



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 3034 (Cy.282) (C.113)

2003 No. 3034 (W.282) (C.113)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Gorchymyn Deddf Llywodraeth
Leol 2003 (Cychwyn) (Cymru)
2003**

**The Local Government Act 2003
(Commencement) (Wales) Order
2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dod â darpariaethau yn Neddf Llywodraeth Leol 2003 ("y Ddeddf") i rym. Daw'r rheini a bennir yn Rhan I o Atodlen 1 i'r Gorchymyn hwn i rym ar 27 Tachwedd 2003. Daw'r rheini a bennir yn Rhan II o Atodlen 1 i'r Gorchymyn hwn i rym ar 1 Ebrill 2004. Oni nodir fel arall yn Atodlen 1, daw'r darpariaethau hynny a bennir i rym ar y dyddiad perthnasol ac at bob diben.

Dyma fydd effaith y darpariaethau a bennir yn Rhan I o Atodlen 1.

Mae adrannau 1 i 22 o'r Ddeddf yn gwneud darpariaeth mewn cysylltiad â system newydd o gyllid cyfalaf a chyfrifon awdurdodau lleol yng Nghymru fel a ganlyn.

Yn benodol, mae adran 1 yn darparu ar gyfer pwerau benthyg awdurdod lleol gan gynnwys y pŵer i fenthyg at ddiben rheoli materion ariannol yn ddarbodus. Mae adran 2 i 8 yn gwneud darpariaeth bellach mewn cysylltiad â benthyg. Mae adrannau 9 i 11 yn gwneud darpariaeth mewn cysylltiad â derbyniadau cyfalaf. Mae adran 12 yn galluogi awdurdodau lleol i fuddsoddi at ddiben sy'n berthnasol i'w swyddogaethau ac at ddiben rheoli eu materion ariannol yn ddarbodus. Mae adrannau 13 i 20 yn gwneud darpariaeth mewn cysylltiad â gwarant ar arian a fenthycir, yr wybodaeth y mae'n rhaid ei rhoi i Gynulliad Cenedlaethol Cymru ("y Cynulliad"), canllawiau gan y Cynulliad, ystyr "capital expenditure", cyllid allanol, cwmnïau awdurdodau lleol a chyfarwyddiadau ysgrifenedig.

This Order brings into force on 27th November 2003 those provisions of the Local Government Act 2003 ("the Act") specified in Part I of Schedule 1 to this Order. It also brings into force on 1st April 2004 those provisions of that Act specified in Part II of Schedule 1 to this Order. Unless otherwise stated in Schedule 1, those provisions as are specified are to come into force on the relevant date for all purposes.

The effect of the provisions specified in Part I of Schedule 1 is explained below.

Sections 1 to 22 of the Act make provision in connection with a new system of capital finance and accounts of local authorities in Wales as follows.

In particular, section 1 provides for local authority borrowing powers, including the power to borrow for the purposes of the prudent management of financial affairs. Sections 2 to 8 make further provision in connection with borrowing. Sections 9 to 11 make provision in relation to capital receipts. Section 12 enables local authorities to invest for purposes relevant to their functions and for purposes of the prudent management of their financial affairs. Sections 13 to 20 make provision in connection with security for money borrowed, information to be provided to the National Assembly for Wales ("the Assembly"), guidance by the Assembly, the meaning of "capital expenditure", external funds, local authority companies and written directions. Section 19 gives

Mae adran 19 yn rhoi effaith weithredol i Atodlen 1 i'r Ddeddf (atodlen sy'n gwneud darpariaeth ynghylch cyllid cyfalaf mewn cysylltiad â chynghorau cymuned ac ymddiriedolwyr siartr). Mae adrannau 21 i 22 yn gwneud darpariaeth mewn cysylltiad ag arferion cyfrifydda a chyfrifon refeniw.

Mae adrannau 23 a 24 yn cynnwys diffiniadau a darpariaethau dehongli.

Mae adrannau 25 i 28 yn gwneud darpariaeth mewn cysylltiad â gweinyddu cyllid. Mae adrannau 25 i 27 yn ymdrin â chyfrifo cyllidebau, mae adran 26 yn ymdrin ag isafswm lefel cronfeydd wrth gefn ac mae adran 28 yn ymdrin â monitro cyllidebau.

Bydd y pŵer yn adran 36 yn galluogi'r Cynulliad i dalu grantiau i awdurdodau gwerth gorau, a hynny mewn perthynas â'r treuliau y maent wedi'u tynnu wrth wneud cais am gael eu dyfarnu'n deilwng o ddynodiad sy'n seiliedig ar ragoriaeth wrth ddarparu gwasanaethau. Bydd hyn yn ddarostyngedig i unrhyw un o'r dyletswyddau gwerth gorau yn adrannau 3 i 6 o Ddeddf Llywodraeth Leol 1999. Pan ddyfernir y dynodiad hwnnw i awdurdod gwerth gorau, sydd yn ddarostyngedig i unrhyw un o'r dyletswyddau perthnasol, bydd y pŵer hefyd yn galluogi grantiau i gael eu talu'n wobwr am y dynodiad hwnnw ac mewn perthynas â threuliau a dynnwyd neu sydd i'w tynnu gan yr awdurdod wrth ddsbarthu gwybodaeth am arferion gorau.

Bydd adran 37 yn galluogi'r Cynulliad i roi cymorth ariannol mewn argyfwng i Awdurdodau Tân Cyfunol (a gyfunwyd yn rhinwedd Deddf Gwasanaethau Tân 1947) yn eu henw eu hunain.

Mae adrannau 38 a 39 yn hwyluso trosglwyddo tai awdurdodau lleol i landlordiaid cymdeithasol cofrestredig. O dan adran 38, bydd y Cynulliad yn gallu gwneud taliadau i'r Comisiynwyr Benthyciad Gweithfeydd Cyhoeddus ("the Commissioners") er mwyn gostwng neu ddileu'r ddyled o'r fath a fydd gan awdurdod leol yng Ngymru, i'r Comisiynwyr yng Nghymru fel y gwêl y Cynulliad yn dda. Gallai'r Comisiynwyr wrthod derbyn taliad y mae'r Cynulliad yn cynnig ei wneud iddynt. Bydd adran 39 yn galluogi'r Cynulliad i wneud taliadau i awdurdodau lleol i'w galluogi i dalu dyledion ac eithrio dyledion i'r Comisiynwyr.

Mae adran 40 yn cychwyn Atodlen 2 i'r Ddeddf sy'n gwneud darpariaeth i alluogi'r Cynulliad i wneud dau adroddiad cyllid llywodraeth leol am unrhyw flwyddyn ariannol, y naill yn ymwneud ag awdurdodau heddlu a'r llall yn ymwneud ag awdurdodau a chyrrff eraill.

