OFFERYNNAU STATUDOL CYMRU

2017 Rhif 827 (Cy. 199)

DIOGELU'R AMGYLCHEDD, CYMRU

Rheoliadau Pwyllgor Llifogydd ac Erydu Arfordirol Cymru 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer Pwyllgor Llifogydd ac Erydu Arfordirol Cymru, a sefydlir o dan adran 26B(1) o Ddeddf Rheoli Llifogydd a Dŵr 2010. Mae'r Pwyllgor yn gorff annibynnol sy'n cynghori Gweinidogion Cymru ac awdurdodau rheoli risg Cymru ar faterion sy'n ymwneud â rheoli perygl llifogydd ac erydu arfordirol.

Mae rheoliad 3 yn nodi aelodaeth y Pwyllgor. Mae rheoliadau 4 a 5 yn gwneud darpariaeth i Weinidogion Cymru benodi cadeirydd ac aelodau. Mae rheoliad 6 yn galluogi Gweinidogion Cymru i dalu taliadau cydnabyddiaeth i'r cadeirydd a'r aelodau.

Mae rheoliadau 8, 9 a 10 yn nodi cwmpas y Pwyllgor, ei ddyletswyddau a'i bwerau.

Mae rheoliad 14 yn galluogi'r Pwyllgor i sefydlu is-bwyllgorau (ac mae rheoliad 7 yn galluogi talu i aelodau is-bwyllgor lwfansau a bennir gan y cadeirydd gyda chymeradwyaeth Gweinidogion Cymru).

Mae rheoliad 11 yn ei gwneud yn ofynnol i'r Pwyllgor gynnal cyfarfodydd, ac mae rheoliad 12 yn gwneud darpariaeth i'r Pwyllgor gyflwyno adroddiadau i Weinidogion Cymru.

Mae rheoliad 13 yn galluogi'r Pwyllgor i reoleiddio ei weithdrefn ei hun, ac mae rheoliad 14 yn gwneud darpariaeth gyfatebol ar gyfer is-bwyllgorau.

WELSH STATUTORY INSTRUMENTS

2017 No. 827 (W. 199)

ENVIRONMENTAL PROTECTION, WALES

The Flood and Coastal Erosion Committee for Wales Regulations 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the Flood and Coastal Erosion Committee for Wales, established under section 26B(1) of the Flood and Water Management Act 2010. The Committee is an independent advisory body to the Welsh Ministers and Welsh risk management authorities on matters relating to flood and coastal erosion risk management.

Regulation 3 sets out the membership of the Committee. Regulations 4 and 5 provide for the Welsh Ministers to appoint a chairperson and members. Regulation 6 enables the Welsh Ministers to pay remuneration to the chairperson and members.

Regulations 8, 9 and 10 set out the scope of the Committee and its duties and powers.

Regulation 14 enables the Committee to establish sub-committees (and regulation 7 enables members of a sub-committee to be paid allowances determined by the chairperson with the approval of the Welsh Ministers).

Regulation 11 requires the Committee to hold meetings, and regulation 12 provides for the Committee to report to the Welsh Ministers.

Regulation 13 enables the Committee to regulate its own procedure, and regulation 14 makes equivalent provision for sub-committees.

OFFERYNNAU STATUDOL CYMRU

2017 Rhif 827 (Cy. 199)

DIOGELU'R AMGYLCHEDD, CYMRU

Rheoliadau Pwyllgor Llifogydd ac Erydu Arfordirol Cymru 2017

Gwnaed *7 Awst 2017*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *10 Awst 2017*

Yn dod i rym *11 Medi 2017*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 26B(3), 26C a 26D o Ddeddf Rheoli Llifogydd a Dŵr 2010(**1**), yn gwneud y Rheoliadau a ganlyn.

