



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 2291 (Cy.179)

2001 No. 2291 (W.179)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Trefniadau
Gweithrediaeth Awdurdodau Lleol
(Swyddogaethau a Chyfrifoldebau)
(Cymru) 2001**

**The Local Authorities Executive
Arrangements (Functions and
Responsibilities) (Wales)
Regulations 2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note does not form part of the Regulations)

Mae Rhan II o Ddeddf Llywodraeth Leol 2000 yn darparu i swyddogaethau awdurdod lleol gael eu cyflawni gan weithrediaeth o'r awdurdod (sy'n gorfod bod yn un o'r maeth a bennir yn adran 11(2) i (5) o'r Ddeddf), oni bai bod y swyddogaethau hynny wedi'u pennu fel swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth yr awdurdod.

Part II of the Local Government Act 2000 provides for the discharge of a local authority's functions by an executive of the authority (which must take one of the forms specified in section 11(2) to (5) of the Act) unless those functions are specified as functions that are not to be the responsibility of the authority's executive.

Mae'r Rheoliadau hyn yn pennu swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod neu sydd i fod yn gyfrifoldeb i weithrediaeth o'r fath i raddau cyfyngedig yn unig neu o dan amgylchiadau penodol yn unig.

These Regulations specify functions that are not to be the responsibility of an authority's executive or are to be the responsibility of such an executive only to a limited extent or only in specified circumstances.

Mae Rheoliad 2(1) o'r Rheoliadau hyn yn darparu nad yw'r swyddogaethau sydd wedi'u rhestru yn Atodlen 1 ("swyddogaethau Atodlen 1") i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Regulation 2(1) of these Regulations provides that the functions listed in Schedule 1 ("Schedule 1 functions") are not to be the responsibility of an authority's executive.

Mae rheoliad 2(2) yn darparu nad yw swyddogaeth gosod amodau, terfynau, cyfyngiadau neu delerau eraill ar unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad a ganiateir neu a roddir wrth arfer swyddogaethau Atodlen 1, na swyddogaethau o dan Ddeddf leol (oni bai bod y gymeradwyaeth, y cydsyniad, y drwydded, y caniatâd neu'r cofrestrriad wedi'u caniatáu neu wedi'u rhoi yn yr achos hwnnw gan weithrediaeth awdurdod), i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Regulation 2(2) provides that the function of imposing conditions, limitations, restrictions or other terms on any approval, consent, licence, permission or registration granted or issued in the exercise of Schedule 1 functions, or functions under a local Act (unless in that case the approval, consent, licence, permission or registration was granted or issued by an authority's executive), is not to be the responsibility of an authority's executive.

Mae Rheoliad 2(3) yn darparu nad yw swyddogaeth penderfynu a ddylid cymryd camau gorfodi pan dorri cymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir neu a roddir wrth arfer swyddogaethau Atodlen 1, na swyddogaethau o dan Ddeddf leol (oni bai bod y gymeradwyaeth, y cydsyniad, y drwydded, y caniatâd neu'r cofrestriad wedi'u caniatáu neu wedi'u rhoi yn yr achos hwnnw gan weithrediaeth awdurdod), nac ym mha fodd y dylid eu gorfodi, i fod yn gyfrifoldeb i weithrediaeth awdurdod. Darperir hefyd nad yw swyddogaeth penderfynu a ddylid cymryd camau gorfodi yn erbyn toriadau eraill, mewn perthynas â materion y dylai cais fod wedi'i wneud mewn perthynas â hwy am gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad, ac ym mha fodd y dylid eu gorfodi, i fod yn gyfrifoldeb i weithrediaeth awdurdod os gallai'r gymeradwyaeth, y cydsyniad, y drwydded, y caniatâd neu'r cofrestriad fod wedi'u caniatáu wrth arfer swyddogaethau Atodlen 1.

Mae rheoliad 2(4) yn darparu nad yw swyddogaeth diwygio, addasu, amrywio neu ddiddymu unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad y mae rheoliad 2(2) yn gymwys iddo i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Mae rheoliad 2(5) yn darparu nad yw swyddogaeth gwneud unrhyw gynllun a awdurdodir neu a fyynnir gan reoliadau o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989 (cynlluniau ar gyfer lwfansau sylfaenol, lwfansau presenoldeb a lwfansau cyfrifoldeb arbennig i aelodau awdurdodau lleol) na swyddogaeth diwygio, diddymu, neu ddisodli unrhyw gynllun o'r fath, i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Mae rheoliad 2(6) yn darparu nad yw swyddogaeth penderfynu ar swm amrywiol lwfansau sy'n daladwy i aelodau awdurdodau lleol o dan Ddeddf Llywodraeth Leol 1972 ("Deddf 1972"), yn ôl pa gyfraddau y telir taliadau penodol o dan y Ddeddf honno fel lwfansau, y symiau sy'n daladwy o dan gynlluniau o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989 a chyfraddau'r taliadau o dan gynlluniau o'r fath, i fod yn gyfrifoldeb i weithrediaeth awdurdod. Darperir hefyd nad yw swyddogaeth penderfynu a ddylid codi tâl am unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir neu a roddir wrth arfer swyddogaethau Atodlen 1, na swm unrhyw dâl o'r fath, i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Effaith rheoliad 2(7) yw atal awdurdod rhag trefnu i'r swyddogaethau a bennir yn rheoliad 2(5) neu (6) (a) i (c) gael eu cyflawni gan bwyllgor, is-bwyllgor neu swyddog. (Gall swyddogaethau eraill y cyfeirir atynt yn rheoliad 2 nad ydynt yn gyfrifoldeb i weithrediaeth awdurdod gael eu cyflawni gan bwyllgor, is-bwyllgor neu swyddog o'r awdurdod o dan drefniadau o dan adran 101 o Ddeddf 1972.)

Regulation 2(3) provides that the function of determining whether, and in what manner, to enforce contraventions of approvals, consents, licences, permissions or registrations granted or issued in the exercise of Schedule 1 functions, or functions under a local Act (unless in that case the approval, consent, licence, permission or registration was granted or issued by an authority's executive), is not to be the responsibility of an authority's executive. It also provides that the function of determining whether, and in what manner, to enforce other contraventions, in relation to matters for which an approval, consent, licence, permission or registration should have been sought, is not to be the responsibility of an authority's executive where the approval, consent, licence, permission or registration could have been granted in the exercise of Schedule 1 functions.

Regulation 2(4) provides that the function of amending, modifying, varying or revoking any approval, consent, licence, permission or registration to which regulation 2(2) applies is not to be the responsibility of an authority's executive.

Regulation 2(5) provides that the function of making any scheme authorised or required by regulations under section 18 of the Local Government and Housing Act 1989 (schemes for basic, attendance and special responsibility allowances for local authority members) or of amending, revoking or replacing any such scheme, is not to be the responsibility of an authority's executive.

Regulation 2(6) provides that the function of determining the amount of various allowances payable to members of local authorities under the Local Government Act 1972 ("the 1972 Act"), the rates at which certain payments under that Act by way of allowances are to be made, the amounts payable under schemes under section 18 of the Local Government and Housing Act 1989 and the rates of payments under such schemes, are not to be the responsibility of an authority's executive. It also provides that the function of determining whether a charge should be made for any approval, consent, licence, permit or registration granted or issued in the exercise of Schedule 1 functions, and the amount of any such charge, are not to be the responsibility of an authority's executive.

The effect of regulation 2(7) is to prevent an authority from arranging for the discharge of the functions specified in regulation 2(5) or (6) (a) to (c) by a committee, sub-committee or officer. (Other functions referred to in regulation 2 which are not the responsibility of an authority's executive may be discharged by a committee, sub-committee or officer of the authority under arrangements under section 101

Gydag un eithriad, mae rheoliad 2(8) yn darparu nad yw gwneud trefniadau ar gyfer cyflawni swyddogaethau o dan adran 101(5) o Ddeddf 1972 a phenodi Pwyllgorau o dan adran 102 o Ddeddf 1972 i fod yn gyfrifoldeb i weithrediaeth awdurdod. Mae'r eithriad yn ymwneud â darpariaeth a wneir mewn rheoliadau o dan adran 20 o Ddeddf Llywodraeth Leol 2000, a all ganiatáu i weithrediaeth awdurdod wneud penodiadau o dan adran 102 o Ddeddf 1972.

Onid yw hynny'n cael ei ganiatáu gan ddarpariaeth arall yn y Rheoliadau, mae paragraff (9) o reoliad 2 yn darparu mai dim ond awdurdod a gaiff gyflawni unrhyw swyddogaeth arall sydd, yn rhinwedd unrhyw Ddeddf Seneddol neu is-ddeddfwriaeth ac nad yw i fod yn gyfrifoldeb i weithrediaeth awdurdod.

Mae rheoliad 3(1) yn darparu y caiff y swyddogaethau a grybwyllir yn Atodlen 2 fod yn gyfrifoldeb i weithrediaeth awdurdod (ond nad oes angen iddynt fod felly).

Mae paragraffau (1) i (3) o reoliad 4 yn dyrannu'r cyfrifoldeb dros amrywiol agweddau ar swyddogaethau sy'n ymwneud â llunio a pharatoi cynlluniau a strategaethau, o'r disgrifiadau a bennir yn Atodlen 3, rhwng awdurdod a'u gweithrediaeth. Maent hefyd yn gymwys i gynlluniau a strategaethau eraill y mae eu mabwysiadu neu eu cymeradwyo yn fater ar gyfer penderfyniad yr awdurdod eu hunain yn unol â rheoliad 5(1). Mae paragraff (4) o Reoliad 4 yn dyrannu'r cyfrifoldeb dros ddiwygio, addasu, amrywio neu ddi-ddymu'r cynlluniau a'r strategaethau a bennir yn Atodlen 3. Mae paragraffau (5) i (7) o reoliad 4 yn gwneud darpariaeth debyg mewn perthynas â swyddogaethau sy'n ymwneud â gwaredu tir tai awdurdod.

Os nad yw agwedd ar swyddogaeth y cyfeirir ati ym mharagraff (1), (4) neu (5) o reoliad 4 i fod yn gyfrifoldeb i weithrediaeth awdurdod, effaith paragraff (8) o'r rheoliad hwnnw yw na chaiff yr awdurdod drefnu iddi gael ei chyflawni gan unrhyw un o bwyllgorau, is-bwyllgorau neu swyddogion yr awdurdod.

Mae paragraffau (9) i (11) o reoliad 4 yn dyrannu'r cyfrifoldeb dros amrywiol agweddau ar swyddogaethau sy'n ymwneud â'r dreth gyngor, praeseptau a chyfrifiadau eraill o dan Ddeddf Cyllid Llywodraeth Leol 1992. I'r graddau y mae'r swyddogaeth yn ymwneud â pharatoi a diwygio amcangyfrifon a symiau eraill i gael eu hystyried gan awdurdod, mae'r swyddogaeth i fod yn gyfrifoldeb i weithrediaeth yr awdurdod. Mae agweddau eraill ar y swyddogaeth, megis pennu swm treth gyngor am flyddyn ariannol, i fod yn gyfrifoldeb i'r awdurdod.

Regulation 2(8) provides, with one exception, that the making of arrangements for the discharge of functions under section 101(5) of the 1972 Act and the appointment of Committees under section 102 of the 1972 Act is not to be the responsibility of an authority's executive. The exception related to provision made in regulations under section 20 of the Local Government Act 2000, which may allow the executive of an authority to make appointments under section 102 of the 1972 Act.

Paragraph (9) of regulation 2 provides that, unless permitted by another provision of the Regulations, any other function which, by virtue of any Act of Parliament or subordinate legislation may be discharged only by an authority, is not to be the responsibility of an authority's executive.

Regulation 3(1) provides that the functions mentioned in Schedule 2 may be (but need not be) the responsibility of an authority's executive.

Paragraphs (1) to (3) of regulation 4 allocate responsibility for various aspects of functions relating to the formulation and preparation of plans and strategies, of the descriptions specified in Schedule 3, between an authority and their executive. They also apply to other plans and strategies whose adoption or approval is a matter for determination by the authority themselves in accordance with regulation 5(1). Paragraphs (4) of Regulation 4 allocated responsibility for the amendment, modification, variation or revocation of the plans and strategies specified in Schedule 3. Paragraphs (5) to (7) of regulation 4 make similar provision in relation to functions concerned with the disposal of an authority's housing land.

Where an aspect of a function referred to in paragraph (1), (4) or (5) of regulation 4 is not to be the responsibility of an authority's executive, paragraph (8) of that regulation has the effect that the authority may not arrange for it to be discharged by any of the authority's committees, sub-committees or officers.

Paragraphs (9) to (11) of regulation 4 allocate responsibility for various aspects of functions relating to council tax, precepts and other calculations under the Local Government Finance Act 1992. To the extent that the function relates to the preparation and revision of estimates and other amounts for consideration by an authority it is to be the responsibility of an authority's executive. Other aspects of the function, such as the setting of an amount of council tax for a financial year, are to be the responsibility of the authority.

