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WELSH STATUTORY  
INSTRUMENTS

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**2016 Rhif 409 (Cy. 127)**

**2016 No. 409 (W. 127)**

**Y GYMRAEG**

**WELSH LANGUAGE**

**Gorchymyn Mesur y Gymraeg  
(Cymru) 2011 (Darpariaethau  
Canlyniadol) 2016**

**The Welsh Language (Wales)  
Measure 2011 (Consequential  
Provisions) Order 2016**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Creodd Mesur y Gymraeg (Cymru) 2011 (“y Mesur”) swyddfa Comisiynydd y Gymraeg a diddymodd Fwrdd yr Iaith Gymraeg. Roedd y Mesur hefyd yn darparu ar gyfer trosglwyddo swyddogaethau Bwrdd yr Iaith Gymraeg i'r Comisiynydd.

The Welsh Language (Wales) Measure 2011 (“the Measure”) created the office of the Welsh Language Commissioner and abolished the Welsh Language Board. The Measure also provided for the transfer of the Welsh Language Board’s functions to the Commissioner.

Mae adran 154 (darpariaeth drosiannol a darpariaeth ganlyniadol etc) o'r Mesur yn rhoi pŵer i Weinidogion Cymru, drwy orchymyn, i wneud unrhyw ddarpariaeth drosiannol, ganlyniadol neu arall y maent yn ystyried ei bod yn angenrheidiol neu'n briodol mewn cysylltiad â'r Mesur, neu er mwyn rhoi effaith lawn i'r Mesur. Mae'r Gorchymyn hwn wedi ei wneud o dan adran 154 o'r Mesur.

Section 154 (transitional and consequential provisions etc) of the Measure gives the Welsh Ministers the power, by order, to make such transitional, consequential and other provision as they think necessary or appropriate in connection with, or to give full effect to the Measure. This Order is made under section 154 of the Measure.

Mae erthygl 2(a) o'r Gorchymyn hwn yn diwygio adran 78 (y Gymraeg) o Ddeddf Llywodraeth Cymru 2006 (“Deddf 2006”). Mae adran 78 o Ddeddf 2006 yn rhoi dyletswydd ar Weinidogion Cymru i fabwysiadu strategaeth ar gyfer y Gymraeg a chynllun iaith Gymraeg. Mae hefyd yn gosod dyletswyddau ar Weinidogion Cymru mewn perthynas ag adolygu a chyhoeddi'r strategaeth honno a'r cynllun hwnnw. Mae erthygl 2(b) yn diwygio paragraff 48 o Atodlen 11 er mwyn dileu cyfeiriad at y cynllun iaith Gymraeg.

Article 2(a) of this Order amends section 78 (the Welsh language) of the Government of Wales Act 2006 (“the 2006 Act”). Section 78 of the 2006 Act places a duty on the Welsh Ministers to adopt a Welsh language strategy and a Welsh language scheme. It also imposes duties on the Welsh Ministers in relation to the revision and publication of that strategy and scheme. Article 2(b) amends paragraph 48 of Schedule 11 to remove a reference to the Welsh language scheme.

Mae'r Comisiynydd wedi rhoi hysbysiad cydymffurfio i Weinidogion Cymru yn unol â Phennod 6 o Ran 4 (hysbysiadau cydymffurfio) o'r Mesur. Mae Gweinidogion Cymru o dan ddyletswydd i gydymffurfio â'r safonau a nodir yn yr hysbysiad cydymffurfio hwnnw ("y safonau") ar ôl bodloni'r holl amodau yn adran 25 o'r Mesur. Felly, mae'r Gorchymyn hwn yn gwneud diwygiadau canlyniadol i adran 78 o Ddeddf 2006 er mwyn hepgor cyfeiriadau at gynllun iaith Gymraeg Gweinidogion Cymru. Rhaid i Weinidogion Cymru gydymffurfio â'r safonau o 31 Mawrth 2016 ymlaen, sef y dyddiad a nodwyd yn yr hysbysiad cydymffurfio, ac o ganlyniad, ystyriwyd nad yw'n briodol i Weinidogion Cymru barhau i fabwysiadu cynllun iaith Gymraeg.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

The Commissioner has served a compliance notice on the Welsh Ministers in accordance with Chapter 6 of Part 4 (compliance notices) of the Measure. The Welsh Ministers are under a duty to comply with the standards set out in that compliance notice ("the standards") once all the conditions in section 25 of the Measure are met. Therefore, this Order makes a consequential amendment to section 78 of the 2006 Act so as to omit references to the Welsh Ministers' Welsh language scheme. The Welsh Ministers must comply with the standards from 31 March 2016 being the date stated in the compliance notice and consequently it is not considered appropriate for the Welsh Ministers to continue to adopt a Welsh language scheme.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

**2016 Rhif 409 (Cy. 127)**

**2016 No. 409 (W. 127)**

**Y GYMRAEG**

**WELSH LANGUAGE**

**Gorchymyn Mesur y Gymraeg  
(Cymru) 2011 (Darpariaethau  
Canlyniadol) 2016**

**The Welsh Language (Wales)  
Measure 2011 (Consequential  
Provisions) Order 2016**

*Gwnaed* 15 Mawrth 2016  
*Yn dod i rym* 31 Mawrth 2016

*Made* 15 March 2016  
*Coming into force* 31 March 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 154 o Fesur y Gymraeg (Cymru) 2011(1) yn gwneud y Gorchymyn a ganlyn.