RHAN 1: CYFLWYNIAD

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Pwyllgor Llifogydd ac Erydu Arfordirol Cymru 2017 a deuant i rym ar 11 Medi 2017.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "y Ddeddf" ("*the Act*") yw Deddf Rheoli Llifogydd a Dŵr 2010;

ystyr "y Pwyllgor" ("*the Committee*") yw Pwyllgor Llifogydd ac Erydu Arfordirol Cymru a sefydlir yn unol ag adran 26B(1) o'r Ddeddf; ac

ystyr "sefydliad rheoli perygl llifogydd ac erydu arfordirol" ("*flood and coastal erosion risk management organisation*") yw sefydliad sy'n ymwneud, i unrhyw raddau, â'r sector rheoli perygl llifogydd ac erydu arfordirol.

(**1**) 2010 p. 29.

WELSH STATUTORY INSTRUMENTS

2017 No. 827 (W. 199)

ENVIRONMENTAL PROTECTION, WALES

The Flood and Coastal Erosion Committee for Wales Regulations 2017

Made *7 August 2017*

Laid before the National Assembly for Wales *10 August 2017*

Coming into force *11 September 2017*

The Welsh Ministers, in exercise of the powers conferred on them by sections 26B(3), 26C and 26D of the Flood and Water Management Act 2010(**1**), make the following Regulations.

PART 1: INTRODUCTION

Title and commencement

1. The title of these Regulations is the Flood and Coastal Erosion Committee for Wales Regulations 2017 and they come into force on 11 September 2017.

Interpretation

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the Flood and Water Management Act 2010;

"the Committee" ("*y Pwyllgor*") means the Flood and Coastal Erosion Committee for Wales established pursuant to section 26B(1) of the Act; and

"flood and coastal erosion risk management organisation" ("*sefydliad rheoli perygl llifogydd ac erydu arfordirol*") means an organisation which is involved, to any extent, in the sector of flood and coastal risk management.

(**1**) 2010 c. 29.

RHAN 2: CYFANSODDIAD

Aelodaeth

3. Bydd y Pwyllgor yn cynnwys—

(a) cadeirydd ("y Cadeirydd") (gweler rheoliad 4); a

(b) hyd at 14 o aelodau eraill ("aelodau'r Pwyllgor") (gweler rheoliad 5).

Y Cadeirydd

4.—(1) Rhaid i Weinidogion Cymru benodi'r Cadeirydd, yn unol â'r Cod Llywodraethu ar gyfer Penodiadau Cyhoeddus(**1**), am ba bynnag gyfnod a bennir mewn offeryn penodi.

(2) Rhaid nodi telerau penodi'r Cadeirydd yn yr offeryn penodi.

(3) Caiff y Cadeirydd ymddiswyddo drwy gyflwyno hysbysiad ysgrifenedig i Weinidogion Cymru.

(4) Caiff Gweinidogion Cymru derfynu penodiad y Cadeirydd cyn diwedd y cyfnod a bennir yn yr offeryn penodi os ydynt wedi eu bodloni—

(a) nad yw'r Cadeirydd wedi cydymffurfio â thelerau'r penodiad; neu

(b) bod y Cadeirydd fel arall yn analluog neu'n anaddas i barhau i fod yn Gadeirydd.

Aelodau'r Pwyllgor

5.—(1) Rhaid i Weinidogion Cymru benodi hyd at 14 o aelodau Pwyllgor am ba bynnag gyfnod a bennir mewn offeryn penodi.

(2) Rhaid i bob aelod o'r Pwyllgor fod naill ai—

(a) yn arbenigwr ar faterion y mae Gweinidogion Cymru yn barnu eu bod yn berthnasol; neu

(b) yn gynrychiolydd enwebedig sefydliad rheoli perygl llifogydd ac erydu arfordirol.

(3) Rhaid i unrhyw benodiad yn unol â pharagraff (2)(a) gydymffurfio â'r Cod Llywodraethu ar gyfer Penodiadau Cyhoeddus(**2**).

(4) Rhaid i Weinidogion Cymru sicrhau bod y Pwyllgor yn cynnwys aelodau o'r ddau gategori a bennir ym mharagraff (2).