Mae rheoliad 5(1) ac atodlen 4 yn pennu'r amgylchiadau lle nad yw swyddogaethau penodol, a fyddai fel arall yn gyfrifoldeb i weithrediaeth awdurdod, i fod yn gyfrifoldeb i weithrediaeth o'r fath. Rhestrir yr amgylchiadau yng ngholofn (2) o Atodlen 4, a'r swyddogaethau y maent yn ymwneud â hwy yng ngholofn (1). Darperir eithriad yn rheoliad 5(2) ar gyfer dyfarniadau penodol y mae angen eu gwneud ar frys. Yn yr achosion hyn, dim ond gyda chytundeb ysgrifenedig ymlaen llaw gan gadeirydd pwyllgor drosolygu a chraffu perthnasol (a ddiffinnir yn rheoliad 5(3)), neu, o dan amgylchiadau penodedig, cytundeb ysgrifenedig ymlaen llaw gan gadeirydd neu is-gadeirydd yr awdurdod y gall y dyfarniad gael ei wneud gan weithrediaeth yr awdurdod. Mae rheoliad 5(4) yn ei gwneud yn ofynnol i'r unigolyn neu'r corff y gwneir y dyfarniad ganddo gyflwyno adroddiad i'r awdurdod ar y camau a gymerwyd.

Regulation 5(1) and schedule 4 specify the circumstances in which certain functions, which would otherwise be the responsibility of an authority's executive, are not to be the responsibility of such an executive. The circumstances are listed in column (2) of Schedule 4, and the functions to which they relate are listed in column (1). An exception is provided in regulation 5(2) for certain determinations which need to be made as a matter of urgency. In those cases, the determination can be made by the authority's executive only with the prior written agreement of a chairman of a relevant overview and scrutiny committee (defined in regulation 5(3)) or, in specified circumstances, of the chairman or vice-chairman of the authority. Regulation 5(4) requires the individual or body by whom the determination is made to submit a report to the authority of the action taken.

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**Rheoliadau Trefniadau
Gweithrediaeth Awdurdodau Lleol
(Swyddogaethau a Chyfrifoldebau)
(Cymru) 2001**

**The Local Authorities Executive
Arrangements (Functions and
Responsibilities) (Wales)
Regulations 2001**

Wedi'u gwneud *21 Mehefin 2001*
Yn dod i rym *28 Gorffennaf 2001*

Made *21st June 2001*
Coming into force *28th July 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 13, 105 a 106 o Ddeddf Llywodraeth Leol 2000(a).

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by sections 13, 105 and 106 of the Local Government Act 2000(a).

Enwi, cychwyn, cymhwyso a dehongli

Name, commencement, application and interpretation

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Trefniadau Gweithrediaeth Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001 a deuant i rym ar 28 Gorffennaf 2001.

1.-(1) These Regulations are called the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 and shall come into force on 28th July 2001.

(2) Mae'r Rheoliadau hyn yn gymwys i awdurdodau lleol yng Nghymru.

(2) These Regulations apply to local authorities in Wales.

(3) Yn y Rheoliadau hyn -

(3) In these Regulations -

ystyr "Deddf 1972" ("*the 1972 Act*") yw Deddf Llywodraeth Leol 1972(b);

"the 1972 Act" ("*Deddf 1972*") means the Local Government Act 1972(b);

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998(c);

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998(c);

ystyr "Rheoliadau 1990" ("*the 1990 Regulations*") yw Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990(ch).

"the 1990 Regulations" ("*Rheoliadau 1990*") means the Local Government (Committees and Political Groups) Regulations 1990 (d).

(a) 2000 p.22.

(b) 1972 p.70.

(c) 1998 p.31.

(ch) O.S. 1990/1553. Diwygiwyd rheoliad 4 gan O.S. 1998/1918.

(a) 2000 c.22.

(b) 1972. c.70.

(c) 1998 c.31.

(d) S.I. 1990/1553. Regulation 4 was amended by S.I. 1998/1918.

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod

2.-(1) Nid yw'r swyddogaethau a bennir yng ngholofn (1) o Atodlen 1 i'r Rheoliadau hyn drwy gyfeirio at y deddfiadau a bennir mewn perthynas â'r swyddogaethau hynny yng ngholofn (2) i fod yn gyfrifoldeb i weithrediaeth awdurdod.

(2) Nid yw swyddogaethau -

- (a) gosod unrhyw amod, terfyn neu gyfyngiad arall ar gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir -
 - (i) wrth arfer swyddogaeth a bennir yng ngholofn (1) o Atodlen 1; neu
 - (ii) heblaw am weithrediaeth i'r awdurdod, wrth arfer unrhyw swyddogaeth o dan Ddeddf leol; a
- (b) penderfynu ar unrhyw delerau eraill y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad o'r fath, yn ddarostyngedig iddynt,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(3) Nid yw swyddogaeth penderfynu a ddylid cymryd camau gorfodi, ac ym mha fodd y dylid eu gorfodi -

- (a) yn erbyn unrhyw fethiant i gydymffurfio â chymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir fel y'i crybwyllir ym mharagraff (2)(a);
- (b) yn erbyn unrhyw fethiant i gydymffurfio ag amod, cyfyngiad, teler y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad o'r fath yn ddarostyngedig iddynt, neu
- (c) yn erbyn unrhyw doriad arall mewn perthynas â mater na fyddai'r swyddogaeth o benderfynu ar gais am gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad yn gyfrifoldeb i weithrediaeth i'r awdurdod mewn perthynas ag ef,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(4) Nid yw swyddogaeth -

- (a) diwygio, addasu neu amrywio unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a grybwyllir ym mharagraff (2), nac unrhyw amod, terfyn, cyfyngiad neu deler y mae'n ddarostyngedig iddynt; neu
- (b) diddymu unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

Functions not to be the responsibility of an authority's executive

2.-(1) The functions specified in column (1) of Schedule 1 to these Regulations by reference to the enactments specified in relation to those functions in column (2) are not to be the responsibility of an executive of an authority.

(2) The functions of -

- (a) imposing any condition, limitation or other restriction on an approval, consent, licence, permission or registration granted -
 - (i) in the exercise of a function specified in column (1) of Schedule 1; or
 - (ii) otherwise than by an executive of the authority, in the exercise of any function under a local Act; and
- (b) determining any other terms to which any such approval, consent, licence, permission or registration is subject,

are not to be the responsibility of an executive of the authority.

(3) The function of determining whether, and in what manner, to enforce-

- (a) any failure to comply with an approval, consent, licence, permission or registration granted as mentioned in paragraph (2)(a);
- (b) any failure to comply with a condition, limitation, term to which any such approval, consent, licence, permission or registration is subject, or
- (c) any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of an executive of the authority,

is not to be the responsibility of an executive of the authority.

(4) The function of -

- (a) amending, modifying or varying any such approval, consent, licence, permission or registration as mentioned in paragraph (2), or any condition, limitation, restriction or term to which it is subject; or
- (b) revoking any such approval, consent, licence, permission or registration,

is not to be the responsibility of an executive of the authority.

(5) Nid yw swyddogaeth gwneud unrhyw gynllun a awdurdodir neu a fynir gan reoliadau o dan adran 18 (cynlluniau ar gyfer lwfansau sylfaenol, lwfansau presenoldeb a lwfansau cyfrifoldeb arbennig i aelodau awdurdodau lleol) o Ddeddf Llywodraeth Leol a Thai 1989(a), neu swyddogaeth diwygio, diddymu neu ddisodli unrhyw gynllun o'r fath, i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(6) Nid yw swyddogaethau penderfynu -

(a) swm unrhyw lwfans sy'n daladwy -

- (i) o dan is-adran (5) o adran 3 (treuliau cadeirydd) o Ddeddf 1972;
- (ii) o dan is-adran (4) o adran 5 (treuliau is-gadeirydd) o'r Ddeddf honno;
- (iii) o dan is-adran (4) o adran 173 (lwfans colled ariannol) o'r Ddeddf honno(b);
- (iv) o dan adran 175 (lwfansau ar gyfer mynychu cynadleddau a chyfarfodydd) o'r Ddeddf honno;

(b) yn ôl pa gyfraddau y mae taliadau i gael eu gwneud o dan adran 174 (lwfansau teithio a lwfansau cynhaliadau) o'r Ddeddf honno;

(c) swm unrhyw lwfans sy'n daladwy yn unol â chynllun o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989, neu yn ôl pa gyfraddau y mae taliadau ar gyfer unrhyw lwfans o'r fath i gael eu gwneud;

(ch) a ddylid codi tâl am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestrriad nad yw eu rhoi yn gyfrifoldeb i weithrediaeth i'r awdurdod; a

(d) pan gaiff tâl ei godi am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestrriad o'r fath, swm y tâl,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(7) Ni fydd adran 101 (trefniadau ar gyfer cyflawni swyddogaethau gan awdurdodau lleol) o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni unrhyw swyddogaeth a grybwyllir ym mharagraff (5) neu (6)(a) i (c).

(8) Yn ddarostyngedig i unrhyw ddarpariaeth mewn rheoliadau o dan adran 20 (gweithredu swyddogaethau ar y cyd) o Ddeddf Llywodraeth Leol 2000, nid yw swyddogaeth -

(a) gwneud trefniadau ar gyfer cyflawni swyddogaethau gan bwyllgor neu swyddog o dan adran 101(5) o Ddeddf 1972, a

(5) The function of making any scheme authorised or required by regulations under section 18 (schemes for basic, attendance and special responsibility allowances for local authority members) of the Local Government and Housing Act 1989(a), or of amending, revoking or replacing any such scheme, is not to be the responsibility of an executive of the authority.

(6) The functions of determining -

(a) the amount of any allowance payable under -

- (i) subsection (5) of section 3 (chairman's expenses) of the 1972 Act;
- (ii) subsection (4) of section 5 (vice-chairman's expenses) of that Act;
- (iii) subsection (4) of section 173 (financial loss allowance) of that Act(b);
- (iv) section 175 (allowances for attending conferences and meetings) of that Act;

(b) the rates at which payments are to be made under section 174 (travelling and subsistence allowances) of that Act;

(c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989, or the rates at which payments by way of any such allowance are to be made;

(d) whether a charge should be made for any approval, consent, licence, permit or registration the issue of which is not the responsibility of an executive of the authority; and

(e) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge,

are not to be the responsibility of an executive of the authority.

(7) Section 101 (arrangements for discharge of functions by local authorities) of the 1972 Act shall not apply with respect to the discharge of any function mentioned in paragraph (5) or (6)(a) to (c).

(8) Subject to any provision of regulations under section 20 (joint exercise of functions) of the Local Government Act 2000, the function of -

(a) making arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act, and

(a) 1989 p.42. Diwygiwyd adran 18 gan adran 99(3) i (9) o Ddeddf Llywodraeth Leol 2000.

(b) Diwygiwyd adran 173(4) gan Ddeddf Llywodraeth Leol a Thai 1989 (p.42), Atodlen 11, paragraff 26. Gwnaed eithriad perthnasol gan erthygl 3(2) o Orchymyn Deddf Llywodraeth Leol a Thai 1989 (Cychwyn Rhif 11 ac Eithriadau) 1991 (OS 1991/344).

(a) 1989 c.42. Section 18 is amended by section 99(3) to (9) of the Local Government Act 2000.

(b) Section 173(4) was amended by the Local Government and Housing Act 1989 (c.42), Schedule 11, paragraph 26. A relevant saving was made by article 3(2) of the Local Government and Housing Act 1989 (Commencement No.11 and Savings) Order 1991 (SI. 1991/344).

(b) gwneud penodiadau o dan adran 102 (penodi pwyllgorau) o Ddeddf 1972,

i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(9) Oni ddarperir fel arall gan unrhyw ddarpariaeth arall yn y Rheoliadau hyn, nid yw swyddogaeth awdurdod lleol a all, yn rhinwedd unrhyw ddeddfiad (a basiwyd neu a wnaed cyn i'r Rheoliadau hyn gael eu gwneud) gael ei gyflawni gan awdurdod yn unig, i fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(10) Ym mharagraffau (1) a (9), mae "deddfiad" yn cynnwys deddfiad a gynhwysir mewn Deddf leol neu mewn is-ddeddfwriaeth.

Swyddogaethau a all fod yn gyfrifoldeb i weithrediaeth awdurdod

3.-(1) Fe all y swyddogaethau a bennir yn Atodlen 2 fod yn gyfrifoldeb i weithrediaeth i'r awdurdod (ond nid oes angen iddynt fod felly).

(2) Ni fydd dim yn y Rheoliadau hyn yn atal awdurdod lleol rhag cyflawni'r swyddogaethau hynny a ddirprwyir i weithrediaeth o'r awdurdod.

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod yn unig

4.-(1) Mewn cysylltiad â chyflawni swyddogaeth -

- (a) llunio neu baratoi plan, cynllun neu strategaeth, o ddisgrifiad a bennir yn ngholofn (1) o Atodlen 3 i'r Rheoliadau hyn;
- (b) llunio cynllun neu strategaeth ar gyfer rheoli benthyciadau neu wariant cyfalaf yr awdurdod; neu
- (c) llunio neu baratoi unrhyw blân, cynllun neu strategaeth arall y mae eu mabwysiadu neu eu cymeradwyo, yn rhinwedd rheoliad 5(1), yn fater i'r awdurdod benderfynu arno,

rhaid i'r camau a ddynodir gan baragraff (3) ("camau paragraff (3)") beidio â bod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(2) Ac eithrio camau paragraff (3), rhaid i unrhyw swyddogaeth o fath a grybwyllir ym mharagraff (1) fod yn gyfrifoldeb i weithrediaeth o'r fath.

- (3) Dyma'r camau a ddynodir gan y paragraff hwn -
- (a) rhoi cyfarwyddiadau sy'n ei gwneud yn ofynnol i'r weithrediaeth ailystyried unrhyw blân, cynllun neu strategaeth ddrafft a gyflwynir gan y weithrediaeth i'r awdurdod i gael eu hystyried;
 - (b) diwygio unrhyw blân, cynllun neu strategaeth ddrafft a gyflwynir gan y weithrediaeth i'r awdurdod i gael eu hystyried;
 - (c) cymeradwyo unrhyw blân, cynllun neu

(b) making appointments under section 102 (appointment of committees) of the 1972 Act,

is not to be the responsibility of an executive of the authority.

