



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2005 Rhif 1314 (Cy.96) (C.58)**

**2005 No. 1314 (W.96) (C.58)**

**HAWLIAU TRAMWY, CYMRU**

**RIGHTS OF WAY, WALES**

**Gorchymyn Cefn Gwlad a Hawliau  
Tramwy 2000 (Cychwyn Rhif 7)  
(Cymru) 2005**

**The Countryside and Rights of  
Way Act 2000 (Commencement  
No. 7) (Wales) Order 2005**

**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 dwyn i rym rai o ddarpariaethau penodol Rhan II o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 ("y Ddeddf") o ran Cymru ar 31 Mai 2005, 15 Gorffennaf 2005 a 21 Tachwedd 2005.

This Order brings into force certain provisions of Part II of the Countryside and Rights of Way Act 2000 ("the Act") in relation to Wales on 31 May 2005, 15 July 2005 and 21 November 2005.

Mae'r darpariaethau y mae'r Gorchymyn hwn yn eu cychwyn yn gwella ac yn atgyfnerthu'r gwaith o reoli'r 33,000 o gilometrau amcangyfrifedig o hawliau tramwy cyhoeddus yng Nghymru drwy-

The provisions commenced by this Order improve and strengthen the management of the estimated 33,000 kilometres of public rights of way in Wales by-

- (a) galluogi awdurdodau priffyrdd lleol i gyfuno eu mapiau diffiniol os ydynt yn anghyflawn o ganlyniad i ad-drefnu llywodraeth leol yn flaenorol a thrwy wneud mân ddiwygiadau i'r gweithdrefnau sy'n gymwys i orchmynion llwybrau cyhoeddus ac addasiadau yn gyffredinol. Daw'r darpariaethau hyn i rym ar 31 Mai 2005 (erthygl 2);
- (b) galluogi awdurdodau priffyrdd lleol i gau neu wro llwybrau troed, llwybrau ceffylau ac, ymhen amser, gilffyrdd cyfyngedig, at ddibenion amddiffyn plant ysgol a staff ysgolion drwy helpu'r awdurdodau i wella diogelwch mewn ysgolion lle y mae llwybrau cyhoeddus yn croesi tir sy'n cael ei feddiannu at ddibenion ysgol. Daw'r darpariaethau hyn i rym ar 15 Gorffennaf 2005 (erthygl 3); ac

- (a) enabling local highway authorities to consolidate their definitive maps where they are fragmented as a result of previous local government reorganisations and by making minor amendments to the procedures applicable to public path and modification orders generally. These provisions come into force on 31 May 2005 (article 2);
- (b) enabling local highway authorities to close or divert footpaths, bridleways and, in due course, restricted byways, for the purpose of protecting schoolchildren and staff by assisting authorities to provide improved security at schools where public paths cross land occupied for the purposes of a school. These provisions come into force on 15 July 2005 (article 3); and

(c) ei gwneud yn ofynnol i awdurdodau priffyrdd lleol lunio a chadw tair cofrestr newydd sy'n ymwneud â gorchmynion llwybrau cyhoeddus ac addasiadau a thrwy alluogi Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") i ragnodi cynnwys y cofrestrau hynny. Daw'r darpariaethau hyn i rym ar 21 Tachwedd 2005 (erthygl 4).

(c) requiring local highway authorities to compile and maintain three new registers relating to public path and modification orders and by enabling the National Assembly for Wales ("the National Assembly") to prescribe the content of those registers. These provisions come into force on 21 November 2005 (article 4).

## NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Cafodd darpariaethau canlynol Deddf Cefn Gwlad a Hawliau Tramwy 2000 eu dwyn i rym yng Nghymru gan orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn-

