

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 16 Tachwedd 2015
Tabled on 16 November 2015

Bil yr Amgylchedd (Cymru) Environment (Wales) Bill

William Powell

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Section 3, page 2, after line 3, insert –

- ‘(3) In this Act “ecosystem” has the same meaning as in the United Nations Environmental Programme Convention on Biological Diversity of 5 June 1992 as amended from time to time (or in any United Nations Convention replacing that Convention).’

Adran 3, tudalen 2, ar ôl llinell 3, mewnosoder –

- ‘(3) Yn y Ddeddf hon mae i “ecosystem” yr un ystyr ag a roddir i “ecosystem” yng Nghonfensiwn Rhaglen Amgylcheddol y Cenhedloedd Unedig ar Amrywiaeth Fiolegol dyddiedig 5 Mehefin 1992 fel y caiff ei ddiwygio o bryd i’w gilydd (neu mewn unrhyw Gonfensiwn y Cenhedloedd Unedig sy’n disodli’r Confensiwn hwnnw).’

William Powell

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Section 4, page 2, after line 5, insert –

- ‘() act in accordance with the precautionary principle that where there are threats of serious or irreversible damage, lack of full scientific certainty is not to be used as a reason for postponing cost-effective measures to prevent environmental degradation;
- () act within environmental limits, which are the critical points at which pressure on a natural resource or system creates unreasonable or irreversible change to the resource or system itself, to the detriment of the human and other organisms to which it provides a service;’



Adran 4, tudalen 2, ar ôl llinell 5, mewnosoder –

- () gweithredu yn unol â'r egwyddor ragofalus nad yw diffyg sicrwydd gwyddonol llawn i gael ei ddefnyddio fel rheswm dros ohirio mesurau cost-ffeithiol i atal dirywiad amgylcheddol pan fo bygythiadau o ddifrod difrifol neu ddifrod na ellir ei ddadwneud;
- () gweithredu o fewn terfynau amgylcheddol, sef y pwyntiau critigol pryd y mae pwysau ar adnodd neu system naturiol yn creu newid afresymol neu newid na ellir ei ddadwneud i'r adnodd neu'r system ei hun, er anfantais i'r organeddau dynol a'r organeddau eraill y mae'n darparu gwasanaeth iddynt;'

William Powell

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Section 7, page 5, after line 14, insert –

[] The 2050 Biodiversity target

- (1) The Welsh Ministers must take all reasonable steps to ensure that by 2050, the national biodiversity index has increased by at least 15% since publication of any list under section 7(1) of this Act.
- (2) In this section the “national biodiversity index” means an index specified by the Welsh Ministers and which in the opinion of the Welsh Ministers is an accurate record of the population trends of species identified as being of principal importance for the purposes of maintaining and enhancing biodiversity under section 7(1) of this Act.’.

Adran 7, tudalen 5, ar ôl llinell 16, mewnosoder –

[] Targed bioamrywiaeth 2050

- (1) Rhaid i Weinidogion Cymru gymryd pob cam rhesymol i sicrhau bod y mynegai bioamrywiaeth cenedlaethol, erbyn 2050, wedi cynyddu o leiaf 15% ers cyhoeddi unrhyw restr o dan adran 7(1) o'r Ddeddf hon.
- (2) Yn yr adran hon ystyr “mynegai bioamrywiaeth cenedlaethol” yw mynegai a bennir gan Weinidogion Cymru ac sydd ym marn Gweinidogion Cymru yn gofnod cywir o dueddiadau poblogaeth rhywogaethau y nodir eu bod o bwysigrwydd pennaf at ddibenion cynnal a gwella bioamrywiaeth o dan adran 7(1) o'r Ddeddf hon.’.

William Powell

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Section 8, page 5, line 18, after ‘including’, insert ‘but not limited to,’.

Adran 8, tudalen 5, llinell 21, ar ôl ‘gyflawni’, mewnosoder ‘ond heb fod yn gyfyngedig i hynny’.



William Powell 25

Section 8, page 5, line 19, after 'achieved.', insert –

- () an assessment of past and future trends regarding the state of natural resources in relation to Wales, including the risks to, and opportunities for, sustainable natural resource management in Wales.'

Adran 8, tudalen 5, ar ôl llinell 21, mewnosoder –

- () asesiad o dueddiadau'r gorffennol a'r dyfodol ynglŷn â chyflwr adnoddau naturiol mewn perthynas â Chymru, gan gynnwys y peryglon a'r cyfleoedd i reolaeth gynaliadwy ar adnoddau naturiol yng Nghymru.'

William Powell 26

Section 8, page 5, after line 19, insert –

- () the status of the organisms and types of habitat listed under section 7(1), including the status of the national biodiversity index; and
- () the progress towards the target in section [inserted by Amendment 23] having regard to any actions required in section 9(2)(c).'

