



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2005 Rhif 3226 (Cy.238)

2005 No. 3226 (W.238)

**DATBLYGU ECONOMAIDD,
CYMRU**

**ECONOMIC DEVELOPMENT,
WALES**

Gorchymyn Awdurdod Datblygu
Cymru (Trosglwyddo
Swyddogaethau i Gynulliad
Cenedlaethol Cymru a Diddymu)
2005

The Welsh Development Agency
(Transfer of Functions to the
National Assembly for Wales and
Abolition) 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 adran 28 o Ddeddf Llywodraeth Cymru 1998 yn rhoi pwerau i Gynulliad Cenedlaethol Cymru (y "Cynulliad") i ddiwygio cyrff cyhoeddus penodol yng Nghymru a restrir yn Atodlen 4 i'r Ddeddf honno. Mae'r adran yn cynnwys y pŵer i drosglwyddo swyddogaethau ac i ddiddymu'r cyrff hynny pan fo'u holl swyddogaethau wedi'u trosglwyddo.

Section 28 of the Government of Wales Act 1998 gives the National Assembly for Wales (the "Assembly") powers to reform certain public bodies in Wales listed in Schedule 4 to that Act. The section includes the power to transfer functions and to abolish such bodies where all their functions have been transferred.

Mae'r Gorchymyn hwn yn trosglwyddo swyddogaethau, eiddo, hawliau a rhwymedigaethau Awdurdod Datblygu Cymru (yr "Awdurdod") i'r Cynulliad, yn darparu ar gyfer trosglwyddo staff o'r Awdurdod i'r Cynulliad ac yn gwneud darpariaethau canlyniadol, cysylltiedig, trosiannol ac atodol priodol. Mae hefyd yn diddymu'r Awdurdod.

This Order transfers the functions, property, rights and liabilities of the Welsh Development Agency (the "Agency") to the Assembly, provides for the transfer of staff from the Agency to the Assembly and makes appropriate consequential, incidental, transitional and supplementary provisions. It also abolishes the Agency.

Mae **erthygl 2** yn darparu ar gyfer trosglwyddo swyddogaethau'r Awdurdod i'r Cynulliad ar 1 Ebrill 2006. Mae'r erthygl hon yn darparu hefyd ar gyfer trosglwyddo staff, eiddo, hawliau a rhwymedigaethau'r Awdurdod i'r Cynulliad. Mae'r rhain yn cynnwys, pan fo hynny'n berthnasol, hawliau a rhwymedigaethau a drosglwyddwyd i'r Awdurdod oddi wrth Gorfforaeth Ystadau Diwydiannol Cymru o dan adran 7 o Ddeddf Awdurdod Datblygu Cymru (p.70) ("Deddf 1975") a'r tir (a'r hawliau a'r rhwymedigaethau ynglŷn ag ef) a ddaliwyd o dan Ddeddf Cyflogaeth Leol 1972 (p.5) a drosglwyddwyd i'r Awdurdod o dan adran 8 o Ddeddf 1975. Trosglwyddir staff ar sail yr egwyddorion a sefydlwyd gan Reoliadau Trosglwyddo

Article 2 provides for the transfer of the Agency's functions to the Assembly on 1 April 2006. This article also provides for the transfer of the Agency's staff, property, rights and liabilities to the Assembly. These include where relevant the property, rights and liabilities transferred to the Agency from the Welsh Industrial Estates Corporation under section 7 of the Welsh Development Agency Act 1975 (c.70) (the "1975 Act") and the land (and rights and liabilities relating to it) held under the Local Employment Act 1972 (c.5) transferred to the Agency under section 8 of the 1975 Act. Staff are transferred on the basis of the principles established by the Transfer of Undertakings (Protection of Employment) Regulations 1981 (SI

Ymgynghoriadau (Diogelu Cyflogaeth) 1981 (OS 1981/1794).

Mae **erthygl 3** yn gwneud darpariaethau trosiannol penodol ynglŷn â'r eiddo, yr hawliau a'r rhwymedigaethau ac ar gyfer rhoi'r Cynulliad yn lle'r Awdurdod ym mhob offeryn, contract neu achos cyfreithiol perthnasol.

Mae hefyd yn dparu bod adroddiad o gyfrif yr Awdurdod ar gyfer y flwyddyn ariannol 2005-2006 i'w baratoi gan y Cynulliad. Rhaid anfon yr adroddiad o gyfrif ar gyfer 2005-2006 at Archwilydd Cyffredinol Cymru a'i osod wedyn gerbron y Cynulliad ynghyd ag adroddiad yr Archwilydd Cyffredinol yn y dull arferol.

Mae **erthygl 4** yn gwneud darpariaeth er mwyn sicrhau fod effaith trosglwyddo eiddo'r Awdurdod i'r Cynulliad yn niwtral yn nhermau cyfrifo lwfansau adeiladau diwydiannol o dan Ddeddf Lwfansau Cyfalafol 2001.

Mae **erthygl 5** yn darparu bod yr Awdurdod yn cael ei ddiddymu ar ôl i swyddogaethau, eiddo, hawliau a rhwymedigaethau'r Awdurdod gael eu trosglwyddo i'r Cynulliad.

Mae **erthygl 6** yn gwneud darpariaeth ffurfiol i adlewyrchu cydweithio rhwng y Cynulliad a'r Awdurdod er mwyn hwyluso trosglwyddiad y swyddogaethau.

Mae **erthygl 7** yn dwyn i rym ar 1 Ebrill 2006 Atodlenni 1 a 2 i'r Gorchymyn, sy'n diwygio deddfwriaeth sylfaenol ac is-ddeddfwriaeth o ganlyniad i drosglwyddo swyddogaethau a diddymu'r Awdurdod ac yn gysylltiedig â hynny. I Ddeddf 1975 y gwneir y newidiadau mwyaf sylweddol.

Mae gorchymynion prynu gorfodol a wnaed gan y Cynulliad o dan bwerau a geir yn Neddf 1975 yn cael eu rhannu'n ddau gategori. Os yng Nghymru y mae'r tir, y gweithdrefnau i'w dilyn yw'r rhai yn Atodlen 1 i Ddeddf Caffael Tir 1981. Os yn Lloegr (ond er gwatha hynny dal yn berthnasol i swyddogaethau'r Cynulliad o dan y Ddeddf) y mae'r tir, y weithdrefn i'w dilyn yw'r un a geir yn Rhan 2 o Ddeddf Caffael Tir 1981, ac mae hyn yn adlewyrchu'r gofyniad i gael cydsyniad yr Ysgrifennydd Gwladol yn achos tir yn Lloegr.

Lle y bo hynny'n briodol, mae cyfeririadau at swyddogaethau'r "Ysgrifennydd Gwladol" wedi'u newid i fod yn swyddogaethau'r "Cynulliad" ar wyneb Deddf 1975 er mwyn adlewyrchu effaith Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (OS 1999/672).

Fodd bynnag, mewn cysylltiad ag arfer unrhyw un neu rai o'i swyddogaethau gan y Cynulliad, mae cyfeiriadau at un o Weinidogion y Goron neu at adran lywodraeth mewn deddfiadau eraill yn parhau i gael eu

1981/1794).

Article 3 makes certain transitional provisions relating to the property, rights and liabilities and for the substitution of the Assembly for the Agency in all relevant instruments, contracts or legal proceedings.

It also provides that the Agency's statement of account for the financial year 2005-2006 is to be prepared by the Assembly. The statement of account for 2005-2006 is also to be sent to the Auditor General for Wales and copies subsequently laid before the Assembly together with the Auditor General's report in the usual way.

Article 4 makes provision to ensure that the transfer of property from the Agency to the Assembly has a neutral effect in terms of the calculation of industrial building allowances under the Capital Allowances Act 2001.

Article 5 provides that after the Agency's functions, property, rights and liabilities have all been transferred to the Assembly, the Agency is abolished.

Article 6 makes formal provision to reflect joint working between the Assembly and the Agency for the purpose of facilitating the transfer of functions.

Article 7 brings into effect on 1 April 2006 Schedules 1 and 2 to the Order, which make amendments to primary and secondary legislation that are consequential upon and incidental to the transfer of functions and abolition of the Agency. The most substantive changes are to the 1975 Act.

Compulsory purchase orders made by the Assembly under powers contained in the 1975 Act are divided into two categories. Where the land is in Wales, the procedures followed will be those in Schedule 1 to the Acquisition of Land Act 1981. Where the land is in England (but nevertheless relates to the Assembly's functions under the Act) the procedure followed will be that in Part 2 of the Acquisition of Land Act 1981, reflecting the requirement in the case of land in England to obtain the consent of the Secretary of State.

References to the functions of the "Secretary of State" have been amended to being functions of the "Assembly" on the face of the 1975 Act where appropriate so as to reflect the effect of the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672).

However, in connection with the exercise by the Assembly of any of its functions, references to a Minister of the Crown or a government department in other enactments continue to be construed where

dehongli, lle y bo'n angenrheidiol, fel cyfeiriadau at y Cynulliad neu gyfeiriadau'n cynnwys y Cynulliad yn unol ag adran 43 o Ddeddf Llywodraeth Cymru 1998.

Mae **erthygl 8** yn gweud darpariaethau arbed o ran unrhyw ganiatâd cynllunio y bernir ei fod wedi'i roi yn rhinwedd adran 7 o Ddeddf 1975 ar gyfer tir a drosglwyddwyd i'r Awdurdod oddi wrth Gorfforaeth Ystadau Diwydiannol Cymru ac ar gyfer dilyniant cyflogaeth o unrhyw aelod o staff yr Awdurdod y trosglwyddwyd eu cyflogaeth yn wreiddiol oddi wrth y Gorfforaeth honno o dan yr adran honno.

necessary, as being or including the Assembly in accordance with section 43 of the Government of Wales Act 1998.

Article 8 makes saving provisions in respect of any planning permission deemed to have been granted by virtue of section 7 of the 1975 Act for land transferred to the Agency from the Welsh Industrial Estates Corporation and for the continuity of employment of any members of Agency staff who had originally had their employment transferred from that Corporation under that section.

2005 Rhif 3226 (Cy.238)

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CYMRU**

Gorchymyn Awdurdod Datblygu
Cymru (Trosglwyddo
Swyddogaethau i Gynulliad
Cenedlaethol Cymru a Diddymu)
2005

Wedi'i wneud 22 Tachwedd 2005

*Yn dod i rym drannoeth y diwrnod y gwneir y
Gorchymyn.*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 28 o Ddeddf Llywodraeth Cymru 1998(1) ac Atodlen 4 iddi, yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Awdurdod Datblygu Cymru (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu) 2005 a daw i rym drannoeth y diwrnod y gwneir ef.

