



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 1281 (Cy. 225)

2019 No. 1281 (W. 225)

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

**EXITING THE EUROPEAN
UNION, WALES**

ADDYSG, CYMRU

AGRICULTURE, WALES

AMAETHYDDIAETH, CYMRU

EDUCATION, WALES

BWYD, CYMRU

**ENVIRONMENTAL
PROTECTION, WALES**

**DIOGELU'R AMGYLCHEDD,
CYMRU**

FOOD, WALES

**GWASANAETHAU IECHYD,
CYMRU**

HEALTH SERVICES, WALES

HADAU, CYMRU

**LOCAL GOVERNMENT,
WALES**

**LLYWODRAETH LEOL,
CYMRU**

SEEDS, WALES

TRETHI, CYMRU

TAXES, WALES

Y GYMRAEG

WELSH LANGUAGE

Rheoliadau Cyfraith yr UE a
Ddargedwir (Diwygiadau
Amrywiol) (Cymru) (Ymadael â'r
UE) 2019

The Retained EU Law
(Miscellaneous Amendments)
(Wales) (EU Exit) Regulations 2019

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn (ar wahân i reoliad 10) wedi eu gwneud drwy arfer y pŵer a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 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.

Mae rheoliad 2 (yn Rhan 2) yn gwneud diwygiadau i Fesur y Gymraeg (Cymru) 2011 (2011 mccc 1) i ymdrin â chyfeiriadau at "un neu ragor o sefydliadau'r Undeb Ewropeaidd". Daw'r rheoliad hwn i rym ar y diwrnod ymadael.

Mae rheoliad 3 (yn Rhan 3) yn diwygio Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019 (O.S. 2019/732 (Cy. 137)) ("Rheoliadau Bwyd 2019") sy'n gwneud darpariaeth sy'n cywiro diffygion mewn deddfwriaeth fwyd ddomestig sy'n codi o ganlyniad i ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

Mae rheoliad 3(2) yn diwygio rheoliad 2(7) o Reoliadau Bwyd 2019 drwy roi "yr awdurdodau priodol" yn lle "yr awdurdodau perthnasol". Mae rheoliad 3(3) yn diwygio rheoliad 7(5)(a) o Reoliadau Bwyd 2019 drwy roi "yr Ynysoedd Prydeinig" yn lle "y Deyrnas Unedig". Mae'r diwygiadau hyn yn angenrheidiol er mwyn sicrhau bod y deddfwriaeth yn cyd-fynd â newidiadau sy'n cael eu gwneud i gyfraith arall yr UE a ddargedwir.

Mae rheoliad 4 (yn Rhan 4) yn diwygio Rheoliadau Llifogydd a Dŵr (Diwygio) (Cymru a Lloegr) (Ymadael â'r UE) 2019 (O.S. 2019/460 (Cy. 110)) ("Rheoliadau Llifogydd 2019") sy'n gwneud darpariaeth sy'n cywiro diffygion mewn deddfwriaeth llifogydd a dŵr ddomestig sy'n codi o ganlyniad i ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd. Mae rheoliad 4(2) yn diwygio rheoliad 5(3)(a) o Reoliadau Llifogydd 2019 i ymdrin â chyfeiriad gwallus.

Mae rheoliad 5 (yn Rhan 5) yn diwygio Rheoliadau Tatws Hadyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019 (O.S. 2019/738 (Cy. 141)) ("Rheoliadau Tatws Hadyd 2019"). Mae Rheoliadau Tatws Hadyd 2019 yn diwygio Rheoliadau Tatws Hadyd (Cymru) 2016 sy'n gwneud darpariaeth sy'n llywodraethu marchnata ac ardystio tatws hadyd yng Nghymru.

Mae rheoliad 5(2) a (3) yn diwygio testun Cymraeg Rheoliadau Tatws Hadyd 2019 i ymdrin â gwallau drafftio.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (apart from regulation 10) are made in exercise of the power conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 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.

Regulation 2 (in Part 2) makes amendments to the Welsh Language (Wales) Measure 2011 (2011 nawm 1) to deal with references to "an institution of the European Union". This regulation comes into force on exit day.