(9) Unless otherwise provided by any other provision of these Regulations, a function of a local authority which, by virtue of any enactment (passed or made before the making of these Regulations) may be discharged only by an authority, is not to be the responsibility of an executive of the authority.

(10) In paragraphs (1) and (9), "enactment" includes an enactment contained in a local Act or comprised in subordinate legislation.

Functions which may be the responsibility of an authority's executive

3.-(1) The functions specified in Schedule 2 may be (but need not be) the responsibility of an executive of the authority.

(2) Nothing in these Regulations shall prevent a local authority from exercising those functions delegated to an executive of the authority.

Functions not to be the sole responsibility of an authority's executive

4.-(1) In connection with the discharge of the function -

- (a) of formulating or preparing a plan, scheme or strategy, of a description specified in column (1) of Schedule 3 to these Regulations;
- (b) of formulating a plan or strategy for the control of the authority's borrowing or capital expenditure; or
- (c) of formulating or preparing any other plan, scheme or strategy whose adoption or approval is, by virtue of regulation 5(1), a matter for determination by the authority,

the actions designated by paragraph (3) ("the paragraph (3) actions") shall not be the responsibility of an executive of the authority.

(2) Except to the extent of the paragraph (3) actions, any such function as is mentioned in paragraph (1) shall be the responsibility of such an executive.

- (3) The actions designated by this paragraph are -
- (a) the giving of instructions requiring the executive to reconsider any draft plan, scheme or strategy submitted by the executive for the authority's consideration;
 - (b) the amendment of any draft plan, scheme or strategy submitted by the executive for the authority's consideration;
 - (c) the approval, for the purpose of its submission

strategaeth (boed ar ffurf drafft neu beidio) er mwyn eu cyflwyno i'r Cynulliad Cenedlaethol neu unrhyw un o Weinidogion y Goron, sef cynllun neu strategaeth y mae'n ofynnol i unrhyw ran ohonynt gael ei chyflwyno felly;

(ch) mabwysiadu'r plan, y cynllun neu'r strategaeth (gydag addasiadau neu hebddynt).

(4) O ran swyddogaeth diwygio, addasu, amrywio neu ddiddymu unrhyw blun, cynllun neu strategaeth o ddisgrifiad y cyfeirir ato ym mharagraff (1), (boed wedi'u cymeradwyo neu wedi'u mabwysiadu, cyn neu ar ôl i'r Rheoliadau hyn ddod i rym) -

(a) rhaid iddi fod yn gyfrifoldeb i weithrediaeth i'r awdurdod i'r graddau y mae gwneud y diwygio, yr addasu, yr amrywio neu'r diddymu -

(i) yn ofynnol er mwyn rhoi eu heffaith i ofynion y Cynulliad Cenedlaethol neu un o Weinidogion y Goron mewn perthynas â phlan, cynllun neu strategaeth a gyflwynir i gael eu cymeradwyo, neu ag unrhyw ran a gyflwynir felly; neu

(ii) wedi'u hawdurdodi gan ddyfarniad a wnaed gan yr awdurdod wrth wneud y trefniadau ar gyfer cymeradwyo neu fabwysiadu'r plan, y cynllun neu'r strategaeth, yn ôl fel y digwydd; a

(b) rhaid iddi beidio â bod yn gyfrifoldeb i weithrediaeth o'r fath i unrhyw raddau eraill.

(5) Ac eithrio i'r graddau a grybwyllir ym mharagraff (6), rhaid i swyddogaeth gwneud cais -

(a) o dan is-adran (5) o adran 135 (rhaglenni ar gyfer gwaredu) o Ddeddf Diwygio Lesddaliad, Tai a Datblygu Trefol 1993(a); neu

(b) o dan adran 32 (pŵer i waredu tir a ddelir at ddibenion Rhan II) neu adran 43 (cydsyniad sy'n angenrheidiol ar gyfer rhai gwarediadau nad ydynt o fewn adran 32) o Ddeddf Tai 1985(b),

fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(6) Awdurdodi gwneud y cais yw'r graddau a grybwyllir yn y paragraff hwn.

(7) Rhaid i swyddogaeth gwneud cais o fath y cyfeirir ato ym mharagraff (5), i'r graddau a grybwyllir ym mharagraff (6), beidio â bod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(8) Ni fydd adran 101 o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni -

(a) swyddogaeth a bennir ym mharagraff (1) i'r

to the National Assembly or any Minister of the Crown for approval, of any plan, scheme or strategy (whether or not in the form of a draft) of which any part is required to be so submitted;

(d) the adoption (with or without modification) of the plan, scheme or strategy).

(4) The function of amending, modifying, varying or revoking any plan, scheme or strategy of a description referred to in paragraph (1), (whether approved or adopted, before or after the coming into force of these Regulations) -

(a) shall be the responsibility of an executive of the authority to the extent that the making of the amendment modification variation or revocation -

(i) is required for giving effect to requirements of the National Assembly or a Minister of the Crown in relation to a plan, scheme or strategy submitted for approval, or to any part so submitted; or

(ii) is authorised by a determination made by the authority when making the arrangements or approving or adopting the plan, scheme or strategy, as the case may be; and

(b) shall not be the responsibility of such an executive to any other extent.

(5) Except to the extent mentioned in paragraph (6), the function of making an application -

(a) under subsection (5) of section 135 (programmes for disposals) of the Leasehold Reform, Housing and Urban Development Act 1993(a); or

(b) under section 32 (power to dispose of land held for the purposes of Part II) or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985(b),

shall be the responsibility of an executive of the authority.

(6) The extent mentioned in this paragraph is the authorisation of the making of the application.

(7) The function of making such an application as is referred to in paragraph (5), to the extent mentioned in paragraph (6), shall not be the responsibility of an executive of the authority.

(8) Section 101 of the 1972 Act shall not apply with respect to the discharge -

(a) of a function specified in paragraph (1) to the

(a) 1993 p.28, y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) 1985 p.68. Gwnaed diwygiadau perthnasol, yn is-adran (3) o adran 32 ac is-adran (1)(a) o adran 43, gan baragraff 3(a), (d) ac (e) o'r Atodlen i O.S. 1997/74.

(a) 1993 c.28, to which there are amendments not relevant to these Regulations.

(b) 1985 c.68. Relevant amendments, in subsection (3) of section 32 and subsection (1)(a) of section 43, were made by paragraph 3(a), (d) and (e) of the Schedule to SI 1997/74.

graddau nad yw'n gyfrifoldeb i weithrediaeth i'r awdurdod yn rhinwedd y paragraff hwnnw;

- (b) y swyddogaethau a bennir ym mharagraffau (4) a (5) i'r graddau nad ydynt yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(9) Mewn cysylltiad â chyflawni swyddogaeth -

- (a) cyfrifo yn unol ag unrhyw un o adrannau 32 i 37, 43 i 49, 52I, 52J, 52T a 52U o Ddeddf Cyllid Llywodraeth Leol 1992(a) neu unrhyw un o adrannau 43 i 51 neu adran 61 o'r Ddeddf honno, naill ai drwy'r adran wreiddiol neu drwy gyfrwng adran amnewid; neu

- (b) rhoi praesept o dan Bennod IV o'r Rhan honno,

rhaidd i'r camau a ddynodir gan baragraff (11) ("camau paragraff (11)") fod yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(10) Ac eithrio camau paragraff (11), rhaid i unrhyw swyddogaeth o fath a grybwyllir ym mharagraff (9) beidio â bod yn gyfrifoldeb i weithrediaeth o'r fath i'r awdurdod.

(11) Dyma'r camau a ddynodir gan y paragraff hwn -

- (a) paratoi'r canlynol i'w cyflwyno i'r awdurdod i gael eu hystyried-
 - (i) amcangyfrifon o'r symiau sydd i'w hagregu wrth gyfrifo neu amcangyfrifon o symiau eraill sydd i'w defnyddio at ddibenion y cyfrifo;
 - (ii) y symiau y mae'n ofynnol eu datgan yn y praesept;
- (b) ailystyried yr amcangyfrifon a'r symiau hynny yn unol â gofynion yr awdurdod;
- (c) cyflwyno amcangyfrifon a symiau diwygiedig i'r awdurdod i gael eu hystyried.

Cyflawni swyddogaethau gweithrediaeth gan awdurdodau

5.-(1) Yn ddarostyngedig i baragraff (2), rhaid i swyddogaeth o unrhyw un o'r disgrifiadau a bennir yng ngholofn (1) o Atodlen 4 (a allai, heblaw am y paragraff hwn, fod yn gyfrifoldeb i weithrediaeth i'r awdurdod), beidio â bod yn gyfrifoldeb i weithrediaeth o'r fath o dan yr amgylchiadau a bennir yng ngholofn (2) mewn perthynas â'r swyddogaeth honno.

(2) Ni fydd paragraff (1) yn gymwys mewn perthynas â chyflawni swyddogaeth o'r disgrifiad a bennir ym mharagraff 3 o golofn (1) o Atodlen 4 -

- (a) os yw'n rhesymol edrych ar yr amgylchiadau sy'n golygu bod angen gwneud y dyfarniad fel amgylchiadau brys; a

extent that, by virtue of that paragraph, it is not the responsibility of an executive of the authority;

- (b) of the functions specified in paragraphs (4) and (5) to the extent that they are not the responsibility of an executive of the authority.

(9) In connection with the discharge of the function of -

- (a) making a calculation in accordance with any of sections 32 to 37, 43 to 49, 52I, 52J, 52T and 52U of the Local Government Finance Act 1992(a) or any of sections 43 to 51 or section 61 of that Act, whether originally or by way of substitute; or

- (b) issuing a precept under Chapter IV of that Part,

the actions designated by paragraph (11) ("the paragraph (11) actions") shall be the responsibility of an executive of the authority.

(10) Except to the extent of the paragraph (11) actions, any such function as is mentioned in paragraph (9) shall not be the responsibility of such an executive of the authority.

(11) The actions designated by this paragraph are -

- (a) the preparation, for submission to the authority for their consideration, of -
 - (i) estimates of the amounts to be aggregated in making the calculation or of other amounts to be used for the purposes of the calculation;
 - (ii) the amounts required to be stated in the precept;
- (b) the reconsideration of those estimates and amounts in accordance with the authority's requirements;
- (c) the submission for the authority's consideration of revised estimates and amounts.

Discharge of executive functions by authorities

5.-(1) Subject to paragraph (2), a function of any of the descriptions specified in column (1) of Schedule 4 (which, but for this paragraph, might be the responsibility of an executive of the authority), shall not be the responsibility of such an executive in the circumstances specified in column (2) in relation to that function.

(2) Paragraph (1) shall not apply in relation to the discharge of a function of the description specified in paragraph 3 of column (1) of Schedule 4 where -

- (a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and

(a) 1992 p.14; mewnosodwyd adrannau 52I, 52J, 52T a 52U gan Ddeddf Llywodraeth Leol 1999 (p.27) Atodlen 1, paragraff 1.

(a) 1992 c.14; sections 52I, 52J, 52T and 52U were inserted by the Local Government Act 1999 (c.27) Schedule 1, paragraph 1.

(b) os yw'r unigolyn neu'r corff y gwneir y dyfarniad ganddo wedi sicrhau datganiad mewn ysgrifed gan gadeirydd pwyllgor trosolygu a chraffu perthnasol neu, os nad oes person o'r fath, neu os yw cadeirydd pob pwyllgor trosolygu a chraffu perthnasol yn methu gweithredu neu'n anfodlon gweithredu, gan gadeirydd yr awdurdod neu, yn absenoldeb y person hwnnw, gan yr is-gadeirydd fod angen i'r dyfarniad gael ei wneud ar frys.

(3) Ym mharagraff (2) ystyr "pwyllgor trosolygu a chraffu perthnasol" yw pwyllgor trosolygu a chraffu i'r awdurdod o dan sylw y mae ei gylch gwaith yn cynnwys y pŵer i adolygu neu i graffu ar benderfyniadau neu gamau eraill a gymerwyd wrth gyflawni'r swyddogaeth y mae'r dyfarniad yn ymwneud â hi.

(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r dyfarniad gael ei wneud, rhaid i'r unigolyn neu'r corff y gwneir dyfarniad ganddo yn unol â pharagraff (2) gyflwyno adroddiad i'r awdurdod y mae'n rhaid iddo gynnwys manylion -

- (a) y dyfarniad;
- (b) yr argyfwng neu'r amgylchiadau eraill y cafodd ei wneud odanynt; ac
- (c) y rhesymau dros y dyfarniad.

(5) Ni fydd adran 101 o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni swyddogaeth y cyfeirir ati ym mharagraff (1) nad yw, yn rhinwedd y paragraff hwnnw, yn gyfrifoldeb i weithrediaeth i'r awdurdod.

(b) the individual or body by whom the determination is to be made has obtained from the chairman of a relevant overview and scrutiny committee or, if there is no such person, or if the chairman of every relevant overview and scrutiny committee is unable or unwilling to act, from the chairman of the authority or, in that person's absence, from the vice-chairman, a statement in writing that the determination needs to be made as a matter of urgency.

(3) In paragraph (2) "relevant overview and scrutiny committee" means an overview and scrutiny committee of the authority concerned whose terms of reference include the power to review or scrutinise decisions or other action taken in the discharge of the function to which the determination relates.