(2) Yn y Gorchymyn hwn-

mae i "aliwn" ("*alien*") yr ystyr a roddir i "alien" gan adran 51(4) o Ddeddf Cenedligrwydd Prydeinig 1981(2);

ystyr yr "Awdurdod" (*the "Agency"*) yw Awdurdod Datblygu Cymru;

ystyr "cyflogai perthnasol" ("*relevant employee*") yw unrhyw berson a oedd, yn union cyn y dyddiad trosglwyddo, yn cael ei gyflogi gan yr Awdurdod o dan gontract cyflogaeth;

ystyr y "Cynulliad" (*the "Assembly"*) yw Cynulliad Cenedlaethol Cymru;

ystyr "Deddf 1975" ("*1975 Act*") yw Deddf Awdurdod Datblygu Cymru 1975(3); ac

(1) 1998 p.38.

(2) 1981 p.61.

(3) 1975 c.70

2005 No. 3226 (W.238)

**ECONOMIC DEVELOPMENT,
WALES**

The Welsh Development Agency
(Transfer of Functions to the
National Assembly for Wales and
Abolition) Order
2005

Made 22 November 2005

*Coming into force the day after the Order is
made.*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 28 of and Schedule 4 to the Government of Wales Act 1998(1), makes the following Order:

Title, commencement and interpretation

1.-(1) The title of this Order is the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 and it comes into force on the day after it is made.

(2) In this Order-

the "1975 Act" ("*Deddf 1975*") means the Welsh Development Agency Act 1975(2);

the "Agency" (*yr "Awdurdod"*) means the Welsh Development Agency;

"alien" ("*aliwn*") has the meaning given to it in section 51(4) of the British Nationality Act 1981(3);

the "Assembly" (*y "Cynulliad"*) means the National Assembly for Wales;

"relevant employee" ("*cyflogai perthnasol*") means any person who, immediately before the transfer date, was employed by the Agency under a contract of employment; and

(1) 1998 c.38.

(2) 1975 c.70

(3) 1981 c.61.

ystyr "dyddiad trosglwyddo" ("*transfer date*") yw 1 Ebrill 2006.

Trosglwyddo swyddogaethau, eiddo, hawliau a rhwymedigaethau'r Awdurdod i'r Cynulliad

2.-(1) Ar y dyddiad trosglwyddo mae swyddogaethau'r Awdurdod yn cael eu trosglwyddo i'r Cynulliad yn unol â darpariaethau Atodlenni 1 a 2 sy'n diwygio'r deddfiadau sy'n ymwneud â'r Awdurdod er mwyn-

- (a) trosglwyddo ei swyddogaethau i'r Cynulliad, a
- (b) gwneud darpariaeth sy'n ganlyniad i'r trosglwyddo neu'n atodol neu'n ategol iddo.

(2) Ar y dyddiad trosglwyddo, trosglwyddir i'r Cynulliad a breinir ynddo yn rhinwedd y paragraff hwn yr holl eiddo, hawliau a rhwymedigaethau yr oedd yr Awdurdod â hawl iddynt neu yr oedd yn ddarostyngedig iddynt yn union cyn y dyddiad hwnnw.

(3) Mae'r hawliau a'r rhwymedigaethau y cyfeirir atynt ym mharagraff (2) uchod yn cynnwys rhai sydd yn codi o dan gontract cyflogaeth a wnaed rhwng cyflogai perthnasol a'r Awdurdod.

(4) Mae Rheoliadau Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth) 1981(1) yn gymwys i drosglwyddo swyddogaethau'r Awdurdod i'r Cynulliad boed ar wahân i'r ddarpariaeth hon ai peidio, y byddai cyflawni'r swyddogaethau hyn yn cael eu trin fel ymgymeriad o natur fasnachol at ddibenion y Rheoliadau hynny.

(5) Er gwaethaf unrhyw beth mewn unrhyw ran arall o'r Gorchymyn hwn neu yn Rheoliadau Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth) 1981, os effaith yr erthygl hon yw bod person sydd yn aliwn yn dod yn aelod o staff y Cynulliad, nid yw adran 34(2) o Ddeddf Llywodraeth Cymru 1998 yn gymwys i gontract cyflogaeth y person hwnnw cyn y dyddiad trosglwyddo.

(6) Mae tystysgrif a ddyroddwyd gan y Cynulliad bod unrhyw eiddo wedi'i drosglwyddo o dan baragraff (2) yn dystiolaeth bendant a diymwad o'r trosglwyddiad.

(7) Mae paragraff (2) yn cael effaith mewn perthynas â'r eiddo, hawliau neu rwymedigaethau y mae yn gymwys iddynt er gwaethaf unrhyw ddarpariaeth (o ba natur bynnag) a fyddai'n atal trosglwyddo'r eiddo, yr hawliau neu'r rhwymedigaethau neu'n cyfyngu ar eu trosglwyddo heblaw gan y paragraff hwnnw.

"transfer date" ("*dyddiad trosglwyddo*") means 1 April 2006.

Transfer of functions, property, rights and liabilities of the Agency to the Assembly

2.-(1) On the transfer date the functions of the Agency are transferred to the Assembly in accordance with the provisions of Schedules 1 and 2 which amend the enactments relating to the Agency for the purpose of-

- (a) transferring its functions to the Assembly, and
- (b) making provision consequential on or incidental or supplementary to the transfer.

(2) On the transfer date there are transferred to and vested in the Assembly by virtue of this paragraph all property, rights and liabilities to which the Agency was entitled or subject immediately before that date.

(3) The rights and liabilities referred to in paragraph (2) above include those arising under any contract of employment made between a relevant employee and the Agency.

(4) The Transfer of Undertakings (Protection of Employment) Regulations 1981(1) apply to the transfer of the functions of the Agency to the Assembly whether or not apart from this provision, the discharge of these functions would be treated as an undertaking in the nature of a commercial venture for the purposes of those Regulations.

(5) Notwithstanding anything in any other part of this Order or in the Transfer of Undertakings (Protection of Employment) Regulations 1981, where the effect of this article is that a person who is an alien becomes a member of the Assembly's staff, section 34(2) of the Government of Wales Act 1998 does not apply to the contract of employment of that person before the transfer date.

(6) A certificate issued by the Assembly that any property has been transferred by paragraph (2) is to be conclusive evidence of the transfer.

(7) Paragraph (2) has effect in relation to the property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that paragraph.

(1) O.S. 1981/1794, fel y'i diwygiwyd gan Ddeddf Diwygio'r Undebau Llafur a Hawliau Cyflogaeth 1993 (p.19), gan Ddeddf Gwaith Dociau 1989 (p.13) a chan Offerynnau Statudol 1987/442, 1995/2587, 1998/1658, 1999/1925, 1999/2402 a 1999/2587.

(1) S.I. 1981/1794 as amended by the Trade Union Reform and Employment Rights Act 1993 (c.19) by the Dock Work Act 1989 (c.13) and by Statutory Instruments 1987/442, 1995/2587, 1998/1658, 1999/1925, 1999/2402 and 1999/2587.

Darpariaethau trosiannol

3.-(1) Nid oes dim yn erthygl 2 nac Atodlenni 1 a 2 yn effeithio ar ddilysrwydd unrhyw beth sydd wedi cael ei wneud gan yr Awdurdod neu mewn perthynas ag ef cyn bod ei swyddogaethau yn cael eu trosglwyddo.

(2) Caniateir i unrhyw beth (gan gynnwys achos cyfreithiol) gael ei barhau gan y Cynulliad neu mewn perthynas â'r Cynulliad os yw-

- (a) yn ymwneud ag unrhyw un o swyddogaethau'r Awdurdod neu ag unrhyw eiddo, hawliau neu rwymedigaethau sy'n cael eu trosglwyddo o dan erthygl 2(2), a
- (b) wrthi'n cael ei wneud gan yr Awdurdod neu mewn perthynas ag ef pan fo'r swyddogaethau a enwyd yn cael eu trosglwyddo.

(3) Mae unrhyw beth-

- (a) a wnaed gan yr Awdurdod at ddibenion unrhyw un o'i swyddogaethau neu mewn cysylltiad â'r swyddogaeth honno neu gan yr Awdurdod at ddibenion unrhyw eiddo, hawliau neu rwymedigaethau sy'n cael eu trosglwyddo o dan erthygl 2(2) neu mewn cysylltiad â hwy, a
- (b) sy'n effeithiol yn union cyn bod ei swyddogaethau yn cael eu trosglwyddo,

i gael effaith fel petai wedi'i wneud gan y Cynulliad, ac er mwyn osgoi unrhyw amheuaeth bernir bod unrhyw orchmynion prynu gorfodol a wnaed gan yr Awdurdod mewn perthynas â thir yng Nghymru o dan adran 2(2) o Ddeddf Caffael Tir 1981(1) ac na chawsant eu cadarnhau cyn y dyddiad trosglwyddo yn orchmynion prynu gorfodol a wnaed mewn drafft gan y Cynulliad o dan y weithdrefn a nodir yn Atodlen 1 i'r Ddeddf honno.

(4) Mae'r Cynulliad yn cael ei roi yn lle'r Awdurdod mewn unrhyw offerynnau, contractau neu achosion cyfreithiol sy'n ymwneud-

- (a) ag unrhyw un o swyddogaethau'r Awdurdod, a
- (b) ag unrhyw eiddo, hawliau neu rwymedigaethau sy'n cael eu trosglwyddo o dan erthygl 2(2),

ac sydd wedi'u gwneud neu wedi'u cychwyn cyn i'w swyddogaethau gael eu trosglwyddo.

(5) Caiff y Cynulliad-

- (a) barhau i ddal eiddo a ddelir gan yr Awdurdod, a
- (b) parhau i ymgymryd â gweithgareddau yr oedd yr awdurdod yn ymgymryd â hwy,

Transitional provisions

3.-(1) Nothing in article 2 or Schedules 1 or 2 affects the validity of anything done by or in relation to the Agency before its functions are transferred.

(2) There may be continued by or in relation to the Assembly anything (including legal proceedings) which-

- (a) relates to any of the functions of the Agency or to any property, rights or liabilities transferred by article 2(2), and
- (b) is in the process of being done by or in relation to the Agency when the said functions are transferred.