Regulation 3 (in Part 3) amends the Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732 (W. 137)) ("the 2019 Food Regulations") which make provision correcting deficiencies in domestic food legislation which arise as a result of the United Kingdom withdrawing from the European Union.

Regulation 3(2) amends regulation 2(7) of the 2019 Food Regulations by substituting "the appropriate authorities" for "the relevant authorities". Regulation 3(3) amends regulation 7(5)(a) of the 2019 Food Regulations by substituting "British Islands" for "United Kingdom". These amendments are necessary to ensure the legislation aligns with changes being made to other retained EU law.

Regulation 4 (in Part 4) amends the Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019 (S.I. 2019/460 (W. 110)) ("the 2019 Flood Regulations") which make provision correcting deficiencies in domestic flood and water legislation which arise as a result of the United Kingdom withdrawing from the European Union. Regulation 4(2) amends regulation 5(3)(a) of the 2019 Flood Regulations to address an erroneous reference.

Regulation 5 (in Part 5) amends the Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/738 (W. 141)) ("the 2019 Seed Potatoes Regulations"). The 2019 Seed Potatoes Regulations amend the Seed Potatoes (Wales) Regulations 2016 which make provision governing the marketing and certification of seed potatoes in Wales.

Regulation 5(2) and (3) amends the Welsh language text of the 2019 Seed Potatoes Regulations to address drafting errors.

Mae rheoliad 5(4) yn amnewid testun Cymraeg rheoliad 2(17)(b)(iii) o Reoliadau Tatws Hadyd 2019 i gynnwys cyfeiriad at datws gradd S yr Undeb a hepgorwyd drwy gamgymeriad yn flaenorol.

Mae rheoliad 6 (yn Rhan 6) yn gwneud diwygiad i reoliad 7 o Reoliadau Rhestr Ardrethu Canolog (Cymru) 2005 (O.S. 2005/422 (Cy. 40)) (“Rheoliadau 2005”) i ddileu’r diffiniad o “EEA State”. Mae’r diffiniad hwn bellach yn ddiangen o ganlyniad i’r diwygiad a wnaed i reoliad 7 o Reoliadau 2005 gan reoliad 3 o Reoliadau Cyllid Llywodraeth Leol (Diwygio) (Cymru) (Ymadael â’r UE) 2019 (O.S. 2019/436 (Cy. 104)). Daw’r rheoliad hwn i rym ar y diwrnod ymadael.

Mae’r diwygiadau a wnaed gan reoliadau 7 ac 8 (yn Rhan 7) yn ofynnol o ganlyniad i Reoliadau Diogelu Data, Preifatrwydd a Chyfrathrebiadau Electronig (Diwygio etc) (Ymadael â’r UE) 2019 (O.S. 2019/419) (“yr OS Diogelu Data”). Mae’r OS Diogelu Data yn gwneud diwygiadau i’r Rheoliad Cyffredinol ar Ddiogelu Data (Rheoliad (EU) 2016/679) (“y GDPR”) gan ei fod yn rhan o gyfraith ddomestig ar ymadawiad y DU â’r UE. Gan na fydd y GDPR yn gymwys yn uniongyrchol yn y DU mwyach, mae’r OS Diogelu Data yn cyflwyno un drefn ar gyfer gweithgareddau prosesu cyffredinol o’r enw GDPR y DU. Mae angen gwneud newidiadau i Ddeddf Diogelu Data 2018 drwyddi draw, ac i ddeddfwriaeth arall, o ganlyniad i hyn.

Mae rheoliad 7 yn diwygio Rheoliadau Cyffuriau a Reolir (Goruchwyllo Rheolaeth a Defnydd) (Cymru) 2008 (O.S. 2008/3239 (Cy. 286)) i gywiro cyfeiriadau at y GDPR a rhoi cyfeiriadau at GDPR y DU yn eu lle.

Mae rheoliad 8 yn gwneud diwygiadau tebyg i Reoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011 (O.S. 2011/1942 (Cy. 209)), eto gan gywiro cyfeiriadau at y GDPR a rhoi cyfeiriadau at GDPR y DU yn eu lle.