| Adran(nau) neu Atodlen(ni) | Dyddiad Cychwyn | Rhif O.S.                 |
|----------------------------|-----------------|---------------------------|
| 2                          | 28 Mai 2005     | 2005/423 (Cy.41) (C.19)   |
| 12 i 14                    | 28 Mai 2005     | 2005/423 (Cy.41) (C.19)   |
| 18, 20 a 46(1)(a)          | 21 Mehefin 2004 | 2004/1489 (Cy.154) (C.59) |
| 46(1)(b)                   | 1 Mai 2001      | 2001/1410 (Cy.96) (C.50)  |
| 46(3) (yn rhannol)         | 1 Mai 2001      | 2001/1410 (Cy.96) (C.50)  |
| 46(3) (yn rhannol)         | 28 Mai 2005     | 2005/423 (Cy.41) (C.19)   |
| 57 (yn rhannol)            | 1 Mai 2001      | 2001/1410 (Cy.96) (C.50)  |
| 60 a 61                    | 1 Tachwedd 2002 | 2002/2615 (Cy.253) (C.82) |
| 63                         | 1 Ebrill 2004   | 2004/315 (Cy.33) (C.16)   |
| 68                         | 1 Mai 2001      | 2001/1410 (Cy.96) (C.50)  |
| 70(1)                      | 1 Ebrill 2004   | 2004/315 (Cy.33) (C.16)   |
| 70(2)                      | 1 Mai 2001      | 2001/1410 (Cy.96) (C.50)  |
| 70(3)                      | 1 Ebrill 2004   | 2004/315 (Cy.33) (C.16)   |

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Countryside and Rights of Way Act 2000 have been brought into force in Wales by commencement order made before the date of this Order-

| Section(s) or Schedule(s) | Date of Commencement | S.I. number              |
|---------------------------|----------------------|--------------------------|
| 2                         | 28 May 2005          | 2005/423 (W.41) (C.19)   |
| 12 to 14                  | 28 May 2005          | 2005/423 (W.41) (C.19)   |
| 18, 20 and 46(1)(a)       | 21 June 2004         | 2004/1489 (W.154) (C.59) |
| 46(1)(b)                  | 1 May 2001           | 2001/1410 (W.96) (C.50)  |
| 46(3) (in part)           | 1 May 2001           | 2001/1410 (W.96) (C.50)  |
| 46(3) (in part)           | 28 May 2005          | 2005/423 (W.41) (C.19)   |
| 57 (in part)              | 1 May 2001           | 2001/1410 (W.96) (C.50)  |
| 60 and 61                 | 1 November 2002      | 2002/2615 (W.253) (C.82) |
| 63                        | 1 April 2004         | 2004/315 (W.33) (C.16)   |
| 68                        | 1 May 2001           | 2001/1410 (W.96) (C.50)  |
| 70(1)                     | 1 April 2004         | 2004/315 (W.33) (C.16)   |
| 70(2)                     | 1 May 2001           | 2001/1410 (W.96) (C.50)  |
| 70(3)                     | 1 April 2004         | 2004/315 (W.33) (C.16)   |

|   |                 |                              |
|---|-----------------|------------------------------|
| 70(4)   | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| 72  | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| Rhan IV<br>(adrannau<br>82 i 93) (ac,<br>yn unol â<br>hynny,<br>Atodlenni<br>13 i 15) | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| 96  | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| 99  | 30 Ionawr 2001  | 2001/203 (Cy.9)<br>(C.10)    |
| 102 (yn<br>rhannol)   | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| 102 (yn<br>rhannol)   | 28 Mai 2005     | 2005/423<br>(Cy.41) (C.19)   |
| Atodlen 2   | 28 Mai 2005     | 2005/423<br>(Cy.41) (C.19)   |
| Atodlen 4,<br>paragraffau<br>1, 4, 5 a 6  | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| Atodlen 4,<br>paragraffau<br>2 a 3  | 28 Mai 2005     | 2005/423<br>(Cy.41) (C.19)   |
| Atodlen 6,<br>paragraffau<br>1, 6 a 9(5)  | 1 Ebrill 2004   | 2004/315<br>(Cy.33) (C.16)   |
| Atodlen 6,<br>paragraffau<br>18(a) (yn<br>rhannol) ac<br>19 (yn rhannol)              | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| Atodlen 16,<br>Rhan I<br>(yn rhannol)   | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| Atodlen 16,<br>Rhan I<br>(yn rhannol)   | 21 Mehefin 2004 | 2004/1489<br>(Cy.154) (C.59) |
| Atodlen 16,<br>Rhan I<br>(y gweddill)   | 28 Mai 2005     | 2005/423<br>(Cy.41) (C.19)   |
| Atodlen 16,<br>Rhan II<br>(yn rhannol)  | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |
| Atodlen 16,<br>Rhannau III i<br>VI  | 1 Mai 2001      | 2001/1410<br>(Cy.96) (C.50)  |