(3) Anything which-

- (a) was done by the Agency for the purpose of or in connection with any of its functions or by the Agency for the purpose of or in connection with any property, rights or liabilities transferred by article 2(2), and
- (b) is in effect immediately before its functions are transferred,

is to have effect as if done by the Assembly, and for the avoidance of doubt any compulsory purchase orders made by the Agency in relation to land in Wales under section 2(2) of the Acquisition of Land Act 1981(1) and not confirmed prior to the transfer date will be deemed to be compulsory purchase orders made in draft by the Assembly under the procedure set out in Schedule 1 to that Act.

(4) The Assembly is substituted for the Agency in any instruments, contracts or legal proceedings which relate to-

- (a) any of the functions of the Agency, and
- (b) any property, rights or liabilities transferred by article 2(2),

and which are either made or commenced before its functions are transferred.

(5) The Assembly may-

- (a) continue to hold property held by the Agency, and
- (b) continue to carry on activities in which the Agency was engaged,

(1) 1981 p.67.

(1) 1981 c.67.

yn ddibynnol ar adran 21(2) o Ddeddf Diwydiant 1980(1).

(6) Ar y dyddiad trosglwyddo, bydd rhwymedigaethau'r Awdurdod, y Cynulliad ac Archwilydd Cyffredinol Cymru y cyfeirir atynt isod a gynhywsir ym mharagraff 8 o Atodlen 3 (Darpariaethau ariannol a gweinyddol sy'n ymwneud â'r Awdurdod) i Ddeddf 1975 yn effeithiol o ran y flwyddyn ariannol 2005 i 2006 yn unig ond fel arall diddymir hwy-

- (a) rhwymedigaeth yr Awdurdod o dan is-baragraff (1) i baratoi datganiad o gyfrif, gyda'r arbediad bod y rhwymedigaeth yn cael ei throsglwyddo i'r Cynulliad;
- (b) rhwymedigaeth y Cynulliad o dan is-baragraff (3) i drosglwyddo'r datganiad o gyfrif i Archwilydd Cyffredinol Cymru; ac
- (c) rhwymedigaeth Archwilydd Cyffredinol Cymru o dan is-baragraff (4) i archwilio ac ardstio'r datganiad o gyfrif a gosod copiâu o'r datganiad o gyfrif gerbron y Cynulliad ynghyd ag adroddiad arno.

Lwfansau adeiladau diwydiannol

4.-(1) Nid yw trosglwyddo eiddo oddi wrth yr Awdurdod i'r Cynulliad o dan y Gorchymyn hwn yn peri unrhyw lwfansau neu ffioedd o dan Ddeddf Lwfansau Cyfalafol 2001.

(2) O ran yr eiddo a gynhwysir yn y trosglwyddo, at ddibenion cyfrifo lwfansau adeilad diwydiannol o dan y Ddeddf honno mae unrhyw beth a wneir i'r Awdurdod neu ganddo cyn y trosglwyddo i'w drin ar ôl y trosglwyddo fel pe bai wedi ei wneud i'r Cynulliad neu ganddo.

Diddymu

5. Ar drosglwyddo ei swyddogaethau, eiddo, hawliau a rhwymedigaethau i'r Cynulliad ar y dyddiad trosglwyddo yn unol ag erthygl 2, daw bodolaeth yr Awdurdod i ben.

Dirwyn i ben

6. Rhaid i'r Awdurdod roi i'r Cynulliad yr holl wybodaeth a gwneud yr holl bethau eraill sy'n ymddangos i'r Cynulliad eu bod yn briodol er mwyn hwyluso trosglwyddo ei swyddogaethau i'r Cynulliad ac er mwyn hwyluso'i ddiddymiad yn unol â'r Gorchymyn hwn.

in reliance upon section 21(2) of the Industry Act 1980(1).

(6) On the transfer date the obligations of the Agency, the Assembly and the Auditor General for Wales referred to below contained in paragraph 8 of Schedule 3 (Financial and administrative provisions relating to Agency) to the 1975 Act will have effect in respect of the financial year 2005 to 2006 only but are otherwise abolished-

- (a) the Agency's obligation under sub-paragraph (1) to prepare a statement of account, save that the obligation is transferred to the Assembly;
- (b) the Assembly's obligation under sub-paragraph (3) to transmit the statement of account to the Auditor General for Wales; and
- (c) the Auditor General for Wales' obligation under sub-paragraph (4) to examine and certify the statement of account and lay before the Assembly copies of the statement of account together with a report thereon.

Industrial buildings allowances

4.-(1) The transfer of property from the Agency to the Assembly under this Order does not give rise to any allowances or charges under the Capital Allowances Act 2001.

(2) In relation to the property included in the transfer, for the purposes of calculating industrial buildings allowances under that Act anything done to or by the Agency before the transfer is to be treated after the transfer as having been done to or by the Assembly.

Abolition

5. Upon the transfer of its functions, property, rights and liabilities to the Assembly on the transfer date in accordance with article 2, the Agency is to cease to exist.

Winding down

6. The Agency must give to the Assembly all the information and do all other things which appear to the Assembly appropriate for the purpose of facilitating the transfer of its functions to the Assembly and its abolition in accordance with this Order.

(1) 1980 p.33.

(1) 1980 c.33.

Diwygiadau i, diddymiadau a dirymiadau o ddeddfwriaeth bresennol

7.-(1) Ar y dyddiad trosglwyddo-

- (a) diwygir darpariaethau Deddf 1975 a bennir yn Atodlen 1 i'r Gorchymyn hwn yn unol â'r atodlen honno;
- (b) diwygir y deddfiadau a bennir yn Rhan 1 o Atodlen 2 i'r Gorchymyn hwn yn unol â'r atodlen honno; ac
- (c) diddymir neu dirymir y deddfiadau a bennir yn Rhan 2 o Atodlen 2 o'r Gorchymyn hwn.

(2) Mae'r diwygiadau, y diddymu a'r dirymu deddfiadau yn estyn i'r un gradd â'r deddfiad y'i diwygir, diddymir neu y'i dirymir.

Darpariaethau arbed

8.-(1) Mae unrhyw ganiatâd cynllunio y bennir ei fod wedi'i roi yn rhinwedd adran 7 (Diddymu Corfforaeth Ystadau Diwydiannol Cymru) o Ddeddf 1975 yn parhau mewn grym er gwaethaf diddymiad yr adran honno.

(2) Mae paragraff 7 o Atodlen 2 (Aelodau staff Corfforaeth Ystadau Diwydiannol Cymru) i Ddeddf 1975 yn parhau mewn grym o ran unrhyw aelod o staff yr Awdurdod y trosglwyddwyd eu cyflogaeth o'r Gorfforaeth Ystadau Diwydiannol Cymru i gyflogaeth yr Awdurdod.

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

22 Tachwedd 2005

Llywydd y Cynulliad Cenedlaethol

Amendments to, repeals of and revocations of existing enactments

7.-(1) On the transfer date-

- (a) the provisions of the 1975 Act specified in Schedule 1 to this Order are amended in accordance with that schedule;
- (b) the enactments specified in Part 1 of Schedule 2 to this Order are amended in accordance with that schedule; and
- (c) the enactments specified in Part 2 of Schedule 2 to this Order are repealed or revoked, as the case may be.

(2) The amendments to, repeals of and revocations of enactments extend to the same extent as the enactment which is amended, repealed or revoked.

Saving provisions

8.-(1) Any planning permission deemed to have been granted by virtue of section 7 (Dissolution of the Welsh Industrial Estates Corporation) of the 1975 Act remains in force notwithstanding the repeal of that section.

(2) Paragraph 7 of Schedule 2 (Members of staff of the Welsh Industrial Estates Corporation) to the 1975 Act shall remain in force in respect of any members of staff of the Agency who were transferred to the employment of the Agency from the employment of the Welsh Industrial Estates Corporation.

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

22 November 2005

The Presiding Officer of the National Assembly

D. Elis-Thomas

(1) 1998 p.38.

(1) 1998 c.38.

Erthygl 7(1)

Article 7(1)

Deddf Awdurdod Datblygu Cymru 1975

1. Mae Deddf Awdurdod Datblygu Cymru 1975 yn effeithiol yn ddarostyngedig i'r diwygiadau canlynol.

2. Oni ddarperir fel arall yn y darpariaethau canlynol, ym mhob man y digwydd (gan gynnwys ym mhenawdau'r adrannau a'r atodlenni)-

- (a) yn lle "Agency" rhodder "Assembly"; a
- (b) yn lle "Agency's" rhodder "Assembly's".

3. Yn adran 1 (Awdurdod Datblygu Cymru)-

(1) yn lle is-adran (1), rhodder-

"(1) The functions specified in the following provisions of this Act are conferred upon the National Assembly for Wales (in this Act referred to as the "Assembly").";

(2) yn is-adrannau (2), (3)(j), (4), (6) (yn y lle cyntaf y digwydd), a (7)(l), yn lle "their" rhodder "its";

(3) yn is-adrannau (2) a (4) ar ôl "functions" rhodder "under this Act";

(4) yn is-adran (3), yn union o flaen "shall be" rhodder "under this Act";

(5) yn is-adran (7), ar ôl "have power" rhodder "in connection with its functions under this Act";

(6) ar ddiwedd is-adran (7)(m), mewnosoder "under this Act";

(7) hepgorer is-adrannau (8) i (13) a (15);

(8) yn lle is-adran (14) rhodder-

"(14) The Assembly shall, after consultation with such local authorities, National Park authorities and other bodies as appear to the Assembly to have an interest, from time to time prepare and publish programmes for the performance of such of its functions under this Act as it considers appropriate."; a

(9) yn lle'r pennawd i adran 1 rhodder "Welsh development".

4. Hefgorer adran 2 (Cyfansoddiad a statws).

5. Yn adran 4 (Pwerau ategol)-

(1) ar ôl "power" rhodder "in connection with its functions under this Act";

(2) ym mharagraff (a), yn lle "their services as they think" rhodder "its services as it thinks";

(3) ym mharagraff (b) yn lle "them" rhodder "it" ac yn lle "of their" rhodder "such"; a

The Welsh Development Agency Act 1975

1. The Welsh Development Agency Act 1975 has effect subject to the following amendments.

2. Unless otherwise provided for in the following provisions, in each place where it occurs (including in headings to sections and schedules)-

- (a) for "Agency" substitute "Assembly"; and
- (b) for "Agency's" substitute "Assembly's".