Daw rheoliadau 7 ac 8 i rym ar y diwrnod ymadael.

Mae rheoliad 9 (yn Rhan 7) yn gwneud diwygiad i Atodlen 3 i’r OS Diogelu Data o ganlyniad i wneud rheoliadau 7 ac 8 o’r Rheoliadau hyn. Mae’r diwygiad hwn yn dileu’r diwygiadau a wnaed gan yr OS Diogelu Data i Reoliadau Cyffuriau a Reolir (Goruchwyllo Rheolaeth a Defnydd) (Cymru) 2008 a Rheoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011 gan y bydd y diwygiadau hyn wedi eu gwneud gan reoliadau 7 ac 8 o’r Rheoliadau hyn. Mae’r diwygiadau a wnaed gan yr OS Diogelu Data i ddod i rym ar y diwrnod ymadael. Er mwyn sicrhau na ddaw’r diwygiadau a wnaed gan yr OS Diogelu Data i rym, daw rheoliad 9 i rym yn union cyn y diwrnod ymadael.

Regulation 5(4) substitutes the Welsh language text of regulation 2(17)(b)(iii) of the 2019 Seed Potatoes Regulations to include a reference to Union grade S potatoes which was previously erroneously omitted.

Regulation 6 (in Part 6) makes an amendment to regulation 7 of the Central Rating List (Wales) Regulations 2005 (S.I. 2005/422 (W. 40)) (“the 2005 Regulations”) to remove the definition of “EEA State”. This definition is now redundant as result of the amendment made to regulation 7 of the 2005 Regulations by regulation 3 of the Local Government Finance (Amendment) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/436 (W. 104)). This regulation comes into force on exit day.

The amendments made by regulations 7 and 8 (in Part 7) are required as a consequence of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419) (“the Data Protection SI”). The Data Protection SI makes amendments to the General Data Protection Regulation (Regulation (EU) 2016/679) (“the GDPR”) as it forms part of domestic law on the UK’s exit from the EU. As the GDPR will no longer apply directly in the UK, the Data Protection SI introduces a single regime for general processing activities known as the UK GDPR. It is necessary to make changes throughout the Data Protection Act 2018, and to other legislation, as a result of this.

Regulation 7 amends the Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008 (S.I. 2008/3239 (W. 286)) to correct references to the GDPR and replace these with references to the UK GDPR.

Regulation 8 makes similar amendments to the Pupil Information (Wales) Regulations 2011 (S.I. 2011/1942 (W. 209)), again correcting references to the GDPR and replacing these with references to the UK GDPR.

Regulations 7 and 8 come into force on exit day.

Regulation 9 (in Part 7) makes an amendment to Schedule 3 to the Data Protection SI as a consequence of making regulations 7 and 8 of these Regulations. This amendment removes the amendments made by the Data Protection SI to the Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008 and the Pupil Information (Wales) Regulations 2011 as these amendments will have been made by regulations 7 and 8 of these Regulations. The amendments made by the Data Protection SI are to come into force on exit day. In order to ensure that the amendments made by the Data Protection SI do not come into force, regulation 9 comes into force immediately before exit day.

Mae rheoliad 10 (yn Rhan 8) wedi ei wneud drwy arfer y pŵer a roddir i Weinidogion Cymru gan adran 78(1) o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017 (2017 dccc 1) (“Deddf 2017”) ac mae’n gwneud diwygiad i adran 36(12) o Ddeddf 2017 i ddileu’r diffiniad o “cynllun buddsoddi torfol”. Mae’r diffiniad hwn bellach yn ddiangen o ganlyniad i ddiddymu adran 36(6) o Ddeddf 2017 gan Reoliadau Deddfau Trethi Cymru (Diwygiadau Amrywiol) (Ymadael â’r UE) 2019 (O.S. 2019/833 (Cy. 153)) a ddaw i rym ar y diwrnod ymadael. Daw rheoliad 10 i rym ar y diwrnod ymadael.

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.