Mae adrannau 41 i 59 yn gwneud darpariaeth mewn cysylltiad ag Ardaloedd Gwella Busnes ("AGBoedd"). Caiff awdurdodau bilio wneud trefniadau mewn perthynas ag ardaloedd o fewn eu hawdurdod a elwir yn AGBoedd. Mewn AGB, cyllidir gwasanaethau ychwanegol neu welliannau o fudd i'r gymuned leol

Schedule 1 (which makes provision about capital finance in relation to community councils and charter trustees) to the Act operative effect. Sections 21 to 22 make provision in connection with accounting practices and revenue accounts.

Sections 23 and 24 contain definition and interpretation provisions.

Sections 25 to 28 make provision in connection with financial administration. Sections 25 and 27 deal with budget calculations, section 26 with minimum reserves and section 28 with budget monitoring.

The power in section 36 will enable grant to be paid by the Assembly to best value authorities subject to any of the best value duties in sections 3 to 6 of the Local Government Act 1999, in relation to expenses they have incurred in applying for the award of a designation based on excellence in the provision of services. Where a best value authority subject to any of the relevant duties is awarded such designation the power will also enable grant to be paid as a reward for such designation and in relation to expenses incurred or to be incurred by the authority in disseminating information about best practices.

Section 37 will enable the Assembly to give emergency financial assistance to Combined Fire Authorities (combined by virtue of the Fire Services Act 1947) in their own right.

Sections 38 and 39 facilitate the transfer of local authority housing to registered social landlords. Under section 38, the Assembly will be able to make payments to the Public Works Loan Commissioners ("the Commissioners") so as to reduce or extinguish such debt of a local authority in Wales to the Commissioners as the Assembly thinks fit. The Commissioners may refuse to accept a payment which the Assembly proposes to make to them. Section 39 will enable the Assembly to make payments to local authorities to enable them to repay their debts other than those to the Commissioners.

Section 40 commences Schedule 2 to the Act which makes provision for enabling the Assembly to make two local government finance reports for any financial year, one dealing with police authorities and one dealing with other authorities and bodies.

Sections 41 to 59 make provisions in connection with Business Improvement Districts ("BIDs"). Billing authorities may make arrangements in respect of areas in their authority known as BIDs. In a BID, additional services or improvements of benefit to the local community will be funded by a levy, raised from non-

drwy bobl sy'n talu ardrethi annomestig neu rai pobl benodol sy'n talu ardrethi annomestig yn yr AGB (adran 41). Er mwyn sefydlu AGB, rhaid yn gyntaf i fwyafrif o'r bobl a fyddai'n rhwym o dalu'r ardoll berthnasol bleidleisio o blaid (adran 49).

Mae adrannau 60, 61, 62(1) a (3) i (10), 66, 67(1) a (3) i (5), 70(1) i (3) a (7) i (9), a 71 yn diwygio darpariaethau ardrethu annomestig yn Neddf Cyllid Llywodraeth Leol 1988 fel a ganlyn.

Mae adran 60 yn ei gwneud yn ofynnol llunio rhestr o'r ardrethi arfaethedig chwe mis cyn iddynt ddod i rym. Mae adran 61 yn gwneud darpariaeth ar gyfer cymorth newydd i fusnesau bach. Mae adrannau 62(1) a (3) i (10) yn gwneud darpariaeth mewn perthynas â chyfrifo'r lluosydd ardrethu annomestig. Mae adran 66 yn darparu ar gyfer hawl i ddefnyddio unrhyw dir at ddiben gweithredu mesurydd i fesur cyflenwad o nwy neu drydan neu wasanaeth arall o'r fath y gall y Cynulliad ei bennu'n hereditament (os person heblaw defnyddiwr y gwasanaeth sy'n berchen ar y mesurydd). Mae adrannau 67(1) a (3) i (5) yn gwneud darpariaeth mewn cysylltiad ag esemptiadau ar gyfer adeiladau amaethyddol. Mae adran 70(1) i (3) a (7) i (9) yn gwneud darpariaeth mewn cysylltiad â chadw ardrethi lleol yn yr ardal leol. Mae adran 71 yn gwneud darpariaeth mewn cysylltiad ag addasiadau ar gyfer cymorth caledi.

Mae adran 75(2) i (5) yn diwygio Deddf Cyllid Llywodraeth Leol 1992 er mwyn gwneud darpariaeth mewn perthynas â disgowntiau yn y dreth gyngor yng Nghymru mewn cysylltiad ag ail gartrefi a chartrefi gwag.

Mae adran 89 yn ymdrin â thalu a chyfrifo cymhorthdal y Cyfrif Refeniw Tai ac mae adran 90(1) a (3) yn ymdrin â symiau negyddol o gymhorthdal y Cyfrif Refeniw Tai.

Mae adran 100(3) yn gwneud Atodlen 3 yn effeithiol. Mae'r Atodlen honno yn diwygio rhai o'r darpariaethau sy'n rhoi pwerau i wneud gorchmynion a rheoliadau o dan ddeddfau llywodraeth leol amrywiol neu yn llywodraethu eu harfer. Mae'n gwneud hynny at ddibenion eu harfer mewn perthynas ag awdurdodau yr effeithir arnynt ganddynt.

Mae adran 101 yn gwneud darpariaeth gyffredinol mewn cysylltiad â materion trosglwyddo staff. Mae hyn yn berthnasol pan fydd awdurdod gwerth gorau yn gwneud contract â pherson ar gyfer darparu gwasanaethau ac mae adran 102 yn gwneud darpariaeth yn benodol mewn cysylltiad â phensiynau a materion trosglwyddo staff.

Mae adran 109(1) yn diwygio Deddf y Comisiwn Archwilio 1998 ac mae'n gwneud darpariaeth mewn cysylltiad ag archwilio landlordiaid cymdeithasol cofrestredig a ffioedd ar gyfer hynny. Mae adran 109(2) yn gwneud darpariaeth benodol ar gyfer gorchmynion a rheoliadau sydd i'w gwneud o dan adran 52 o'r Ddeddf honno gan y Cynulliad.

domestic ratepayers or certain non-domestic ratepayers in the BID (section 41). For a BID to be established a majority of those who would be liable to pay the relevant levy must first vote in favour (section 49).

Sections 60, 61, 62(1) and (3) to (10), 66, 67(1) and (3) to (5), 70(1) to (3) and (7) to (9) and 71 amend non-domestic rating provisions in the Local Government Finance Act 1988 in the following ways.

Section 60 requires proposed rating lists to be produced 6 months before they come into force. Section 61 makes provision for a new small business relief. Sections 62(1) and (3) to (10) make provision in relation to calculating the non-domestic rating multiplier. Section 66 provides for a right to use any land for the purpose of operating a meter to measure a supply of gas or electricity or such other service as the Assembly may specify (where the meter is owned by a person other than the consumer of the service) to be a hereditament. Sections 67(1) and (3) to (5) make provision in connection with exemptions for agricultural buildings. Section 70(1) to (3) and (7) to (9) makes provision in connection with local retention of rates. Section 71 makes provision in connection with adjustments for hardship relief.