(4) The individual or body by whom a determination is made pursuant to paragraph (2) shall, as soon as reasonably practicable after the making of the determination, submit to the authority a report which shall include particulars of -

- (a) the determination;
- (b) the emergency or other circumstances in which it was made; and
- (c) the reasons for the determination.

(5) Section 101 of the 1972 Act shall not apply with respect to the discharge of a function referred to in paragraph (1) which, by virtue of that paragraph, is not the responsibility of an executive of the authority.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

21 Mehefin 2001

21st June 2001

D. Elis -Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

SWYDDOGAETHAU NAD YDYNT I FOD YN GYFRIFOLDEB I WEITHREDIAETH AWDURDOD

(1)	(2)
<i>Y Swyddogaeth</i>	<i>Y Ddarpariaeth mewn Deddf neu Offeryn Statudol</i>
A. Swyddogaethau sy'n ymwneud â chynllunio wlad a thref a rheoli datblygu	
1. Y pŵer i benderfynu ar gais am ganiatâd cynllunio.	Adrannau 70(1)(a) a (b) a 72 o Ddeddf Cynllunio . Gwlad a Thref 1990 (p.8)(a)
2. Y pŵer i benderfynu ar geisiadau am ddatblygu tir heb gydymffurfio ag amodau a osodwyd o'r blaen.	Adran 73 o Ddeddf Cynllunio Gwlad a Thref 1990.
3. Y pŵer i roi caniatâd cynllunio ar gyfer datblygiad sydd eisoes wedi'i gyflawni.	Adran 73A o Ddeddf Cynllunio Gwlad a Thref 1990(b).
4. Y pŵer i wrthod penderfynu ar gais am ganiatâd cynllunio.	Adran 70A o Ddeddf Cynllunio Gwlad a Thref 1990(c).
5. Dyletswyddau sy'n ymwneud â gwneud penderfyniadau ar geisiadau cynllunio.	Adrannau 69, 76 a 92 o Ddeddf Cynllunio Gwlad a Thref 1990 ac Erthyglau 8, 10 i 13, 15 i 22 a 25 a 26 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Ddatblygu Gyffredinol) 1995 (O.S. 1995/419) a chyfarwyddiadau a wneir odanynt.
6. Y pŵer i benderfynu ar gais am ganiatâd cynllunio a wneir gan awdurdod lleol, ar ei ben ei hun neu ar y cyd â pherson arall.	Adran 316 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cyffredinol Cynllunio Gwlad a Thref 1992 (O.S. 1992/1492)(ch).
7. Y pŵer i wneud penderfyniadau, i roi cymeradwyaethau ac i gytuno ar faterion penodol eraill sy'n ymwneud ag arfer hawliau datblygu a ganiateir.	Rhannau 6, 7, 11, 17, 19, 20, 21 i 24, 30 a 31 o Atodlen 2 i Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995 (O.S. 1995/418).
8. Y pŵer i wneud cytundeb sy'n rheoleiddio datblygu tir neu ddefnyddio tir.	Adran 106 o Ddeddf Cynllunio Gwlad a Thref 1990.
9. Y pŵer i roi tystysgrif o ddefnydd neu ddatblygiad cyfreithlon presennol neu arfaethedig.	Adrannau 191(4) a 192(2) o Ddeddf Cynllunio Gwlad a Thref 1990(d).
10. Y pŵer i gyflwyno hysbysiad cwblhau.	Adran 94(2) o Ddeddf Cynllunio Gwlad a Thref 1990.
11. Y pŵer i roi cydsyniad i arddangos hysbysebion.	Adran 220 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cynllunio Gwlad a Thref (Rheoli Hysbysebion) 1992(dd).
12. Y pŵer i awdurdodi mynd ar dir.	Adran 196A o Ddeddf Cynllunio Gwlad a Thref 1990(e).
13. Y pŵer i'w gwneud yn ofynnol rhoi'r gorau i ddefnyddio tir.	Adran 102 o Ddeddf Cynllunio Gwlad a Thref 1990.

(a) Adran 70(1)(a) a (b) o Ddeddf Cynllunio Gwlad a Thref 1990 (p.8).

(b) Mewnosodwyd adran 73A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34), Atodlen 7, paragraff 8.

(c) Mewnosodwyd adran 70A gan Ddeddf Cynllunio ac Iawndal 1991, adran 17.

(ch) Amnewidiwyd adran 316 gan adran 20 o Ddeddf Cynllunio ac Iawndal 1991. Yr offerynnau diwygio perthnasol yw O.S. 1992/1982 a 1998/2800.

(d) Amnewidiwyd adrannau 191 a 192 gan adran 10 o Ddeddf Cynllunio ac Iawndal 1991.

(dd) O.S. 1992/666, y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(e) Mewnosodwyd adran 196A gan adran 11 o Ddeddf Cynllunio ac Iawndal 1991. I gael yr amgylchiadau y gall yr hawl gael ei harfer odanynt, gweler adrannau 196A i 196C o Ddeddf Cynllunio Gwlad a Thref 1990.

14. Y pŵer i gyflwyno hysbysiad torri rheolau cynllunio, hysbysiad torri amod neu hysbysiad stop.	Adrannau 171C, 187A a 183(1) o Ddeddf Cynllunio Gwlad a Thref 1990(a).
15. Y pŵer i roi hysbysiad gorfodi.	Adran 172 o Ddeddf Cynllunio Gwlad a Thref 1990(b).
16. Y pŵer i wneud cais am waharddeb i atal torri rheoli cynllunio.	Adran 187B o Ddeddf Cynllunio Gwlad a Thref 1990(c).
17. Y pŵer i benderfynu ar geisiadau am gydsyniad sylweddau peryglus, a phwerau cysylltiedig.	Adrannau 9(1) a 10 o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 (p. 10).
18. Y ddyletswydd i benderfynu ar amodau y mae hen ganiatadau mwyngloddio, caniatadau cynllunio perthnasol sy'n ymwneud â safleoedd cwsg neu safleoedd gweithredol Rhan I neu II, neu ganiatadau mwynol sy'n ymwneud â safleoedd mwyngloddio, yn ôl fel y digwydd, i fod yn ddarostyngedig iddynt.	Paragraff 2(6)(a) o Atodlen 2 i Ddeddf Cynllunio ac Iawndal 1991, paragraff 9(6) o Atodlen 13 i Ddeddf yr Amgylchedd 1995 (p. 25) a pharagraff 6(5) o Atodlen 14 i'r Ddeddf honno.
19. Y pŵer i'w gwneud yn ofynnol bod tir yn cael ei gynnal yn iawn.	Adran 215(1) o Ddeddf Cynllunio Gwlad a Thref 1990.
20. Y pŵer i benderfynu ar gais am gydsyniad adeilad rhestredig, a phwerau cysylltiedig.	Adrannau 16(1) a (2), 17, 27(2) a 33(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Adeiladau mewn Ardaloedd Cadwraeth) 1990 (p.9).
21. Y pŵer i benderfynu ar geisiadau am gydsyniad ardal gadwraeth.	Adran 16(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990, fel y'i cymhwysir gan adran 74(3) o'r Ddeddf honno(ch).
22. Dyletswyddau sy'n ymwneud â cheisiadau am gydsyniad adeilad rhestredig a chydsyniad ardal gadwraeth.	Adrannau 13(1) a 14(1) a (4) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 a rheoliadau 3 i 6 ac 13 o Reoliadau Cynllunio Gwlad a Thref (Adeiladau Rhestredig ac Adeiladau mewn Ardaloedd Cadwraeth) 1990 a pharagraff 127 o Gylchlythyr y Swyddfa Gymreig 61/96 Cynllunio a'r Amgylchedd Hanesyddol; Adeiladau Hanesyddol ac Ardaloedd Cadwraeth.
23. Y pŵer i gyflwyno hysbysiad cadw adeilad, a phwerau cysylltiedig.	Adrannau 3(1) a 4(1) Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
24. Y pŵer i roi hysbysiad gorfodi mewn perthynas â dymchwel adeilad sydd heb ei restru mewn ardal gadwraeth.	Adran 38 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
25. Pwerau i gaffael adeilad rhestredig y mae angen ei drwsio a chyflwyno hysbysiad trwsio.	Adrannau 47 a 48 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
26. Y pŵer i wneud cais am waharddeb mewn perthynas ag adeilad rhestredig.	Adran 44A o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(d).
27. Y pŵer i wneud gwaith brys.	Adran 54 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.

(a) Mewnosodwyd adrannau 171C a 187A gan adrannau 1 a 2 o Ddeddf Cynllunio ac Iawndal 1991. Amnewidiwyd is-adrannau (1) i (5A) o adran 183 gan adran 9 o Ddeddf Cynllunio Gwlad ac Iawndal 1991.

(b) Amnewidiwyd adran 172 gan adran 5 o Ddeddf Cynllunio ac Iawndal 1991.

(c) Mewnosodwyd adran 187B gan adran 3 o Ddeddf Cynllunio ac Iawndal 1991.

(ch) Gweler hefyd Reoliadau Cynllunio Gwlad a Thref (Adeiladau Rhestredig ac Adeiladau mewn Ardaloedd Cadwraeth) 1990 (O.S. 1990/1519), y ceir diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

(d) Mewnosodwyd adran 44A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34) Atodlen 3, paragraff 7.

28. Pŵer yn gysylltiedig â gweithio mwynau.	Atodlen 9 i Ddeddf Cynllunio Gwlad a Thref 1990.
29. Pŵer yn gysylltiedig â llwybrau troed a llwybrau ceffylau.	Adran 257 o Ddeddf Cynllunio Gwlad a Thref 1990.
30. Pŵer ynghylch tystysgrifo datblygiadau amgen priodol.	Adran 117 o Ddeddf Iawndal Tir 1961 (p.33).
31. Y pŵer i gyflwyno gorchmynion prynu.	Adrannau 137-144 o Ddeddf Cynllunio Gwlad a Thref 1990.
32. Pwerau yn gysylltiedig â gorchmynion malltod.	Adrannau 149-171 o Ddeddf Cynllunio Gwlad a Thref 1990.
33. Y pŵer i awdurdodi codi camfeydd etc ar lwybrau troed neu lwybrau ceffylau.	Adran 147 o Ddeddf Priffyrdd 1980 (p.66).
B. Swyddogaethau trwyddedu a chofrestru (i'r graddau nad oes unrhyw baragraff arall yn yr Atodlen hon yn ymdrin â hwy)	
1. Y pŵer i roi trwyddedau sy'n awdurdodi defnyddio tir yn safle carafanau ("trwyddedau safle").	Adran 3(3) o Ddeddf Safleoedd Carafanau a Rheoli Datblygu 1960 (p. 62).
2. Y pŵer i drwyddedu defnyddio anheddau symudadwy a safleoedd gwersylla.	Adran 269(1) o Ddeddf Iechyd y Cyhoedd 1936 (p.49).
3. Y pŵer i drwyddedu cerbydau hacni a cherbydau hurio preifat.	(a) o ran cerbydau hacni, Deddf Cymalau Heddluoedd Tref 1847 (10 & 11 Vict. p.89), fel y'i hestynnwyd gan adran 171 o Ddeddf Iechyd y Cyhoedd 1875 (38 & 39 Vict. p.55), ac adran 15 o Ddeddf Trafnidiaeth 1985 (p.67); ac adrannau 47, 57, 58, 60 a 79 o Ddeddf Llywodraeth Lleol (Darpariaethau Amrywiol) 1976 (p.57); (b) o ran hurio preifat, adrannau 48, 57, 68, 60 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.
4. Y pŵer i drwyddedu gyrrwyr cerbydau hacni a cherbydau hurio preifat.	Adrannau 51, 53, 54, 59, 61 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.
5. Y pŵer i drwyddedu gweithredwyr cerbydau hacni a cherbydau hurio preifat.	Adrannau 55 i 58, 62 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.
6. Y pŵer i gofrestru hyrwyddwyr pyllau.	Atodlen 2 i Ddeddf Betio, Gamblo a Loteriau 1963 (p.2)(a).
7. Y pŵer i roi trwyddedau betio ar gyfer traciau.	Atodlen 3 i Ddeddf Betio, Gamblo a Loteriau 1963(b).
8. Y pŵer i drwyddedu cynlluniau betio ar gyfer traciau ar y cyd â'i gilydd.	Atodlen 5ZA i Ddeddf Betio, Gamblo a Loteriau 1963 (c).
9. Y pŵer i roi trwyddedau mewn perthynas â safleoedd sydd â pheiriannau chwarae.	Atodlen 9 i Ddeddf Gamblo 1968 (p. 65)(ch).
10. Y pŵer i gofrestru cymdeithasau sy'n dymuno hybu loteriau.	Atodlen 1 i Ddeddf Loteriau a Difyrion 1976 (p. 32)(d).
11. Y pŵer i roi trwyddedau mewn perthynas â safleoedd lle darperir difyrion â gwobrau.	Atodlen 3 i Ddeddf Betio, Gamblo a Loteriau 1976 (dd).

(a) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(c) Mewnosodwyd Atodlen 5ZA gan O.S. 1995/3231, erthygl 5(6).