Regulation 10 (in Part 8) is made in exercise of the power conferred on Welsh Ministers by section 78(1) of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (2017 anaw 1) (“the 2017 Act”) and makes an amendment to section 36(12) of the 2017 Act to remove the definition of “collective investment scheme”. This definition is now redundant as a consequence of the repeal of section 36(6) of the 2017 Act by the Welsh Tax Acts (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/833 (W. 153)) which comes into force on exit day. Regulation 10 comes into force on exit day.

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 1281 (Cy. 225)

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

ADDYSG, CYMRU

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

**DIOGELU'R AMGYLCHEDD,
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HADAU, CYMRU

**LLYWODRAETH LEOL,
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TRETHI, CYMRU

Y GYMRAEG

**Rheoliadau Cyfraith yr UE a
Ddargedwir (Diwygiadau
Amrywiol) (Cymru) (Ymadael â'r
UE) 2019**

Gofynion sifftio wedi eu bodloni 16 Medi 2019

Gwnaed 24 Medi 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru 26 Medi 2019*

Yn dod i rym yn unol â rheoliad 1(2) a 1(3)

2019 No. 1281 (W. 225)

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WELSH LANGUAGE

**The Retained EU Law
(Miscellaneous Amendments)
(Wales) (EU Exit) Regulations 2019**

Sift requirements satisfied 16 September 2019

Made 24 September 2019

*Laid before the National Assembly for Wales
26 September 2019*

*Coming into force in accordance with
regulation 1(2) and 1(3)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1) ac adran 78(1) o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017(2), yn gwneud y Rheoliadau a ganlyn.

Mae gofynion paragraff 4(2) o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (yn ymwneud â'r weithdrefn graffu briodol yng Nghynulliad Cenedlaethol Cymru ar gyfer y Rheoliadau hyn) wedi eu bodloni.

Fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(3), ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd mewn perthynas â'r diwygiadau a wneir gan Ran 3 o'r Rheoliadau hyn.

Fel sy'n ofynnol gan baragraff 4(a) o Atodlen 2 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018, ymgynghorwyd â'r Ysgrifennydd Gwladol wrth i'r Rheoliadau hyn gael eu llunio.

RHAN 1

Rhagarweiniol

Enwi, cychwyn a chymhwysio

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyfraith yr UE a Ddargedwir (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019.

(2) Yn ddarostyngedig i baragraff (3), daw'r Rheoliadau hyn i rym ar y diwrnod ymadael.

(3) Daw rheoliadau 3, 4, 5 a 9 i rym yn union cyn y diwrnod ymadael.

(4) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

The Welsh Ministers, in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018(1) and section 78(1) of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017(2), make the following Regulations.

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

As required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(3), there has been open and transparent public consultation in relation to the amendments made by Part 3 of these Regulations.

As required by paragraph 4(a) of Schedule 2 to the European Union (Withdrawal) Act 2018, the Secretary of State has been consulted during the preparation of these Regulations.

PART 1

Introductory

Title, commencement and application

1.—(1) The title of these Regulations is the Retained EU Law (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) Subject to paragraph (3), these Regulations come into force on exit day.

(3) Regulations 3, 4, 5 and 9 come into force immediately before exit day.

(4) These Regulations apply in relation to Wales.

(1) 2018 p. 16. *Gweler* adran 20(1) o'r Ddeddf honno am y diffiniad o "devolved authority".

(2) 2017 decc 1.

(3) OJ Rhif L 31, 1.2.2002, t. 1, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) 2018 c. 16. *See* section 20(1) of that Act for the definition of "devolved authority".

(2) 2017 anaw 1.

(3) OJ No. L 31, 1.2.2002, p. 1, to which there are amendments not relevant to these Regulations.

RHAN 2

Diwygiadau i ddeddfwriaeth sylfaenol sy'n ymwneud â'r Gymraeg

Mesur y Gymraeg (Cymru) 2011

2.—(1) Mae Mesur y Gymraeg (Cymru) 2011(1) wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff 3 o Atodlen 5 (y categorïau o berson y caniateir eu hychwanegu at Atodlen 6), yn y diffiniad o “arian cyhoeddus” hepgorer y geiriau a ganlyn o baragraff (a)—

“neu

(v) un neu ragor o sefydliadau'r Undeb Ewropeaidd;”.