Section 75(2) to (5) amends the Local Government Finance Act 1992 to make provision in relation to council tax discounts in Wales in relation to second and empty homes.

Section 89 deals with payment and calculation of the Housing Revenue account subsidy and section 90(1) to (3) with negative amounts of Housing Revenue Account subsidy.

Section 100(3) gives effect to Schedule 3 which amends certain of the provisions conferring or governing the exercise of order-making and regulation-making powers under various local government enactments and does so for the purposes of their exercise in relation to authorities to which they have effect.

Section 101 makes general provision in connection with staff transfer matters when a best value authority contracts with a person for the provision of services and section 102 makes provision in particular in connection with pensions and staff transfer matters.

Section 109(1) amends the Audit Commission Act 1998 and makes provision in connection with the inspection of registered social landlords and fees for the same. Section 109(2) makes specific provision for orders and regulations to be made under section 52 of that Act by the Assembly.

Mae adran 117 yn galluogi'r Cynulliad i ddiwygio deddfiadau sy'n berthnasol i awdurdod lleol os yw'n ystyried ei bod yn briodol gwneud hynny yng ngoleuni arferion cyfrifydda sy'n gyffredinol dderbyniol.

Mae adran 118 yn diwygio adran 137 o Ddeddf Llywodraeth Leol 1972 (sy'n galluogi awdurdodau lleol i dynnu treuliau at ddibenion penodol nad ydynt yn cael eu hawdurdodi fel arall) ynghyd â'r Atodlen gysylltiedig yn y Ddeddf honno.

Mae adran 119 yn gwneud darpariaeth mewn cysylltiad â'r defnydd o gosbau penodedig ar gyfer tramgwyddau ysbwriel a chŵn yn baeddu.

Caiff effaith y darpariaethau a bennir yn Rhan II o Atodlen 1 ei hegluro isod.

Mae adran 64 yn darparu cymorth ar gyfer clybiau chwaraeon amatwr cymunedol cofrestredig mewn cysylltiad ag ardrethi annomestig.

Mae adran 67(2) yn diwygio Atodlen 5 o Ddeddf Cyllid Llywodraeth Leol 1988 fel bod yr esemptio o ardrethu annomestig mewn cysylltiad â thir ac adeiladau amaethyddol yn cael ei estyn.

Mae adran 92(2) yn galluogi'r Cynulliad i ddiddymu drwy orchymyn adran 24(3) o Ddeddf Tai 1985 fel y'i diwygiwyd gan adran 92(1) o'r Ddeddf.

Mae adran 120 yn gwneud darpariaeth ar gyfer rheoleiddio busnes tyllu rhannau o'r corff a lliwio'r croen at ddibenion cosmetig.

Mae Atodlen 6 yn gwneud darpariaethau trosiannol sy'n gysylltiedig â phan ddaw adran 120 i rym.

Mae Atodlenni 7 ac 8 yn cynnwys diwygiadau canlyniadol a diddymiadau a dirymiadau yn y drefn honno.

Mae Atodlen 2 o'r Gorchymyn yn effeithiol at ddibenion gwneud darpariaethau trosiannol ac arbedion.

Section 117 enables the Assembly to amend enactments relating to a local authority if it considers it appropriate to do so in the light of generally accepted accounting practice.

Section 118 amends section 137 of the Local Government Act 1972 (which enables local authorities to incur expenditure for certain purposes not otherwise authorised) and the related Schedule in that Act.

Section 119 makes provision in connection with the use of fixed penalties paid for litter and dog-fouling offences.

The effect of the provisions specified in Part II of Schedule 1 is explained below.

Section 64 provides relief for registered community amateur sports clubs in respect of non-domestic rates.

Section 67(2) makes an amendment to Schedule 5 of the Local Government Finance Act 1988 such that the exemption from non-domestic rating in respect of agricultural premises is extended.

Section 92(2) enables the Assembly to repeal by order section 24(3) of the Housing Act 1985, as amended by section 92(1) of the Act.

Section 120 makes provision for the regulation of cosmetic piercing and skin colouring business.

Schedule 6 makes transitional provisions associated with the coming into force of section 120.

Schedules 7 and 8 contain consequential amendments and repeals and revocations respectively.

Schedule 2 of the Order has effect for the purposes of making transitional provisions and savings.

2003 Rhif 3034 (Cy.282) (C.113)

**LLYWODRAETH LEOL,
CYMRU**

**Gorchymyn Deddf Llywodraeth
Leol 2003 (Cychwyn) (Cymru)
2003**

Wedi'i wneud

26 Tachwedd 2003

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 128(4), (6)(b) a (9) o Ddeddf Llywodraeth Leol 2003(a).

Enwi a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Llywodraeth Leol 2003 (Cychwyn) (Cymru) 2003.

(2) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("*the Act*") Deddf Llywodraeth Leol 2003.

Darpariaethau sy'n dod i rym

2.-(1) Daw darpariaethau'r Ddeddf a bennir yn Rhan I o Atodlen 1 ac yn Atodlen 2 i rym ar 27 Tachwedd 2003.

(2) Daw darpariaethau'r Ddeddf a bennir yn Rhan II o Atodlen 1 i rym ar 1 Ebrill 2004.

(3) Oni phennir fel arall yn Atodlen 1 neu Atodlen 2 i'r Gorchymyn hwn, daw'r darpariaethau y cyfeirir atynt ym mharagraffau (1) a (2) uchod i rym at bob diben.

(4) Ac eithrio i'r graddau y cânt eu pennu yn adran 128(4)(b) i (g) o'r Ddeddf, dim ond i'r graddau y maent yn berthnasol i Gymru y dygir i rym ddarpariaethau'r Ddeddf sy'n cael eu dwyn i rym gan y Gorchymyn hwn.

Darpariaethau trosiannol ac eithriadau

3. Mae Atodlen 2 i'r Gorchymyn hwn yn effeithiol at ddibenion gwneud darpariaethau trosiannol ac eithriadau mewn cysylltiad â'r darpariaethau y mae'n cyfeirio atynt.

(a) 2003 p. 38.

2003 No. 3034 (W.282) (C.113)

**LOCAL GOVERNMENT,
WALES**

**The Local Government Act 2003
(Commencement) (Wales) Order
2003**

Made

26th November 2003

The National Assembly for Wales makes the following Order in exercise of the powers given to it by section 128(4), (6)(b) and (9) of the Local Government Act 2003(a).

Name and interpretation

1.-(1) This Order is called the Local Government Act 2003 (Commencement) (Wales) Order 2003.

(2) In this Order "the Act" ("*y Ddeddf*") means the Local Government Act 2003.

