



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 114 (Cy. 28)

2019 No. 114 (W. 28)

**YMADAEL Â'R UNDEB
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN
UNION, WALES**

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

Rheoliadau Tir a Halogwyd yn
Ymbelydrol (Addasu Deddfiadau)
(Cymru) (Diwygio) (Ymadael â'r
UE) 2019

The Radioactive Contaminated
Land (Modification of Enactments)
(Wales) (Amendment) (EU Exit)
Regulations 2019

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 i, Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p.16) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

These Regulations are made in exercise of the powers in paragraph 1(1) of Schedule 2 to, the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Tir a Halogwyd yn Ymbelydrol (Addasu Deddfiadau) (Cymru) 2006 ("Rheoliadau 2006"). Mae rheoliad 2 yn diwygio rheoliad 5 o Reoliadau 2006 drwy fewnosod darpariaeth newydd sy'n addasu sut y mae'r diffiniad o "inspection" yn Erthygl 4(43) o Gyfarwyddeb y Cyngor 2013/59/Euratom, sy'n gosod safonau diogelwch sylfaenol ar gyfer diogelu rhag y peryglon sy'n codi o ddod i gysylltiad ag ymbelydredd ìoneiddio, ac yn diddymu Cyfarwyddebau 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom a 2003/122/Euratom (OJ Rhif L 013, 17.1.2014, t. 1), i'w ddarllen at ddibenion Rheoliadau 2006.

These Regulations make amendments to the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006 ("the 2006 Regulations"). Regulation 2 amends regulation 5 of the 2006 Regulations by inserting a new provision which modifies how the definition of "inspection" in Article 4(43) of Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ No L 013, 17.1.2014, p. 1) is to be read for the purposes of the 2006 Regulations.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

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.

2019 Rhif 114 (Cy. 28)

**YMADAEL Â'R UNDEB
EWROPEAIDD, CYMRU**

**DIOGELU'R AMGYLCHEDD,
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Rheoliadau Tir a Halogwyd yn
Ymbelydrol (Addasu Deddfiadau)
(Cymru) (Diwygio) (Ymadael â'r
UE) 2019

Gofynion sifftio wedi eu bodloni 14 Ionawr
2019

Gwnaed 22 Ionawr 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 28 Ionawr 2019

Yn dod i rym yn unol â rheoliad 1

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 i, Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1).

Mae gofynion paragraff 4(2) o Atodlen 7 i'r Ddeddf honno (sy'n ymwneud â gweithdrefn graffu briodol Cynulliad Cenedlaethol Cymru ar gyfer y Rheoliadau hyn) wedi eu bodloni.

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Tir a Halogwyd yn Ymbelydrol (Addasu Deddfiadau) (Cymru) (Diwygio) (Ymadael â'r UE) 2019 a deuant i rym ar y diwrnod ymadael.

2019 No. 114 (W. 28)

**EXITING THE EUROPEAN
UNION, WALES**

**ENVIRONMENTAL
PROTECTION, WALES**

The Radioactive Contaminated
Land (Modification of Enactments)
(Wales) (Amendment) (EU Exit)
Regulations 2019

Sift requirements satisfied 14 January 2019

Made 22 January 2019

Laid before the National Assembly for Wales
28 January 2019

*Coming into force in accordance with
regulation 1*

The Welsh Ministers make these Regulations in exercise of the powers conferred by paragraph 1(1) of Schedule 2 to, the European Union (Withdrawal) Act 2018(1).

The requirements of paragraph 4(2) of Schedule 7 to that Act (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

Title and commencement

1. The title of these Regulations is the Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) (EU Exit) Regulations 2019 and they come into force on exit day.

Diwygio Rheoliadau Tir a Halogwyd yn Ymbelydrol (Addasu Deddfiadau) (Cymru) 2006

2. Yn rheoliad 5 o Reoliadau Tir a Halogwyd yn Ymbelydrol (Addasu Deddfiadau) (Cymru) 2006(1) (adran 78A (rhagarweiniol)), ar ôl paragraff (8) mewnosoder—

“(9) Ar ôl is-adran (9) mewnosoder—

(9A) When reading Council Directive 2013/59/Euratom for the purpose of subsection (9), article 4(43) of Council Directive 2013/59/Euratom is to be read as if, for the words “any competent authority”, there were substituted “the enforcing authority(2)”.

Amendment of the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006

2. In regulation 5 of the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006(1) (section 78A (preliminary)), after paragraph (8) insert—

“(9) After subsection (9) insert—

(9A) When reading Council Directive 2013/59/Euratom for the purpose of subsection (9), article 4(43) of Council Directive 2013/59/Euratom is to be read as if, for the words “any competent authority”, there were substituted “the enforcing authority(2)”.

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
22 Ionawr 2019

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
22 January 2019

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(1) O.S. 2006/2988 (Cy. 277), a ddiwygiwyd gan O.S. 2007/3250, 2008/521, 2010/2146, 2013/755 (Cy. 90), 2016/1154 a 2018/725 (Cy. 142). Mae O.S. 2016/562 hefyd yn gwneud diwygiadau nad ydynt mewn grym eto.
(2) Gweler adran 78A(9) o Ddeddf Diogelu'r Amgylchedd 1990 (p. 43) i gael ystyr “enforcing authority”.

(1) S.I. 2006/2988 (W. 277), amended by S.I. 2007/3250, 2008/521, 2010/2146, 2013/755 (W. 90), 2016/1154 and 2018/725 (W. 142). S.I. 2016/562 also makes amendments which are not yet in force.
(2) See section 78A(9) of the Environmental Protection Act 1990 (c. 43) for the meaning of “enforcing authority”.

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