(3) Ym mharagraff 2 o Atodlen 7 (y categorïau o berson y caniateir eu hychwanegu at Atodlen 8), yn y diffiniad o “arian cyhoeddus” hepgorer y geiriau a ganlyn o baragraff (a)—

“neu

(v) un neu ragor o sefydliadau'r Undeb Ewropeaidd;”.

RHAN 3

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â bwyd

Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019

3.—(1) Mae Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(7), yn lle “yr awdurdodau perthnasol” rhodder “yr awdurdodau priodol”.

(3) Yn rheoliad 7(5)(a), yn lle “y Deyrnas Unedig” rhodder “yr Ynysoedd Prydeinig”.

PART 2

Amendments to primary legislation concerning the Welsh Language

Welsh Language (Wales) Measure 2011

2.—(1) The Welsh Language (Wales) Measure 2011(1) is amended as follows.

(2) In paragraph 3 of Schedule 5 (categories of person that may be added to Schedule 6), in the definition of “public money” omit the following words from paragraph (a)—

“or

(v) an institution of the European Union;”.

(3) In paragraph 2 of Schedule 7 (categories of person that may be added to Schedule 8), in the definition of “public money” omit the following words from paragraph (a)—

“or

(v) an institution of the European Union;”.

PART 3

Amendments to secondary legislation concerning food

The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

3.—(1) The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019(2) are amended as follows.

(2) In regulation 2(7), for “the relevant authorities” substitute “the appropriate authorities”.

(3) In regulation 7(5)(a), for “United Kingdom” substitute “British Islands”.

(1) 2011 mccc 1.
(2) O.S. 2019/732 (Cy. 137).

(1) 2011 nawm 1.
(2) S.I. 2019/732 (W. 137).

RHAN 4

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â'r amgylchedd

Rheoliadau Llifogydd a Dŵr (Diwygio) (Cymru a Lloegr) (Ymadael â'r UE) 2019

4. Yn rheoliad 5(3)(a) o Reoliadau Llifogydd a Dŵr (Diwygio) (Cymru a Lloegr) (Ymadael â'r UE) 2019(1), yn lle “Cyfarwyddeb y Cyngor 98/83/EC ar ansawdd dŵr a fwriedir ar gyfer ei yfed gan bobl” rhodder “Cyfarwyddeb y Cyngor 98/83/EC ar ansawdd dŵr a fwriedir ar gyfer ei yfed gan bobl, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn (EU) 2015/1787”.

RHAN 5

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â hadau

Rheoliadau Tatws Hadyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019

5.—(1) Mae rheoliad 2 o Reoliadau Tatws Hadyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019(2) wedi ei ddiwygio fel a ganlyn.

(2) Yn nhestun Cymraeg paragraff (12), hepgorer “, 8”.

(3) Ar ôl paragraff (12) mewnosoder—

“(12A) Yn nhestun Cymraeg paragraff 8(b) o Ran 3 o Atodlen 1—

- (a) ym mharagraff (i), ar ôl “gradd S” mewnosoder “y DU”,
- (b) ym mharagraff (ii), ar ôl “gradd SE” mewnosoder “y DU”, ac
- (c) ym mharagraff (iii), ar ôl “gradd E” mewnosoder “y DU”.”

(4) Yn y testun Cymraeg, yn lle paragraff (17)(b)(iii) rhodder—

“(iii) yn y rhes sy'n ymwneud â gradd “SE”, yng ngholofn 2, yn lle “radd S yr Undeb neu'n radd SE yr Undeb” rhodder “radd S y DU, gradd SE y DU, gradd S yr Undeb neu radd SE yr Undeb”.”

PART 4

Amendments to secondary legislation concerning the environment

The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019

4. In regulation 5(3)(a) of the Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019(1), for “Council Directive 98/83/EC on the quality of water intended for human consumption” substitute “Council Directive 98/83/EC on the quality of water intended for human consumption, as last amended by Commission Directive (EU) 2015/1787”.

PART 5

Amendments to secondary legislation concerning seeds

The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019

5.—(1) Regulation 2 of the Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019(2) is amended as follows.

