



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 1852 (Cy.195)

2006 No. 1852 (W.195)

**GWASANAETHAU TÂN AC
ACHUB, CYMRU**

**FIRE AND RESCUE
SERVICES, WALES**

Gorchymyn y Gwasanaethau Tân
ac Achub (Codi Taliadau) (Cymru)
2006

The Fire and Rescue Services
(Charging) (Wales) Order
2006

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 gymwys o ran awdurdodau tân ac achub yng Nghymru (*erthygl 1*).

This Order applies in relation to fire and rescue authorities in Wales (*article 1*).

Mae adran 19 o Ddeddf Gwasanaethau Tân ac Achub 2004 yn darparu y caiff Cynulliad Cenedlaethol Cymru, drwy orchymyn, awdurdodi awdurdod tân ac achub i godi tâl ar berson o ddisgrifiad penodedig am unrhyw weithred o ddisgrifiad penodedig a gyflawnir gan yr awdurdod. Mae'r Gorchymyn hwn yn pennu'r gweithredoedd y caiff awdurdod tân ac achub godi tâl amdanynt ac yn pennu'r personau y caniateir codi tâl arnynt (*erthygl 2 a'r Atodlen*).

Section 19 of the Fire and Rescue Services Act 2004 provides that the National Assembly for Wales may, by order, authorise a fire and rescue authority to charge a person of a specified description for any action of a specified description taken by the authority. This Order specifies the actions for which a fire and rescue authority may make a charge and specifies the persons who may be subject to the charge (*article 2 and the Schedule*).

Mae arfarniad rheoliadol llawn o'r effaith y bydd y Gorchymyn hwn yn ei gael ar fusnesau ar gael o Robert Tyler, Cangen Gwasanaethau Tân ac Achub, Y Pedwerydd Llawr, CP2, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd CF10 3NQ; ffôn: 029 2082 1283; e-bost: robert.tyler@wales.gsi.gov.uk.

A full regulatory appraisal of the effect that this Order will have on business is available from Robert Tyler, the Fire and Rescue Services Branch, Fourth Floor, CP2, The National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ; phone 029 2082 1283; e-mail robert.tyler@wales.gsi.gov.uk.

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**GWASANAETHAU TÂN AC
ACHUB, CYMRU****FIRE AND RESCUE
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Achub (Codi Taliadau) (Cymru)
2006The Fire and Rescue Services
(Charging) (Wales) Order
2006*Wedi'i wneud* 11 Gorffennaf 2006
Yn dod i rym 13 Gorffennaf 2006*Made* 11 July 2006
Coming into force 13 July 2006

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 19, 60 a 62 o Ddeddf Gwasanaethau Tân ac Achub 2004(1), ac ar ôl ymgynghori ag unrhyw bersonau y mae'n barnu eu bod yn briodol yn unol ag adran 19(7) o'r Ddeddf honno, drwy hyn yn gwneud y Gorchymyn a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred by sections 19, 60 and 62 of the Fire and Rescue Services Act 2004(1), and having consulted such persons as it considers appropriate in accordance with section 19(7) of that Act, hereby makes the following Order:

Enwi, cychwyn, cymhwyso a dehongli**Title, commencement, application and interpretation**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Gwasanaethau Tân ac Achub (Codi Taliadau) (Cymru) 2006 a daw i rym ar 9 Mehefin 2006.

1.-(1) The title of this Order is the Fire and Rescue Services (Charging) (Wales) Order 2006 and it comes into force on 9 June 2006.

(2) Mae'r Gorchymyn hwn yn gymwys o ran awdurdodau tân ac achub yng Nghymru.

(2) This Order applies in relation to fire and rescue authorities in Wales.

(3) Yn y Gorchymyn hwn-

(3) In this Order-

ystyr "y Ddeddf" ("*the Act*") yw Deddf Gwasanaethau Tân ac Achub 2004;

"the Act" ("*y Ddeddf*") means the Fire and Rescue Services Act 2004;

ystyr "gweithredydd" ("*operator*") yw'r person sydd, fel meddiannydd neu fel arall, â rheolaeth ar y fangre, y strwythur, y lifft neu'r cerbyd, yn ôl y digwydd, mewn cysylltiad â masnach, busnes neu ymgymeriad arall (boed am elw ai peidio) a ddygir ymlaen ganddo ac mae'n cynnwys ceidwad cerbyd fel a ddiffinnir yn adran 62(2) o Ddeddf Treth a Chofrestru Cerbydau 1994(2); ac

"operator" ("*gweithredydd*") means the person who, as occupier or otherwise, has control of the premises, structure, lift or vehicle, as the case may be, in connection with the carrying on by that person of a trade, business or other undertaking (whether or not for profit) and includes the keeper of a vehicle as defined in section 62(2) of the Vehicle Excise and Registration Act 1994(2); and

mae "mangre" ("*premises*") yn cynnwys unrhyw le.

"premises" ("*mangre*") includes any place.

(1) 2004 p.21.

(2) 1994 p.22.

(1) 2004 c.21.

(2) 1994 c.22.

Pŵer i godi tâl am wasanaethau

2. Awdurdodir awdurdod tân ac achub i godi tâl ar berson a bennir yng nghlofn 2 o'r tabl yn yr Atodlen ar gyfer y weithred a wneir gan yr awdurdod a bennir yn y cofnod cyfatebol yng nghlofn 1 o'r tabl, ond nid-

- (a) ac eithrio mewn perthynas â chofnod 13 yn y tabl, ar gyfer diffodd tân neu amddiffyn bywydau ac eiddo pan ddigwyddo tân, neu
- (b) ar gyfer cymorth meddygol brys.