|   |                    |                             |
|---|--------------------|-----------------------------|
| 70(4)   | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| 72  | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| Part IV<br>(sections 82<br>to 93) (and,<br>accordingly,<br>Schedules 13<br>to 15) | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| 96  | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| 99  | 30 January<br>2001 | 2001/203 (W.9)<br>(C.10)    |
| 102<br>(in part)  | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| 102<br>(in part)  | 28 May 2005        | 2005/423 (W.41)<br>(C.19)   |
| Schedule 2  | 28 May 2005        | 2005/423 (W.41)<br>(C.19)   |
| Schedule 4,<br>paragraphs 1,<br>4, 5 and 6  | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| Schedule 4,<br>paragraphs<br>2 and 3  | 28 May 2005        | 2005/423 (W.41)<br>(C.19)   |
| Schedule 6,<br>paragraphs 1,<br>6 and 9(5)  | 1 April 2004       | 2004/315 (W.33)<br>(C.16)   |
| Schedule 6,<br>paragraphs<br>18(a) (in part)<br>and 19<br>(in part)               | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| Schedule 16,<br>Part I<br>(in part)   | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| Schedule 16,<br>Part I<br>(in part)   | 21 June 2004       | 2004/1489<br>(W.154) (C.59) |
| Schedule 16,<br>Part I<br>(remainder)   | 28 May 2005        | 2005/423 (W.41)<br>(C.19)   |
| Schedule 16,<br>Part II<br>(in part)  | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |
| Schedule 16,<br>Parts III to VI   | 1 May 2001         | 2001/1410<br>(W.96) (C.50)  |

Mae'r Gorchymynion Cychwyn canlynol wedi'u gwneud o dan Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 o ran Lloegr-

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 1) 2001 (O.S. 2001/114) (C.4)

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 2) 2002 (O.S. 2002/2833) (C.89)

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 3) 2003 (O.S. 2003/272) (C.16)

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 4) 2004 (O.S. 2004/292) (C.14)

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 5) 2004 (O.S. 2004/2173) (C.93)

Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 6) 2004 (O.S. 2004/3088) (C.128)

The following Commencement Orders have been made under the Countryside and Rights of Way Act 2000 in relation to England-

The Countryside and Rights of Way Act 2000 (Commencement No. 1) Order 2001 (S.I. 2001/114) (C.4)

The Countryside and Rights of Way Act 2000 (Commencement No. 2) Order 2002 (S.I. 2002/2833) (C.89)

The Countryside and Rights of Way Act 2000 (Commencement No. 3) Order 2003 (S.I. 2003/272) (C.16)

The Countryside and Rights of Way Act 2000 (Commencement No. 4) Order 2004 (S.I. 2004/292) (C.14)

The Countryside and Rights of Way Act 2000 (Commencement No. 5) Order 2004 (S.I. 2004/2173) (C.93)

The Countryside and Rights of Way Act 2000 (Commencement No. 6) Order 2004 (S.I. 2004/3088) (C.128)

**2005 Rhif 1314 (Cy.96) (C.58)**

**HAWLIAU TRAMWY, CYMRU**

Gorchymyn Deddf Cefn Gwlad a  
Hawliau Tramwy 2000 (Cychwyn  
Rhif 7) (Cymru) 2005

*Wedi'i wneud*

*10 Mai 2005*

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddwyd iddo gan adran 103(3) a (5) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 ("y Ddeddf")(1), drwy hyn yn gwneud y Gorchymyn canlynol:

**Enwi, cymhwyso a dehongli**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 7) (Cymru) 2005.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Yn y Gorchymyn hwn-

ystyr "Deddf 1980" yw Deddf Priffyrdd 1980(2);

ystyr "Deddf 1981" yw Deddf Bywyd Gwyllt a Chefn Gwlad 1981(3).

**Diwrnodau penodedig**

2. 31 Mai 2005 yw'r dyddiad a bennwyd i'r canlynol ddod i rym-

(a) adran 51 o'r Ddeddf (diwygiadau o ran mapiau diffiniol a datganiadau) i'r graddau y mae'n rhoi effaith i ddarpariaethau canlynol Atodlen 5 i'r Ddeddf-

(i) paragraff 8 (cyfuno mapiau diffiniol a datganiadau),

(ii) paragraff 10 (ceisiadau am rai orchmynion penodol o dan Ran III),

(iii) paragraff 11 (gweithdrefn mewn cysylltiad â gorchmynion penodol); a

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(1) 2000 p.37.

(2) 1980 p.66.

(3) 1981 p.69.