(2) In the Welsh language text of paragraph (12), omit “, 8”.

(3) After paragraph (12) insert—

“(12A) In the Welsh language text of paragraph 8(b) of Part 3 of Schedule 1—

- (a) in paragraph (i), after “gradd S” insert “y DU”,
- (b) in paragraph (ii), after “gradd SE” insert “y DU”, and
- (c) in paragraph (iii), after “gradd E” insert “y DU”.”

(4) In the Welsh language text, for paragraph (17)(b)(iii) substitute—

“(iii) yn y rhes sy'n ymwneud â gradd “SE”, yng ngholofn 2, yn lle “radd S yr Undeb neu'n radd SE yr Undeb” rhodder “radd S y DU, gradd SE y DU, gradd S yr Undeb neu radd SE yr Undeb”.”

(1) O.S. 2019/460 (Cy. 110).

(2) O.S. 2019/738 (Cy. 141).

(1) S.I. 2019/460 (W. 110).

(2) S.I. 2019/738 (W. 141).

RHAN 6

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â chyllid llywodraeth leol

Rheoliadau Rhestr Ardrethu Canolog (Cymru) 2005

6. Yn rheoliad 7(3) o Reoliadau Rhestr Ardrethu Canolog (Cymru) 2005(1), hepgorer y diffiniad o "EEA State".

RHAN 7

Diwygiadau i is-ddeddfwriaeth sy'n ymwneud â goruchwyllo rheolaeth a defnydd cyffuriau a reolir a datgelu cofnodion addysgol a diwygiadau canlyniadol i is-ddeddfwriaeth sy'n ymwneud â diogelu data

Rheoliadau Cyffuriau a Reolir (Goruchwyllo Rheolaeth a Defnydd) (Cymru) 2008

7.—(1) Mae Rheoliadau Cyffuriau a Reolir (Goruchwyllo Rheolaeth a Defnydd) (Cymru) 2008(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

(a) hepgorer y diffiniad o "y GDPR";

(b) yn y lle priodol mewnosoder—

"mae i "GDPR y DU" yr un ystyr ag a roddir i "the UK GDPR" yn Rhannau 5 i 7 o Ddeddf Diogelu Data 2018 (gweler adran 3(10) a (14) o'r Ddeddf honno);".

(3) Yn rheoliad 25(7) (dyletswydd i gydweithredu drwy ddatgelu gwybodaeth ynglyn â phersonau perthnasol), yn lle "neu'r GDPR" rhodder "neu GDPR y DU".

(4) Yn rheoliad 26(6) (cyrff cyfrifol yn gofyn am wybodaeth ychwanegol i gael ei datgelu am bersonau perthnasol), yn lle "neu'r GDPR" rhodder "neu GDPR y DU".

(5) Yn rheoliad 29(3) (adroddiadau ar ddigwyddiadau), yn lle "neu'r GDPR" rhodder "neu GDPR y DU".

(1) O.S. 2005/422 (Cy. 40), a ddiwygiwyd gan O.S. 2005/3050, O.S. 2016/645 ac O.S. 2019/436 (Cy. 104); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

(2) O.S. 2008/3239 (Cy. 286), a ddiwygiwyd gan adran 211(1)(b) o Ddeddf Diogelu Data 2018 (p. 12) a pharagraff 334 o Atodlen 19 iddi. Mae diwygiadau perthnasol wedi eu gwneud gan O.S. 2019/419 ond ni ddaw'r rhain i rym tan y diwrnod ymadael. Mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

PART 6

Amendments to secondary legislation concerning local government finance

The Central Rating List (Wales) Regulations 2005

6. In regulation 7(3) of the Central Rating List (Wales) Regulations 2005(1), omit the definition of "EEA State".

PART 7

Amendments to secondary legislation concerning the supervision of management and use of controlled drugs and the disclosure of educational records and consequential amendments to secondary legislation concerning data protection

The Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008

7.—(1) The Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008(2) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of "the GDPR";

(b) at the appropriate place insert—

"“the UK GDPR” (“GDPR y DU”) has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act);".

(3) In regulation 25(7) (duty to co-operate by disclosing information as regards relevant persons), for "GDPR" substitute "UK GDPR".