3. In section 1 (The Welsh Development Agency)-

(1) for subsection (1), substitute-

"(1) The functions specified in the following provisions of this Act are conferred upon the National Assembly for Wales (in this Act referred to as the "Assembly").";

(2) in subsections (2), (3)(j), (4), (6) (in the first place it occurs) and (7)(l), for "their" substitute "its";

(3) in subsections (2) and (4) after "functions" insert "under this Act";

(4) in subsection (3) immediately before "shall be" insert "under this Act";

(5) in subsection (7) after "have power" insert "in connection with its functions under this Act";

(6) at the end of subsection (7)(m) insert "under this Act";

(7) omit subsections (8) to (13) and (15);

(8) for subsection (14) substitute-

"(14) The Assembly shall, after consultation with such local authorities, National Park authorities and other bodies as appear to the Assembly to have an interest, from time to time prepare and publish programmes for the performance of such of its functions under this Act as it considers appropriate."; and

(9) for the heading to section 1 substitute "Welsh development".

4. Omit section 2 (Constitution and status).

5. In section 4 (Ancillary powers)-

(1) after "power", insert "in connection with its functions under this Act";

(2) in paragraph (a), for "their services as they think" substitute "its services as it thinks";

(3) in paragraph (b), for "them" substitute "it" and for "of their" substitute "such"; and

(4) ym mharagraff (c) yn lle "their" rhodder "such".

6. Yn is-adran (1) o adran 5 (Cymorth i'r Awdurdod gan awdurdodau cyhoeddus a phersonau eraill) yn lle "their" rhodder "its".

7. Yn lle adran 6 (Y pŵer i ffurfio pwyllgorau) rhodder-

"6.-(1) The Assembly may establish such committees for giving advice to the Assembly about the discharge of any of its functions under this Act as it considers appropriate.

(2) The members of any such committee are to be appointed by the Assembly and may be either members of the Assembly or persons who are not members."

8. Hepgorer adran 7 (Diddymu Corfforaeth Ystadau Diwydiannol Cymru).

9. Hepgorer adran 8 (Trosglwyddo tir a ddelir o dan Ddeddf Cyflogaeth Leol 1972 i'r Awdurdod).

10. Yn adran 9 (Darparu safleoedd a mangreoedd ar gyfer diwydiant)-

(1) hepgorer is-adran (1);

(2) yn is-adran (2), yn lle "For that purpose" rhodder "For the purpose of providing or managing sites and premises for businesses and providing related facilities, or making land available for development"; a

(3) yn lle is-adran (3), rhodder-

"(3) The Assembly may, if it considers there are circumstances which justify the giving of special assistance, provide premises for the occupation of a business free of rent for such time as it thinks appropriate".

11. Yn adran 10 (Gwasanaethau, etc ar gyfer datblygu diwydiant), yn lle "Secretary of State may authorise the Agency to" rhodder "Assembly may" ac yn lle "him" rhodder "it".

12. Hepgorer adran 10A (Cymorth ariannol ar gyfer adfywio a datblygu).

13. Yn adran 13 (Bwrdd Ymgynghorol Datblygu Diwydiant Cymru)-

(1) yn is-adran (1)-

(a) yn lle "Secretary of State" rhodder "Assembly",

(b) yn lle "him" rhodder "it", ac

(c) yn lle "his" rhodder "its";

(2) yn is-adran (3), yn lle "Secretary of State" rhodder "Assembly"; a

(3) yn lle is-adran (4) rhodder-

"(4) If the Board make a recommendation with

(4) in paragraph (c), for "their" substitute "such".

6. In subsection (1) of section 5 (Assistance to Agency from public authorities and other persons), for "their" substitute "its".

7. For section 6 (Power to form committees) substitute-

"6.-(1) The Assembly may establish such committees for giving advice to the Assembly about the discharge of any of its functions under this Act as it considers appropriate.

(2) The members of any such committee are to be appointed by the Assembly and may be either members of the Assembly or persons who are not members."

8. Omit section 7 (Dissolution of Welsh Industrial Estates Corporation).

9. Omit section 8 (Transfer to Agency of land held under the Local Employment Act 1972).

10. In section 9 (Provision of sites and premises for industry)-

(1) omit subsection (1);

(2) in subsection (2), for "For that purpose" substitute "For the purpose of providing or managing sites and premises for businesses and providing related facilities, or making land available for development"; and

(3) for subsection (3), substitute-

"(3) The Assembly may, if it considers there are circumstances which justify the giving of special assistance, provide premises for the occupation of a business free of rent for such time as it thinks appropriate".

11. In section 10 (Services, etc for development of industry), for "Secretary of State may authorise the Agency to" substitute "Assembly may" and for "him" substitute "it".

12. Omit section 10A (Financial assistance for regeneration and development).

13. In section 13 (Welsh Industrial Development Advisory Board)-

(1) in subsection (1)-

(a) for "Secretary of State" substitute "Assembly",

(b) for "him" substitute "it", and

(c) for "his" substitute "its";

(2) in subsection (3), for "Secretary of State" substitute "Assembly"; and

(3) for subsection (4) substitute-

"(4) If the Board make a recommendation with

respect to any matter at the request of the Assembly and the Assembly exercises its functions under section 7 of the Industrial Development Act 1982 contrary to their recommendation, it shall, if the Board so request, publish a statement as to the matter."

14. Hepgorer adran 14 (Trosglwyddo eiddo dan berchnogaeth cyhoeddus i'r Awdurdod).

15. Yn lle adran 15 (Yr amgylchedd) rhodder-

"**15.**-(1) The Assembly's duty under section 1(14) above to prepare and publish, after consultation with such local authorities, National Park authorities and other bodies as appear to the Assembly to have an interest, programmes for the performance of the Assembly's functions under this Act, includes in particular a duty to prepare and publish programmes, to be implemented either by the Assembly itself, or by the Assembly acting jointly with any other authority or person, or through persons or authorities acting on behalf of the Assembly, for the improvement, development or redevelopment of the environment in Wales.

(2) The Assembly may make payments to any authority or person of such amount and in such manner as it may determine for carrying out work which the Assembly considers will contribute to the purposes of such a programme."

16. Yn adran 16 (Tir diffaith)-

(1) yn is-adran (1), yn y geiriau olaf, yn lle "they may, with the consent of the Secretary of State," rhodder "it may";

(2) yn is-adran (3), ym mharagraff (a) yn lle "they" rhodder "it" ac yn y geiriau olaf yn yr is-adran yn lle "on them" rhodder "on it";

(3) yn is-adran (6), yn lle "Secretary of State with the consent of the Treasury" rhodder "Assembly"; a

(4) yn lle is-adran (8) rhodder-

"(8) A statutory instrument containing an order under subsection (6) above may make such transitional provision as appears to the Assembly to be necessary or expedient."

17. Hepgorer adran 17 (Dyletswyddau ariannol yr Awdurdod).

18. Yn adran 18 (Cyllid yr Awdurdod)-

(1) hepgorer is-adrannau (2) i (5), a

(2) yn lle'r pennawd rhodder "Borrowing and guarantees".

19. Hepgorer adran 19 (Yr Awdurdod a'r cyfryngau).

20. Hepgorer adran 20 (Terfynau eraill ar bwerau'r Awdurdod).

21. Hepgorer adran 21 (Treuliau).

respect to any matter at the request of the Assembly and the Assembly exercises its functions under section 7 of the Industrial Development Act 1982 contrary to their recommendation, it shall, if the Board so request, publish a statement as to the matter."

14. Omit section 14 (Transfer of publicly-owned property to Agency).

15. For section 15 (The environment) substitute-

"**15.**-(1) The Assembly's duty under section 1(14) above to prepare and publish, after consultation with such local authorities, National Park authorities and other bodies as appear to the Assembly to have an interest, programmes for the performance of the Assembly's functions under this Act, includes in particular a duty to prepare and publish programmes, to be implemented either by the Assembly itself, or by the Assembly acting jointly with any other authority or person, or through persons or authorities acting on behalf of the Assembly, for the improvement, development or redevelopment of the environment in Wales.

(2) The Assembly may make payments to any authority or person of such amount and in such manner as it may determine for carrying out work which the Assembly considers will contribute to the purposes of such a programme."

16. In section 16 (Derelict land)-

(1) in subsection (1), in the closing words, for "they may, with the consent of the Secretary of State," substitute "it may";

(2) in subsection (3), in paragraph (a) for "they" substitute "it" and in the closing words of the subsection for "on them" substitute "on it";

(3) in subsection (6), for "Secretary of State with the consent of the Treasury" substitute "Assembly"; and

(4) for subsection (8) substitute-

"(8) A statutory instrument containing an order under subsection (6) above may make such transitional provision as appears to the Assembly to be necessary or expedient."

17. Omit section 17 (Financial duties of the Agency).

18. In section 18 (Finances of the Agency)-

(1) omit subsections (2) to (5), and

(2) for the heading substitute "Borrowing and guarantees".

19. Omit section 19 (The Agency and the media).

20. Omit section 20 (Other limits on the Agency's powers).

21. Omit section 21 (Expenses).

22. Yn lle adran 21A (Pwerau caffael tir) rhodder-

"21A (1) The powers to acquire land mentioned in sections 1(7)(h) and 16(3)(b) above are powers-

- (a) to acquire land by agreement;
- (b) in relation to land in Wales, to acquire land compulsorily; and
- (c) in relation to land in England, to acquire land compulsorily if authorised to do so by the Secretary of State.

(2) Where the Assembly acquires or has acquired land under subsection (1) above, it has power-

- (a) to acquire by agreement,
- (b) in relation to land in Wales, to acquire compulsorily, and
- (c) in relation to land in England, if authorised to do so by the Secretary of State, to acquire compulsorily,

the land described in subsection (2A) below.

(2A) The land is-

- (a) any land which adjoins the land which the Assembly acquires or has acquired under subsection (1) and which is required for the purpose of executing works for facilitating its development or use; and
- (b) where the land which the Assembly acquires or has acquired under subsection (1) forms part of a common, an open space or a fuel or field garden allotment, any land required for the purpose of being given in exchange for it.

(3) The Assembly may under subsection (1) above acquire rights over land by the creation of new rights (as well as by acquiring rights already in existence).