(**1**) Cyhoeddwyd y Cod Llywodraethu ar gyfer Penodiadau Cyhoeddus ym mis Rhagfyr 2016 gan y Comisiynydd Penodiadau Cyhoeddus, ac mae'n nodi'r fframwaith rheoleiddio gorfodol ar gyfer gwneud penodiadau cyhoeddus.

(**2**) Gweler uchod.

PART 2: CONSTITUTION

Membership

3. The Committee will consist of—

(a) a chairperson ("the Chair") (see regulation 4); and

(b) up to 14 other members ("Committee members") (see regulation 5).

Chair

4.—(1) The Welsh Ministers must appoint the Chair, in compliance with the Public Appointments Governance Code(**1**), for such period as specified in an instrument of appointment.

(2) The terms of the appointment of the Chair must be set out in the instrument of appointment.

(3) The Chair may resign by notice in writing to the Welsh Ministers.

(4) The Welsh Ministers may terminate the Chair's appointment before the end of the period specified in the instrument of appointment if they are satisfied that the Chair—

(a) has not complied with the terms of the appointment; or

(b) is otherwise unable or unfit to continue as the Chair.

Committee members

5.—(1) The Welsh Ministers must appoint up to 14 Committee members for such period as specified in an instrument of appointment.

(2) Each committee member must be either—

(a) an expert on matters deemed relevant by the Welsh Ministers; or

(b) a nominated representative of a flood and coastal erosion risk management organisation.

(3) Any appointment pursuant to paragraph (2)(a) must comply with the Public Appointments Governance Code(**2**).

(4) The Welsh Ministers must ensure that the Committee includes members drawn from both categories specified in paragraph (2).

(**1**) The Governance Code on Public Appointments was published in December 2016 by the Commissioner for Public Appointments, and sets out the mandatory regulatory framework by which public appointments are made.

(**2**) See above.

(5) Rhaid nodi telerau penodi aelod o'r Pwyllgor yn yr offeryn penodi.

(6) Caiff aelod o'r Pwyllgor ymddiswyddo drwy gyflwyno hysbysiad ysgrifenedig i Weinidogion Cymru.

(7) Caiff Gweinidogion Cymru derfynu penodiad aelod o'r Pwyllgor cyn diwedd y cyfnod a bennir yn yr offeryn penodi os ydynt wedi eu bodloni—

(a) nad yw'r aelod o'r Pwyllgor wedi cydymffurfio â thelerau'r penodiad; neu

(b) bod yr aelod o'r Pwyllgor fel arall yn analluog neu'n anaddas i barhau i fod yn aelod o'r Pwyllgor.

Taliadau cydnabyddiaeth

6. Caiff Gweinidogion Cymru dalu taliadau cydnabyddiaeth a lwfansau i'r Cadeirydd a thalu lwfansau i aelodau'r Pwyllgor.

Talu lwfansau i aelodau is-bwyllgor

7. Caiff Gweinidogion Cymru dalu unrhyw lwfansau a bennir gan y Cadeirydd ac a gymeradwyir gan Weinidogion Cymru i unrhyw berson a benodir i is-bwyllgor (gweler rheoliad 14).

RHAN 3: SWYDDOGAETHAU

Cwmpas

8. Yn ddarostyngedig i reoliad 9, caiff y Pwyllgor gynghori ar unrhyw faterion sy'n ymwneud â rheoli perygl llifogydd ac erydu arfordirol.

Dyletswyddau

9.—(1) Rhaid i'r Pwyllgor gynghori Gweinidogion Cymru ynghylch—

(a) rheoli perygl llifogydd ac erydu arfordirol o bob ffynhonnell;

(b) materion ehangach o ran cydnerthedd ac argyfyngau o safbwynt rheoli perygl llifogydd;

(c) y Strategaeth Genedlaethol ar gyfer Rheoli Perygl Llifogydd ac Erydu Arfordirol; a

(d) gwaith a gyflawnir gan sefydliadau rheoli perygl llifogydd ac erydu arfordirol.