**2005 No. 1314 (W.96) (C.58)**

**RIGHTS OF WAY, WALES**

The Countryside and Rights of  
Way Act 2000 (Commencement  
No. 7) (Wales) Order 2005

*Made*

*10 May 2005*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon it by section 103(3) and (5) of the Countryside and Rights of Way Act 2000 ("the Act")(1), hereby makes the following Order:

**Title, application and interpretation**

1.-(1) The title of this Order is the Countryside and Rights of Way Act 2000 (Commencement No. 7) (Wales) Order 2005.

(2) This Order applies in relation to Wales.

(3) In this Order-

"the 1980 Act" means the Highways Act 1980(2);

"the 1981 Act" means the Wildlife and Countryside Act 1981(3).

**Appointed days**

2. 31 May 2005 is the day appointed for the coming into force of-

(a) section 51 of the Act (amendments relating to definitive maps and statements) insofar as it gives effect to the following provisions of Schedule 5 to the Act-

(i) paragraph 8 (consolidation of definitive maps and statements),

(ii) paragraph 10 (applications for certain orders under Part III),

(iii) paragraph 11 (procedure in connection with certain orders); and

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(1) 2000 c.37.

(2) 1980 c.66.

(3) 1981 c.69.

(b) adran 57 o'r Ddeddf (creu, cau a gwyro priffyrdd) i'r graddau y mae'n rhoi effaith i ddarpariaethau canlynol Atodlen 6 i'r Ddeddf-

- (i) paragraff 2 (dyletswydd i roi sylw i amaethyddiaeth, coedwigaeth a gwarchodaeth natur),
- (ii) yn ddarostyngedig i erthygl 5 o'r Gorchymyn hwn, paragraff 3 (diwygio adran 31 o Ddeddf 1980 sy'n ymwneud â chyflwyno ffordd i fod yn briffordd, gan y tybir hynny ar ôl ei defnyddio gan y cyhoedd am 20 mlynedd),
- (iii) paragraff 9(1) i (3) (gwyro llwybrau troed a llwybrau ceffylau),
- (iv) paragraff 11 (gwyro llwybrau troed a llwybrau ceffylau sy'n croesi rheilffyrdd),
- (v) paragraff 14(1) a (4)(a) (darpariaethau atodol),
- (vi) paragraff 20(a) i (c) (dehongli), a
- (vii) paragraff 24 (dirprwyo'r swyddogaeth o wneud penderfyniad).

3. 15 Gorffennaf 2005 yw'r diwrnod a bennwyd i adran 57 o'r Ddeddf (creu, cau a gwyro priffyrdd) ddod i rym i'r graddau y mae'n rhoi effaith i ddarpariaethau canlynol Atodlen 6 i'r Ddeddf-

- (a) i'r graddau y mae'n ymwneud â phriffordd a grewyd o ganlyniad i orchymyn gwyro arbennig y mae paragraff (c) o'r erthygl hon yn gymwys, paragraff 5 (priffyrdd sy'n cael eu cynnal a'u cadw ar draul y cyhoedd),
- (b) i'r graddau y mae'n mewnosod adran 118B yn Neddf 1980 at ddibenion paragraff (1)(b) o'r adran honno, paragraff 8 (cau priffyrdd penodol sy'n croesi tir sy'n cael ei feddiannu at ddibenion ysgol),
- (c) i'r graddau y mae'n mewnosod adran 119B yn Neddf 1980 at ddibenion paragraff (1)(b) o'r adran honno, paragraff 12 (gwyro priffyrdd penodol sy'n croesi tir sy'n cael ei feddiannu at ddibenion ysgol), ac
- (ch) i'r graddau y mae'n ymwneud â darpariaeth a gafodd ei dwyn i rym gan yr erthygl hon-
  - (i) paragraff 13(1) i (5) (ac eithrio (5)(e)) a (7) i (9) (arfer pwerau gwneud gorchmynion diddymu neu wyro llwybrau cyhoeddus),
  - (ii) i'r graddau nad yw'n cael ei ddwyn i rym gan erthygl 2, paragraff 14 (darpariaethau atodol),
  - (iii) paragraff 17 (pwerau mynd i mewn),
  - (iv) ym mharagraff 18 (rheoliadau, cynlluniau a gorchmynion)-
    - (aa)is-baragraff (a), i'r graddau ei fod, yn adran 325(1)(d) o Ddeddf 1980, yn

(b) section 57 of the Act (creation, stopping up and diversion of highways) insofar as it gives effect to the following provisions of Schedule 6 to the Act-

- (i) paragraph 2 (duty to have regard to agriculture, forestry and nature conservation),
- (ii) subject to article 5 of this Order, paragraph 3 (amendment of section 31 of the 1980 Act relating to the dedication of a way as highway presumed after public use for 20 years),
- (iii) paragraph 9(1) to (3) (diversion of footpaths and bridleways),
- (iv) paragraph 11 (diversion of footpaths and bridleways crossing railways),
- (v) paragraph 14(1) and (4)(a) (supplementary provisions),
- (vi) paragraph 20(a) to (c) (interpretation), and
- (vii) paragraph 24 (delegation of function of making determination).

