion yr heddlu mewn cyfarfodydd cyngor) o Ddeddf yr Heddlu 1996 i ganiatáu i gwestiynau gael eu gofyn ynghylch cyflawni swyddogaethau awdurdod heddlu.
8. Gwneud penodiadau o dan baragraffau 2 i 4 (penodi aelodau gan gynghorau perthnasol) o Atodlen 2 (awdurdodau heddlu a sefydlir o dan adran 3) i Ddeddf yr Heddlu 1996.
9. Cynnal adolygiadau'r gwerth gorau yn unol â darpariaethau unrhyw orchymyn sy'n effeithiol am y tro o dan adran 5 (adolygiadau gwerth gorau) o Ddeddf Llywodraeth Leol 1999(2).
10. Unrhyw swyddogaeth sy'n ymwneud â thir halogedig(3).

FUNCTIONS WHICH MAY BE (BUT NEED
NOT BE) THE RESPONSIBILITY OF AN
AUTHORITY'S EXECUTIVE

1. Any function under a local Act other than a function specified or referred to in Schedule 1.
2. The determination of an appeal against any decision made by or on behalf of the authority.
3. Functions in relation to the revision of decisions made in connection with claims for housing benefit or council tax benefit and for appeals against such decisions under section 68 of and Schedule 7 to the Child Support, Pensions and Social Security Act 2000(1).
4. The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under section 52 of the Education Act 2002.
5. The making of arrangements pursuant to section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).
6. The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).
7. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.
8. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.
9. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999(2).
10. Any function relating to contaminated land(3).

(1) 2000. p.19.

(2) 1999 p.27.

(3) Rhan IIA o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) ac is-ddeddfwriaeth o dan y rhan honno.

(1) 2000 c.19.

(2) 1999 c.27.

(3) Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that part.

11. Cyflawni unrhyw swyddogaeth sy'n ymwneud â rheoli llygredd neu reoli ansawdd aer(1).

12. Cyflwyno hysbysiad atal mewn perthynas â niwsans statudol(2).

13. Pasio cynnig y dylai Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 fod yn gymwys yn ardal yr awdurdod(3).

14. Arolygu ardal yr awdurdod i ddod o hyd i unrhyw niwsans statudol(4).

15. Ymchwilio i unrhyw gŵyn ynghylch bodolaeth niwsans statudol.

16. Sicrhau gwybodaeth o dan adran 330 o Ddeddf Cynllunio Gwlad a Thref 1990 ynghylch buddiannau mewn tir(5).

17. Sicrhau manylion personau sydd â buddiant mewn tir o dan adran 16 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976(6).

18. Gwneud cytundebau ar gyfer gwneud gwaith priffyrdd(7).

19. Penodi unrhyw unigolyn -

(a) i unrhyw swydd heblaw swydd y mae'n cael ei gyflogi ynddi gan yr awdurdod;

(b) i unrhyw gorff ac eithrio -

(i) yr awdurdod;

(ii) cyd-bwyllgor o ddau neu fwy o awdurdodau; neu

(c) i unrhyw bwyllgor neu is-bwyllgor i gorff o'r fath,

a dirymu unrhyw benodiad o'r fath.

20. Y pŵer i wneud taliadau neu i ddarparu budd-daliadau eraill mewn achosion camweinyddu etc.(8).

21. Cyflawni unrhyw swyddogaeth gan awdurdod sy'n gweithredu fel awdurdod harbwr.

11. The discharge of any function relating to the control of pollution or the management of air quality(1).

12. The service of an abatement notice in respect of a statutory nuisance(2).

13. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area(3).

14. The inspection of the authority's area to detect any statutory nuisance(4).

15. The investigation of any complaint as to the existence of a statutory nuisance.

16. The obtaining of information under section 330 of the Town and Country Planning Act 1990(5) as to interests in land.

17. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976(6).