(ch) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(d) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(dd) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

12. Y pŵer i roi trwyddedau sinema a thrwyddedau clybiau sinema.	Adran 1 o Ddeddf Sinemâu 1985 (p. 13).
13. Y pŵer i roi trwyddedau theatr.	Adrannau 12 i 14 o Ddeddf Theatrau 1968 (p. 54)(a).
14. Y pŵer i roi trwyddedau adloniant.	Adran 12 o Ddeddf Plant a Phersonau Ifanc 1933 (p. 12), adran 79 o Ddeddf Trwyddedu 1964 (p. 26), adrannau 1 i 5 a 7 o Ddeddf Lleoedd Adloniant Preifat (Trwyddedu) 1967 (p. 19) a Rhannau I a II o'r Atodlen iddi, a Rhan I o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p. 30) ac Atodlenni 1 a 2 iddi.
15. Y pŵer i drwyddedu siopau rhyw a sinemâu rhyw.	Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982, adran 2 ac Atodlen 3.
16. Y pŵer i drwyddedu perfformiadau hypnotiaeth.	Deddf Hypnotiaeth 1952 (p.46).
17. Y pŵer i drwyddedu safleoedd ar gyfer acwbigiadau, tatws, tyllu clustiau ac electrolysis.	Adrannau 13 i 17 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982.
18. Y pŵer i drwyddedu cychod pleser a llongau pleser.	Adran 94 o Ddeddf Diwygio Deddfau Iechyd y Cyhoedd 1907 (p. 53)(b).
19. Y pŵer i drwyddedu masnachu mewn marchnadoedd ac ar y stryd.	Rhan III o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 ac Atodlen 4 iddi.
20. Y pŵer i drwyddedu caffis nos a siopau prydau parod.	Adran 2 o Ddeddf Tai Lluniaeth Hwyr y Nos 1969 (p. 53)(c).
21. Y ddyletswydd i gadw rhestr o bersonau sydd â'r hawl i werthu gwenwynau nad ydynt yn feddyginiaeth.	Adrannau 3(1)(b)(ii), 5, 6 ac 11 o Ddeddf Gwenwynau 1972 (p. 66)(ch).
22. Y pŵer i drwyddedu delwyr helgig a lladd a gwerthu helgig.	Adrannau 5, 6, 17, 18 a 21 i 23 o Ddeddf Hela 1831 (p. 32); adrannau 2 i 16 o Ddeddf Trwyddedu Helgig 1860 (p. 90), adran 4 o Ddeddf Tollau Cartref a Chyllid y Wlad 1883 (p. 10), adrannau 12(3) a 27 o Ddeddf Llywodraeth Lleol 1874 (p. 73), ac adran 213 o Ddeddf Llywodraeth Leol 1972 (p. 70).
23. Y pŵer i gofrestru a thrwyddedu safleoedd ar gyfer paratoi bwyd.	Adran 19 o Ddeddf Diogelwch Bwyd 1990 (p. 16).
24. Y pŵer i drwyddedu iardiau sgrap.	Adran 1 o Ddeddf Delwyr Metel Sgrap 1964 (p.69).
25. Y pŵer i roi, diwygio neu amnewid tystysgrifau diogelwch (cyffredinol neu arbennig) ar gyfer meysydd chwaraeon.	Deddf Diogelwch Meysydd Chwaraeon 1975 (p. 52)(d).
26. Y pŵer i roi, dileu, diwygio neu amnewid tystysgrifau diogelwch ar gyfer eisteddleoedd rheoledig mewn meysydd chwaraeon.	Rhan III o Ddeddf Diogelwch Rhag Tân a Diogelwch Lleoedd Chwaraeon 1987 (p.27).
27. Y pŵer i roi trwyddedau tân.	Adran 5 o Ddeddf Rhagofalon Tân 1971 (p.40)
28. Y pŵer i drwyddedu safleoedd ar gyfer bridio cwn.	Adran 1 o Ddeddf Bridio Cwn 1973 (p. 60) ac adran 1 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999 (p. 11).

(a) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1972, adran 204(6) a Deddf Llywodraeth Leol, Cynllunio a Thir 1980, adran 1(6), Atodlen 6 paragraff 11 ac Atodlen 34, Rhan VI.

(b) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, (p.7), Atodlen 6, paragraff 1, adran 18 o Ddeddf Llywodraeth Leol, (Darpariaethau Amrywiol) 1976 (p.57) ac adran 186 o Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980 (p.65). Amnewidiwyd adran 94(8) gan Orchymyn Dadreoleiddio (Deddf Diwygio Deddfau Iechyd y Cyhoedd) 1997 (O.S. 1997/1187).

(c) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1972, adran 204(9).

(ch) Diwygiwyd adran 5 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 13(1).

(d) A ddiwygiwyd gan Ddeddf Diogelwch Tân a Diogelwch Lleoedd Chwaraeon 1987 (p.27). Gweler, yn benodol, Ran II o'r Ddeddf honno ac Atodlen 2 iddi.

29. Y pŵer i drwyddedu siopau anifeiliaid anwes a sefydliadau eraill lle caiff anifeiliaid eu bridio neu eu cadw er mwyn cynnal busnes.	Adran 1 o Ddeddf Anifeiliaid Anwes 1951 (p. 35)(a); adran 1 o Ddeddf Sefydliadau Byrddio Anifeiliaid 1963(p. 43)(b); Deddf Sefydliadau Marchogaeth 1964 a 1970 (1964 p. 70 a 1970 p. 70)(c); adran 1 o Ddeddf Bridio Cwn 1973 (p. 60)(ch), ac adrannau 1 ac 8 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999.
30. Y pŵer i gofrestru hyfforddwy ac arddangoswyr anifeiliaid.	Adran 1 o Ddeddf Anifeiliaid Perfformio (Rheoleiddio) 1925 (p.38)(d).
31. Y pŵer i drwyddedu sŵau.	Adran 1 o Ddeddf Trwyddedu Sŵau 1981 (p.37)(dd).
32. Y pŵer i drwyddedu anifeiliaid gwyllt peryglus.	Adran 1 o Ddeddf Anifeiliaid Gwyllt Peryglus 1976 (p.38).
33. Y pŵer i drwyddedu iardiau naceriaid.	Adran 4 o Ddeddf Lladd-dai 1974. Gweler hefyd Orchymyn Sgîl-gynhyrchion Anifeiliaid 1999 (O.S. 1999/646).
34. Y pŵer i drwyddedu cyflogi plant.	Rhan II o Ddeddf Plant a Phersonau Ifanc 1933 (p.33), is-ddeddfau a wneir o dan y Rhan honno, a Rhan II o Ddeddf Plant a Phersonau Ifanc 1963 (p.37).
35. Y pŵer i gymeradwyo safleoedd ar gyfer gweinyddu priodasau.	Rhan 46A o Ddeddf Priodasau 1949 (p. 76) a Rheoliadau Priodasau (Safleoedd a Gymeradwywyd) 1995 (O.S. 1995/510)(e).
36. Y pŵer i gofrestru tir comin neu lawntiau trefi neu bentrefi, ac eithrio os yw'r pŵer yn arferadwy ar gyfer rhoi effaith i'r canlynol yn unig - (a) cyfnewid tiroedd y mae gorchymyn o dan adran 19(3) o Ddeddf Caffael Tir 1981 (p.67) neu baragraff 6(4) o Atodlen 3 iddi yn effeithio arnynt; neu (b) gorchymyn o dan adran 147 o Ddeddf Amgáu Tiroedd 1845 (p. 8 a 9 Vict. p.118).	Rheoliad 6 o Reoliadau Cofrestru Tiroedd Comin (Tiroedd Newydd) 1969 (O.S. 1969/1843).
37. Y pŵer i gofrestru amrywiadau ar hawliau comin.	Rheoliad 29 o Reoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966 (O.S. 1966/1471)(f).
38. Y pŵer i drwyddedu personau i gasglu ar gyfer achosion elusennol ac achosion eraill.	Adran 5 o Ddeddf yr Heddlu, Ffatrioedd etc. (Darpapiaethau Amrywiol) 1916 (p.31) ac adran 2 o Ddeddf Casglu o Dŷ i Dŷ 1939 (p. 44)(ff).
39. Y pŵer i roi cydsyniad ar gyfer gweithredu uchelseinydd.	Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 (p.40).
40. Y pŵer i roi trwydded ar gyfer gweithfeydd stryd.	Adran 50 o Ddeddf Ffyrdd Newydd a Gweithfeydd Stryd 1991 (p.22).

(a) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adran 42 ac Atodlen 8.

(b) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, Atodlen 6, paragraff 17 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988 (p.29), adran 3(2) a (3) a'r Atodlen.

(c) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adran 35(1) a (2) ac Atodlen 6, paragraff 18 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) a'r Atodlen.

(ch) Diwygiwyd adran 1 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, adran 1(6), Atodlen 6, Atodlen 34, paragraff 15 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) a'r Atodlen.

(d) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adrannau 35(1) a (2) a 42, Atodlen 6, paragraff 2(1) ac Atodlen 8.

(dd) A ddiwygiwyd gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 6, a chan adran 3 o Ddeddf Ddiogelu Anifeiliaid (Diwygio) 1988.

(e) Mewnosodwyd adran 46A gan adran 1 o Ddeddf Priodasau 1994 (p.34).

(f) A ddiwygiwyd gan O.S. 1968/658.

(ff) A ddiwygiwyd gan adran 22 o Ddeddf Llywodraeth Leol (Darpapiaethau Amrywiol) 1982 (p.30).

41. Y pŵer i drwyddedu asiantaethau ar gyfer cyflenwi nyrsys.	Adran 2 o Ddeddf Asiantaethau Nyrsys 1957 (p.16).
42. Y pŵer i roi trwyddedau ar gyfer symud moch.	Erthygl 12 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995 (O.S. 1995/11).
43. Y pŵer i drwyddedu gwerthu moch.	Erthygl 13 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995.
44. Y pŵer i drwyddedu canolfannau casglu ar gyfer symud moch.	Erthygl 14 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995.
45. Y pŵer i roi trwydded i symud gwartheg o farchnad.	Erthygl 5(2) o Reoliadau Adnabod Gwartheg 1998 (O.S. 1998/871).
46. Y pŵer i ganiatáu gosod sgip adeiladwr ar briffordd.	Adran 139 o Ddeddf Priffyrdd 1980 .
47. Y pŵer i drwyddedu plannu, cadw a chynnal coed etc. ar ran o'r briffordd.	Adran 142 o Ddeddf Priffyrdd 1980.
48. Y pŵer i drwyddedu gweithfeydd mewn perthynas ag adeiladau etc. sy'n rhwystro'r briffordd.	Adran 169 o Ddeddf Priffyrdd 1980.
49. Y pŵer i gydsynio i ollyngiadau neu gloddiadau mewn strydoedd.	Adran 171 o Ddeddf Priffyrdd 1980.
50. Y pŵer i hepgor y rhwymedigaeth i godi palis neu ffens.	Adran 172 o o Ddeddf Priffyrdd 1980.
51. Y pŵer i gyfyngu ar osod rheiliau, trawstiau etc. dros briffyrdd.	Adran 178 o o Ddeddf Priffyrdd 1980.
52. Y pŵer i gydsynio i adeiladu selerydd etc. o dan y stryd.	Adran 179 o Ddeddf Priffyrdd 1980(a).
53. Y pŵer i gydsynio i wneud agoriadau i selerydd etc. o dan strydoedd, a goleuadau ac awyryddion ar y pafn.	Adran 180 o Ddeddf Priffyrdd 1980.
54. Y pŵer i ganiatáu defnyddio rhannau o adeiladau ar gyfer storio selwloid.	Adran 1 o Ddeddf Ffilm Selwloid a Sinematograff 1922 (p.35).
55. Y pŵer i gymeradwyo safleoedd cynhyrchion cig.	Rheoliadau 4 a 5 o Reoliadau Cynhyrchion Cig (Hylendid) 1994 (O.S. 1994/3082)(b).
56. Y pŵer i gymeradwyo safleoedd i gynhyrchu briwgig neu baratoadau cig.	Rheoliad 4 o Reoliadau Briwgig a Pharatoadau Cig (Hylendid) 1995 (O.S. 1995/3205).
57. Y pŵer i gymeradwyo sefydliadau llaeth.	Rheoliadau 6 a 7 o Reoliadau Cynhyrchion Llaeth (Hylendid) 1995(O.S. 1995/1086)(c).
58. Y pŵer i gymeradwyo sefydliadau cynhyrchion wyau.	Rheoliad 5 o Reoliadau Cynhyrchion Wyau 1993 (O.S. 1993/1520).
59. Y pŵer i roi trwyddedau i siopau cigyddion manwerthol sy'n cyflawni gweithrediadau masnachol mewn perthynas â chig amrwd sydd heb ei lapio ac sy'n gwerthu neu'n cyflenwi cig amrwd a bwydydd sy'n barod i'w bwyta.	Rheoliadau Diogelwch Bwyd (Hylendid Bwyd yn Gyffredinol) (Siopau Cigyddion) (Diwygio) (Cymru) 2000 (O.S. 2000/3341)(ch).

(a) A ddiwygiwyd gan adran 22 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p.30).

(b) A ddiwygiwyd gan reoliad 2 o Reoliadau Cynhyrchion Cig (Hylendid) (Diwygiadau) 1999 (O.S. 1999/683).

(c) A ddiwygiwyd gan O.S. 1996/699.

(ch) Mae'r rheoliadau hyn yn diwygio Rheoliadau Diogelwch Bwyd (Diogelwch Bwyd yn Gyffredinol) 1995 (O.S. 1995/1763).