(4) Before the Assembly acquires land under subsection (1) for the purpose of its function under section 1(3)(da) above, it shall-

- (a) consider whether the land would or would not in its opinion be made available for development if it did not act;
- (b) consider the fact that planning permission has or has not been granted in respect of the land or is likely or unlikely to be granted;
- (c) (in the case where no planning permission has been granted in respect of the land) consult every relevant local authority; and
- (d) consider the needs of those engaged in building, agriculture and forestry and of the community in general.

(5) For the purposes of subsection (4)(c) above,

22. For section 21A (Powers of land acquisition) substitute-

"21A (1) The powers to acquire land mentioned in sections 1(7)(h) and 16(3)(b) above are powers-

- (a) to acquire land by agreement;
- (b) in relation to land in Wales, to acquire land compulsorily; and
- (c) in relation to land in England, to acquire land compulsorily if authorised to do so by the Secretary of State.

(2) Where the Assembly acquires or has acquired land under subsection (1) above, it has power-

- (a) to acquire by agreement,
- (b) in relation to land in Wales, to acquire compulsorily, and
- (c) in relation to land in England, if authorised to do so by the Secretary of State, to acquire compulsorily,

the land described in subsection (2A) below.

(2A) The land is-

- (a) any land which adjoins the land which the Assembly acquires or has acquired under subsection (1) and which is required for the purpose of executing works for facilitating its development or use; and
- (b) where the land which the Assembly acquires or has acquired under subsection (1) forms part of a common, an open space or a fuel or field garden allotment, any land required for the purpose of being given in exchange for it.

(3) The Assembly may under subsection (1) above acquire rights over land by the creation of new rights (as well as by acquiring rights already in existence).

(4) Before the Assembly acquires land under subsection (1) for the purpose of its function under section 1(3)(da) above, it shall-

- (a) consider whether the land would or would not in its opinion be made available for development if it did not act;
- (b) consider the fact that planning permission has or has not been granted in respect of the land or is likely or unlikely to be granted;
- (c) (in the case where no planning permission has been granted in respect of the land) consult every relevant local authority; and
- (d) consider the needs of those engaged in building, agriculture and forestry and of the community in general.

(5) For the purposes of subsection (4)(c) above,

each of the following is a relevant local authority-

- (a) the council of any county, county borough or district in whose area the land, or any part of the land, is situated;
- (b) any joint planning board in whose district the land, or any part of the land, is situated; and
- (c) any National Park authority which is the local planning authority for a National Park in which the land, or any part of the land, is situated.

(6) Where the Assembly has acquired land under subsection (1) above for the purpose of any of its functions under this Act it may appropriate it to the purpose of any of its other functions under this Act.

(7) Where the Assembly has-

- (a) acquired land under subsection (1) above for the purposes of its function under section 1(3)(da) above; or
- (b) under subsection (6) above has appropriated land to that purpose,

it shall, until it either disposes of the land or appropriates the land under subsection (6) above to the purpose of any of its other functions under this Act, manage the land and turn it to account.

(8) Schedule 4 to this Act shall have effect."

23. Ym mharagraff (b) o adran 21B (Gwaredu tir), yn lle "with the consent of the Secretary of State" rhodder "otherwise as it considers appropriate".

24. Yn adran 21C (Pwerau i gynghori ar faterion tir), yn is-adran (2)-

- (a) hepgorer paragraff (b); a
- (b) ym mharagraff (i), yn lle "Secretary of State" rhodder "Assembly".

25. Hepgorer adran 24 (Y pŵer i gael gwybodaeth).

26. Hepgorer adran 25 (Cyflwyno dogfennau).

27. Yn adran 27 (Dehongli)-

(1) yn is-adran (1), hepgorer y diffiniad o "accounting year"; a

(2) hepgorer is-adran (2).

28. Yn adran 28 (Gorchmynion a rheoliadau), hepgorer is-adran (1A).

29. Yn adran 29 (Enwi etc), yn is-adran (3), hepgorer "and paragraphs 13 and 21 of Schedule 1 below" ac yn lle "extend" rhodder "extends".

30. Hepgorer Atodlen 1 (Awdurdod Datblygu Cymru).

31. Hepgorer Atodlen 2 (Aelodau a staff Corfforaeth Ystadau Diwydiannol Cymru).

each of the following is a relevant local authority-

- (a) the council of any county, county borough or district in whose area the land, or any part of the land, is situated;
- (b) any joint planning board in whose district the land, or any part of the land, is situated; and
- (c) any National Park authority which is the local planning authority for a National Park in which the land, or any part of the land, is situated.

(6) Where the Assembly has acquired land under subsection (1) above for the purpose of any of its functions under this Act it may appropriate it to the purpose of any of its other functions under this Act.

(7) Where the Assembly has-

- (a) acquired land under subsection (1) above for the purposes of its function under section 1(3)(da) above; or
- (b) under subsection (6) above has appropriated land to that purpose,

it shall, until it either disposes of the land or appropriates the land under subsection (6) above to the purpose of any of its other functions under this Act, manage the land and turn it to account.

(8) Schedule 4 to this Act shall have effect."

23. In paragraph (b) of section 21B (Disposal of land), for "with the consent of the Secretary of State" substitute "otherwise as it considers appropriate".

24. In section 21C (Powers to advise on land matters), in subsection (2)-

- (a) omit paragraph (b); and
- (b) in paragraph (i), for "Secretary of State" substitute "Assembly".

25. Omit section 24 (Power to obtain information).

26. Omit section 25 (Service of documents).

27. In section 27 (Interpretation)-

(1) in subsection (1), omit the definition of "accounting year"; and

(2) omit subsection (2).

28. In section 28 (Orders and regulations), omit subsection (1A).

29. In section 29 (Citation etc), in subsection (3), omit "and paragraphs 13 and 21 of Schedule 1 below" and for "extend" substitute "extends".

30. Omit Schedule 1 (The Welsh Development Agency).

31. Omit Schedule 2 (Members and staff of the Welsh Industrial Estates Corporation).

32. Yn Atodlen 3 (Darpariaethau ariannol a gweinyddol sy'n ymwneud â'r Awdurdod)-

(1) hepgorer paragraffau 1, 2, 4, 7, 8 a 9 a'r penawdau i baragraffau 1, 4, 7, 8 a 9;

(2) yn lle paragraff 3 rhodder-

"(3) For the purpose of exercising its functions under this Act, the Assembly may borrow money from any person (including its wholly owned subsidiaries), but any borrowing in a currency other than sterling requires the approval of the Treasury.";

(3) yn lle paragraff 5 rhodder-

"(5) It is the duty of the Assembly to secure that none of its wholly owned subsidiaries formed in pursuance of the exercise of the Assembly's functions under this Act borrows money otherwise than from the Assembly or from another wholly owned subsidiary of the Assembly, except with the Assembly's consent.";

(4) ym mharagraff 6(1), yn lle "borrow from a person other than the Secretary of State" rhodder "borrows in connection with its functions under this Act"; a

(5) yn lle'r pennawd i'r atodlen, rhodder "Borrowing and guarantees".

33. Yn Atodlen 4 (Caffael Tir)-

(1) yn lle paragraff 1 rhodder-

"1

(1) The Acquisition of Land Act 1981 (referred to in this Schedule as "the 1981 Act") applies in relation to the compulsory acquisition of land under section 21A above subject to the modifications made by the following provisions of this Part.

(2) Notwithstanding section 2 of the 1981 Act-

(a) Schedule 1 to the 1981 Act applies only in relation to a compulsory acquisition of land under section 21A(1)(b) or (2)(b) above; and

(b) Part 2 of the 1981 Act applies in relation to a compulsory acquisition of land made under section 21A(1)(c) or (2)(c) above as if the Assembly were an acquiring authority and the Secretary of State were the confirming authority for the purposes of that Part.

1A

(1) Where a compulsory purchase order is prepared in draft by the Assembly under section 21A(1)(b) or (2)(b) above-

(a) a notice under paragraph 3 of Schedule 1 to the 1981 Act (notice to owners, lessees and occupiers) shall be served on every

32. In Schedule 3 (Financial and administrative provisions relating to the Agency)-

(1) omit paragraphs 1, 2, 4, 7, 8 and 9 and the headings to paragraphs 1, 4, 7, 8 and 9;

(2) for paragraph 3 substitute-

"(3) For the purpose of exercising its functions under this Act, the Assembly may borrow money from any person (including its wholly owned subsidiaries), but any borrowing in a currency other than sterling requires the approval of the Treasury.";

(3) for paragraph 5 substitute-

"(5) It is the duty of the Assembly to secure that none of its wholly owned subsidiaries formed in pursuance of the exercise of the Assembly's functions under this Act borrows money otherwise than from the Assembly or from another wholly owned subsidiary of the Assembly, except with the Assembly's consent.";

(4) in paragraph 6(1), for "borrow from a person other than the Secretary of State" substitute "borrows in connection with its functions under this Act"; and

(5) for the heading to the schedule, substitute "Borrowing and guarantees".

33. In Schedule 4 (Acquisition of Land)-

(1) for paragraph 1 substitute-

"1

(1) The Acquisition of Land Act 1981 (referred to in this Schedule as "the 1981 Act") applies in relation to the compulsory acquisition of land under section 21A above subject to the modifications made by the following provisions of this Part.

(2) Notwithstanding section 2 of the 1981 Act-

(a) Schedule 1 to the 1981 Act applies only in relation to a compulsory acquisition of land under section 21A(1)(b) or (2)(b) above; and

(b) Part 2 of the 1981 Act applies in relation to a compulsory acquisition of land made under section 21A(1)(c) or (2)(c) above as if the Assembly were an acquiring authority and the Secretary of State were the confirming authority for the purposes of that Part.