Adran 8, tudalen 5, ar ôl llinell 21, mewnosoder –

- () statws yr organeddau a'r mathau o gynefinoedd a restrir o dan adran 7(1), gan gynnwys statws y mynegai bioamrywiaeth cenedlaethol; ac
- () y cynnydd tuag at y targed yn adran [i'w mewnosod gan Welliant 23] gan roi sylw i unrhyw weithredoedd sy'n ofynnol yn adran 9(2)(c).'

William Powell 27

Section 9, page 5, line 32, after 'priorities', insert ', challenges'.

Adran 9, tudalen 5, llinell 34, ar ôl 'blaenoriaethau', mewnosoder ', yr heriau'.

William Powell 28

Section 9, page 5, line 33, leave out 'including' and insert –

- () the increase in the national biodiversity index the Ministers will aim to achieve in the period before the next review of the national natural resources policy;
- () the actions required to maintain and enhance the living organisms and types of habitat identified in any list published under section 7; and'



Adran 9, tudalen 5, llinell 35, hepgorer 'gan gynnwys' a mewnosoder –

- () y cynnydd y bydd y Gweinidogion yn ceisio'i gyflawni yn y mynegai bioamrywiaeth cenedlaethol yn y cyfnod cyn adolygiad nesaf y polisi adnoddau naturiol cenedlaethol;
- () y gweithredoedd sy'n ofynnol er mwyn cynnal a gwella'r organeddau byw a'r mathau o gynefinoedd a nodir mewn unrhyw restr a gyhoeddir o dan adran 7; ac'.

William Powell

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Section 10, page 6, after line 24, insert –

- () The area statements published under subsection (1) must together cover the whole of Wales, including coastal areas out to the low water mark.'

Adran 10, tudalen 6, ar ôl llinell 24, mewnosoder –

- () Rhaid i'r datganiadau ardal a gyhoeddir o dan isadran (1) gyda'i gilydd gwmpasu Cymru gyfan, gan gynnwys ardaloedd arfordirol hyd at y marc distyll.'

William Powell

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Section 29, page 15, line 22, leave out '80%' and insert '100%'.

Adran 29, tudalen 15, llinell 22, hepgorer '80%' a mewnosoder '100%'.

William Powell

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Section 32, page 16, after line 33, insert –

- () the principle that global warming should be kept within 2 degrees centigrade above average pre-industrial levels,'.

Adran 32, tudalen 16, ar ôl llinell 34, mewnosoder –

- () yr egwyddor y dylid cadw cynhesu byd-eang o fewn 2 radd canradd uwch ben y lefelau cynddiwydiannol cyfartalog,'.

William Powell

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Section 41, page 20, line 33, leave out 'before the end of the second year' and insert 'within 6 months'.

Adran 41, tudalen 20, llinell 35, hepgorer 'cyn diwedd yr ail flwyddyn ar ôl y' a mewnosoder 'o fewn 6 mis i'r'.



William Powell

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Section 42, page 21, line 22, leave out 'As soon as reasonably practicable' and insert 'Within 3 months'.

Adran 42, tudalen 21, llinell 24, hepgorer 'Cyn gynted ag y bo'n rhesymol ymarferol ar ôl gosod' a mewnosoder 'O fewn 3 mis i osod'.

William Powell

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Section 43, page 22, after line 11, insert—

'(8) The information required to be included in the statements under this section must be provided using both a consumption and a production basis of calculation.'

Adran 43, tudalen 22, ar ôl llinell 11, mewnosoder—

'(8) Rhaid i'r wybodaeth y mae'n ofynnol ei chynnwys yn y datganiadau o dan yr adran hon gael ei darparu gan gyfrifo ar sail defnydd a chynhyrchiant.'

William Powell

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Section 46, page 23, after line 9, insert—

- '() When providing advice to the Welsh Ministers under this section, the advisory body must have regard to—
- (a) the most recent report under section 8 on the state of natural resources in relation to Wales,
 - (b) the most recent future trends report under section 11 of the Well-being of Future Generations (Wales) Act 2015,
 - (c) the most recent report (if any) under section 23 of that Act (future generations report),
 - (d) scientific knowledge about climate change,
 - (e) technology relevant to climate change, and
 - (f) EU and international law and policy relating to climate change.'