The Welsh Ministers in exercise of the powers conferred upon them by section 154 of the Welsh Language (Wales) Measure 2011(1) make the following Order.

Mae Gweinidogion Cymru o'r farn ei bod yn briodol gwneud y Gorchymyn hwn mewn cysylltiad â darpariaethau Mesur y Gymraeg (Cymru) 2011, neu er mwyn rhoi effaith lawn iddynt.

The Welsh Ministers consider it appropriate in connection with, or to give full effect, to the provisions of the Welsh Language (Wales) Measure 2011 to make the following Order.

Gosodwyd drafft o'r Gorchymyn hwn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad yn unol ag adran 150(2)(k) o Fesur y Gymraeg (Cymru) 2011.

A draft of this Order was laid before and approved by a resolution of the National Assembly for Wales in accordance with section 150(2)(k) of the Welsh Language (Wales) Measure 2011.

**Enwi a chychwyn**

**Title and commencement**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur y Gymraeg (Cymru) 2011 (Darpariaethau Canlyniadol) 2016.

1.—(1) The title of this Order is the Welsh Language (Wales) Measure 2011 (Consequential Provisions) Order 2016.

(2) Daw'r Gorchymyn hwn i rym ar 31 Mawrth 2016.

(2) This Order comes into force on 31 March 2016.

**Diwygiadau canlyniadol i Ddeddf Llywodraeth  
Cymru 2006**

**Consequential amendments to the Government of  
Wales Act 2006**

2. Mae Deddf Llywodraeth Cymru 2006(2) wedi ei diwygio fel a ganlyn—

2. The Government of Wales Act 2006(2) is amended as follows—

(a) yn adran 78—

(a) in section 78—

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(1) 2011 mccc 1.  
(2) 2006 p. 32.

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(1) 2011 nawm 1.  
(2) 2006 c. 32.

- (i) hepgorer is-adrannau (2) a (3);
- (ii) yn is-adran (4)(a) hepgorer “both” ac “and the Welsh language scheme”;
- (iii) yn is-adran (4)(b) yn lle “scheme or revise them” rhodder “revise it”.
- (iv) yn is-adrannau (5), (6) a (7), ym mhob man lle y mae’n digwydd, hepgorer “or scheme”;
- (v) yn is-adran (6) hepgorer “and the Welsh language scheme”;
- (vi) yn is-adran (6)(b) hepgorer “or the Welsh language scheme”; ac
- (vii) yn lle is-adran (8) rhodder—

“(8) After each financial year the Welsh Ministers must publish a report of how the proposals set out in the Welsh language strategy were implemented in that financial year and how effective their implementation has been in promoting and facilitating the use of the Welsh language and must lay a copy of the report before the Assembly.”; a

- (b) ym mharagraff 48 o Atodlen 11—
  - (i) hepgorer is-baragraff (2); a
  - (ii) yn is-baragraff (3) yn lle “Sub-paragraphs (1) and (2) do” rhodder “Sub-paragraph (1) does”.

- (i) omit subsections (2) and (3);
- (ii) in subsection (4)(a) omit “both” and “and the Welsh language scheme”;
- (iii) in subsection (4)(b) for “scheme or revise them” substitute “revise it”;
- (iv) in subsections (5), (6) and (7) in each place it occurs omit “or scheme”;
- (v) in subsection (6) omit “and the Welsh language scheme”;
- (vi) in subsection (6)(b) omit “or the Welsh language scheme”; and
- (vii) for subsection (8) substitute—

“(8) After each financial year the Welsh Ministers must publish a report of how the proposals set out in the Welsh language strategy were implemented in that financial year and how effective their implementation has been in promoting and facilitating the use of the Welsh language and must lay a copy of the report before the Assembly.”; and

- (b) in paragraph 48 of Schedule 11—
  - (i) omit sub-paragraph (2); and
  - (ii) in sub-paragraph (3) for “Sub-paragraphs (1) and (2) do” substitute “Sub-paragraph (1) does”.

*Carwyn Jones*

Prif Weinidog Cymru  
15 March 2016

First Minister for Wales  
15 March 2016

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