60. Y pŵer i gymeradwyo safleoedd cynhyrchion pysgod.	Rheoliad 24 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998 (O.S. 1998/994).
61. Y pŵer i gymeradwyo canolfannau dosbarthu neu ganolfannau puro.	Rheoliad 11 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
62. Y pŵer i gofrestru llongau pysgota y mae perdys neu fwlysgiaid yn cael eu coginio arnynt.	Rheoliad 21 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
63. Y pŵer i gymeradwyo llongau ffatri a sefydliadau cynhyrchion pysgodfeydd.	Rheoliad 24 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
64. Y pŵer i gofrestru marchnadoedd ocsiwn a marchnadoedd cyfanwerthu.	Rheoliad 26 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
65. Y ddyletswydd i gadw cofrestr o safleoedd busnesau bwyd.	Rheoliad 5 o Reoliadau Safleoedd Bwyd (Cofrestru) 1991 (O.S. 1991/2828).
66. Y pŵer i gofrestru safleoedd busnesau bwyd.	Adran 19 o Ddeddf Diogelwch Bwyd 1990 (p.16) a Rheoliad 9 o Reoliadau Safleoedd Bwyd (Cofrestru) 1991.
C. Swyddogaethau sy'n ymwneud ag iechyd a diogelwch yn y gwaith	
Swyddogaethau o dan unrhyw un o'r "darpariaethau statudol perthnasol" o fewn ystyr Rhan I (iechyd, diogelwch a lles mewn cysylltiad â gwaith, a rheoli sylweddau peryglus) o Ddeddf Iechyd a Diogelwch yn y Gwaith etc. 1974, i'r graddau y mae'r swyddogaethau hynny'n cael eu cyflawni heblaw yn rhinwedd swyddogaeth yr awdurdod fel cyflogwr.	Rhan I o Ddeddf Iechyd a Diogelwch yn y Gwaith etc. 1974 (p. 37)(a).
CH. Swyddogaethau sy'n ymwneud ag etholiadau	
1. Y ddyletswydd i benodi swyddog cofrestru etholiadol.	Adran 8(2) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2)(b).
2. Y pŵer i ddyrannu swyddogion mewn perthynas ag angenrheidiâu'r swyddog cofrestru.	Adran 52(4) o Ddeddf Cynrychiolaeth y Bobl 1983.
3. Y pŵer i ddileu cynghorau cymuned.	Adran 28 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i wneud gorchmynion ar gyfer grwpio cymunedau.	Adran 29 o Ddeddf Llywodraeth Leol 1972.
5. Y pŵer i wneud gorchmynion i ddileu grwpiau a gwahanu cynghorau cymuned oddi wrth grwpiau.	Adran 29A o Ddeddf Llywodraeth Leol 1972.
6. Y ddyletswydd i benodi swyddog canlyniadau ar gyfer etholiadau llywodraeth leol.	Adran 35 o Ddeddf Cynrychiolaeth y Bobl 1983.
7. Y ddyletswydd i roi cymorth yn etholiadau'r Senedd Ewropeaidd.	Paragraff 4(3) a (4) o Atodlen 1 i Ddeddf Etholiadau Senedd Ewrop 1978 (p. 10)(c).

(a) I gael y diffiniad o "y darpariaethau statudol perthnasol" gweler adran 53(1) o Ddeddf Iechyd a Diogelwch yn y Gwaith etc 1974. Gweler hefyd y diffiniadau o "the existing statutory provisions" a "health and safety regulations" yn adran 53(1) ac, o ran "health and safety regulations", adran 15(1) o'r Ddeddf honno a amnewidiwyd gan Ddeddf Diogelu Cyflogaeth 1975 (p.71), Atodlen 15, paragraff 5.

(b) Amnewidiwyd is-adran (4) o adran 52 gan Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), Atodlen 4.

(c) A ddeddfwyd yn wreiddiol fel Deddf Etholiadau Cynulliad Ewrop 1978 a'i hailenwi yn rhinwedd adran 3 o Ddeddf y Cymunedau Ewropeaidd (Diwygio) 1986 (p.58). Amnewidiwyd Atodlen 1 gan Ddeddf Etholiadau Senedd Ewrop 1999 (p.1), Atodlen 2.

8. Y ddyletswydd i rannu'r etholaeth yn rhanbarthau pleidleisio.	Adran 18 o Ddeddf Cynrychiolaeth y Bobl 1983.
9. Y pŵer i rannu adrannau etholiadol yn rhanbarthau pleidleisio mewn etholiadau llywodraeth leol.	Adran 31 o Ddeddf Cynrychiolaeth y Bobl 1983.
10. Pwerau mewn perthynas â chynnal etholiadau.	Adran 39(4) o Ddeddf Cynrychiolaeth y Bobl 1983.
11. Y pŵer i dalu costau a dynnir yn briodol gan swyddogion cofrestru etholiadol.	Adran 54 o Ddeddf Cynrychiolaeth y Bobl 1983.
12. Y pŵer i lenwi lleoedd gwag os na cheir digon o enwebiadau.	Adran 21 o Ddeddf Cynrychiolaeth y Bobl 1985.
13. Y ddyletswydd i ddatgan bod yna le gwag mewn swydd mewn rhai achosion.	Adran 86 o Ddeddf Llywodraeth Leol 1972.
14. Y ddyletswydd i roi hysbysiad cyhoeddus o le gwag achlysurol.	Adran 87 o Ddeddf Llywodraeth Leol 1972.
15. Y pŵer i wneud penodiadau dros dro i gynghorau cymuned.	Adran 91 o Ddeddf Llywodraeth Leol 1972.
16. Y pŵer i benderfynu ffoedd ac amodau ar gyfer rhoi copïau o ddogfennau etholiadol neu ddarnau allan ohonynt.	Rheol 48(3) o Reolau Etholiadau Lleol (Prif Ardaloedd) 1986 (O.S. 1986/2214) a Rheol 48(3) o Reolau Etholiadau Lleol (Plwyfi a Chymunedau) 1986 (O.S. 1986/2215).
17. Y pŵer i gyflwyno cynigion i'r Ysgrifennydd Gwladol ar gyfer gorchymyn o dan adran 10 (cynlluniau peilot ar gyfer etholiadau lleol yng Nghymru a Lloegr) o Ddeddf Cynrychiolaeth y Bobl 2000.	Adran 10 o Ddeddf Cynrychiolaeth y Bobl 2000 (p. 2).
18. Swyddogaethau etholiadol amrywiol o dan Ran II, OS 1999/450.	Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 1999, OS 1999/450.
D. Swyddogaethau sy'n ymwneud ag enw a statws ardaloedd ac unigolion	
1. Y pŵer i newid enw sir, neu enw bwrdeistref sirol	Adran 74 o Ddeddf Llywodraeth Leol 1972.
2. Y pŵer i newid enw cymuned.	Adran 76 o Ddeddf Llywodraeth Leol 1972.
3. Y pŵer i roi teitl henadur mygedol neu i dderbyn rhywun yn henadur mygedol.	Adran 249 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i ddeisebu o blaid siarter i roi statws bwrdeistref sirol.	Adran 245A o Ddeddf Llywodraeth Leol 1972.
DD. Y pŵer i wneud, diwygio, diddymu neu ail-ddeddfu is-ddeddfau	Unrhyw ddarpariaeth mewn unrhyw ddeddfiad (gan gynnwys Deddf leol), pryd bynnag y cafodd ei phasio, ac Adran 14 o Ddeddf Dehongli 1978 (p.30)(a).
E. Y pŵer i hybu neu i wrthwynebu Mesruau lleol neu bersonol.	Adran 239 o Ddeddf Llywodraeth Leol 1972.
F. Swyddogaethau sy'n ymwneud â phensiynau etc.	
1. Swyddogaeth sy'n ymwneud â phensiynau llywodraeth leol, etc.	Rheoliadau o dan adran 7, 12 neu 24 o Ddeddf Blwydd-dâl 1972 (p. 11)(b).

(a) Mae adran 14 o Ddeddf Dehongli 1978 yn cael ei chymhwyso at is-ddeddfau a wneir o dan Adran 235 o Ddeddf Llywodraeth Leol 1972 gan adran 22(1) o Ddeddf Dehongli 1978 a pharagraff 3 o Ran 1 o Atodlen 2 iddi.

(b) O ran adran 7 gweler hefyd adran 99 o Ddeddf Llywodraeth Leol 2000 (p.22). Diwygiwyd adran 12 o Ddeddf Blwydd-dâl 1972 gan adran 10 o Ddeddf Pensiynau (Darpariaethau Amrywiol) 1990 (p.7).

2. Swyddogaethau o dan Gynllun Pensiwn Dynion Tân sy'n ymwneud â phensiynau, etc, mewn perthynas â phersonau a gyflogir yn aelodau o frigadau tân a gynhelir yn unol ag adran 4 o Ddeddf y Gwasanaethau Tân 1947.	Adran 26 o Ddeddf y Gwasanaethau Tân 1947 (10 ac 11 Geo.6 p. 41)(a).
FF. Swyddogaethau amrywiol	
1. Y pŵer i greu llwybrau troed a llwybrau ceffylau.	Adrannau 25 a 26 o Ddeddf Priffyrdd 1980 (p. 66).
2. Y pŵer i gau llwybrau troed a llwybrau ceffylau.	Adran 118 o Ddeddf Priffyrdd 1980.
3. Y pŵer i wyro llwybrau troed a llwybrau ceffylau.	Adran 119 o Ddeddf Priffyrdd 1980.
4. Y ddyletswydd i ddatgan a diogelu hawliau i'r cyhoedd ddefnyddio a mwynhau priffyrdd.	Adran 130 o Ddeddf Priffyrdd 1980.
5. Pwerau sy'n ymwneud â symud pethau a ollyngwyd ar briffyrdd mewn modd sy'n eu gwneud yn niwsans.	Adran 149 o Ddeddf Priffyrdd 1980.
6. Y ddyletswydd i barhau i adolygu map a datganiad diffiniol.	Adran 53 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69).
7. Y ddyletswydd i aiddosbarthu ffyrdd a ddefnyddir fel llwybrau cyhoeddus.	Adran 54 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981
8. Y ddyletswydd i gymeradwyo datganiad awdurdod o'i gyfrifon, ei incwm, a'i wariant a'i fantolen neu ei gofnod o dderbyniadau a thaliadau (yn ôl fel y digwydd).	Rheoliadau Cyfrifon ac Archwilio 1996 (O.S. 1996/590)(b).
9. Swyddogaethau sy'n ymwneud â physgodfeydd môr.	Adrannau 1, 2, 10 a 19 o Ddeddf Rheoleiddio Pysgodfeydd Môr 1966(p. 38).
10. Pwerau sy'n ymwneud â chadw coed.	Adrannau 197 i 214D o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Coed 1999 (OS. 1999/1892).
11. Pwerau sy'n ymwneud â diogelu gwrychoedd pwysig.	Rheoliadau Gwrychoedd 1997 (O.S. 1997/1160).
12. Y pŵer i wneud gorchymyn calchbalmant.	Adran 34(2) o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69).
13. Y pŵer i wneud rheolau sefydlog.	Adran 106 o Ddeddf Llywodraeth Leol 1972(c) a pharagraff 42 i Atodlen 12 iddi.
14. Y pŵer i benodi staff.	Adran 112 o Ddeddf Llywodraeth Leol 1972.
15. Y pŵer i wneud rheolau sefydlog ynghylch contractau	Adran 135 o Ddeddf Llywodraeth Leol 1972.
16. Y pŵer i ystyried adroddiadau anffafriol gan y Comisiynydd Lleol .	Adran 31A o Ddeddf Llywodraeth Leol 1972.

(a) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) A wnaed o dan adran 23 (rheoliadau ynghylch cyfrifon) o Ddeddf Cyllid Llywodraeth Leol 1982 (p.32) fel y'i diwygiwyd gan adran 27 o Ddeddf y Comisiwn Archwilio 1998 (p.18).

(c) Gweler hefyd adrannau 8 ac 20 o Ddeddf Llywodraeth Leol a Thai 1989.

SWYDDOGAETHAU A ALL FOD YN GYFRIFOLDEB I WEITHREDIAETH AWDURDOD (OND NAD OES ANGEN IDDYNT FOD FELLY)

1. Unrhyw swyddogaeth a dan Ddeddf leol heblaw swyddogaeth a bennir neu y cyfeirir ati yn Atodlen 1.
2. Dyfarnu ar apêl yn erbyn unrhyw benderfyniad a wnaed gan yr awdurdod neu ar ei ran.
3. Penodi byrddau adolygu o dan reoliadau o dan is-adran (4) o adran 34 (dyfarnu ar geisiadau ac adolygiadau) o Ddeddf Nawdd Cymdeithasol 1998(a).
4. Gwneud trefniadau yn unol ag is-adran (1) o adran 67 o Ddeddf Safonau a Fframwaith Ysgolion 1998 (apelau yn erbyn gwahardd disgyblion) ac Atodlen 18 iddi.
5. Gwneud trefniadau yn unol ag adran 94(1) a (4) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (apelau derbyn) ac Atodlen 24 iddi.
6. Gwneud trefniadau yn unol ag adran 95(2) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (plant y mae adran 87 yn gymwys iddynt: apelau gan gyrff llywodraethu) ac Atodlen 25 iddi.
7. Gwneud trefniadau o dan adran 20 (cwestiynau ynghylch materion yr heddlu mewn cyfarfodydd cyngor) o Ddeddf yr Heddlu 1996(b) i ganiatáu gofyn cwestiynau ynghylch cyflawni swyddogaethau awdurdod heddlu.
8. Gwneud penodiadau o dan baragraffau 2 i 4 (penodi aelodau gan gynghorau perthnasol) o Atodlen 2 (awdurdodau heddlu a sefydlir o dan adran 3) i Ddeddf yr Heddlu 1996.
9. Cynnal adolygiadau'r gwerth gorau yn unol â darpariaethau unrhyw orchymyn sy'n dwyn effaith am y tro o dan adran 5 (adolygiadau'r gwerth gorau) o Ddeddf Llywodraeth Leol 1999 (c).
10. Unrhyw swyddogaeth sy'n ymwneud â thir halogedig(ch).
11. Cyflawni unrhyw swyddogaeth sy'n ymwneud â rheoli llygredd neu reoli ansawdd aer(d).
12. Cyflwyno hysbysiad atal mewn perthynas â niwsans statudol(dd).
13. Pasio cynnig y dylai Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 fod yn gymwys yn ardal yr awdurdod(e).
14. Archwilio ardal yr awdurdod i ddod o hyd i unrhyw niwsans statudol(f).
15. Ymchwilio i unrhyw gŵyn ynghylch bodolaeth niwsans statudol(ff).
16. Sicrhau gwybodaeth o dan adran 330 o Ddeddf Cynllunio Gwlad a Thref 1990(g) ynghylch buddiannau mewn tir.
17. Sicrhau manylion personau sydd â buddiant mewn tir o dan adran 16 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976(ng).