1A

(1) Where a compulsory purchase order is prepared in draft by the Assembly under section 21A(1)(b) or (2)(b) above-

(a) a notice under paragraph 3 of Schedule 1 to the 1981 Act (notice to owners, lessees and occupiers) shall be served on every

relevant local authority;

- (b) each relevant local authority has a right to object in accordance with the notice; and
- (c) the references in paragraphs 4 and 4A of Schedule 1 to that Act to relevant objections include references to an objection made by any relevant local authority.";

(2) ym mharagraff 3-

- (a) ar ddiwedd geiriau agoriadol is-baragraff (1) mewnosoder "under section 21A(1)(c) or (2)(c) above",
- (b) yn is-baragraff (1)(a) yn lle "Acquisition of Land Act 1981" rhodder "1981 Act", ac
- (c) hepgorer is-baragraff (2);

(3) ar ôl paragraff 3 mewnosoder paragraff 3A newydd-

"3A

For the purposes of paragraphs 1A and 3 above, each of the following is a relevant local authority-

- (a) the council of any county, county borough or district in whose area the land, or any part of the land, is situated;
- (b) any joint planning board in whose district the land, or any part of the land, is situated; and
- (c) any National Park authority which is the local planning authority for a National Park in which the land, or any part of the land, is situated.";

(4) ym mharagraff 7-

- (a) yn is-baragraff (3), yn y geiriau ar ôl paragraff (b) hepgorer "by the Secretary of State",
- (b) ar ôl is-baragraff (3) ychwaneger is-baragraff (3A) newydd fel a ganlyn-

"(3A) Regulations for the purposes of this paragraph are to be made by-

- (a) the Assembly, in relation to land in Wales; and
- (b) the Secretary of State, in relation to land in England.";
- (c) yn is-baragraff (5), o flaen "the Secretary of State" bob tro y mae'n digwydd, mewnosoder "the Assembly or", ac
- (ch) yn is-baragraff (8)(c), yn lle "the Secretary of State" rhodder "the Assembly, in relation to land in Wales, or by the Secretary of State, in relation to land in England,";

(5) ym mharagraff 11-

- (a) mewnosoder is-baragraff (4A) newydd-
"(4A) If a counter-notice is served under sub-paragraph (3) above in relation to rights over, or

relevant local authority;

- (b) each relevant local authority has a right to object in accordance with the notice; and
- (c) the references in paragraphs 4 and 4A of Schedule 1 to that Act to relevant objections include references to an objection made by any relevant local authority.";

(2) in paragraph 3-

- (a) at the end of the opening words of sub-paragraph (1) insert "under section 21A(1)(c) or (2)(c) above",
- (b) in sub-paragraph (1)(a) for "Acquisition of Land Act 1981" substitute "1981 Act", and
- (c) omit sub-paragraph (2);

(3) after paragraph 3 insert new paragraph 3A-

"3A

For the purposes of paragraphs 1A and 3 above, each of the following is a relevant local authority-

- (a) the council of any county, county borough or district in whose area the land, or any part of the land, is situated;
- (b) any joint planning board in whose district the land, or any part of the land, is situated; and
- (c) any National Park authority which is the local planning authority for a National Park in which the land, or any part of the land, is situated.";

(4) in paragraph 7-

- (a) in sub-paragraph (3), in the words after paragraph (b) omit "by the Secretary of State",
- (b) after sub-paragraph (3) add a new sub-paragraph (3A) as follows-

"(3A) Regulations for the purposes of this paragraph are to be made by-

- (a) the Assembly, in relation to land in Wales; and
- (b) the Secretary of State, in relation to land in England.";
- (c) in sub-paragraph (5), before "the Secretary of State" each time it occurs, insert "the Assembly or", and
- (d) in sub-paragraph (8)(c), for "the Secretary of State" substitute "the Assembly, in relation to land in Wales, or by the Secretary of State, in relation to land in England,";

(5) in paragraph 11-

- (a) insert new sub-paragraph (4A)-
"(4A) If a counter-notice is served under sub-paragraph (3) above in relation to rights over, or

apparatus on, land in Wales, the Assembly may either-

- (a) withdraw the notice (but without prejudice to the service of a further notice); or
 - (b) invite the appropriate Minister to make an order jointly with the Assembly under this sub-paragraph embodying the provisions of the notice with or without modification.", a
- (b) yn is-baragraff (5) ar ôl "above" mewnosoder "in relation to rights over, or apparatus on, land in England";

(6) ym mharagraff 12-

- (a) yn is-baragraff (1)-
 - (i) cyn "(5)" mewnosoder "(4A) or"; a
 - (ii) yn lle "Ministers" rhodder "appropriate Minister and the Assembly, or the Ministers proposing to make the order, as the case may be"; a

(b) yn lle paragraff (b) o is-baragraff (1) rhodder-

"(b) if any objection is made, shall consider the objection and afford to-

- (i) the statutory undertakers and the Assembly, in the case of an order under sub-paragraph (4A) of paragraph 11 above, or
- (ii) the statutory undertakers, in the case of an order under sub-paragraph (5) of paragraph 11 above,

an opportunity of appearing before, and being heard by, a person appointed for the purpose by the Assembly and the appropriate Minister, or the Secretary of State and the appropriate Minister, as the case may be.";

(c) yn is-baragraff (2), yn lle "Ministers" rhodder "appropriate Minister and the Assembly, or the Ministers proposing to make the order, as the case may be,";

(ch) yng ngeiriau agoriadol is-baragraff (3), cyn "11(5)" mewnosoder "11(4A) or"; a

(d) ym mharagraff (b) o is-baragraff (3), yn lle "they think" rhodder "it thinks";

(7) ym mharagraff 13-

(a) yn lle paragraff (b) o is-baragraff (6) rhodder-

"(b)in relation to apparatus-

- (i) in, on, over or under land in Wales requiring removal or re-siting, apply to the Assembly and the appropriate Minister for an order under this sub-paragraph conferring on the undertakers the rights claimed in the

apparatus on, land in Wales, the Assembly may either-

- (a) withdraw the notice (but without prejudice to the service of a further notice); or
- (b) invite the appropriate Minister to make an order jointly with the Assembly under this sub-paragraph embodying the provisions of the notice with or without modification.", and

(b) in sub-paragraph (5) after "above" insert "in relation to rights over, or apparatus on, land in England";

(6) In paragraph 12-

- (a) in sub-paragraph (1)-
 - (i) before "(5)" insert "(4A) or"; and
 - (ii) for "Ministers" substitute "appropriate Minister and the Assembly, or the Ministers proposing to make the order, as the case may be"; and

(b) for paragraph (b) of sub-paragraph (1) substitute-

"(b) if any objection is made, shall consider the objection and afford to-

- (i) the statutory undertakers and the Assembly, in the case of an order under sub-paragraph (4A) of paragraph 11 above, or
- (ii) the statutory undertakers, in the case of an order under sub-paragraph (5) of paragraph 11 above,

an opportunity of appearing before, and being heard by, a person appointed for the purpose by the Assembly and the appropriate Minister, or the Secretary of State and the appropriate Minister, as the case may be.";

(c) in sub-paragraph (2), for "Ministers" substitute "appropriate Minister and the Assembly, or the Ministers proposing to make the order, as the case may be,";

(d) in the opening words of sub-paragraph (3), before "11(5)" insert "11(4A) or"; and

(e) in paragraph (b) of sub-paragraph (3) for "they think" substitute "it thinks";

(7) in paragraph 13-

(a) for paragraph (b) of sub-paragraph (6) substitute-

"(b)in relation to apparatus-

- (i) in, on, over or under land in Wales requiring removal or re-siting, apply to the Assembly and the appropriate Minister for an order under this sub-paragraph conferring on the undertakers the rights claimed in the

notice or such modified rights as the Assembly and the appropriate Minister think it appropriate to confer on them; and

- (ii) in, on, over or under land in England requiring removal or re-siting, apply to the Secretary of State and the appropriate Minister for an order under this sub-paragraph conferring on the undertakers the rights claimed in the notice or such modified rights as the Secretary of State and the appropriate Minister think it appropriate to confer on them.";

(b) yn is-baragraffau (7) ac (8), yn lle "an order of Ministers made under it", rhodder "an order made under it by the Assembly and the appropriate Minister, or by the Ministers, as the case may be,"; ac

(c) ar ôl is-baragraff (8) mewnosoder-

"(8A) References in this paragraph to the Assembly and the appropriate Minister are, if the appropriate Minister is the Assembly, to be construed as references to the Assembly alone.";

(8) ym mharagraff 15-

(a) yn is-baragraff (3), hepgorer "or the Secretary of State" , a

(b) yn is-baragraff (4), yn lle "Secretary of State" rhodder "Assembly";

(9) ym mharagraff 16, yn lle "Secretary of State" rhodder "Assembly, in relation to a house in Wales, or the Secretary of State in relation to a house in England,";

(10) hepgorer paragraff 17;

(11) ym mharagraff 18(1), o flaen "relating to land" mewnosoder "under this Act" ac yn lle "they" rhodder "it";

(12) ym mharagraff 19-

(a) yn lle "Secretary of State" ym mharagraff (a) a pharagraff (b) o is-baragraff (1) rhodder "Assembly";

(b) yn is-baragraff 1(a), yn lle "their functions" rhodder "its functions under this Act"; ac

(c) yn is-baragraff (3), hepgorer ", or the Secretary of State (if it was granted by him),";

(13) yn lle paragraff 20 rhodder-

"20

(1) The Assembly may make regulations for prescribing the form of any document required or authorised by or under this Schedule which relates to land in Wales.

(2) The Secretary of State may make regulations for prescribing the form of any document required

notice or such modified rights as the Assembly and the appropriate Minister think it appropriate to confer on them; and

- (ii) in, on, over or under land in England requiring removal or re-siting, apply to the Secretary of State and the appropriate Minister for an order under this sub-paragraph conferring on the undertakers the rights claimed in the notice or such modified rights as the Secretary of State and the appropriate Minister think it appropriate to confer on them.";

(b) in sub-paragraphs (7) and (8) for "an order of Ministers made under it", substitute "an order made under it by the Assembly and the appropriate Minister, or by the Ministers, as the case may be,"; and

(c) after sub-paragraph (8) insert-

"(8A) References in this paragraph to the Assembly and the appropriate Minister are, if the appropriate Minister is the Assembly, to be construed as references to the Assembly alone.";

(8) in paragraph 15-

(a) in sub-paragraph (3), omit "or the Secretary of State" , and

(b) in sub-paragraph (4), for "Secretary of State" substitute "Assembly";

(9) in paragraph 16 for "Secretary of State" substitute "Assembly, in relation to a house in Wales, or the Secretary of State in relation to a house in England,";

(10) omit paragraph 17;

(11) in paragraph 18(1) before "relating to land" insert "under this Act" and for "they" substitute "it";

(12) in paragraph 19-

(a) for "Secretary of State" in each of paragraphs (a) and (b) of sub-paragraph (1) substitute "Assembly";

(b) in sub-paragraph 1(a), for "their functions" substitute "its functions under this Act"; and

(c) in sub-paragraph (3), omit ", or the Secretary of State (if it was granted by him),";

(13) for paragraph 20 substitute-

"20

(1) The Assembly may make regulations for prescribing the form of any document required or authorised by or under this Schedule which relates to land in Wales.