Provisions coming into force

2.-(1) The provisions of the Act specified in Part I of Schedule 1 and in Schedule 2 will come into force on 27th November 2003.

(2) The provisions of the Act specified in Part II of Schedule 1 will come into force on 1st April 2004.

(3) Unless otherwise specified in Schedule 1 or Schedule 2 to this Order the provisions referred to in paragraphs (1) and (2) above will come into force for all purposes.

(4) Except to the extent that they are specified in section 128(4)(b) to (g) of the Act, the provisions of the Act brought into force by this Order are brought into force only so far as relating to Wales.

Transitional provisions and savings

3. Schedule 2 to this Order has effect for the purposes of making transitional provisions and savings in relation to the provisions to which it refers.

(a) 2003 c. 26.

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).

26 Tachwedd 2003

26th November 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

ATODLEN 1**SCHEDULE 1**

Erthygl 2

Article 2

RHAN I**PART I**

Darpariaethau sy'n dod i rym ar 27 Tachwedd 2003
i'r graddau y maent yn berthnasol i Gymru

Provisions coming into force on 27th November
2003 in so far as they relate to Wales

Adrannau 1 i 24	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Sections 1 to 24	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adrannau 25 i 28	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Sections 25 to 28	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adran 36		Section 36	
Adran 37	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Section 37	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adrannau 38 i 40		Sections 38 to 40	
Adrannau 41 i 59		Sections 41 to 59	
Adrannau 60 a 61		Sections 60 and 61	
Adran 62(1) a (3) i (10)		Section 62(1) and (3) to (10)	
Adrannau 66 a 67(1) a (3) i (5)		Sections 66 and 67(1) and (3) to (5)	
Adran 70(1) i (3) a (7) i (9)		Section 70(1) to (3) and (7) to (9)	
Adran 71		Section 71	
Adran 75(2) i (5)		Section 75(2) to (5)	
Adran 89	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Section 89	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adran 90(1) i (3)	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Section 90(1) to (3)	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adran 100(3)		Section 100(3)	
Adran 101	(dim ond i'r graddau y mae'n ymwneud ag awdurdod gwerth gorau yng Nghymru, ac eithrio un a gyrbwyllir yn is-adran (7) o'r adran honno)	Section 101	(only so far as relating to a best value authority in Wales, other than one mentioned in subsection (7) of that section)
Adran 102		Section 102	
Adran 109(1)	(i'r graddau y mae'n ymwneud â landlordiaid cymdeithasol cofrestredig y mae Cynulliad	Section 109(1)	(so far as relating to registered social landlords for which the National Assembly for Wales is the

	Cenedlaethol Cymru yn Awdurdod Perthnasol mewn cysylltiad â hwy at ddibenion Rhan I o Ddeddf Tai 1996 (p.52))		Relevant Authority for the purposes of Part 1 of the Housing Act 1996 (c.52))
Adran 109(2)		Section 109(2)	
Adran 117	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Section 117	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Adrannau 118 a 119		Sections 118 and 119	
Adran 127(3) a (4)		Section 127(3) and (4)	
Atodlen 1	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Schedule 1	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Atodlen 2	(dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Schedule 2	(only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Atodlen 3		Schedule 3	
Atodlen 7 ac adran 127(1) i'r graddau y maent yn ymwneud â -		Schedule 7 and section 127(1) so far as relating to -	
	pharagraffau 2 a 3 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)		paragraphs 2 and 3 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
	paragraff 5		paragraph 5
	paragraff 6 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)		paragraph 6 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
	paragraffau 8, 9(2) a 12 i 17		paragraphs 8, 9(2) and 12 to 17
	paragraff 18 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)		paragraph 18 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
	paragraffau 19, 22, 23, 24(4), 25(2) a (3), 26(1) a (2)		paragraphs 19, 22, 23, 24(4), 25(2) and (3), 26(1) and (2)
	paragraff 29 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)		paragraph 29 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
	paragraff 30		paragraph 30
	paragraffau 32 a 33(3) a (5) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)		paragraphs 32 and 33(3) and (5) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
	paragraffau 49(b), 50(b) a 51(2)		paragraphs 49(b), 50(b) and 51(2)

paragraffau 51(3) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

paragraff 56

paragraff 57 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

paragraffau 58, 59, 61 a 62

paragraffau 63 a 64 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

paragraff 66

paragraff 67 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

paragraff 79 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

paragraph 51(3) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

paragraph 56

paragraph 57 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

paragraphs 58, 59, 61 and 62

paragraphs 63 and 64 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

paragraph 66

paragraph 67 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

paragraph 79 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

Atodlen 8 ac adran 127(2) i'r graddau y maent yn ymwneud ag -

Schedule 8 and section 127(2) so far as relating to -

adran 137(4AA) a (4C) o Ddeddf Llywodraeth Leol 1972 (p.70)

Deddf Trosglwyddo Stoc 1982 (p.41) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

Deddf Tai 1985 (p.68)

adran 33 o Ddeddf Llywodraeth Leol 1988 (p.9)

adran 140(2) o Ddeddf Cyllid Llywodraeth Leol 1988 (p.41)

adrannau 39 i 66 o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

adran 80(2) o Ddeddf Llywodraeth Leol a Thai 1989 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

section 137(4AA) and (4C) of the Local Government Act 1972 (c.70)

the Stock Transfer Act 1982 (c.41) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

the Housing Act 1985 (c.68)

section 33 of the Local Government Act 1988 (c.9)

section 140(2) of the Local Government Finance Act 1988 (c.41)

sections 39 to 66 of the Local Government and Housing Act 1989 (c.42) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

section 80(2) of the Local Government and Housing Act 1989 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

adran 80(3) o Ddeddf Llywodraeth Leol a Thai 1989 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	section 80(3) of the Local Government and Housing Act 1989 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
adran 155(4) o Ddeddf Llywodraeth Leol a Thai 1989 ac Atodlen 3 iddi (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	section 155(4) of and Schedule 3 to the Local Government and Housing Act 1989 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraff 37(2) o Atodlen 5 i Ddeddf Llywodraeth Leol a Thai 1989	paragraph 37(2) of Schedule 5 to the Local Government and Housing Act 1989
paragraff 60 o Atodlen 5 i Ddeddf Llywodraeth Leol a Thai 1989 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	paragraph 60 of Schedule 5 to the Local Government and Housing Act 1989 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraffau 6, 7 a 59 o Atodlen 11 i Ddeddf Llywodraeth Leol a Thai 1989 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	paragraphs 6, 7 and 59 of Schedule 11 to the Local Government and Housing Act 1989 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraff 97 o Atodlen 11 i Ddeddf Llywodraeth Leol a Thai 1989	paragraph 97 of Schedule 11 to the Local Government and Housing Act 1989
adran 88(6)(a) o Ddeddf Diogelu'r Amgylchedd 1990 (p.43)	section 88(6)(a) of the Environmental Protection Act 1990 (c.43)
adran 11(3) o Ddeddf Cyllid Llywodraeth Leol 1992 (p.14)	section 11(3) of the Local Government Finance Act 1992 (c.14)
adrannau 32(11), 43(8) a 50(6) o Ddeddf Cyllid Llywodraeth Leol 1992 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 neu mewn cysylltiad â hwy)	sections 32(11), 43(8) and 50(6) of the Local Government Finance Act 1992 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
adran 52Z(3) o Ddeddf Cyllid Llywodraeth Leol 1992	section 52Z(3) of the Local Government Finance Act 1992
adran 69(1) o Ddeddf Cyllid Llywodraeth Leol 1992	section 69(1) of the Local Government Finance Act 1992
paragraff 90 o Atodlen 13 i Ddeddf Cyllid Llywodraeth Leol 1992 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	paragraph 90 of Schedule 13 to the Local Government Finance Act 1992 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