(a) 1998 p.14. Mae adran 34(4) yn disodli adran 63(3) o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992. Mae effaith Rheoliadau Budd-daliadau'r Dreth Gyngor 1992 (O.S. 1992/1814) a Rheoliadau Budd-daliadau Tai (Cyffredinol) 1987 (O.S. 1987/1971), y ceir diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn, yn parhau yn rhinwedd adran 17(2)(b) o Ddeddf Dehongli 1978 (p.30), er bod adran 63(3) o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992 wedi'i diddymu.

(b) 1996 p.16.

(c) 1999 p.27.

(ch) Rhan IIA o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) ac is-ddeddfwriaeth o dan y Rhan honno.

(d) Gweler Deddf Atal a Rheoli Llygredd 1999 (p.24), Rhan IV o Ddeddf yr Amgylchedd 1995 (p.25), Rhan I o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) a Deddf Aer Glân 1993 (p.11).

(dd) Adran 80(1) o Ddeddf Diogelu'r Amgylchedd 1990.

(e) Adran 8 o Ddeddf Sŵn a Niwsans Statudol 1993 (p.40).

(f) Adran 79 o Ddeddf Diogelu'r Amgylchedd 1990.

(ff) Adran 79 o Ddeddf Diogelu'r Amgylchedd 1990.

(g) 1990 p.8.

(ng) 1976 p.57.

18. Gwneud cytundebau ar gyfer gwneud gwaith priffyrdd(a).
19. Penodi unrhyw unigolyn -
- (a) i unrhyw swydd heblaw swydd y mae'n cael ei gyflogi ynddi gan yr awdurdod;
 - (b) i unrhyw gorff heblaw -
 - (i) yr awdurdod;
 - (ii) cyd-bwyllgor o ddau neu ragor o awdurdodau; neu
 - (c) i unrhyw bwyllgor neu is-bwyllgor i gorff o'r fath,
- a diddymu unrhyw benodiad o'r fath.
20. Y pŵer i wneud taliadau neu i ddarparu manteision eraill mewn achosion o gamweinyddu etc(b).
21. Cyflawni unrhyw swyddogaeth gan awdurdod sy'n gweithredu fel awdurdod harbwr.

(a) Adran 278 o Ddeddf Priffyrdd 1980 (p.66), a amnewidiwyd gan Ddeddf Ffyrdd Newydd a Gweithfeydd Stryd 1991 (p.22), adran 23.

(b) Adran 92 o Ddeddf Llywodraeth Leol 2000.

ATODLEN 3

Rheoliad 4(1)

SWYDDOGAETHAU NAD YDYNT I FOD YN GYFRIFOLDEB I WEITHREDIAETH AWDURDOD
YN UNIG

(1)	(2)
<i>Cynlluniau a strategaethau</i>	<i>Cyfeiriad</i>
Cynlluniau Cymorth Ymddygiad	Adran 527A o Ddeddf Addysg 1996
Cynllun Perfformiad y Gwerth Gorau	Adran 6(1) o Ddeddf Llywodraeth Leol 1999 (p.27)
Cynllun Gwasanaethau Plant	Paragraff 1A o Atodlen 2 i Ddeddf Plant 1989 (p.41)
Cynllun Gofal Cymunedol	Adran 46 o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19)
Strategaeth Gymunedol	Adran 4 o Ddeddf Llywodraeth Leol 2000 (p.22)
Strategaeth i Ostwng Troseddau ac Anhrefn	Adrannau 5 a 6 o Ddeddf Troseddau ac Anhrefn 1998 (p.37)
Cynllun Datblygu'r Blynyddoedd Cynnar	Adran 120 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynllun Strategol Addysg	Adran 6 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynllun Gwasanaethau Gorfodi'r Gyfraith Bwyd	
Cynllun Trafnidiaeth Lleol	Adran 92 o Ddeddf Trafnidiaeth 2000
Cynllun Trefniadaeth Ysgolion	Adran 26 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynlluniau ac addasiadau sydd gyda'i gilydd yn ffurfio'r Cynllun Datblygu	Adran 10A o Ddeddf Cynllunio Gwlad a Thref 1990
Cynllun Iaith Gymraeg	Adran 5 o Ddeddf yr Iaith Gymraeg 1993
Cynllun Cyfiawnder Ieuencid	Adran 40 o Ddeddf Troseddau ac Anhrefn 1998 (p.37)

AMGYLCHIADAU NAD YW SWYDDOGAETHAU I FOD YN GYFRIFOLDEB I WEITHREDIAETH AWDURDOD ODANYNT

<i>(1)</i>	<i>(2)</i>
<i>Y Swyddogaeth</i>	<i>Yr Amgylchiadau</i>
<p>1. Mabwysiadu neu gymeradwyo cynllun neu strategaeth (boed statudol neu anstatudol), heblaw cynllun neu strategaeth i reoli benthyciadau neu wariant cyfalaf yr awdurdod neu gynllun neu strategaeth y cyfeirir atynt yn Atodlen 3.</p>	<p>Mae'r awdurdod yn dyfarnu y dylai'r penderfyniad a ddylai'r cynllun neu'r strategaeth gael eu mabwysiadu neu eu cymeradwyo gael ei gymryd ganddynt hwy.</p>
<p>2. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth -</p> <p>(a) sy'n gyfrifoldeb i'r weithrediaeth; a</p> <p>(b) sy'n ymwneud â chyllideb yr awdurdod, neu eu benthyciadau neu eu gwariant cyfalaf.</p>	<p>Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd unrhyw un o adrannau 14 i 17 o Ddeddf Llywodraeth Leol 2000 neu ddarpariaeth a wneir o dan adran 18 neu 20 o'r Ddeddf honno -</p> <p>(a) o blaid dyfarnu ar y mater yn groes i'r canlynol neu heb fod yn gyfan gwbl unol â hwy -</p> <p>(i) cyllideb yr awdurdod; neu</p> <p>(ii) y cynllun neu'r strategaeth sydd am y tro wedi'u cymeradwyo neu wedi'u mabwysiadu gan yr awdurdod mewn perthynas â'u benthyciadau neu eu gwariant cyfalaf; a</p> <p>(b) heb ei awdurdodi o dan drefniadau gweithrediaeth yr awdurdod, ei reoliadau ariannol, ei reolau sefydlog neu ei reolau neu ei weithdrefnau eraill i wneud dyfarniad yn y termau hynny.</p>
<p>3. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth -</p> <p>unrhyw un o adrannau 14 i 17 o Ddeddf</p> <p>(a) sy'n gyfrifoldeb i'r weithrediaeth; a wneir o dan adran 18 neu 20 o'r Ddeddf</p> <p>(b) y mae cynllun neu strategaeth (boed statudol neu anstatudol) wedi'u mabwysiadu neu wedi'u cymeradwyo gan yr awdurdod mewn perthynas â hi.</p>	<p>Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd Llywodraeth Leol 2000 neu ddarpariaeth a honno o blaid dyfarnu ar y mater mewn termau sy'n groes i'r cynllun neu, yn ôl fel y digwydd, i'r strategaeth a fabwysiadwyd neu a gymeradwywyd gan yr awdurdod.</p>

SCHEDULE 1

Regulation 2

FUNCTIONS NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

<i>(1)</i>	<i>(2)</i>
<i>Function</i>	<i>Provision of Act or Statutory Instrument</i>
A. Functions relating to town and country planning and development control	
1. Power to determine applications for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)(a).
2. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.
3. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990(b).
4. Power to decline to determine applications for planning permission.	Section 70A of the Town and Country Planning Act 1990(c).
5. Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made thereunder.
6. Power to determine applications for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)(d).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).
8. Power to enter into agreements regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.
9. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990(e).
10. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.

(a) Section 70(1)(a) and (b) of the Town and Country Planning Act 1990 (c.8).

(b) Section 73A was inserted by the Planning and Compensation Act 1991 (c.34), Schedule 7, paragraph 8.

(c) Section 70A was inserted by the Planning and Compensation Act 1991, section 17.

(d) Section 316 was substituted by section 20 of the Planning and Compensation Act 1991. Relevant amending instruments are S.I. 1992/1982 and 1998/2800.

(e) Sections 191 and 192 were substituted by section 10 of the Planning and Compensation Act 1991.

11. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (a) .
12. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990 (b) .
13. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.
14. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990 (c) .
15. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990 (d) .
16. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990 (e) .
17. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).
18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.
19. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.
20. Power to determine applications for listed building consent, and related powers.	Section 16(1) and (2), 17, 27(2) and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)
21. Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act (f) .
22. Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 and paragraph 127 Welsh Office Circular 61/96 Planning and the Historic Environment; Historic Buildings and Conservation Areas.

(a) S.I. 1992/666, to which there are amendments not relevant to these Regulations.

(b) Section 196A was inserted by section 11 of the Planning and Compensation Act 1991. For the circumstances in which the right may be exercised, see sections 196A to 196C of the Town and Country Planning Act 1990.

(c) Sections 171C and 187A were inserted by sections 1 and 2 of the Planning and Compensation Act 1991. Subsections (1) to (5A) of section 183 were substituted by section 9 of the Planning and Compensation Act 1991.

(d) Section 172 was substituted by section 5 of the Planning and Compensation Act 1991.

(e) Section 187B was inserted by section 3 of the Planning and Compensation Act 1991.

(f) See also the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 (S.I. 1990/1519), to which there are amendments not relevant to these Regulations.

23. Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
24. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
25. Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
26. Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990(a).
27. Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
28. Power related to mineral working.	Schedule 9 of the Town and Country Planning Act 1990.
29. Power related to footpaths and bridleways.	Section 257 of the Town and Country Planning Act 1990.
30. Power as to certification of appropriate alternative development.	Section 17 of the Land Compensation Act 1961 (c.33).
31. Power to serve purchase orders.	Sections 137-144 of the Town and Country Planning Act 1990.
32. Powers related to blight notices.	Sections 149-171 of the Town and Country Planning Act 1990.
33. Power to authorise erection of stiles etc on footpaths or bridleways.	Section 147 of the Highways Act 1980 (c.66).
B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62).
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c. 55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57); (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to license drivers of hackney carriages and private hire vehicles	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6. Power to register pools promoters.	Schedule 2 to the Betting, Gambling and Lotteries Act 1963 (c.2)(b).

(a) Section 44A was inserted by the Planning and Compensation Act 1991 (c.34), Schedule 3, paragraph 7.

(b) To which there are amendments not relevant to these Regulations.

7. Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963 (a) .
8. Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963 (b) .
9. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 (c. 65) (c) .
10. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 (c. 32) (d) .
11. Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976 (e) .
12. Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985 (c. 13).
13. Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968 (c. 54) (f) .
14. Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c. 12), section 79 of the Licensing Act 1964 (c. 26), sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 (c. 19) and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30).
15. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
16. Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46).
17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
18. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907 (c. 53) (g) .
19. Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982.
20. Power to license night cafes and take-away food shops.	Section 2 of the Late Night Refreshment Houses Act 1969 (c. 53) (h) .
21. Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c. 66) (i) .

(a) To which there are amendments not relevant to these Regulations.

(b) Schedule 5ZA was inserted by S.I. 1995/3231, article 5(6).

(c) To which there are amendments not relevant to these Regulations.

(d) To which there are amendments not relevant to these Regulations.

(e) To which there are amendments not relevant to these Regulations.

(f) Amended by the Local Government Act 1972, section 204(6) and the Local Government, Planning and Land Act 1980, section 1(6), Schedule 6 paragraph 11 and Schedule 34, Pt VI.

(g) Amended by the Local Government Act 1974 (c.7), Schedule 6, paragraph 1, section 18 of the Local Government (Miscellaneous Provisions) Act 1976 (c.57) and section 186 of the Local Government, Planning and Land Act 1980 (c.65). Section 94(8) was substituted by the Deregulation (Public Health Acts Amendment Act) Order 1997 (S.I. 1997/1187).

(h) Amended by the Local Government Act 1972, section 204(9).

(i) Section 5 was amended by the Local Government, Planning and land Act 1980, Schedule 6, paragraph 13(1).

22. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c. 32); sections 2 to 16 of the Game Licensing Act 1860 (c. 90), section 4 of the Customs and Inland Revenue Act 1883 (c. 10), sections 12(3) and 27 of the Local Government Act 1874 (c. 73), and section 213 of the Local Government Act 1972 (c. 70).
23. Power of register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).
24. Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964 (c. 69).
25. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52)(a).
26. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).
27. Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971 (c. 40).
28. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).
29. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c.35) (b); section 1 of the Animal Boarding Establishments Act 1963(c. 43)(e); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70)(d); section 1 of the Breeding of Dogs Act 1973 (c. 60)(e), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
30. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925 (c. 38)(f).
31. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981 (c. 37)(g).
32. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).
33. Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646).
34. Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c. 33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c. 37).
35. Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 (c. 76) and the Marriages (Approved Premises) Regulations 1995 (S. I. 1995/510)(h).