(4) In regulation 26(6) (responsible bodies requesting additional information be disclosed about relevant persons), for "GDPR" substitute "UK GDPR".

(5) In regulation 29(3) (occurrence reports), for "GDPR" substitute "UK GDPR".

(1) S.I. 2005/422 (W. 40), amended by S.I. 2005/3050, S.I. 2016/645 and S.I. 2019/436 (W. 104); there are other amending instruments but none is relevant.

(2) S.I. 2008/3239 (W. 286), amended by section 211(1)(b) of, and paragraph 334 of Schedule 19 to, the Data Protection Act 2018 (c. 12). Relevant amendments are made by S.I. 2019/419 but these do not come into force until exit day. There are other amending instruments but none is relevant.

Rheoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011

8.—(1) Mae rheoliad 5 o Reoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011(1) wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (5)(a) a (b), yn lle “y GDPR” rhodder “GDPR y DU”.

(3) Yn lle paragraff (6) rhodder—

“(6) Yn y rheoliad hwn, mae i “GDPR y DU” yr un ystyr ag a roddir i “the UK GDPR” yn Rhannau 5 i 7 o Ddeddf Diogelu Data 2018 (gweler adran 3(10) a (14) o’r Ddeddf honno).”

Rheoliadau Diogelu Data, Preifatrwydd a Chyfathrebiadau Electronig (Diwygiadau etc) (Ymadael â’r UE) 2019

9. Yn Atodlen 3 i Reoliadau Diogelu Data, Preifatrwydd a Chyfathrebiadau Electronig (Diwygiadau etc) (Ymadael â’r UE) 2019(2), hepgorer paragraffau 71 i 75 a pharagraffau 90 ac 91.

RHAN 8

Diwygiadau i ddeddfwriaeth sylfaenol sy’n ymwneud â threthu trafodiadau tir

Deddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017

10. Yn adran 36(12) o Ddeddf Treth Trafodiadau Tir a Gwrthweithio Osgoi Trethi Datganoledig (Cymru) 2017(3), hepgorer y diffiniad o “cynllun buddsoddi torfol”.

Rebecca Evans

Y Gweinidog Cyllid a’r Trefnydd, un o Weinidogion Cymru
24 Medi 2019

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- (1) O.S. 2011/1942 (Cy. 209), a ddiwygiwyd gan adran 211(1)(b) o Ddeddf Diogelu Data 2018 a pharagraffau 365(1), 365(2)(a) a 365(3)(a) o Atodlen 19 iddi. Mae diwygiadau perthnasol wedi eu gwneud gan O.S. 2019/419 ond ni ddaw’r rhain i rym tan y diwrnod ymadael. Mae offerynnau diwygio eraill ond nid yw’r un ohonynt yn berthnasol.
- (2) O.S. 2019/419, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Rheoliadau hyn.
- (3) 2017 dccc 1.

The Pupil Information (Wales) Regulations 2011

8.—(1) Regulation 5 of the Pupil Information (Wales) Regulations 2011(1) is amended as follows.

(2) In paragraph (5)(a) and (b), for “GDPR” substitute “UK GDPR”.

(3) For paragraph (6) substitute—

“(6) In this regulation, “the UK GDPR” (“*GDPR y DU*”) has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).”

The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019

9. In Schedule 3 to the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019(2), omit paragraphs 71 to 75 and paragraphs 90 and 91.

PART 8

Amendments to primary legislation concerning the taxation of land transactions

Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017

10. In section 36(12) of the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017(3), omit the definition of “collective investment scheme”.

Minister for Finance and Trefnydd, one of the Welsh Ministers
24 September 2019

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- (1) S.I. 2011/1942 (W. 209), amended by section 211(1)(b) of, and paragraphs 365(1), 365(2)(a) and 365(3)(a) of Schedule 19 to, the Data Protection Act 2018. Relevant amendments are made by S.I. 2019/419 but these do not come into force until exit day. There are other amending instruments but none is relevant.
- (2) S.I. 2019/419, to which there are amendments not relevant to these Regulations.
- (3) 2017 anaw 1.

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