



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 910 (Cy.93) (C.39)

2004 No. 910 (W.93)(C.39)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

**Gorchymyn Deddf Dŵr 2003
(Cychwyn) (Cymru)
2004**

**The Water Act 2003
(Commencement) (Wales) Order
2004**

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 adran 67 o Ddeddf Dŵr 2003; adrannau 69 a 75 o'r Ddeddf mewn perthynas â Chymru; a diwygiadau canlyniadol a diddymiadau i rym.

This Order brings into force the provisions of section 67 of the Water Act 2003; sections 69 and 75 of the Act in relation to Wales; and consequential amendments and repeals.

Mae adran 67 o'r Ddeddf yn mewnosod adrannau 16A a 16B newydd yn Neddf yr Amgylchedd 1995. Mae adran 16A newydd yn galluogi Cynulliad Cenedlaethol Cymru, trwy orchymyn a wnaed drwy gyfrwng offeryn statudol, i wneud darpariaeth, yn ddarostyngedig i amodau, i bennu cyfanswm nifer yr aelodau, a'r dull o ddewis a phenodi cadeirydd ac aelodau eraill o bwyllgorau rhanbarthol atal llifogydd Cymreig, ac i wneud darpariaeth ar gyfer y cyfryw ddibenion atodol ag sy'n briodol ym marn Cynulliad Cenedlaethol Cymru.

Section 67 of the Act inserts new sections 16A and 16B into the Environment Act 1995. New section 16A enables the National Assembly for Wales, by order made by statutory instrument, to make provision, subject to conditions, determining the total number of members, and the method of selection and appointment of the chairman and other members of Welsh regional flood defence committees, and to make provision for such supplementary purposes as the National Assembly for Wales considers appropriate.

Mae adran 69 yn diddymu adrannau 147 i 149 o Ddeddf Adnoddau Dŵr 1991 er mwyn dileu unrhyw anheuaeth y gellir talu grantiau draenio tir a rhybudd rhag llifogydd i'r Asiantaeth o dan adran 47 o Ddeddf yr Amgylchedd 1995.

Section 69 repeals sections 147 to 149 of the Water Resources Act 1991 so as to remove any doubt that drainage and flood warning grants to the Agency may be paid under section 47 of the Environment Act 1995.

Mae Adran 75 yn diwygio Deddf Cronfeydd Dŵr 1975 i estyn pwerau wrth gefn yr awdurdod gorfodi os na fydd ymgymerwr cronfa ddŵr yn cydymffurfio â rhai gofynion.

Section 75 amends the Reservoirs Act 1975 to extend the enforcement authority's reserve powers in the event of non-compliance by a reservoir undertaker with certain requirements.

2004 Rhif 910 (Cy.93) (C.39)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**Gorchymyn Deddf Dŵr 2003
(Cychwyn) (Cymru)
2004**

Wedi'i wneud

24 Mawrth 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan Adran 105 o Ddeddf Dŵr 2003(a) ("y Ddeddf"), ar ôl ymghynghori â'r Ysgrifennydd Gwladol mewn perthynas â chychwyn adran 67 o'r Ddeddf, yn gwneud y Gorchymyn canlynol:

Enwi

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Dŵr 2003 (Cychwyn) (Cymru) 2004.

Y Diwrnod Penodedig

2.-(1) 1 Ebrill 2004 yw'r diwrnod penodedig i'r canlynol ddod i rym -

- (a) adran 67 o'r Ddeddf (aelodaeth o bwyllgorau rhanbarthol atal llifogydd yng Nghymru);
- (b) adran 69 o'r Ddeddf (grantiau ar gyfer gwaith draenio a systemau rhybudd rhag llifogydd);
- (c) paragraff 42 o Atodlen 7 i'r Ddeddf (mân ddiwygiadau canlyniadol) ac adran 101(1) o'r Ddeddf i'r graddau y mae'n ymwneud ag ef;
- (ch) Atodlen 9 i'r Ddeddf (diddymiadau a dirymu), i'r graddau y mae'n ymwneud ag adran 222(1) o Ddeddf Adnoddau Dŵr 1991(b) ac adran 101(1) o Ddeddf yr Amgylchedd 1995(c); a
- (d) adran 75 o'r Ddeddf (estyn pwerau wrth gefn awdurdod gorfodi).

(a) 2003 p.37.
(b) 1991 p.57.
(c) 1995 p.25.

2004 No. 910 (W.93)(C.39)

**ENVIRONMENTAL
PROTECTION, WALES**

**The Water Act 2003
(Commencement) (Wales) Order
2004**

Made

24th March 2004

The National Assembly for Wales, in exercise of the powers conferred on it by Section 105 of the Water Act 2003(a) ("the Act"), having consulted the Secretary of State in relation to the commencement of section 67 of the Act, makes the following Order:

Citation

1. This Order may be cited as the Water Act 2003 (Commencement) (Wales) Order 2004.

Appointed Day

2.-(1) The day appointed for the coming into force of-

- (a) section 67 of the Act (membership of regional flood defence committees in Wales);
- (b) section 69 of the Act (grants for drainage works and flood warning systems);
- (c) paragraph 42 of schedule 7 to the Act (minor consequential amendments) and section 101(1) of the Act so far as relating thereto;
- (d) schedule 9 to the Act (repeals and revocation), in so far as it relates to section 222(1) of the Water Resources Act 1991(b) and section 101(1) of the Environment Act 1995(c); and
- (e) section 75 of the Act (extension of enforcement authority's reserve powers);

is 1 April 2004.

(a) 2003 c.37.
(b) 1991 c.57.
(c) 1995 c.25.

(2) Caiff y darpariaethau y cyfeirir atynt ym mharagraff 1(b) i (d) eu dwyn i rym mewn perthynas â Chymru'n unig.

(2) The provisions referred to in paragraph 1(b) to (e) are brought into force only in relation to Wales.

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).

24 Mawrth 2004

24th March 2004

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National
Assembly

(a) 1998 p.38.

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2004 Rhif 910 (Cy.93) (C.39)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

Gorchymyn Deddf Dŵr 2003
(Cychwyn) (Cymru)
2004

STATUTORY INSTRUMENTS

2004 No. 910 (W.93)(C.39)

**ENVIRONMENTAL
PROTECTION, WALES**

The Water Act 2003
(Commencement) (Wales) Order
2004

©© Hawlfraint y Goron 2004

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

£3.00

W50/04/03

ON

© Crown copyright 2004

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090912-7



9 780110 909127