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CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 333 (Cy. 88)

2021 No. 333 (W. 88)

**NEWID YN YR HINSAWDD,
CYMRU**

CLIMATE CHANGE, WALES

**Rheoliadau Deddf yr Amgylchedd
(Cymru) 2016 (Diwygio Targed
Allyriadau 2050) 2021**

**The Environment (Wales) Act 2016
(Amendment of 2050 Emissions
Target) Regulations 2021**

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Diben Rhan 2 o Ddeddf yr Amgylchedd (Cymru) 2016 ("y Ddeddf") yw ei gwneud yn ofynnol i Weinidogion Cymru gyrraedd targedau ar gyfer lleihau allyriadau nwyon tŷ gwydr o Gymru. Mae adran 29 yn ei gwneud yn ofynnol i Weinidogion Cymru sicrhau bod cyfrif allyriadau net Cymru ar gyfer y flwyddyn 2050 ganran benodedig yn is na'r waelodlin.

Mae'r Rheoliadau hyn yn diwygio adran 29 o'r Ddeddf drwy newid y ganran yn is-adran (1). Mae adran 29(1) yn gosod dyletswydd ar Weinidogion Cymru o ran lefel "cyfrif allyriadau net Cymru" (swm allyriadau Cymru o nwyon tŷ gwydr am gyfnod wedi ei addasu yn ôl swm echdyniadau Cymru o'r nwyon hynny am y cyfnod hwnnw) ar gyfer y flwyddyn 2050. Y ddyletswydd yw sicrhau bod cyfrif allyriadau net Cymru isafswm canran yn is na "y waelodlin" (gwaelodlin allyriadau net Cymru o nwyon tŷ gwydr y cymhwysir y ganran yn adran 29(1) yn ei herbyn).

Effaith y diwygiad yn y Rheoliadau hyn yw bod isafswm y ganran y mae rhaid i gyfrif allyriadau net Cymru ar gyfer y flwyddyn 2050 fod yn is na'r waelodlin wedi ei gyfyngu o 80% i 100%.

Yn unol ag adran 32 o'r Ddeddf, mae Gweinidogion Cymru wrth ddrafftio'r Rheoliadau hyn wedi rhoi sylw i'r ffactorau a restrir yn adran 32(3).

EXPLANATORY NOTE

(This note is not part of the Regulations)

The purpose of Part 2 of the Environment (Wales) Act 2016 ("the Act") is to require the Welsh Ministers to meet targets for reducing emissions of greenhouse gases from Wales. Section 29 requires that the Welsh Ministers ensure that the net Welsh emissions account for the year 2050 is at a specified percentage lower than the baseline.

These Regulations amend section 29 of the Act by altering the percentage amount in subsection (1). Section 29(1) imposes a duty on the Welsh Ministers as to the level of the "net Welsh emissions account" (the amount of Welsh emissions of greenhouse gases for a period adjusted by the amount of Welsh removals of those gases for that period) for the year 2050. The duty is to ensure that the net Welsh emissions account is lower than the "the baseline" (the baseline of net Welsh emissions of greenhouse gases against which the percentage amount in section 29(1) is applied) by a minimum percentage amount.

The amendment in these Regulations has the effect that the minimum percentage by which the net Welsh emissions account for the year 2050 must be lower than the baseline is increased from 80% to 100%.

In accordance with section 32 of the Act, the Welsh Ministers in drafting these Regulations have had regard to the factors listed in section 32(3).

Yn unol ag adran 49 o'r Ddeddf, mae Gweinidogion Cymru wedi cael cyngor gan y corff cynghori, ac wedi ystyried y cyngor a gafwyd, cyn gosod rheoliadau drafft.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

In accordance with section 49 of the Act, the Welsh Ministers have obtained and taken into account the advice of the advisory body before laying draft regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2021 Rhif 333 (Cy. 88)

**NEWID YN YR HINSAWDD,
CYMRU**

**Rheoliadau Deddf yr Amgylchedd
(Cymru) 2016 (Diwygio Targed
Allyriadau 2050) 2021**

Gwnaed 17 Mawrth 2021
Yn dod i rym 19 Mawrth 2021

Yn unol ag adran 48(3) o Ddeddf yr Amgylchedd (Cymru) 2016(1) (“y Ddeddf”), gosodwyd drafft o’r offeryn hwn gerbron Senedd Cymru ac fe’i cymeradwywyd ganddi drwy benderfyniad(2).

Cyn i’r drafft gael ei osod, roedd Gweinidogion Cymru—

- (a) wedi rhoi sylw i’r materion a restrir yn adran 32(3) o’r Ddeddf, a
- (b) wedi cael cyngor gan y Pwyllgor ar Newid Hinsawdd(3), ac wedi ystyried y cyngor a gafwyd, yn unol ag adran 49(1) o’r Ddeddf.

Mae’r Pwyllgor ar Newid Hinsawdd wedi argymhell newid targed allyriadau 2050.

Yn unol â hynny, mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 29(3) o’r Ddeddf, ac yn unol ag adran 32(2)(b) o’r Ddeddf, yn gwneud y Rheoliadau a ganlyn.

(1) 2016 decc 3.
(2) Mae’r cyfeiriad yn Neddf yr Amgylchedd (Cymru) 2016 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru, yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).
(3) Y Pwyllgor ar Newid Hinsawdd yw’r corff cynghori perthnasol i Weindogion Cymru yn rhinwedd adran 44(3) o Ddeddf yr Amgylchedd (Cymru) 2016.

2021 No. 333 (W. 88)

CLIMATE CHANGE, WALES

**The Environment (Wales) Act 2016
(Amendment of 2050 Emissions
Target) Regulations 2021**

Made 17 March 2021
Coming into force 19 March 2021

In accordance with section 48(3) of the Environment (Wales) Act 2016(1) (“the Act”), a draft of this instrument was laid before and approved by a resolution of Senedd Cymru(2).

Before the draft was laid the Welsh Ministers—

- (a) had regard to the matters listed in section 32(3) of the Act, and
- (b) obtained and took into account the advice of the Committee on Climate Change(3), in accordance with section 49(1) of the Act.

The Committee on Climate Change has recommended that the 2050 emissions target be changed.

Accordingly, the Welsh Ministers, in exercise of the powers conferred by section 29(3) of the Act, and in accordance with section 32(2)(b) of the Act, make the following Regulations.

(1) 2016 anaw 3.
(2) The reference in the Environment (Wales) Act 2016 to the National Assembly for Wales now has effect as a reference to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).
(3) The Committee on Climate Change is the relevant advisory body to the Welsh Ministers by virtue of section 44(3) of the Environment (Wales) Act 2016.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf yr Amgylchedd (Cymru) 2016 (Diwygio Targed Allyriadau 2050) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 19 Mawrth 2021.

Diwygio targed allyriadau 2050

2. Yn adran 29(1) o Ddeddf yr Amgylchedd (Cymru) 2016, yn lle "80%" rhodder "100%".

Title and commencement

1.—(1) The title of these Regulations is the Environment (Wales) Act 2016 (Amendment of 2050 Emissions Target) Regulations 2021.

(2) These Regulations come into force on 19 March 2021.

Amendment of 2050 emissions target

2. In section 29(1) of the Environment (Wales) Act 2016, for "80%" substitute "100%".

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
17 Mawrth 2021

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
17 March 2021

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