(2) Wrth gyflawni ei swyddogaethau o dan reoliad 9(1), rhaid i'r Pwyllgor wneud unrhyw argymhellion y mae'n credu eu bod yn arwain at waith partneriaeth effeithiol rhwng awdurdodau rheoli risg Cymru a sefydliadau rheoli perygl llifogydd ac erydu arfordirol,

(5) The terms of the appointment of a Committee member must be set out in the instrument of appointment.

(6) A Committee member may resign by notice in writing to the Welsh Ministers.

(7) The Welsh Ministers may terminate a Committee member's appointment before the end of the period specified in the instrument of appointment if they are satisfied that the Committee member—

(a) has not complied with the terms of the appointment; or

(b) is otherwise unable or unfit to continue as a Committee member.

Remuneration

6. The Welsh Ministers may pay remuneration and allowances to the Chair and allowances to Committee members.

Payment of allowances to the members of a sub-committee

7. The Welsh Ministers may pay such allowances as are determined by the Chair and approved by the Welsh Ministers to any person appointed to a sub-committee (see regulation 14).

PART 3: FUNCTIONS

Scope

8. Subject to regulation 9, the Committee may advise on any matters relating to flood and coastal erosion risk management.

Duties

9.—(1) The Committee must advise the Welsh Ministers on—

(a) the management of risk from all sources of flooding and coastal erosion;

(b) wider resilience and emergency issues from a flood risk management perspective;

(c) the National Strategy for Flood and Coastal Erosion Risk Management; and

(d) work being carried out by flood and coastal erosion risk management organisations.

(2) In carrying out its functions under regulation 9(1), the Committee must make such recommendations as they believe are conducive to effective partnership working between Welsh risk management authorities and flood and coastal erosion risk management

yn unol ag unrhyw ganllawiau a gyhoeddir gan Weinidogion Cymru.

Pwerau

10. Caiff y Pwyllgor—

(a) sefydlu ei raglen ei hun o waith cynghori ar berygl llifogydd ac erydu arfordirol yng Nghymru;

(b) cynghori awdurdodau rheoli risg Cymru ynghylch rheoli perygl llifogydd ac erydu arfordirol o bob ffynhonnell;

(c) cynghori awdurdodau rheoli risg Cymru ynghylch materion ehangach o ran cydnerthedd ac argyfyngau o safbwynt rheoli perygl llifogydd;

(d) cynghori awdurdodau rheoli risg Cymru ar y Strategaeth Genedlaethol ar gyfer Rheoli Perygl Llifogydd ac Erydu Arfordirol; ac

(e) ymrwymo i gytundebau â chyrff eraill, yn ddarostyngedig i gymeradwyaeth Gweinidogion Cymru.

Cyfarfodydd

11.—(1) Rhaid i'r Pwyllgor gynnal ei gyfarfod cyntaf o fewn 6 mis i'r dyddiad y daw'r Rheoliadau hyn i rym, a rhaid cynnal cyfarfodydd dilynol fesul ysbaid o ddim mwy na 6 mis ar ôl hynny.

(2) Yn ddarostyngedig i baragraff (1), caiff y Pwyllgor reoleiddio pa mor aml y bydd yn cynnal ei gyfarfodydd.

Adroddiadau

12.—(1) Cyn gynted ag y bo'n ymarferol ar ôl diwedd pob cyfnod adrodd, rhaid i'r Pwyllgor gyflwyno adroddiad i Weinidogion Cymru ar y modd y bu iddo arfer a chyflawni ei swyddogaethau yn ystod y cyfnod hwnnw.

(2) Rhaid i'r adroddiad o dan baragraff (1) gynnwys—

(a) crynodeb o'r cyngor a roddwyd gan y Pwyllgor yn ystod y cyfnod hwnnw; a

(b) manylion aelodaeth, is-bwyllgorau, cyfarfodydd a'r taliadau cydnabyddiaeth a'r lwfansau a ddarparwyd.

(3) At ddibenion paragraff (1), ystyr "cyfnod adrodd" yw—

(a) y cyfnod sy'n dechrau ar 1 Ionawr 2018 ac sy'n dod i ben ar 5 Ebrill 2018; a

(b) pob cyfnod o 12 mis hyd at 5 Ebrill ar ôl hynny.

organisations, in accordance with any guidance published by the Welsh Ministers.