(2) The Secretary of State may make regulations for prescribing the form of any document required

or authorised by or under this Schedule which relates to land in England.";

(14) ym mharagraff 21, ar ôl "under" mewnosoder "part 2 of"; a

(15) ym mharagraff 22, yn is-baragraff (1), mewnosoder ar ôl "Crown land" y geiriau "if the appropriate Minister is the Assembly or, otherwise,".

or authorised by or under this Schedule which relates to land in England.";

(14) in paragraph 21, after "under" insert "part 2 of"; and

(15) in paragraph 22, in sub-paragraph (1), insert after "Crown land" the words "if the appropriate authority is the Assembly or, otherwise,".

RHAN 1

PART 1

Deddfwriaeth Sylfaenol:*Deddf Landlord a Tenant 1954 (p.56)***1. Yn Neddf Landlord a Tenant 1954-**

(1) yn is-adran (1A)(a) o adran 59 (Iawndal am arfer pwerau o dan adrannau 57 a 58), ar ôl "Welsh Development Agency Act 1975," mewnosoder "and were transferred to the National Assembly for Wales by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.";

(2) yn lle is-adran (1A)(b) o adran 59 rhodder-

"(b) the tenant was not the tenant of the premises when the interest by virtue of which the certificate was given was acquired by the Welsh Development Agency or, if the interest was acquired on or after 1 April 2006, by the National Assembly for Wales in exercise of functions transferred to it by the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005";

(3) yn is-adran (1) o adran 60A (Mangroedd Awdurdod Datblygu Cymru), yn lle "Welsh Development Agency is the landlord, and the Secretary of State" rhodder "National Assembly for Wales is the landlord by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 or by virtue of the Assembly exercising its powers under that Order, and the Assembly"; a

(4) yn adran 60A(2) yn lle "Secretary of State" rhodder "National Assembly for Wales".

Deddf Cyrff Cyhoeddus (Derbyn i Gyfarfodydd) 1960 (p.67)

2. Yn Neddf Cyrff Cyhoeddus (Derbyn i Gyfarfodydd) 1960, ym mharagraff 1 o'r atodlen (Cyrff y mae'r Ddeddf hon yn gymwys iddynt) hepgorer paragraff (ba).

Deddf Iawndal Tir 1961 (p.33)

3. Yn Neddf Iawndal Tir 1961, yn is-adran (3)(za) o adran 23 (Iawndal pan wneir y penderfyniad cynllunio ar ôl caffael), yn lle "Welsh Development Agency Act

Primary Legislation:*Landlord and Tenant Act 1954 (c.56)***1. In the Landlord and Tenant Act 1954-**

(1) in subsection (1A)(a) of section 59 (Compensation for exercise of powers under sections 57 and 58), after "Welsh Development Agency Act 1975," insert "and were transferred to the National Assembly for Wales by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.";

(2) for section 59(1A)(b) substitute-

"(b) the tenant was not the tenant of the premises when the interest by virtue of which the certificate was given was acquired by the Welsh Development Agency or, if the interest was acquired on or after 1 April 2006, by the National Assembly for Wales in exercise of functions transferred to it by the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005";

(3) in subsection (1) of section 60A (Welsh Development Agency premises), for "Welsh Development Agency is the landlord, and the Secretary of State" substitute "National Assembly for Wales is the landlord by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 or by virtue of the Assembly exercising its functions under that Order, and the Assembly"; and

(4) in section 60A(2) for "Secretary of State" substitute "National Assembly for Wales".

Public Bodies (Admission to Meetings) Act 1960 (c.67)

2. In the Public Bodies (Admission to meetings) Act 1960, in paragraph 1 of the Schedule (Bodies to which this Act applies) omit paragraph (ba).

Land Compensation Act 1961 (c.33)

3. In the Land Compensation Act 1961, in subsection (3)(za) of section 23 (Compensation where planning decision made after acquisition), for "Welsh

1975 (acquisitions by Welsh Development Agency)" rhodder "Welsh Development Agency Act 1975 (Powers of land acquisition)".

Deddf Cyllid 1969 (p.32)

4. Yn Neddf Cyllid 1969, yn adran 58 (Datgelu gwybodaeth at ddibenion ystadegol gan Fwrdd Cyllid y Wlad), yn y tabl yn is-adran (4), yn y golofn gyntaf ("Body"), yn lle "The Welsh Development Agency" rhodder "The National Assembly for Wales".

Deddf Cyflogaeth a Hyfforddiant 1973 (p.50)

5. Yn adran 4 (Cael a datgelu gwybodaeth gan y Comisiwn ac asiantaethau etc) o Ddeddf Cyflogaeth a Hyfforddiant 1973-

(1) yn is-adran (3)(e)(ii), hepgorer "the Welsh Development Agency";

(2) yn is-adran (3)(e), ar ôl is-baragraff (ii) ychwaneger-

"(iii) an officer of the National Assembly for Wales who is authorised by that body to receive the information for the purposes of its functions under the Welsh Development Agency Act 1975";

(3) yn is-adran (5)(dd)-

(a) yn lle "Welsh Development Agency" rhodder "National Assembly for Wales", a

(b) yn lle "conferred on that Agency by the Welsh Development Agency Act 1975;" rhodder "conferred on that body by the Welsh Development Agency Act 1975;"

Deddf Anghymhwysu o Dŷ'r Cyffredin 1975 (p.24)

6. Yn Neddf Anghymhwysu o Dŷ'r Cyffredin 1975, yn Rhan 2 o Atodlen 1 (Swyddi sy'n anghymhwysu ar gyfer aelodaeth), hepgorer "The Welsh Development Agency."

Deddf Cysylltiadau Hiliol 1976 (p.74)

7. Yn Neddf Cysylltiadau Hiliol 1976, yn Rhan 2 o Atodlen 1A (Cyrff a phersonau eraill sy'n ddarostyngedig i ddyletswydd statudol gyffredinol), hepgorer "The Welsh Development Agency."

Deddf Diwydiant 1980 (p.33)

8. Yn Neddf Diwydiant 1980-

(1) hepgorer adran 2 (Trosglwyddo eiddo i'r Ysgrifennydd Gwladol); a

(2) hepgorer adran 2A (Treth dir toll stampiau).

Deddf Caffael Tir 1981(p.67)

9. Yn Neddf Caffael Tir 1981-

Development Agency Act 1975 (acquisitions by Welsh Development Agency)" substitute "Welsh Development Agency Act 1975 (Powers of land acquisition)".

Finance Act 1969 (c.32)

4. In the Finance Act 1969, in section 58 (Disclosure of information for statistical purposes by Board of Inland Revenue), in the table in subsection (4), in the first column ("Body"), for "The Welsh Development Agency" substitute "The National Assembly for Wales".

Employment and Training Act 1973 (c.50)

5. In section 4 (Obtaining and disclosure of information by the Commission and agencies etc) of the Employment and Training Act 1973-

(1) in subsection (3)(e)(ii), omit "the Welsh Development Agency";

(2) in subsection (3)(e), after sub-paragraph (ii) add-

"(iii) an officer of the National Assembly for Wales who is authorised by that body to receive the information for the purposes of its functions under the Welsh Development Agency Act 1975";

(3) in subsection (5)(dd)-

(a) for "Welsh Development Agency" substitute "National Assembly for Wales", and

(b) for "conferred on that Agency by the Welsh Development Agency Act 1975;" substitute "conferred on that body by the Welsh Development Agency Act 1975;"

House of Commons Disqualification Act 1975 (c.24)

6. In the House of Commons Disqualification Act 1975, in Part 2 of Schedule 1 (Offices disqualifying for membership), omit "The Welsh Development Agency."

Race Relations Act 1976 (c.74)

7. In the Race Relations Act 1976, in Part 2 of Schedule 1A (Bodies and other persons subject to general statutory duty), omit "The Welsh Development Agency."

Industry Act 1980 (c.33)

8. In the Industry Act 1980-

(1) omit section 2 (Transfer of property to Secretary of State); and

(2) omit section 2A (Stamp duty land tax).

Acquisition of Land Act 1981 (c.67)

9. In the Acquisition of Land Act 1981-

(1) yn is-adran (3) o adran 17 (Tir awdurdod lleol ac ymgwymerwyr statudol), hepgorer "the Welsh Development Agency"; a

(2) yn Atodlen 3 (Caffael hawliau dros dir wrth greu hawliau newydd), ym mharagraff 4(3), hepgorer ", the Welsh Development Agency".

Deddf Cyllid 1996 (p.8)

10. Yn adran 43A (Tir halogedig) o Ddeddf Cyllid 1996-

(1) yn is-adran (5)(h), hepgorer "the Welsh Development Agency"; a

(2) yn is-adran (6), hepgorer y diffiniad o "the Welsh Development Agency".

Deddf Llywodraeth Cymru 1998 (p.38)

11. Yn Neddf Llywodraeth Cymru 1998 hepgorer adrannau 132 (Dirwyn i ben) a 138 (Dirwyn i ben).

Deddf Safonau Gofal 2000 (p.14)

12. Yn Neddf Safonau Gofal 2000, yn Atodlen 2A (Personau sy'n destun adolygiad gan y Comisiynydd o dan Adran 72B), hepgorer paragraff 22.

Deddf Rhyddid Gwybodaeth 2000 (p.36)

13. Yn Neddf Rhyddid Gwybodaeth 2000, yn Rhan 6 o Atodlen 1 (Awdurdodau cyhoeddus), hepgorer "The Welsh Development Agency".

Deddf Cyllid 2003 (p.14)

14. Yn Neddf Cyllid 2003, yn Atodlen 9 (Treth dir toll stampiau: hawl i brynu, perchnogaeth lesoedd a rennir), ym mharagraff 1(3) o dan y pennawd "New towns and development corporations", hepgorer "The Welsh Development Agency".

Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (p.10)

15. Yn Neddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005, yn Atodlen 3 (Awdurdodau rhestredig), hepgorer "The Welsh Development Agency".