18. The making of agreements for the execution of highways works(7).

19. The appointment of any individual -

(a) to any office other than an office in which he is employed by the authority;

(b) to any body other than -

(i) the authority;

(ii) a joint committee of two or more authorities; or

(c) to any committee or sub-committee of such a body,

and the revocation of any such appointment.

20. Power to make payments or provide other benefits in cases of maladministration etc.(8).

21. The discharge of any function by an authority acting as a harbour authority.

(1) *Gweler* Deddf Atal a Rheoli Llygredd 1999 (p.24), Rhan IV o Ddeddf yr Amgylchedd 1995 (p.25), Rhan I o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) a Deddf Aer Glân 1993 (p.11).

(2) Adran 8 o Ddeddf Sŵn a Niwsans Statudol 1993 (p.40).

(3) Adran 80(1) o Ddeddf Diogelu'r Amgylchedd 1990.

(4) Adran 79 o Ddeddf Diogelu'r Amgylchedd 1990.

(5) 1990 p.8.

(6) 1976 p.57.

(7) Adran 278 o Ddeddf Priffyrdd 1980 (p.66), a amnewidiwyd gan Ddeddf Ffyrdd Newydd a Gwaith Stryd 1991 (p.22), adran 23.

(8) Adran 92 o Ddeddf Llywodraeth Leol 2000.

(1) *See* the Pollution Prevention and Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Act 1990 (c.43) and the Clean Air Act 1993 (c.11).

(2) Section 8 of the Noise and Statutory Nuisance Act 1993 (c.40).

(3) Section 80(1) of the Environmental Protection Act 1990.

(4) Section 79 of the Environmental Protection Act 1990.

(5) 1990 c.8.

(6) 1976 c.57.

(7) Section 278 of the Highways Act 1980 (c.66), substituted by the New Roads and Street Works Act 1991 (c.22), section 23.

(8) Section 92 of the Local Government Act 2000

22. Swyddogaethau ynglŷn â chyfrifo sylfaen treth gyngor yn unol ag unrhyw un o'r canlynol -

- (a) dyfarnu ar swm ar gyfer eitem T yn adran 33(1) a 44(1) o Ddeddf Cyllid Llywodraeth Leol 1992;
- (b) dyfarnu ar swm ar gyfer eitem TP yn adrannau 34(3), 45(3), 48(3) a 48(4) o Ddeddf Cyllid Llywodraeth Leol 1992;
- (c) dyfarnu ar swm y mae ei angen i ddyfarnu ar swm ar gyfer yr eitem a grybwyllwyd ym mharagraff (a) neu (b) uchod.

23. Swyddogaethau trwyddedu yn unol â Rhan 2 o Ddeddf Trwyddedu 2003 ac eithrio adran 6.

24. Swyddogaethau ynglŷn â gamblo yn unol ag unrhyw un o'r canlynol -

- (a) pendefyniad i beidio â dyroddi trwyddedau casino yn unol ag adran 166 o Ddeddf Gamblo 2005 (p.19);
- (b) rhagnodi ffioedd yn unol ag adran 212 o Ddeddf Gamblo 2005;
- (c) gwneud gorchymyn yn datgymhwyso adran 279 neu adran 282 (1) o Ddeddf Gamblo 2005 yn unol ag adran 284 o Ddeddf Gamblo 2005;
- (ch) personau awdurdodedig yn unol ag adran 304 o Ddeddf Gamblo 2005;
- (d) erlyniadau gan awdurdod trwyddedu yn unol ag adran 346 o Ddeddf Gamblo 2005;
- (dd) polisi trwyddedu tair-blynedd yn unol ag adran 349 o Ddeddf Gamblo 2005.

22. Functions in respect of the calculation of council tax base in accordance with any of the following-

- (a) the determination of an item for T in section 33(1) and 44(1) of the Local Government Finance Act 1992;
- (b) the determination of an amount for item TP in sections 34(3), 45(3) 48(3) and 48(4) of the Local Government Finance Act 1992;
- (c) the determination of an amount required for determining an amount for the item mentioned in paragraph (a) or (b) above.

23. Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6.

24. Functions in respect of gambling in accordance with any of the following-

- (a) a resolution not to issue casino licenses in accordance with section 166 of the Gambling Act 2005 (c.19);
- (b) prescribing of fees in accordance with section 212 of the Gambling Act 2005;
- (c) making an order disapplying section 279 or section 282(1) of the Gambling Act 2005 in accordance with section 284 of the Gambling Act 2005;
- (d) authorised persons in accordance with section 304 of the Gambling Act 2005;
- (e) prosecutions by a licensing authority in accordance with section 346 of the Gambling Act 2005;
- (f) three-year licensing policy in accordance with section 349 of the Gambling Act 2005;

SWYDDOGAETHAU NAD YDYNT I FOD
YN GYFRIFOLDEB I WEITHREDIAETH
AWDURDOD YN UNIG

FUNCTIONS NOT TO BE THE SOLE
RESPONSIBILITY OF AN AUTHORITY'S
EXECUTIVE

(1)	(2)
Cynlluniau a strategaethau	Y Cyfeiriad
Y Cynllun Addysg Sengl	Rheoliadau'r Cynllun Addysg Sengl (Cymru) 2006 O.S. 2006/877 (Cy.82)).
Cynllun Perfformiad Gwerth Gorau	Adran 6(1) o Ddeddf Llywodraeth Leol 1999 (p.27).
Strategaeth Gymunedol	Adran 4 o Ddeddf Llywodraeth Leol 2000 (p.22).
Strategaeth i Ostwng Troseddau ac Anhrefn	Adranau 5 a 6 o Ddeddf Troseddau ac Anhrefn 1998 (p.37).
Y Strategaeth Iechyd a Lles	Adran 24 o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynolion Gofal Iechyd 2002 (p.17).
Y Cynllun Trafnidiaeth Lleol	Adran 108 o Ddeddf Trafnidiaeth 2000 (p.38).
Cynlluniau ac addasiadau sydd gyda'i gilydd yn ffurfio'r Cynllun Datblygu	Adran 10A o Ddeddf Cynllunio Gwlad a Thref 1990 (p.8).
Y Cynllun Iaith Gymraeg	Adran 5 o Ddeddf yr Iaith Gymraeg 1993 (p.38).
Y Cynllun Cyfiawnder Ieuenctid	Adran 40 o Ddeddf Troseddau ac Anhrefn 1998 (p.37).
Pwerau i gymeradwyo Cynllun Strategol Partneriaeth Pobl Ifanc a Phartneriaeth Fframwaith Plant a Phobl Ifanc	Adranau 123,124 a 125 o Ddeddf Dysgu a Medrau 2000 (p.21).
Y Strategaeth Tai	Adran 87 o Ddeddf Llywodraeth Leol 2003 (p.26).

(1)	(2)
Plans, schemes and strategies	Reference
Single Education Plan	The Single Education Plan (Wales) Regulations 2006 (S.I 2006 / 877 (W.82)).
Best Value Performance Plan	Section 6(1) of the Local Government Act 1999 (c.27).
Community Strategy	Section 4 of the Local Government Act 2000 (c.22).
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37).
Health and Well Being Strategy	Section 24 of the National Health Service Reform and Health Care Professions Act 2002 (c.17).
Local Transport Plan	Section 108 of the Transport Act 2000 (c.38).
Plans and alterations which together comprise the Development Plan	Section 10A of the Town and Country Planning Act 1990 (c.8).
Welsh Language Scheme	Section 5 of the Welsh Language Act 1993 (c.38).
Youth Justice Plan	Section 40 of the Crime and Disorder Act 1998 (c.37).
Powers to approve a Young Peoples Partnership Strategic Plan and a Children and Young Peoples Framework Partnership	Section 123, 124 and 125 of the Learning and Skills Act 2000 (c.21).
Housing Strategy	Section 87 of the Local Government Act 2003 (c.26).

