



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2011 Rhif 1514 (Cy.178) (C.57)

2011 No. 1514 (W.178) (C.57)

ADEILADU, CYMRU

CONSTRUCTION, WALES

Gorchymyn Deddf Democratiaeth
Leol, Datblygu Economaidd ac
Adeiladu 2009 (Cychwyn Rhif 1)
(Cymru) 2011

The Local Democracy, Economic
Development and Construction Act
2009 (Commencement No. 1)
(Wales) Order 2011

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

I'r graddau y mae'r rheiny'n rhychwantu Cymru a Lloegr, mae'r Gorchymyn hwn yn cychwyn darpariaethau yn Rhan 8 o Ddeddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009 (p.20) ("Deddf 2009") o ran contractau adeiladu sy'n ymwneud â gwneud gwaith adeiladu yng Nghymru. Nid yw'n cychwyn y darpariaethau hyn o ran contractau adeiladu eraill sy'n cael eu cychwyn gan orchmynion cychwyn ar wahân.

So far as extending to England and Wales, this Order commences provisions in Part 8 of the Local Democracy, Economic Development and Construction Act 2009 (c.20) ("the 2009 Act") in relation to construction contracts which relate to the carrying out of construction operations in Wales. It does not commence such provisions in respect of other construction contracts which are being commenced by separate commencement orders.

Mae Rhan 8 o Ddeddf 2009 yn diwygio Rhan 2 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 (p.53) ("Deddf 1996").

Part 8 of the 2009 Act amends Part 2 of the Housing Grants, Construction and Regeneration Act 1996 (c.53) ("the 1996 Act").

Mae darpariaethau Rhan 8 o Ddeddf 2009 y deuir â hwy i rym gan y Gorchymyn hwn (lle bo'n gymwys o ran Cymru) wedi'u cynnwys yn adran 138, sy'n rhoi pŵer newydd sy'n caniatáu i Weinidogion Cymru anghymhwyso unrhyw rai neu'r cyfan o ddarpariaethau Rhan 2 o Ddeddf 1996.

The provisions of Part 8 of the 2009 Act brought into force by this Order (where applicable in relation to Wales) are contained in section 138, which substitutes a new power allowing the Welsh Ministers to disapply any or all of the provisions of Part 2 of the 1996 Act.

Mae erthygl 3 yn dwyn i rym, ar y diwrnod ar ôl i'r Gorchymyn hwn gael ei wneud, y ddarpariaeth sy'n galluogi Gweinidogion Cymru i wneud gorchmynion o dan y pŵer y mae adran 138 o Ddeddf 2009 yn ei fewnosod yn Neddf 1996.

Article 3 brings into force, on the day after this Order is made, the provision enabling the Welsh Ministers to make orders under the power which section 138 of the 2009 Act inserts into the 1996 Act.

NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

I'r graddau y maent yn rhychwantu Cymru a Lloegr, mae'r darpariaethau a ganlyn yn Neddf 2009 wedi'u dwyn i rym o ran Cymru gan orchymynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

<i>Darpariaeth</i>	<i>Dyddiad Cychwyn</i>	<i>Rhif yr O.S</i>
Adran 69 (rhan)	25.11.2009	2009/3087
Adran 71	25.11.2009	2009/3087
Adran 84	25.11.2009	2009/3087
Adran 86	25.11.2009	2009/3087
Adran 87	25.11.2009	2009/3087

Mae amryw o ddarpariaethau Deddf 2009 wedi'u dwyn i rym i'r graddau y maent yn rhychwantu Cymru a Lloegr gan yr Ysgrifennydd Gwladol o ran contractau adeiladu eraill drwy'r Offerynnau Statudol a ganlyn: O.S. 2009/3087, O.S. 2009/3318 ac O.S. 2010/881.

Gweler hefyd adran 148 ynglŷn â'r darpariaethau a ddaeth i rym wrth i Ddeddf 2009 gael ei phasio.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

So far as extending to England and Wales, the following provisions of the 2009 Act have been brought into force in relation to Wales by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 69 (partially)	25.11.2009	2009/3087
Section 71	25.11.2009	2009/3087
Section 84	25.11.2009	2009/3087
Section 86	25.11.2009	2009/3087
Section 87	25.11.2009	2009/3087

Various provisions of the 2009 Act have been brought into force so far as extending to England and Wales by the Secretary of State in relation to other construction contracts by the following Statutory Instruments: S.I. 2009/3087, S.I. 2009/3318 and S.I. 2010/881.

See also section 148 for the provisions which come into force on the passing of the 2009 Act.

2011 Rhif 1514 (Cy.178) (C.57)

ADEILADU, CYMRU

**Gorchymyn Deddf Democratiaeth
Leol, Datblygu Economaidd ac
Adeiladu 2009 (Cychwyn Rhif 1)
(Cymru) 2011**

Wedi'i wneud

17 Mehefin 2011

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 149(1) o Ddeddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009(1), yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009 (Cychwyn Rhif 1) (Cymru) 2011.

(2) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("*the Act*") yw Deddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009.

**Rhychwant a chymhwyso'r darpariaethau sy'n
dod i rym**

2. Mae adran 138 o'r Ddeddf yn dod i rym i'r graddau y mae'n rhychwantu Cymru a Lloegr o ran contractau adeiladu sy'n ymwneud â gwneud gwaith adeiladu yng Nghymru yn unol ag erthygl 3.

**Darpariaethau sy'n dod i rym drannoeth gwneud y
Gorchymyn hwn**

3. Mae adran 138 o'r Ddeddf yn dod i rym ar y diwrnod ar ôl i'r Gorchymyn hwn gael ei wneud er mwyn galluogi Gweinidogion Cymru i wneud gorchymynion.

2011 No. 1514 (W.178) (C.57)

CONSTRUCTION, WALES

**The Local Democracy, Economic
Development and Construction Act
2009 (Commencement No. 1)
(Wales) Order 2011**

Made

17 June 2011

The Welsh Ministers, in exercise of the power conferred on them by section 149(1) of the Local Democracy, Economic Development and Construction Act 2009(1), make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 1) (Wales) Order 2011.

(2) In this Order, "the Act" ("*y Ddeddf*") means the Local Democracy, Economic Development and Construction Act 2009.

**Extent and application of provisions coming into
force**

2. Section 138 of the Act comes into force so far as extending to England and Wales in relation to construction contracts which relate to the carrying out of construction operations in Wales in accordance with article 3.

**Provisions coming into force on the day after this
Order is made**

3. Section 138 of the Act comes into force on the day after this Order is made for the purpose of enabling the Welsh Ministers to make orders.

John Griffiths

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy, un
o Weinidogion Cymru

17 Mehefin 2011

Minister for Environment and Sustainable
Development, one of the Welsh Ministers

17 June 2011

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