3. 15 July 2005 is the day appointed for the coming into force of section 57 of the Act (creation, stopping up and diversion of highways) insofar as it gives effect to the following provisions of Schedule 6 to the Act-

- (a) insofar as it relates to a highway created in consequence of a special diversion order to which paragraph (c) of this article applies, paragraph 5 (highways maintainable at public expense),
- (b) insofar as it inserts section 118B into the 1980 Act for the purposes of paragraph (1)(b) of that section, paragraph 8 (stopping up of certain highways which cross land occupied for the purposes of a school),
- (c) insofar as it inserts section 119B into the 1980 Act for the purposes of paragraph (1)(b) of that section, paragraph 12 (diversion of certain highways which cross land occupied for the purposes of a school), and
- (d) insofar as it relates to a provision brought into force by this article-
  - (i) paragraph 13(1) to (5) (except (5)(e)) and (7) to (9) (exercise of powers of making public path extinguishment or diversion orders),
  - (ii) insofar as it is not brought into force by article 2, paragraph 14 (supplementary provisions),
  - (iii) paragraph 17 (powers of entry),
  - (iv) in paragraph 18 (regulations, schemes and orders)-
    - (aa)sub-paragraph (a), to the extent that, in section 325(1)(d) of the 1980 Act, it

mewnosod cyfeiriadau at adrannau 118B(4) a 119B(4), a

(bb) is-baragraff (b),

(v) paragraff 19 (dirymu ac amrywio cynlluniau a gorchmynion), i'r graddau ei fod, yn adran 326(5) o Ddeddf 1980, yn mewnosod cyfeiriadau at orchymyn diddymu arbennig a gorchymyn gwyro arbennig,

(vi) paragraff 20(d) ac (e) (dehongli),

(vii) paragraff 21 (arbedion o ran cyfarpar telathrebu), i'r graddau ei fod, yn adran 334(2) o Ddeddf 1980, yn mewnosod cyfeiriadau at orchymyn diddymu arbennig a gorchymyn gwyro arbennig,

(viii) ym mharagraff 23 (darpariaethau o ran gwneud, cadarnhau etc. gorchmynion)-

(aa) is-baragraff (1),

(bb) is-baragraff (2)(a) ac, i'r graddau ei fod, ym mharagraff 1(1) a (2) o Atodlen 6 i Ddeddf 1980, yn mewnosod y cyfeiriad at orchymyn gwyro arbennig, is-baragraff (2)(b),

(cc) is-baragraff (3)(a) ac, i'r graddau ei fod, ym mharagraff 1(3A) o Atodlen 6 i Ddeddf 1980, yn mewnosod y cyfeiriad at orchymynion gwyro arbennig, is-baragraff (3)(b),

(dd) is-baragraff (4)(a) ac, i'r graddau ei fod, ym mharagraff 1(3B) o Atodlen 6 i Ddeddf 1980, yn mewnosod y cyfeiriad at orchymynion gwyro arbennig, is-baragraff (4)(b),

(ee) i'r graddau ei fod, ym mharagraff 2(2) a (3) o Atodlen 6 i Ddeddf 1980, yn mewnosod y cyfeiriad at orchymyn gwyro arbennig, is-baragraff (5),

(ff) ac eithrio i'r graddau y mae'n mewnosod paragraff 2A(1)(b) o Atodlen 6 yn Neddf 1980, is-baragraff (7),

(gg) is-baragraff (8), a

(hh) is-baragraff (9)(a) ac, i'r graddau ei fod, ym mharagraff 3(2) o Atodlen 6 i Ddeddf 1980, yn mewnosod y cyfeiriad at orchymyn gwyro arbennig, is-baragraff (9)(b).