Adran 46, tudalen 23, ar ôl llinell 11, mewnosoder –

- () Wrth ddarparu cyngor i Weinidogion Cymru o dan yr adran hon, rhaid i'r corff cyngori roi sylw i –
- (a) yr adroddiad diweddaraf o dan adran 8 ar gyflwr adnoddau naturiol mewn perthynas â Chymru,
 - (b) yr adroddiad tueddiadau tebygol y dyfodol diweddaraf o dan adran 11 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015,
 - (c) yr adroddiad diweddaraf (os oes un) o dan adran 23 o'r Ddeddf honno (adroddiad cenedlaethau'r dyfodol),
 - (d) gwybodaeth wyddonol ynghylch newid yn yr hinsawdd,
 - (e) technoleg sy'n berthnasol i newid yn yr hinsawdd, ac
 - (f) cyfreithiau a pholisïau'r UE a chyfreithiau a pholisïau rhyngwladol sy'n ymwneud â newid yn yr hinsawdd.'

William Powell

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Section 52, page 25, after line 10, insert –

[] Duty of Welsh Ministers to promote renewable energy

- (1) The Welsh Ministers must prepare and publish a plan for the promotion of renewable sources of energy.
- (2) In this section “renewable sources” means sources other than fossil fuel and nuclear fuel.'

Adran 52, tudalen 25, ar ôl llinell 11, mewnosoder –

[] Dyletswydd Gweinidogion Cymru i hyrwyddo ynni adnewyddadwy

- (1) Rhaid i Weinidogion Cymru baratoi a chyhoeddi cynllun ar gyfer hyrwyddo ffynonellau ynni adnewyddadwy.
- (2) Yn yr adran hon ystyr “ffynonellau adnewyddadwy” yw ffynonellau ar wahân i danwydd ffosil a thanwydd niwclear.'

William Powell

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Section 55, page 26, line 11, leave out 'may' and insert 'must'.

Adran 55, tudalen 26, llinell 12, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.



William Powell

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Section 57, page 27, after line 22, insert—

- '() Subject to subsection (3), the net proceeds of the charge must be applied to charitable purposes that
 - (a) are environmental in nature, and
 - (b) carried out by charities that undertake such charitable work in Wales.
- () Subsection (2) does not apply to the application of the net proceeds for charitable purposes under arrangements made between a seller of goods and a charity before the date this section comes into force, even if payment is made to the charity after that date.'

Adran 57, tudalen 27, ar ôl llinell 26, mewnosoder—

- '() Yn ddarostyngedig i isadran (3), rhaid i'r enillion net o'r tâl gael eu cymhwyso at ddibenion elusennol sydd-
 - (a) yn amgylcheddol eu natur, a
 - (b) yn cael eu cynnal gan elusennau sy'n ymgymryd â gwaith elusennol o'r fath yng Nghymru.
- () Nid yw isadran (2) yn gymwys i gymhwyso'r enillion net at ddibenion elusennol o dan drefniadau a wnaed rhwng gwerthwr nwyddau ac elusen cyn y dyddiad y daw'r adran hon i rym, hyd yn oed os gwneir taliad i'r elusen ar ôl y dyddiad hwnnw.'

William Powell

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Section 57, page 27, line 23, leave out 'The provision made by the regulations under subsection (1) may (for example)' and insert 'The Welsh Ministers may by regulations'.

Adran 57, tudalen 27, llinell 27, hepgorer 'Caiff y ddarpariaeth a wneir gan y rheoliadau o dan isadran (1) (er enghraifft)' a mewnosoder 'Caiff Gweinidogion Cymru drwy reoliadau'.

William Powell

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Page 30, line 8, leave out section 63.

Tudalen 30, llinell 8, hepgorer adran 63.



William Powell

41

Section 71, page 35, after line 31, insert –

‘PART []

DEPOSIT AND RETURN SCHEMES

- (1) The Welsh Ministers may, by regulations, establish deposit and return schemes.
- (2) A “deposit and return scheme” is a scheme under which –
 - (a) the sale price of articles includes a returnable element (a “deposit”);
 - (b) persons who return –
 - (i) such articles;
 - (ii) the packaging associated with such articles (“returnable packaging”); or
 - (iii) both such articles and such packaging, are entitled to be paid a sum equal to that deposit. ’.

Adran 71, tudalen 35, ar ôl llinell 31, mewnosoder –

‘RHAN []

CYNLLUNIAU ADNEUO A DYCHWELYD

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, sefydlu cynlluniau adneuo a dychwelyd.
- (2) “Cynllun adneuo a dychwelyd” yw cynllun lle mae –
 - (a) pris gwerthu’r eitemau yn cynnwys elfen y gellir ei dychwelyd (“arian adnau”);
 - (b) hawl gan bersonau sy’n dychwelyd –
 - (i) eitemau o’r fath;
 - (ii) y deunydd pecynnu sy’n gysylltiedig ag eitemau o’r fath (“deunydd pecynnu dychweladwy”); neu
 - (iii) eitemau o’r fath a deunydd pecynnu o’r fath, i gael swm sy’n gyfwerth â’r arian adnau hwinnw wedi ei dalu iddynt. ’.