adran 51(2) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p.19) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar 1 Ebrill 2004 ac mewn perthynas â hwy)	section 51(2) of the Local Government (Wales) Act 1994 (c.19) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraff 30 o Atodlen 15 i Ddeddf Llywodraeth Leol (Cymru) 1994	paragraph 30 of Schedule 15 to the Local Government (Wales) Act 1994
paragraff 88 o Atodlen 16 i Ddeddf Llywodraeth Leol (Cymru) 1994 (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	paragraph 88 of Schedule 16 to the Local Government (Wales) Act 1994 (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraff 8(5) o Atodlen 8 i Ddeddf yr Amgylchedd 1995 (p.25)	paragraph 8(5) of Schedule 8 to the Environment Act 1995 (c.25)
adran 30 o Ddeddf yr Heddlu a Llysoedd Ynadon 1994 (p.29) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	section 30 of the Police and Magistrates' Courts Act 1994 (c.29) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
adran 73 o Ddeddf yr Amgylchedd 1995 (p.25) a pharagraff 31(2) o Atodlen 10 iddi (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar 1 Ebrill 2004 ac mewn cysylltiad â hwy)	section 73 of and paragraph 31(2) of Schedule 10 to the Environment Act 1995 (c.25) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Atodlen 7 o Ddeddf yr Heddlu 1996 (p.16) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	Schedule 7 to the Police Act 1996 (c.16) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
Deddf Cyllid Llywodraeth Leol (Cymeradwyaethau Credyd Atodol) 1997 (p.63) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	The Local Government Finance (Supplementary Credit Approvals) Act 1997 (c.63) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
adran 81(4) o Deddf Llywodraeth Cymru 1998 (p.38) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	section 81(4) of the Government of Wales Act 1998 (c.38) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
paragraff 5 o Atodlen 12 i Ddeddf Cyfle i Gael Cyfiawnder 1999 (p.22) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)	paragraph 5 of Schedule 12 to the Access to Justice Act 1999 (c.22) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)
adran 1(4) o Ddeddf Ardrethu (Cyn Safleoedd Amaethyddiaeth a Siopau Gwledig) 2001 (p.14)	section 1(4) of the Rating (Former Agricultural Premises and Rural Shops) Act 2001 (c.14)

paragraff 53 o Atodlen 6 i Ddeddf Cyfiawnder Troseddol a'r Heddlu 2001 (p.16) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) (dim ond at ddiben blynyddoedd ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004 ac mewn cysylltiad â hwy)

RHAN II

Darpariaethau sy'n dod i rym ar 1 Ebrill 2004 i'r graddau y maent yn berthnasol i Gymru

Adran 64

Adran 67(2)

Adran 92(2)

Adran 120

Atodlen 6

Atodlen 7 ac adran 127(1) i'r graddau y maent yn berthnasol i-

Baragraff 4

ATODLEN 2

Erthygl 3

Darpariaethau Trosiannol ac Eithriadau

Gwariant dewisol awdurdodau lleol

1. Er gwaethaf diddymu adran 137(4AA) o Ddeddf Llywodraeth Leol 1972 (p.11), mae erthygl 2(2) o Orchymyn Awdurdodau Lleol (Terfynau Gwariant Dewisol) (Cymru) 2000(a) i barhau mewn grym.

Ddeddf Llywodraeth Leol a Thai 1989

2.-(1) Er gwaethaf diddymu'r adrannau hynny o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) a'r paragraffau hynny o Atodlen 3 iddi a geir yng ngholofn (1) isod mae'r rheoliadau cyfatebol yng ngholofn (2) i barhau mewn grym hyd 31 Mawrth 2004, ac ar ôl hynny i'r graddau y caiff y darpariaethau perthnasol eu heithrio gan baragraff 2(2)(a) i (ff) o'r Atodlen hon:

(a) O.S. 2000/990.

paragraph 53 of Schedule 6 to the Criminal Justice and Police Act 2001 (c.16) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (only for the purpose of and in relation to financial years beginning on or after 1st April 2004)

PART II

Provisions coming into force on 1st April 2004 in so far as they relate to Wales

Section 64

Section 67(2)

Section 92(2)

Section 120

Schedule 6

Schedule 7 and section 127(1) so far as relating to-

Paragraph 4

SCHEDULE 2

Article 3

Transitional Provisions and Savings

Local authorities discretionary expenditure

1. Despite the repeal of section 137(4AA) of the Local Government Act 1972 (c.11), article 2(2) of the Local Authorities (Discretionary Expenditure Limits) (Wales) Order 2000(a) is to remain in force.

Local Government and Housing Act 1989

2.-(1) Despite the repeal of those sections of and paragraphs of Schedule 3 to the Local Government and Housing Act 1989 (c.42) in column (1) below the corresponding regulations in column (2) are to remain in force until 31st March 2004, and thereafter to the extent that the relevant provisions are saved by paragraph 2(2)(a) to (i) of this Schedule:

(a) S.I. 2000/990.

(1)	(2)
Adran 66(1)(a)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau a Gymeradwywyd) 1990(a) Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau a Gymeradwywyd) (Diwygio) 1991(b) Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau a Gymeradwywyd) (Diwygio) 1992(c)
Adrannau 40(5)(a), 49(3), 51(7), 59(3) a (5), 61(4), 64(2), 66(1)(a) a (6) a pharagraffau 10, 15(1)(a) ac 18(1) o Atodlen 3	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Buddsoddiadau a Gymeradwywyd) (Diwygio) 1995(ch)
Adrannau 40(5)(b), 42(4)(a), 49(3), 51(7), 58(9)(b), 59(3) a (5), 64(2), 66(1)(a) a pharagraffau 10 a 15(1)(a) o Atodlen 3	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Buddsoddiadau a Gymeradwywyd) (Diwygio Rhif 2) 1995(d)
Adrannau 48(5), 49(3), 58(9)(b), 59(3), (4) a (5), 61(4), 64(2), 66(1)(a) a pharagraffau 10 a 15(1)(a) o Atodlen 3.	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Buddsoddiadau a Gymeradwywyd) (Diwygio) 1996(dd)
Adrannau 40(5), 42(4), 48(1)(c) a (5), 49(3), 51(7), 57(1)(c), 58(4)(b) a (9), 59(3) i (5), 61(4), 64(2) a (5), 66(1)(a) a (6) a pharagraffau 10, 11(2), 15(1)(a), 17, 18(1) a 20 o Atodlen 3	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) 1997(e)

(a) O.S. 1990/426.

