OFFERYNNAU STATUDOL CYMRU

2011 Rhif 2880 (Cy.308)

RHEOLI PERYGL LLIFOGYDD, CYMRU

Rheoliadau Perygl Llifogydd (Diwygio) (Cymru) 2011

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Perygl Llifogydd 2009 (O.S. 2009/3042) ("y prif reoliadau") mewn perthynas â Chymru.

Mae rheoliad 1(3) o'r prif reoliadau yn darparu y ceir bodloni dyletswydd yn y rheoliadau hynny i baratoi neu gyhoeddi dogfen, drwy fod wedi paratoi neu gyhoeddi dogfen cyn i'r prif reoliadau ddod i rym (10 Rhagfyr 2009). Diwygir y ddarpariaeth honno gan y Rheoliadau hyn, fel y bydd modd i bersonau sy'n ddarostyngedig i ddyletswyddau o dan y prif reoliadau fodloni'r dyletswyddau hynny drwy weithredoedd o baratoi neu gyhoeddi a ymgymerwyd cyn 22 Rhagfyr 2010.

Mae'r Rheoliadau hyn yn diwygio'r diffiniad o "reservoir" (rheoliad 4 o'r prif reoliadau) fel bod y diffiniad yn cyfeirio at gyforgronfa ddŵr mawr ("*large raised reservoir*"), fel y'u diffinnir gan Ddeddf Cronfeydd Dŵr 1975(**1**).

Mae'r Rheoliadau hyn hefyd yn diwygio rheoliad 36 o'r prif reoliadau i gyfeirio at y Gweinidog ("*the Minister*") er mwyn rhoi i Weinidogion Cymru y pŵer i ofyn am yr wybodaeth sy'n ofynnol yn rhesymol mewn cysylltiad ag arfer swyddogaethau o dan y prif reoliadau.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, barnwyd nad oedd yn angenrheidiol gwneud asesiad effaith rheoleiddiol ynghylch costau a buddiannau tebygol cydymffurfio â'r Rheoliadau hyn.

(**1**) 1975 p.23.

WELSH STATUTORY INSTRUMENTS

2011 No. 2880 (W.308)

FLOOD RISK MANAGEMENT, WALES

The Flood Risk (Amendment) (Wales) Regulations 2011

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Flood Risk Regulations 2009 (S.I. 2009/3042) ("the principal regulations") in relation to Wales.

Regulation 1(3) of the principal regulations provides that a duty in those regulations to prepare or publish a document may be satisfied by having prepared or published a document before the principal regulations came into force (10 December 2009). That provision is amended by these Regulations, so that persons subject to duties under the principal regulations will be able to satisfy those duties through acts of preparation or publication undertaken before 22 December 2010.

These Regulations amend the definition of reservoir (regulation 4 of the principal regulations) so that the definition refers to large raised reservoirs as defined by the Reservoirs Act 1975(**1**).

These Regulations also amend regulation 36 of the principal regulations to refer to the Minister so as to give the Welsh Ministers the power to request information which is reasonably required in connection with the exercise of functions under the principal regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

(**1**) 1975 c.23.

OFFERYNNAU STATUDOL CYMRU

2011 Rhif 2880 (Cy.308)

RHEOLI PERYGL LLIFOGYDD, CYMRU

Rheoliadau Perygl Llifogydd (Diwygio) (Cymru) 2011

Gwnaed	*30 Tachwedd 2011*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*1 Rhagfyr 2011*
Yn dod i rym	*22 Rhagfyr 2011*

Mae Gweinidogion Cymru wedi eu dynodi(**1**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) o ran rheoli perygl llifogydd.

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddwyd iddynt gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972.

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Perygl Llifogydd (Diwygio) (Cymru) 2011; maent yn gymwys o ran Cymru a deuant i rym ar 22 Rhagfyr 2011.

Diwygiadau

2.—(1) Diwygir Rheoliadau Perygl Llifogydd 2009(**3**) fel a ganlyn.

(2) Yn rheoliad 1(3) yn lle'r geiriau "these regulations came into force" rhodder "22nd December 2010".

(3) Yn lle rheoliad 4(2) rhodder—

"(2) "Reservoir" means a large raised reservoir as defined by the Reservoirs Act 1975.".

(4) Yn lle rheoliad 36(2) rhodder—

"(2) The Environment Agency and an authority listed in paragraph (3) must comply with a request

(**1**) O.S. 2011/1683.

(**2**) 1972 p.68.

(**3**) O.S. 2009/3042 fel y'i diwygiwyd gan O.S. 2010/1102.

WELSH STATUTORY INSTRUMENTS

2011 No. 2880 (W.308)

FLOOD RISK MANAGEMENT, WALES

The Flood Risk (Amendment) (Wales) Regulations 2011

Made	*30 November 2011*
Laid before the National Assembly for Wales	*1 December 2011*
Coming into force	*22 December 2011*

The Welsh Ministers are designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to flood risk management.

The Welsh Ministers make these Regulations in exercise of the powers conferred upon them by section 2(2) of the European Communities Act 1972.

Title, application and commencement

1. The title of these Regulations is the Flood Risk (Amendment) (Wales) Regulations 2011; they apply in relation to Wales and come into force on 22 December 2011.

Amendments

2.—(1) The Flood Risk Regulations 2009(**3**) are amended as follows.

(2) In regulation 1(3) delete "these regulations came into force" and insert "22nd December 2010".

(3) For regulation 4(2) substitute—

"(2) "Reservoir" means a large raised reservoir as defined by the Reservoirs Act 1975.".

(4) For regulation 36(2) substitute—

"(2) The Environment Agency and an authority listed in paragraph (3) must comply with a request

(**1**) S.I. 2011/1683.

(**2**) 1972 c.68.

(**3**) S.I. 2009/3042 as amended by S.I. 2010/1102.

of a lead local flood authority or the Minister to provide information reasonably required in connection with the exercise of functions under these regulations.".

of a lead local flood authority or the Minister to provide information reasonably required in connection with the exercise of functions under these regulations.".

John Griffiths

Y Gweinidog Amgylchedd a Datblygu Cynaliadwy, un o Weinidogion Cymru

30 Tachwedd 2011

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

30 November 2011

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RHEOLI PERYGL LLIFOGYDD, CYMRU

Rheoliadau Perygl Llifogydd (Diwygio) (Cymru) 2011

WELSH STATUTORY INSTRUMENTS

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FLOOD RISK MANAGEMENT, WALES

The Flood Risk (Amendment) (Wales) Regulations 2011

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