4. 21 Tachwedd 2005 yw'r diwrnod a bennwyd i'r canlynol ddod i rym-

(a) adran 51 o'r Ddeddf (diwygiadau o ran mapiau diffiniol a datganiadau) i'r graddau y mae'n rhoi effaith i baragraff 2 o Atodlen 5 i'r Ddeddf (cofrestr o geisiadau o dan adran 53); a

(b) adran 57 o'r Ddeddf (creu, cau a gwyro priffyrdd) i'r graddau y mae'n rhoi effaith i ddarpariaethau canlynol Atodlen 6 i'r Ddeddf-

inserts references to sections 118B(4) and 119B(4), and

(bb) sub-paragraph (b),

(v) paragraph 19 (revocation and variation of schemes and orders), to the extent that, in section 326(5) of the 1980 Act, it inserts references to a special extinguishment order and a special diversion order,

(vi) paragraph 20(d) and (e) (interpretation),

(vii) paragraph 21 (savings relating to telecommunications apparatus), to the extent that, in section 334(2) of the 1980 Act, it inserts references to a special extinguishment order and a special diversion order,

(viii) in paragraph 23 (provisions as to making, confirmation etc. of orders)-

(aa) sub-paragraph (1),

(bb) sub-paragraph (2)(a) and, to the extent that, in paragraph 1(1) and (2) of Schedule 6 to the 1980 Act, it inserts the reference to a special diversion order, sub-paragraph (2)(b),

(cc) sub-paragraph (3)(a) and, to the extent that, in paragraph 1(3A) of Schedule 6 to the 1980 Act, it inserts the reference to special diversion orders, sub-paragraph (3)(b),

(dd) sub-paragraph (4)(a) and, to the extent that, in paragraph 1(3B) of Schedule 6 to the 1980 Act, it inserts the reference to special diversion orders, sub-paragraph (4)(b),

(ee) to the extent that, in paragraph 2(2) and (3) of Schedule 6 to the 1980 Act, it inserts the reference to a special diversion order, sub-paragraph (5),

(ff) except insofar as it inserts paragraph 2A(1)(b) of Schedule 6 into the 1980 Act, sub-paragraph (7),

(gg) sub-paragraph (8), and

(hh) sub-paragraph (9)(a) and, to the extent that, in paragraph 3(2) of Schedule 6 to the 1980 Act, it inserts the reference to a special diversion order, sub-paragraph (9)(b).

4. 21 November 2005 is the day appointed for the coming into force of-

(a) section 51 of the Act (amendments relating to definitive maps and statements) insofar as it gives effect to paragraph 2 of Schedule 5 to the Act (register of applications under section 53); and

(b) section 57 of the Act (creation, stopping-up and diversion of highways) insofar as it gives effect to the following provisions of Schedule 6 to the Act-

- (i) paragraff 4 (cofrestr o fapiau, datganiadau a mynegiadau), a
- (ii) i'r graddau y mae'n mewnosod adran 121B yn Neddf 1980, paragraff 15 (cofrestr o geisiadau).

### Darpariaethau trosiannol

5. Nid yw erthygl 2(b)(ii) (diwygio adran 31 o Ddeddf 1980) yn gymwys-

- (a) os mae perchennog, neu os mae ei ragflaenwyr mewn teitl, fwy na 6 mlynedd cyn 31 Mai 2005, wedi adneuo map a datganiad yn unol ag adran 31(6) o Ddeddf 1980; a
- (b) os na wnaeth y perchennog hwnnw, neu os na wnaeth ei ragflaenwyr mewn teitl, o fewn y cyfnod o 6 mlynedd yn gorffen ar 31 Mai 2005, roi datganiad statudol (p'un a roddwyd datganiad blaenorol ai peidio) yn unol ag adran 31(6) o Ddeddf 1980.

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

10 Mai 2005

Llywydd y Cynulliad Cenedlaethol

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(1) 1998 p.38.

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- (i) paragraph 4 (register of maps, statements and declarations), and
- (ii) insofar as it inserts section 121B into the 1980 Act, paragraph 15 (register of applications).

### Transitional provisions

5. Article 2(b)(ii) (amendment of section 31 of the 1980 Act) does not apply where-

- (a) an owner has, or the owner's predecessors in title have, more than 6 years before 31 May 2005, deposited a map and statement in accordance with section 31(6) of the 1980 Act; and
- (b) that owner has not, or the owner's predecessors in title have not, within the period of 6 years ending on 31 May 2005, lodged a statutory declaration (whether or not a previous declaration has been lodged) in accordance with section 31(6) of the 1980 Act.

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

10 May 2005

The Presiding Officer of the National Assembly

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(1) 1998 c.38.

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