(b) O.S. 1991/501.

(c) O.S. 1992/1353.

(ch) O.S. 1995/850.

(d) O.S. 1995/1982.

(dd) O.S. 1996/568.

(e) O.S. 1997/319.

(1)	(2)
Section 66(1)(a)	The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990(a) The Local Authorities (Capital Finance) (Approved Investments) (Amendment) Regulations 1991(b) The Local Authorities (Capital Finance) (Approved Investments) (Amendment) Regulations 1992(c)
Sections 40(5)(a), 49(3), 51(7), 59(3) and (5), 61(4), 64(2), 66(1)(a) and (6) and paragraphs 10, 15(1)(a) and 18(1) of Schedule 3	The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulations 1995(d)
Sections 40(5)(b), 42(4)(a), 49(3), 51(7), 58(9)(b), 59(3) and (5), 64(2), 66(1)(a) and paragraphs 10 and 15(1)(a) of Schedule 3	The Local Authorities (Capital Finance and Approved Investments) (Amendment No. 2) Regulations 1995(e)
Sections 48(5), 49(3), 58(9)(b), 59(3), (4) and (5), 61(4), 64(2), 66(1)(a) and paragraphs 10 and 15(1)(a) of Schedule 3	The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulations 1996(f)
Sections 40(5), 42(4), 48(1)(c) and (5), 49(3), 51(7), 57(1)(c), 58(4)(b) and (9), 59(3) to (5), 61(4), 64(2) and (5), 66(1)(a) and (6) and paragraphs 10, 11(2), 15(1)(a), 17, 18(1) and 20 of Schedule 3	The Local Authorities (Capital Finance) Regulations 1997(g)

(a) S.I. 1990/426.

(b) S.I. 1991/501.

(c) S.I. 1992/1353.

(d) S.I. 1995/850.

(e) S.I. 1995/1982.

(f) S.I. 1996/568.

(g) S.I. 1997/319.

Adrannau 48(1)(c), 49(3), 59(4) a 61(4)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) 1997 (a)
Adrannau 48(1)(c), 59(4) a pharagraffau 15(1)(a) a 20 o Atodlen 3	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) 1998 (b)
Adran 48(5)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) (Rhif 2) 1998 (c)
Adrannau 40(5)(a), 58(9)(a) a 59(3) a (5) a pharagraff 15(1)(a) o Atodlen 3	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio Rhif 3) 1998 (ch)
Adrannau 59(4) a (5)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) (Cymru) 1999 (d)
Adrannau 40(5)(a), 48(1)(c), 49(2), 59(4) a (5), 61(4) a 66(1)(a)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Buddsoddiadau a Gymeradwywyd) (Diwygio) (Cymru) 1999 (dd)
Adran 49(3)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) (Cymru) 2000 (e)
Adran 61(1)(a)	Rheoliadau Awdurdodau Lleol (Buddsoddiadau a Gymeradwywyd) (Diwygio) (Cymru) 2001 (f)

Sections 48(1)(c), 49(3), 59(4) and 61(4)	The Local Authorities (Capital Finance) (Amendment) Regulations 1997 (a)
Sections 48(1)(c), 59(4) and paragraphs 15(1)(a) and 20 of Schedule 3	The Local Authorities (Capital Finance) (Amendment) Regulations 1998 (b)
Section 48(5)	The Local Authorities (Capital Finance) (Amendment) (No. 2) Regulations 1998 (c)
Sections 40(5)(a), 58(9)(a) and 59(3) and (5) and paragraph 15(1)(a) of Schedule 3	The Local Authorities (Capital Finance) (Amendment No. 3) Regulations 1998 (d)
Sections 59(4) and (5)	The Local Authorities (Capital Finance) (Amendment) (Wales) Regulations 1999 (e)
Sections 40(5)(a), 48(1)(c), 49(2), 59(4) and (5), 61(4) and 66(1)(a)	The Local Authorities (Capital Finance and Approved Investments) (Amendment) (Wales) Regulations 1999 (f)
Section 49(3)	The Local Authorities (Capital Finance) (Amendment) (Wales) Regulations 2000 (g)
Section 61(1)(a)	The Local Authorities (Approved Investments) (Amendment) (Wales) Regulations 2001 (h)

(a) O.S. 1997/848.

(b) O.S. 1998/371.

(c) O.S. 1998/602.

(ch) O.S. 1998/1937.

(d) O.S. 1999/501.

(dd) O.S. 1999/1852.

(e) O.S. 2000/992.

(f) O.S. 2001/3731.

(a) S.I. 1997/848.

(b) S.I. 1998/371.

(c) S.I. 1998/602.

(d) S.I. 1998/1937.

(e) S.I. 1999/501.

(f) S.I. 1999/1852.

(g) S.I. 2000/992.

(h) S.I. 2001/3731.

Adran 58(9) a 66(1)(a)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Buddsoddiadau a Gymeradwywyd) (Diwygio) (Cymru) 2002(a)
Adran 66(1)(a)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau a Gymeradwywyd) (Diwygio) (Rhif 2) (Cymru) 2002(b)
Adran 49(2)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Cyfradd y Gostyngiad ar gyfer 2003/2004) (Cymru) 2003(c)
Adran 42(4)	Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Diwygio) (Cymru) 2003(ch)

Section 58(9) and 66(1)(a)	The Local Authorities (Capital Finance and Approved Investments) (Amendment) (Wales) Regulations 2002(a)
Section 66(1)(a)	The Local Authorities (Capital Finance) (Approved Investments) (Amendment) (No. 2) (Wales) Regulations 2002(b)
Section 49(2)	The Local Authorities (Capital Finance) (Rate of Discount for 2003/2004) (Wales) Regulations 2003(c)
Section 42(4)	The Local Authorities (Capital Finance) (Amendment) (Wales) Regulations 2003(d)

(2)

- (a) Mae adrannau 39 (cymhwyso Rhan 4) a 66 (dehongli Rhan 4) o Ddeddf Llywodraeth Leol a Thai 1989 i barhau i fod yn effeithiol, ar ac ar ôl 1 Ebrill 2004, at ddibenion y darpariaethau trosiannol a'r eithriadau ym mharagraff (b) i (ff) isod a hynny fel pe na bai'r adrannau hynny wedi peidio â bod yn effeithiol neu wedi'u diddymu yn rhinwedd y Ddeddf.
- (b) Mae adrannau 40 i 42 o Ddeddf Llywodraeth Leol a Thai 1989 (dibenion cyfalaf a chodi gwariant ar gyfrif refeniw) i barhau i fod yn effeithiol mewn cysylltiad â gwariant a dynnir gan awdurdod lleol cyn 1 Ebrill 2004 fel pe na bai'r adrannau hynny wedi peidio â bod yn effeithiol neu wedi'u diddymu yn rhinwedd y Ddeddf.
- (c) Mae unrhyw gyfarwyddyd sydd wedi'i wneud o dan adran 40(6) o Ddeddf Llywodraeth Leol a Thai 1989 (dibenion cyfalaf) -
- (i) Mewn cysylltiad â gwariant y gall yr awdurdod dan sylw ei drin yn wariant at ddibenion cyfalaf; a

(a) O.S. 2002/885.