YR AMGYLCHIADAU NAD YW
SWYDDOGAETHAU I FOD YN
GYFRIFOLDEB I WEITHREDIAETH
AWDURDOD ODANYNT

CIRCUMSTANCES IN WHICH FUNCTIONS
ARE NOT TO BE THE RESPONSIBILITY
OF AN AUTHORITY'S EXECUTIVE

(1)	(2)
Y swyddogaeth	Yr amgylchiadau
<p>1. Mabwysiadu neu gymeradwyo cynllun neu strategaeth (p'un a yw'n statudol neu'n anstatudol), ac eithrio cynllun neu strategaeth i reoli benthyciadau neu wariant cyfalaf yr awdurdod neu gynllun y cyfeirir ato neu strategaeth y cyfeirir ati yn Atodlen 3.</p>	<p>Mae'r awdurdod yn dyfarnu mai ef ddylai benderfynu a ddylid mabwysiadu neu gymeradwyo'r cynllun neu'r strategaeth.</p>
<p>2. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth -</p> <p>(a) sy'n gyfrifoldeb i'r weithrediaeth; a</p> <p>(b) sy'n ymwneud â chyllideb yr awdurdod, neu ei fenthyciadau neu ei wariant cyfalaf.</p>	<p>Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd unrhyw un o adrannau 14 i 17 o Ddeddf Llywodraeth Leol 2000 neu unrhyw ddarpariaeth a wneir o dan adran 18 neu 20 o'r Ddeddf honno -</p> <p>(a) o blaid dyfarnu ar y mater yn groes i'r canlynol neu heb fod yn gyfan gwbl unol â hwy -</p> <p>(i) cyllideb yr awdurdod; neu</p> <p>(ii) y cynllun neu'r strategaeth a gymeradwy-wyd neu a fabwysiadwyd am y tro gan yr awdurdod mewn perthynas â'i fenthyciadau neu ei wariant cyfalaf; a</p>

(1)	(2)
Function	Circumstances
<p>1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy for the control of the authority's borrowing or capital expenditure or referred to in Schedule 3.</p>	<p>The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.</p>
<p>2. The determination of any matter in the discharge of a function which -</p> <p>(a) is the responsibility of the executive; and</p> <p>(b) is concerned with the authority's budget, or their borrowing or capital expenditure.</p>	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made -</p> <p>(g) is minded to determine the matter contrary to, or not wholly in accordance with -</p> <p>(i) the authority's budget; or</p> <p>(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and</p>

	(b) heb ei awdurdodi o dan drefniadau gweithrediaeth yr awdurdod, ei reoliadau ariannol, ei reolau sefydlog neu ei reolau neu ei weithdrefnau eraill i wneud dyfarniad yn y termau hynny.		(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.
<p>3. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth -</p> <p>(a) sy'n gyfrifoldeb i'r weithrediaeth; a</p> <p>(b) y mae'r awdurdod wedi mabwysiadu neu wedi cymeradwyo cynllun neu strategaeth (p'un a yw'n statudol neu'n anstatudol) mewn perthynas â hi.</p>	<p>Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd unrhyw un o adrannau 14 i 17 o Ddeddf Llywodraeth Leol 2000 neu ddarpariaeth a wneir o dan adran 18 neu 20 o'r Ddeddf honno, o blaid dyfarnu ar y mater mewn termau sy'n groes i'r cynllun neu, yn ôl y digwydd, i'r strategaeth a fabwysiadwyd neu a gymeradwywyd gan yr awdurdod.</p>	<p>3. The determination of any matter in the discharge of a function -</p> <p>(a) which is the responsibility of the executive; and</p> <p>(b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.</p>	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made, is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority.</p>

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