Powers

10. The Committee may—

(a) establish its own programme of advisory work on flood and coastal erosion risk in Wales;

(b) advise Welsh risk management authorities on the management of risk from all sources of flooding and coastal erosion;

(c) advise Welsh risk management authorities on wider resilience and emergency issues from a flood risk management perspective;

(d) advise Welsh risk management authorities on the National Strategy for Flood and Coastal Erosion Risk Management; and

(e) enter into agreements with other bodies, subject to the approval of the Welsh Ministers.

Meetings

11.—(1) The Committee must hold its first meeting within 6 months of the coming into force of these Regulations, and subsequent meetings at intervals of no more than 6 months thereafter.

(2) Subject to paragraph (1), the Committee may regulate the frequency of its meetings.

Reports

12.—(1) As soon as is practicable after the end of each reporting period, the Committee must submit to the Welsh Ministers a report on the exercise and performance of its functions during that period.

(2) The report under paragraph (1) must include—

(a) a summary of the advice which the Committee has provided in that period; and

(b) details of membership, sub-committees, meetings, remuneration and allowances provided.

(3) For the purposes of paragraph (1), "reporting period" means—

(a) the period beginning with 1 January 2018 and ending with 5 April 2018; and

(b) each period of 12 months to 5 April thereafter.

RHAN 4: TRAFODION

Gweithdrefn

13.—(1) Yn ddarostyngedig i reoliad 11 a pharagraff (2) o'r rheoliad hwn, caiff y Pwyllgor reoleiddio ei weithdrefn ei hun, gan gynnwys gwneud darpariaeth mewn perthynas â'r cworwm ar gyfer ei gyfarfodydd a'i weithdrefn bleidleisio.

(2) Mae gweithdrefn y Pwyllgor mewn perthynas â chworwm yn ddarostyngedig i gymeradwyaeth Gweinidogion Cymru.

Is-bwyllgorau

14.—(1) Caiff y Pwyllgor sefydlu is-bwyllgorau drwy bleidlais fwyafrifol, i gyfarfod yn unol â chyfarwyddyd y Pwyllgor.

(2) Mae cylch gorchwyl is-bwyllgor yn ddarostyngedig i gymeradwyaeth Gweinidogion Cymru.

(3) Caiff y Pwyllgor reoleiddio gweithdrefn unrhyw is-bwyllgor a sefydlir ganddo, gan gynnwys gwneud darpariaeth mewn perthynas â'r cworwm ar gyfer ei gyfarfodydd a'i weithdrefn bleidleisio.

PART 4: PROCEEDINGS

Procedure

13.—(1) Subject to regulation 11 and paragraph (2) of this regulation, the Committee may regulate its own procedure, including making provision in relation to the quorum for its meetings and its voting procedure.

(2) Committee procedure in relation to quorum is subject to the approval of the Welsh Ministers.

Sub-committees

14.—(1) The Committee may establish sub-committees by majority vote, to meet on the direction of the Committee.

(2) The terms of reference of a sub-committee are subject to the approval of the Welsh Ministers.

(3) The Committee may regulate the procedure of any sub-committee established by it, including making provision in relation to the quorum for its meetings and its voting procedure.

Lesley Griffiths

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru
7 Awst 2017

Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers
7 August 2017

©ⓗHawlfraint y Goron 2017

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2017

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

OFFERYNNAU STATUDOL CYMRU

2017 Rhif 827 (Cy. 199)

DIOGELU'R AMGYLCHEDD, CYMRU

Rheoliadau Pwyllgor Llifogydd ac Erydu Arfordirol Cymru 2017

WELSH STATUTORY INSTRUMENTS

2017 No. 827 (W. 199)

ENVIRONMENTAL PROTECTION, WALES

The Flood and Coastal Erosion Committee for Wales Regulations 2017

£6.00

W201708081007 08/2017

http://www.legislation.gov.uk/id/wsi/2017/827

ISBN 978-0-348-20132-1

9 780348 201321