(b) O.S. 2002/1884.

(c) O.S. 2003/894.

(ch) O.S. 2003/915.

(2)

- (a) Sections 39 (application of Part 4) and 66 (interpretation of Part 4) of the Local Government and Housing Act 1989 are to continue to have effect on and after 1st April 2004, as if those sections had not ceased to have effect or been repealed by virtue of the Act, for the purposes of the transitional provisions and savings in paragraphs (b) to (i) below.
- (b) Sections 40 to 42 of the Local Government and Housing Act 1989 (capital purposes and charge of expenditure to revenue account) are to continue to have effect in relation to expenditure incurred by a local authority before 1st April 2004 as if those sections had not ceased to have effect or been repealed by virtue of the Act.
- (c) Any direction made under section 40(6) of the Local Government and Housing Act 1989 (capital purposes) -
- (i) In respect of expenditure which may be treated by the authority concerned as expenditure for capital purposes; and

(a) S.I. 2002/885.

(b) S.I. 2002/1884.

(c) S.I. 2003/894.

(d) S.I. 2003/915.

- (ii) Lle y mae'r cyfnod a bennir o dan adran 40(6)(d) yn gorffen ar neu ar ôl 1 Ebrill 2004,

i barhau i fod yn effeithiol ar neu ar ôl 1 Ebrill 2004 fel pe bai'n gyfarwyddyd a gafodd ei wneud o dan adran 16(2)(b) o'r Ddeddf ("capital expenditure") ac, yn unol â hynny, caiff yr awdurdod dan sylw drin y gwariant y cyfeirir ato yn y cyfarwyddyd yn wariant cyfalaf at ddibenion Pennod 1 o Ran 1 o'r Ddeddf.

- (ch) Mae adrannau 54 i 57 o Ddeddf Llywodraeth Leol a Thai 1989 (cymeradwyaethau credyd) i barhau i fod yn effeithiol, cyn 1 Hydref 2004, at ddibenion unrhyw gymeradwyaeth credyd sylfaenol neu gredyd atodol a roddwyd cyn y dyddiad hwnnw ar gyfer blwyddyn ariannol, neu gyfnod, yn cychwyn cyn 1 Ebrill 2004, a hynny fel pe na baent wedi peidio â bod yn effeithiol neu wedi'u diddymu yn rhinwedd y Ddeddf.
- (d) Mae adrannau 58, 59 a 61 o Ddeddf Llywodraeth Leol a Thai 1989 (derbyniadau cyfalaf) i barhau i fod yn effeithiol cyn 1 Hydref 2004, at ddibenion adran 60 o Ddeddf Llywodraeth Leol a Thai 1989 (balans derbyniad cyfalaf y gellir ei ddefnyddio), a hynny fel pe na baent wedi peidio â bod yn effeithiol neu wedi'u diddymu yn rhinwedd y Ddeddf.
- (dd) Mae adran 60 o Ddeddf Llywodraeth Leol a Thai 1989 i barhau i fod yn effeithiol, cyn 1 Hydref 2004, at ddibenion unrhyw benderfyniad a gafodd ei wneud o dan yr adran honno mewn cysylltiad â'r rhan y gellir ei defnyddio o dderbyniadau cyfalaf yr awdurdod sydd i'w cymhwysu cyn 1 Ebrill 2004, a hynny fel pe na bai wedi peidio â bod yn effeithiol neu wedi'i diddymu yn rhinwedd y Ddeddf.
- (e) Mae Rhan 4 o Atodlen 3 i Ddeddf Llywodraeth Leol a Thai 1989 (isafswm y ddarpariaeth refeniw) i barhau i fod yn effeithiol, cyn Hydref 2004, at ddibenion adran 63(1) o Ddeddf Llywodraeth Leol a Thai 1989 (dyletswydd i osod symiau penodol o'r neilltu yn ddarpariaeth i gwrdd â rhwymedigaethau credyd), a hynny fel pe na bai wedi peidio â bod yn effeithiol neu wedi'i diddymu yn rhinwedd y Ddeddf.
- (f) Mae is-adrannau (1) a (5) o adran 63 o Ddeddf Llywodraeth Leol a Thai 1989 i barhau i fod yn effeithiol, cyn 1 Hydref 2004, at ddibenion unrhyw benderfyniad o dan yr adran honno a gafodd ei wneud cyn y dyddiad hwnnw mewn cysylltiad â'r flwyddyn ariannol sy'n cychwyn ar 1 Ebrill 2003, a hynny fel pe na baent wedi peidio â bod yn effeithiol neu wedi'u diddymu yn rhinwedd y Ddeddf.
- (ff) Mae adran 65 o Ddeddf Llywodraeth Leol a Thai 1989 (gwybodaeth) i barhau i fod yn effeithiol, ar ac ar ôl 1 Ebrill 2004, at

- (ii) In which the period specified under section 40(6)(d) ends on or after 1st April 2004,

is to continue to have effect on and after 1st April 2004 as if it were a direction made under section 16(2)(b) of the Act ("capital expenditure"), and accordingly the expenditure referred to in the direction may be treated by the authority concerned as capital expenditure for the purposes of Chapter 1 of Part 1 of the Act.