(a) Amended by the Fire Safety and Safety of Places of Sport Act 1987 (c.27). See, in particular, Part II of, and Schedule 2 to, that Act.

(b) Amended by the Local Government Act 1974, section 42 and Schedule 8.

(c) Amended by the Local Government Act 1974, Schedule 6, paragraph 17 and by the Protection of Animals (Amendment) Act 1988 (c.29), section 3(2) and (3) and the Schedule.

(d) Amended by the Local Government Act 1974, section 35(1) and (2) and Schedule 6, paragraph 18 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) of the Schedule.

(e) Section 1 was amended by the Local Government, Planning and Land Act 1980, section 1(6), Schedule 6, Schedule 34, paragraph 15 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) and the Schedule.

(f) Amended by the Local Government Act 1974 sections 35(1) and (2) and 42, Schedule 6, paragraph 2(1) and Schedule 8.

(g) Amended by the Local Government, Planning and Land Act 1980, Schedule 6, paragraph 6, and by section 3 of the Protection of Animals (Amendment) Act 1988.

(h) Section 46A was inserted by section 1 of the Marriage Act 1994 (c.34).

<p>36. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to -</p> <p>(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or</p> <p>(b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).</p>	<p>Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).</p>
<p>37. Power to register variation of rights of common.</p>	<p>Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)(a).</p>
<p>38. Power to license persons to collect for charitable and other causes.</p>	<p>Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 (c. 31) and section 2 of the House to House Collections Act 1939 (c. 44)(b).</p>
<p>39. Power to grant consent for the operation of a loudspeaker.</p>	<p>Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).</p>
<p>40. Power to grant a street works licence.</p>	<p>Section 50 of the New Roads and Street Works Act 1991 (c. 22).</p>
<p>41. Power to license agencies for the supply of nurses.</p>	<p>Section 2 of the Nurses Agencies Act 1957 (c. 16).</p>
<p>42. Power to issue licences for the movement of pigs.</p>	<p>Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).</p>
<p>43. Power to license the sale of pigs.</p>	<p>Article 13 of the Pigs (Records, Identification and Movement) Order 1995.</p>
<p>44. Power to license collecting centres for the movement of pigs.</p>	<p>Article 14 of the Pigs (Records, Identification and Movement) Order 1995.</p>
<p>45. Power to issue a licence to move cattle from a market.</p>	<p>Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).</p>
<p>46. Power to permit deposit of builder's skip on highway.</p>	<p>Section 139 of the Highways Act 1980.</p>
<p>47. Power to license planting, retention and maintenance of trees etc. in part of highway.</p>	<p>Section 142 of the Highways Act 1980.</p>
<p>48. Power to license works in relation to buildings etc. which obstruct the highway.</p>	<p>Section 169 of the Highways Act 1980.</p>
<p>49. Power to consent to temporary deposits or excavations in streets.</p>	<p>Section 171 of the Highways Act 1980.</p>
<p>50. Power to dispense with obligation to erect hoarding or fence.</p>	<p>Section 172 of the Highways Act 1980.</p>
<p>51. Power to restrict the placing of rails, beams etc. over highways.</p>	<p>Section 178 of the Highways Act 1980.</p>
<p>52. Power to consent to construction of cellars etc. under street.</p>	<p>Section 179 of the Highways Act 1980(c).</p>

(a) Amended by S.I. 1968/658.

(b) Amended by section 22 of the local Government (Miscellaneous Provisions) Act 1982 (c.30).

(c) Amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30).

53. Power to consent to the making of openings into cellars etc. under streets and pavement lights and ventilators.	Section 180 of the Highways Act 1980.
54. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).
55. Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082)(a).
56. Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205).
57. Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086)(b).
58. Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520).
59. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	The Food Safety (General Food Hygiene) (Butchers' Shops) (Amendment) (Wales) Regulations 2000 (S.I. 2000/3341)(c).
60. Power to approve fish products premises.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).
61. Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
62. Power to register fishing vessels on board which shrimps or molluscs are cooked.	Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
63. Power to approve factory vessels and fishery product establishments.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
64. Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
65. Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828).
66. Power to register food business premises.	Section 19 of the Food Safety Act 1990 (c.16) and Regulation 9 of the Food Premises (Registration) Regulations 1991.
C. Functions relating to health and safety at work	
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c. 37)(d).

(a) Amended by regulation 2 of the Meat Products (Hygiene) (Amendment) Regulations 1999 (S.I. 1999/683).

(b) Amended by S.I. 1996/1699.

(c) These regulations amend the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763).

(d) For the definition of "the relevant statutory provisions" see section 53(1) of the Health and Safety at Work etc. Act 1974. See also the definitions of "the existing statutory provisions" and "health and safety regulations" in section 53(1) and, as to "health and safety regulations", section 15(1) of that Act which was substituted by the Employment Protection Act 1975 (c.71), Schedule 15, paragraph 5.

D. Functions relating to elections	
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983 (c. 2)(a).
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.
3. Power to dissolve community councils	Section 28 of the Local Government Act 1972.
4. Power to make orders for grouping communities	Section 29 of the Local Government Act 1972.
5. Power to make orders for dissolving groups and separating community councils from groups.	Section 29A of the Local Government Act 1972.
6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7. Duty to provide assistance at European Parliamentary elections	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978 (c. 10)(b).
8. Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.
11. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15. Power to make temporary appointments to community councils.	Section 91 of the Local Government Act 1972.
16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215).
17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).
18. Miscellaneous electoral functions under Part II, SI 1999/450	National Assembly for Wales (Representation of the People) Order 1999, SI 1999/450
E. Functions relating to name and status of areas and individuals	
1. Power to change the name of a county, or county borough	Section 74 of the Local Government Act 1972.

(a) Subsection (4) of section 52 was substituted by the Representation of the People Act 1985 (c.50), Schedule 4.

(b) Originally enacted as the European Assembly Elections Act 1978 and renamed by virtue of section 3 of the European Communities (Amendment) Act 1986 (c.58). Schedule 1 was substituted by the European Parliamentary Elections Act 1999 (c.1), Schedule 2.

2. Power to change the name of a community.	Section 76 of the Local Government Act 1972.
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.
4. Power to petition for a charter to confer county borough status.	Section 245A of the Local Government Act 1972.
F. Power to make, amend, revoke or re-enact byelaws	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 30)(a).
G. Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.
H. Functions relating to pensions etc.	
1. Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11)(b).
2. Functions under the Fireman's Pension Scheme relating to pensions, etc. as respects persons employed as members of fire brigades maintained pursuant to section 4 of the Fire Services Act 1947.	Section 26 of the Fire Services Act 1947 (10 & 11 Geo.6 c. 41)(c).
I. Miscellaneous functions	
1. Power to create footpaths and bridleways.	Sections 25 and 26 of the Highways Act 1980 (c. 66).
2. Power to stop up footpaths and bridleways.	Section 118 of the Highways Act 1980.
3. Power to divert footpaths and bridleways.	Section 119 of the Highways Act 1980.
4. Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.
5. Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.
6. Duty to keep a definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).
7. Duty to reclassify roads used as public paths.	Section 54 of the Wildlife and Countryside Act 1981.
8. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be).	The Accounts and Audit Regulations 1996 (S.I. 1996/590)(d).
9. Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c. 38).
10. Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1999 (S.I. 1999/1892).
11. Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).
12. Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).

(a) Section 14 of the Interpretation Act 1978 is applied to byelaws made under section 235 of the Local Government Act 1972 by section 22(1) of, and paragraph 3 of Part I of Schedule 2 to, the Interpretation Act 1978.

(b) As to section 7 see also section 99 of the Local Government Act 2000 (c.22). Section 12 of the Superannuation Act 1972 is amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c.7).

(c) To which there are amendments not relevant to these Regulations.

(d) Made under section 23 (regulations as to accounts) of the Local Government Finance Act 1982 (c.32) as amended by section 27 of the Audit Commission Act 1998 (c.18).

13. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972(a).
14. Power to appoint staff.	Section 112 of the Local Government Act 1972.
15. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
16. Power to consider adverse reports from the Local Commissioner.	Section 31A of the Local Government Act 1972.

(a) See also sections 8 and 20 of the Local Government and Housing Act 1989.

SCHEDULE 2

Regulation 3

FUNCTIONS WHICH MAY BE (BUT NEED NOT BE) THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

1. Any function under a local Act other than a function specified or referred to in Schedule 1.
2. The determination of an appeal against any decision made by or on behalf of the authority.
3. The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998(a).
4. The making of arrangements pursuant to subsection (1) of section 67 of, and Schedule 18 to, the School Standards and Framework Act 1998 (appeals against exclusion of pupils).
5. The making of arrangements pursuant to section 94(1) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).
6. The making of arrangements pursuant to section 95(2) of, and Schedule 25 to, the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).
7. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996(b) for enabling questions to be put on the discharge of the functions of a police authority.
8. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.
9. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999(c).
10. Any function relating to contaminated land(d).
11. The discharge of any function relating to the control of pollution or the management of air quality(e).
12. The service of an abatement notice in respect of a statutory nuisance(f).
13. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area(g).
14. The inspection of the authority's area to detect any statutory nuisance(h).
15. The investigation of any complaint as to the existence of a statutory nuisance(i).
16. The obtaining of information under section 330 of the Town and Country Planning Act 1990(j) as to interests in land.
17. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976(k).

(a) 1998 c.14. Section 34(4) replaces section 63(3) of the Social Security Administration Act 1992. The Council Tax Benefit Regulations 1992 (S.I. 1992/1814) and the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), to which there are amendments not relevant to these Regulations, continue to have effect, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c.30), notwithstanding the repeal of section 63(3) of the Social Security Administration Act 1992.

(b) 1996 c.16.

(c) 1999 c.27.

(d) Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part.

(e) See the Pollution Prevention and Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Protection Act 1990 (c.43) and the Clean Air Act 1993 (c.11).

(f) Section 80(1) of the Environmental Protection Act 1990.

(g) Section 8 of the Noise and Statutory Nuisance Act 1993 (c.40).

(h) Section 79 of the Environmental Protection Act 1990.

(i) Section 79 of the Environmental Protection Act 1990.

(j) 1990 c.8.

(k) 1976 c.57.

18. The making of agreements for the execution of highways works**(a)**.
19. The appointment of any individual -
- (a) to any office other than an office in which he is employed by the authority;
 - (b) to any body other than -
 - (i) the authority;
 - (ii) a joint committee of two or more authorities; or
 - (c) to any committee or sub-committee of such a body,
- and the revocation of any such appointment.
20. Power to make payments or provide other benefits in cases of maladministration etc**(b)**.
21. The discharge of any function by an authority acting as a harbour authority.

(a) Section 278 of the Highways Act 1980 (c.66), substituted by the New Roads and Street Works Act 1991 (c.22), section 23.

(b) Section 92 of the Local Government Act 2000.

SCHEDULE 3

Regulation 4(1)

FUNCTIONS NOT TO BE THE SOLE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

<i>(1)</i>	<i>(2)</i>
<i>Plans and strategies</i>	<i>Reference</i>
Behaviour Support Plans	Section 527A of the Education Act 1996
Best Value Performance Plan	Section 6(1) of the Local Government Act 1999 (c.27)
Children's Services Plan	Paragraph 1A of Schedule 2 to the Children Act 1989 (c.41).
Community Care Plan	Section 46 of the National Health Service & Community Care Act 1990 (c.19).
Community Strategy	Section 4 of the Local Government Act 2000 (c.22).
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37).
Early Years Development Plan	Section 120 of the School Standards and Framework Act 1998.
Education Strategic Plan	Section 6 of the School Standards and Framework Act 1998.
Food Law Enforcement Service Plan	Section 12 of the Food Standards Act 1999 (c.28).
Local Transport Plan	Section 92 of the Transport Act 2000)
School Organisation Plan	Section 26 of the School Standards and Framework Act 1998
Plans and alterations which together comprise the Development Plan	Section 10A of the Town and Country Planning Act 1990
Welsh Language Scheme	Section 5 of the Welsh Language Act 1993
Youth Justice Plan	Section 40 of the Crime and Disorder Act 1998 (c.37).

SCHEDULE 4

Regulation 5

CIRCUMSTANCES IN WHICH FUNCTIONS ARE NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE

<i>(1)</i>	<i>(2)</i>
<i>Function</i>	<i>Circumstances</i>
<p>1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy for the control of the authority's borrowing or capital expenditure or referred to in Schedule 3.</p>	<p>The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.</p>
<p>2. The determination of any matter in the discharge of a function which -</p> <p>(a) is the responsibility of the executive; and</p> <p>(b) is concerned with the authority's budget, or their borrowing or capital expenditure.</p>	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made -</p> <p>(a) is minded to determine the matter contrary to, or not wholly in accordance with -</p> <p style="padding-left: 40px;">(i) the authority's budget; or</p> <p style="padding-left: 40px;">(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and</p> <p>(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.</p>
<p>3. The determination of any matter in the discharge of a function -</p> <p>(a) which is the responsibility of the executive; and</p> <p>(b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.</p>	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made, is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority.</p>

2001 Rhif 2291 (Cy.179)

**LLYWODRAETH LEOL,
CYMRU**

Rheoliadau Trefniadau
Gweithrediaeth Awdurdodau Lleol
(Swyddogaethau a Chyfrifoldebau)
(Cymru) 2001

2001 No. 2291 (W.179)

**LOCAL GOVERNMENT,
WALES**

The Local Authorities Executive
Arrangements (Functions and
Responsibilities) (Wales)
Regulations 2001

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