Is-ddeddfwriaeth:

Gorchymyn y Weinyddiaeth Datblygu mewn Gwledydd Tramor (Diddymu) Gorchymyn 1979 (O.S. 1979/1451)

1. Yng Ngorchymyn y Weinyddiaeth Datblygu mewn Gwledydd Tramor (Diddymu) 1979, yn Atodlen 2, hepgorer paragraff 5.

Gorchymyn Cynlluniau Iaith Gymraeg (Cyrff Cyhoeddus) 1996 (O.S. 1996/1898)

2. Yng Ngorchymyn Cynlluniau Iaith Gymraeg (Cyrff Cyhoeddus) 1996, yn yr atodlen, hepgorer

(1) in subsection (3) of section 17 (Local authority and statutory undertakers land), omit "the Welsh Development Agency"; and

(2) in Schedule 3 (Acquisition of rights over land by the creation of new rights), in paragraph 4(3), omit ", the Welsh Development Agency".

Finance Act 1996 (c.8)

10. In section 43A (Contaminated land) of the Finance Act 1996-

(1) in subsection (5)(h), omit "the Welsh Development Agency"; and

(2) in subsection (6), omit the definition of "the Welsh Development Agency".

Government of Wales Act 1998 (c.38)

11. In the Government of Wales Act 1998 omit sections 132 (Winding-down) and 138 (Winding-down).

Care Standards Act 2000 (c.14)

12. In the Care Standards Act 2000, in Schedule 2A (Persons subject to review by the commissioner under section 72B), omit paragraph 22.

Freedom of Information Act 2000 (c.36)

13. In the Freedom of Information Act 2000, in Part 6 of Schedule 1 (Public authorities), omit "The Welsh Development Agency".

Finance Act 2003 (c.14)

14. In the Finance Act 2003, in Schedule 9 (Stamp duty land tax: right to buy, shared ownership leases etc), in paragraph 1(3) under the heading "New towns and development corporations", omit "The Welsh Development Agency".

Public Services Ombudsman (Wales) Act 2005 (c. 10)

15. In the Public Services Ombudsman (Wales) Act 2005, in Schedule 3 (Listed authorities), omit "The Welsh Development Agency".

Subordinate Legislation:

Ministry of Overseas Development (Dissolution) Order 1979 (S.I. 1979/1451)

1. In the Ministry of Overseas Development (Dissolution) Order 1979, in Schedule 2, omit paragraph 5.

Welsh Language Schemes (Public Bodies) Order 1996 (S.I. 1996/1898)

2. In Welsh Language Schemes (Public Bodies) Order 1996, in the Schedule, omit "Welsh

"Welsh Development Agency" ac "Awdurdod Datblygu Cymru".

Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672)

3. Yng Ngorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, yn Atodlen 1 yn yr eitem ar gyfer Deddf Awdurdod Datblygu Cymru 1975-

- (a) yn y frawddeg gyntaf (sy'n dilyn enw'r Ddeddf) hepgorer y geiriau "the functions of the Treasury under paragraph 4 of Schedule 3 and",
- (b) hepgorer yr ail frawddeg (sy'n cychwyn "The Treasury approval requirements under paragraphs 1(2) etc"), ac
- (c) ac eithrio at ddibenion y datganiad o gyfrif ar gyfer y flwyddyn ariannol 2005 i 2006 y darperir ar ei gyfer yn Erthygl 3(6) o'r Gorchymyn hwn, hepgorer y bedwaredd frawddeg (sy'n cychwyn "The functions of the Comptroller and Auditor General etc").

Gorchymyn Taliadau Dileu Swyddi (Parhau Cyflogaeth mewn Llywodraeth Leol, etc) (Addasiad) 1999 (O.S. 1999/2277)

4. Yng Ngorchymyn Taliadau Dileu Swyddi (Parhau Cyflogaeth mewn Llywodraeth Leol, etc) (Addasiad) 1999, ym mharagraff 23 o Atodlen 1 o dan "Section 2- Planning and Development", hepgorer "The Welsh Development Agency".

Gorchymyn Deddf Cysylltiadau Hiliol 1976 (Dyletswyddau Statudol) 2001 (O.S. 2001/3458)

5. Yng Ngorchymyn Deddf Cysylltiadau Hiliol 1976 (Dyletswyddau Statudol) 2000, yn Atodlen 1, hepgorer "the Welsh Development Agency".

Gorchymyn Cynulliad Cenedlaethol Cymru (Anghymwyso) 2003 (O.S. 2003/437)

6. Yng Ngorchymyn Cynulliad Cenedlaethol Cymru (Anghymwyso) 2003, yn Rhan 2 o'r atodlen, hepgorer "Any member, not being also an employee, of the Welsh Development Agency".

Rheoliadau Deddf Landlord and Tenant 1954, Rhan 2 (Hysbysiadau. 2004 (O.S. 2004/1005)

7. Yn Rheoliadau Deddf Landlord a Tenant 1954, Rhan 2 (Hysbysiadau) 2004-

(1) yn y tabl yn Atodlen 1, yn yr ail golofn wrth ymyl y rhifau 16 and 17, ar ôl "Welsh Development Agency" mewnosoder "Act 1975"; a

(2) yn Atodlen 2, yn ffurflenni 16 ac 17-

- (a) yn y pennawdau i'r ffurflenni ar ôl "Welsh Development Agency" mewnosoder "Act 1975",

Development Agency" and "Awdurdod Datblygu Cymru".

National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)

3. In the National Assembly for Wales (Transfer of Functions) Order 1999, in Schedule 1 in the entry for the Welsh Development Agency Act 1975-

- (a) in the first sentence (following on from the name of the Act) omit the words "the functions of the Treasury under paragraph 4 of Schedule 3 and",
- (b) omit the second sentence (commencing "The Treasury approval requirements under paragraphs 1(2) etc"), and
- (c) except for the purposes of the statement of account for the financial year 2005 to 2006 provided for in Article 3(6) of this Order, omit the fourth sentence (commencing "The functions of the Comptroller and Auditor General etc").

Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 (S.I. 1999/2277)

4. In the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999, in paragraph 23 of Schedule 1 under "Section 2- Planning and Development", omit "The Welsh Development Agency".

Race Relations Act 1976 (Statutory Duties) Order 2001 (S.I. 2001/3458)

5. In the Race Relations Act 1976 (Statutory Duties) Order 2000, in Schedule 1, omit "the Welsh Development Agency".

National Assembly for Wales (Disqualification) Order 2003 (S.I. 2003/437)

6. In the National Assembly for Wales (Disqualification) Order 2003, in Part 2 of the Schedule, omit "Any member, not being also an employee, of the Welsh Development Agency".

Landlord and Tenant Act 1954, Part 2 (Notices) Regulations 2004 (S.I. 2004/1005)

7. In the Landlord and Tenant Act 1954, Part 2 (Notices) Regulations 2004-

(1) in the table in Schedule 1, in the second column adjacent to the numbers 16 and 17, after "Welsh Development Agency" insert "Act 1975"; and

(2) in Schedule 2, in forms 16 and 17-

- (a) in the headings to the forms after "Welsh Development Agency" insert "Act 1975",

- (b) ym mharagraff 4(a) o'r nodiadau i ffurflen 16 ac ym mharagraff 11(a) o'r nodiadau i ffurflen 17, ar ôl "Welsh Development Agency Act 1975" mewnosoder "and were transferred to the National Assembly for Wales by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.", ac
- (c) yn lle paragraff 4(b) o'r nodiadau i ffurflen 16 ac yn lle paragraff 11(b) o'r nodiadau i ffurflen 17, rhodder-

"you were not the tenant of the premises when the interest by virtue of which the certificate referred to in paragraph 3 of this notice was given was acquired by the Welsh Development Agency or, if the interest was acquired on or after 1 April 2006, by the National Assembly for Wales in exercise of functions transferred to it by the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005."

- (b) in paragraph 4(a) of the notes to form 16 and in paragraph 11(a) of the notes to form 17, after "Welsh Development Agency Act 1975", insert "and were transferred to the National Assembly for Wales by virtue of the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.", and
- (c) for paragraph 4(b) of the notes to form 16 and for paragraph 11(b) of the notes to form 17, substitute-

"you were not the tenant of the premises when the interest by virtue of which the certificate referred to in paragraph 3 of this notice was given was acquired by the Welsh Development Agency or, if the interest was acquired on or after 1 April 2006, by the National Assembly for Wales in exercise of functions transferred to it by the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005."

RHAN 2

Diddymiadau a Dirymiadau

Diddymir Deddf Diwydiant 1981 (p.6).

Dirymir y canlynol-

1. Rheoliadau Awdurdod Datblygu Cymru (Iawndal) 1976 (O.S. 1976/2107).
2. Rheoliadau Cynyddu Pensiynau (Awdurdod Datblygu Cymru) 1978 (O.S. 1978/211).
3. Gorchymyn Awdurdod Tir Cymru (Trosglwyddo Staff) 1998 (O.S. 1998/2194).
4. Gorchymyn Bwrdd Datblygu Cymru Wledig (Trosglwyddo Staff) 1998 (O.S. 1998/2195).
5. Gorchymyn Awdurdod Datblygu Cymru (Aelodaeth) 1998 (O.S. 1998/2490).
6. Gorchymyn Awdurdod Datblygu Cymru (Terfyn Ariannol) 2000 (O.S. 2000/1147 (Cy.82)).
7. Gorchymyn Awdurdod Datblygu Cymru (Terfyn Ariannol) 2004 (O.S. 2004/1826 (Cy.202)).

PART 2

Repeals and Revocations

The Industry Act 1981 (c.6) is repealed.

The following are revoked-

1. Welsh Development Agency (Compensation) Regulations 1976 (S.I. 1976/2107).
2. Pensions Increase (Welsh Development Agency) Regulations 1978 (S.I. 1978/211).
3. Land Authority for Wales (Transfer of Staff) Order 1998 (S.I. 1998/2194).
4. Development Board for Rural Wales (Transfer of Staff) Order 1998 (S.I. 1998/2195).
5. Welsh Development Agency (Membership) Order 1998 (S.I. 1998/2490).
6. Welsh Development Agency (Financial Limit) Order 2000 (S.I. 2000/1147 (W.82)).
7. Welsh Development Agency (Financial Limit) Order 2004 (S.I. 2004/1826 (W.202)).

2005 Rhif 3226 (Cy.238)

**DATBLYGU ECONOMAIDD,
CYMRU**

Gorchymyn Awdurdod Datblygu
Cymru (Trosglwyddo
Swyddogaethau i Gynulliad
Cenedlaethol Cymru a Diddymu)
2005

2005 No. 3226 (W.238)

**ECONOMIC DEVELOPMENT,
WALES**

The Welsh Development Agency
(Transfer of Functions to the
National Assembly for Wales and
Abolition) Order
2005

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