- (d) Sections 54 to 57 of the Local Government and Housing Act 1989 (credit approvals) are to continue to have effect before 1st October 2004, as if they had not ceased to have effect or been repealed by virtue of the Act, for the purposes of any basic credit approval or supplementary credit approval issued before that date for a financial year, or period, beginning before 1st April 2004.
- (e) Sections 58, 59 and 61 of the Local Government and Housing Act 1989 (capital receipts) are to continue to have effect before 1st October 2004, as if they had not ceased to have effect or been repealed by virtue of the Act, for the purposes of section 60 of the Local Government and Housing Act 1989 (the usable balance of capital receipts).
- (f) Section 60 of the Local Government and Housing Act 1989 is to continue to have effect before 1st October 2004, as if it had not ceased to have effect or been repealed by virtue of the Act, for the purposes of any determination made under that section in respect of the usable part of the authority's capital receipts that are to be applied before 1st April 2004.
- (g) Part 4 of Schedule 3 to the Local Government and Housing Act 1989 (minimum revenue provision) is to continue to have effect before 1st October 2004, as if it had not ceased to have effect or been repealed by virtue of the Act, for the purposes of section 63(1) of the Local Government and Housing Act 1989 (duty to set certain amounts aside as provision to meet credit liabilities).
- (h) Subsections (1) and (5) of section 63 of the Local Government and Housing Act 1989 are to continue to have effect before 1st October 2004, as if they had not ceased to have effect or been repealed by virtue of the Act, for the purposes of any determination under that section made before that date in relation to the financial year beginning on 1st April 2003.
- (i) Section 65 of the Local Government and Housing Act 1989 (information) is to continue to have effect on and after 1st April 2004, as if

ddibenion unrhyw wybodaeth y mae ar Gynulliad Cenedlaethol Cymru ei hangen at unrhyw bwrpas penodol ym mharagraff (a), (b) neu (c) o is-adran (1) i'r graddau y mae'n berthnasol i unrhyw flwyddyn ariannol sy'n cychwyn cyn 1 Ebrill 2004, a hynny fel pe na bai wedi peidio â bod yn effeithiol neu wedi ei diddymu yn rhinwedd y Ddeddf.

Cyllid cyfalaf - Rhan 1 o'r Ddeddf

3.-(1) Caiff unrhyw drefniant credyd -

- (a) o fewn yr ystyr sydd iddo yn adran 48 o Ddeddf Llywodraeth Leol a Thai 1989 (trefniadau credyd);
- (b) sydd mewn bodolaeth yn union cyn 1 Ebrill 2004; ac
- (c) a fyddai, pe byddai wedi'i wneud ar 1 Ebrill 2004, yn drefniant credyd o fewn yr ystyr sydd iddo yn adran 7 o'r Ddeddf ("credit arrangements"),

ei drin fel pe bai'n drefniant credyd at ddibenion Pennod 1 o Ran 1 o'r Ddeddf (cyllid cyfalaf etc.).

(2) Mae'r rhan y gellir ei defnyddio o unrhyw dderbyniad cyfalaf -

- (a) o fewn yr ystyr sydd iddo yn adran 60(2) o Ddeddf Llywodraeth Leol a Thai 1989 (balans derbyniadau cyfalaf y gellir ei ddefnyddio); a
- (b) nas cymhwysir gan yr awdurdod lleol mewn unrhyw flwyddyn ariannol sy'n cychwyn cyn 1 Ebrill 2004,

i'w thrin fel pe bai'n dderbyniad cyfalaf o fewn yr ystyr sydd i hynny yn adran 9 o'r Ddeddf ("capital receipt") at ddibenion Pennod 1 o Ran 1 o'r Ddeddf.

Gweinyddu ariannol

4. Nid yw adran 27 o'r Ddeddf (cyfrifo cyllideb: adroddiad ar arian wrth gefn nad yw'n ddigonol) i fod yn gymwys mewn cysylltiad â chyfrifo at ddiben unrhyw flwyddyn ariannol sy'n cychwyn cyn 1 Ebrill 2005.

Cyfrif refeniw tai

5. Er i baragraff 33(3) o Atodlen 7 i'r Ddeddf ddod i rym, bydd unrhyw gyfarwyddyd a wneir o dan eitem 9 yn Rhan 1 o Atodlen 4 i Ddeddf Llywodraeth Leol a Thai 1989, ac a fydd yn effeithiol am flwyddyn ariannol sy'n cychwyn ar neu ar ôl 1 Ebrill 2004, yn parhau i fod yn effeithiol, fel pe bai wedi'i wneud o dan eitem 9 fel y'i hamnewidiwyd gan baragraff 33(3) o Atodlen 7 i'r Ddeddf.

it had not ceased to have effect or been repealed by virtue of the Act, for the purposes of any information required by the National Assembly for Wales for any purpose specified in paragraph (a), (b) or (c) of subsection (1) insofar as it relates to any financial year beginning before 1st April 2004.

Capital Finance - Part 1 of the Act

3.-(1) Any credit arrangement -

- (a) within the meaning of section 48 of the Local Government and Housing Act 1989 (credit arrangements);
- (b) in existence immediately before 1st April 2004; and
- (c) which, if it had been entered into on 1st April 2004, would be a credit arrangement within the meaning of section 7 of the Act ("credit arrangements"),

shall be treated as if it were a credit arrangement for the purposes of Chapter 1 of Part 1 of the Act (capital finance etc.).

(2) The usable part of any capital receipt -

- (a) within the meaning of section 60(2) of the Local Government and Housing Act 1989 (the usable balance of capital receipts); and
- (b) which is not applied by the local authority in any financial year beginning before 1st April 2004,

is to be treated as if it were a capital receipt within the meaning of section 9 of the Act ("capital receipt") for the purposes of Chapter 1 of Part 1 of the Act.

Financial administration

4. Section 27 of the Act (budget calculations: report on inadequacy of controlled reserve) is not to apply in relation to calculations for the purpose of any financial year beginning before 1st April 2005.

Housing revenue account

5. Despite the coming into force of paragraph 33(3) of Schedule 7 to the Act, any direction made under item 9 in Part 1 of Schedule 4 to the Local Government and Housing Act 1989, which has effect for a financial year beginning on or after 1st April 2004 is to continue to have effect, as if it were made under item 9 as substituted by paragraph 33(3) of Schedule 7 to the Act.

Cadw ardrethi lleol yn yr ardal leol

6. Er i adran 70 o'r Ddeddf ddod i rym, bydd y darpariaethau ym mharagraffau 5(6) a (6A) o Atodlen 8 i Ddeddf Cyllid Llywodraeth Leol 1988 (p.41), fel y maent yn gymwys i unrhyw flwyddyn ariannol sy'n gorffen ar neu cyn 31 Mawrth 2005, yn parhau i weithredu fel pe na bai'r diwygiadau i'r paragraffau hynny wedi'u gwneud.

Local retention of rates

6. Despite the coming into force of section 70 of the Act, the provisions in paragraphs 5(6) and (6A) of Schedule 8 to the Local Government Finance Act 1988 (c.41) as they apply to any financial year ending on or before 31st March 2005 are to continue to operate as if the amendments to those paragraphs had not been made.

OFFERYNNAU STATUDOL

2003 Rhif 3034 (Cy.282) (C.113)

**LLYWODRAETH LEOL,
CYMRU**

Gorchymyn Deddf Llywodraeth
Leol 2003 (Cychwyn) (Cymru)
2003

STATUTORY INSTRUMENTS

2003 No. 3034 (W.282) (C.113)

**LOCAL GOVERNMENT,
WALES**

The Local Government Act 2003
(Commencement) (Wales) Order
2003

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