Power to charge for services

2. A fire and rescue authority is authorised to charge the person specified in column 2 of the table in the Schedule for the action taken by the authority specified in the corresponding entry in column 1 of the table, but not-

- (a) except in relation to entry 13 in the table, for extinguishing fires or protecting life and property in the event of fires, or
- (b) for emergency medical assistance.

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

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

11 Gorffennaf 2006

11 July 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

ATODLEN

SCHEDULE

Erthygl 2

Article 2

TALIADAU AWDURDODEDIG

AUTHORISED CHARGES

<i>Y weithred a gyflawnir gan yr awdurdod tân ac achub</i>	<i>Y person y caniateir codi tâl arno</i>	<i>Action taken by fire and rescue authority</i>	<i>Person who may be charged</i>
<p>1. Hurio neu ddarparu cyfarpar, cerbydau, mangreoedd neu gyflogeion awdurdod tân ac achub, ac eithrio pan wneir hyn yn unol ag unrhyw un neu ragor o ddarpariaethau canlynol y Ddeddf-</p> <p>(a) adran 6;</p> <p>(b) adran 8; neu</p> <p>(c) adrannau 13 i 17.</p>	<p>Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.</p>	<p>1. Hiring out or provision of equipment, vehicles, premises or employees of a fire and rescue authority, except where done pursuant to any of the following provisions of the Act-</p> <p>(a) section 6;</p> <p>(b) section 8; or</p> <p>(c) sections 13 to 17.</p>	<p>The person who requests the service or to whom the service is provided.</p>
<p>2. Arolygu, profi, cynnal ac atygyweirio cyfarpar a cherbydau, gan gynnwys ailwefru silindrau aer cywasgedig a chyfarpar anadlu.</p>	<p>Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.</p>	<p>2. Inspection, testing, maintenance and repair of equipment and vehicles, including the re-charging of compressed air cylinders and breathing apparatus.</p>	<p>The person who requests the service or to whom the service is provided.</p>
<p>3. Dal a chlirio ysbwriel, gorlifoedd, arllwysiadau neu ollyngiadau o gerbyd, tanc storio neu bibell.</p>	<p>Perchennog, meddiannydd neu weithredydd unrhyw fangre neu gerbyd a oedd, cyn y digwyddiad a arweiniodd at y tâl, yn dal neu'n cludo'r deunydd sydd i'w ddal neu i'w glirio, neu'r person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.</p>	<p>3. Containment and clearance of debris, spillages, discharges or leaks from a vehicle, storage tank or pipe.</p>	<p>The owner, occupier or operator of any premises or vehicle which, prior to the incident giving rise to the charge, contained or conveyed the material to be contained or cleared, or the person who requests the service or to whom the service is provided.</p>
<p>4. Darparu dŵr neu gael gwared â dŵr.</p>	<p>Perchennog, meddiannydd neu weithredydd unrhyw fangre y darperir y gwasanaeth mewn perthynas â hi neu'r person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.</p>	<p>4. Provision or removal of water.</p>	<p>The owner, occupier or operator of any premises in relation to which the service is provided or the person who requests the service or to whom the service is provided.</p>
<p>5. Galluogi pobl i fynd i mewn i fangre neu i ddod o fangre</p>	<p>Perchennog, meddiannydd neu weithredydd y fangre neu'r person sy'n gofyn</p>	<p>5. Effecting entry to, or egress from, premises.</p>	<p>The owner, occupier or operator of the premises, or the person who requests the service or to</p>

	am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.
6. Achub pobl o gabanau lifftiau	Perchennog neu weithredydd y lifft.
7. Achub anifeiliaid.	Perchennog neu geidwad yr anifail.
8. Darparu dogfennau, ffotograffau, tâpiau, fideos neu recordiadau tebyg eraill, pan na fo codi taliadau eisoes wedi'i awdurdodi neu ei wahardd gan ddeddfiad arall.	Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.
9. Darparu hyfforddiant, heblaw hyfforddiant a ddarperir i gyflogeion awdurdodau tân ac achub eraill o dan gynllun atgyfnerthu.	Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.
10. Symud strwythurau peryglus.	Perchennog, meddiannydd neu weithredydd y strwythur neu'r fangre lle mae'r strwythur neu'r person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.
11. Rhoi cyngor i bersonau mewn perthynas â mangre lle dygir masnach, busnes neu ymgymeriad arall ymlaen, heblaw rhoi cyngor y mae'n ofynnol gwneud trefniadau ar ei gyfer o dan adran 6(2)(b) o'r Ddeddf.	Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.
12. Codi personau analluog.	Y person sy'n gofyn am y gwasanaeth.
13. Diffodd tân ar y môr neu o dan y môr, neu amddiffyn bywyd ac eiddo os digwydd tân o'r fath.	Y person sy'n gofyn am y gwasanaeth neu'r person y darperir y gwasanaeth iddo.

	whom the service is provided.
6. Rescuing persons from lift cabins.	The owner or operator of the lift.
7. Rescuing animals.	The owner or keeper of the animal.
8. Provision of documents, photographs, tape, video or other similar recordings, where charging is not already authorised or prohibited by another enactment.	The person who requests the service or to whom the service is provided.
9. Provision of training, other than training provided to employees of other fire and rescue authorities under a reinforcement scheme.	The person who requests the service or to whom the service is provided.
10. Removal of dangerous structures.	The owner, occupier or operator of the structure or premises where the structure is located or the person who requests the service or to whom the service is provided.
11. The giving of advice to persons in relation to premises where a trade, business or other undertaking is carried on, other than the giving of advice for which arrangements are required to be made under section 6(2)(b) of the Act.	The person who requests the service or to whom the service is provided.
12. Lifting of incapacitated persons.	The person who requests the service.
13. Extinguishing fires at sea or under the sea, or protecting life and property in the event of such fires.	The person who requests the service or to whom the service is provided.

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