

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 17 Tachwedd 2015
Tabled on 17 November 2015

Bil yr Amgylchedd (Cymru) Environment (Wales) Bill

Carl Sargeant 42

Section 3, page 2, line 3, after 'needs', insert 'and contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2)'.

Adran 3, tudalen 2, llinell 3, ar ôl 'hwythau', mewnosoder 'a chyfrannu at gyrraedd y nodau llesiant yn adran 4 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2)'.

Carl Sargeant 43

Section 4, page 2, after line 13, insert –

'() take action to prevent serious or irreversible damage to ecosystems;'

Adran 4, tudalen 2, ar ôl llinell 13, mewnosoder –

'() cymryd camau i atal niwed difrifol neu ddi-droi'n-ôl i ecosystemau;'

Carl Sargeant 44

Section 5, page 2, line 27, leave out 'seek to achieve' and insert 'pursue'.

Adran 5, tudalen 2, llinell 27, hepgorer 'ceisio cyflawni rheoli' a mewnosoder 'ymgyrraedd at reoli'.

Carl Sargeant 45

Section 8, page 5, line 23, leave out 'the year in which the next' and insert 'a year in which an'.

Adran 8, tudalen 5, llinell 25, hepgorer 'y flwyddyn y mae'r etholiad cyffredinol arferol nesaf' a mewnosoder 'unrhyw flwyddyn y mae etholiad cyffredinol arferol'.



- Carl Sargeant** 46
- Section 8, page 5, after line 23, insert—
- ‘() NRW must send a draft of each report required by subsection (3) to the Welsh Ministers before the end of the calendar year preceding the year in which it must be published.’.
- Adran 8, tudalen 5, ar ôl llinell 25, mewnosoder—
- ‘() Rhaid i CNC anfon drafft o bob adroddiad sy’n ofynnol gan is-adran (3) at Weinidogion Cymru cyn diwedd y flwyddyn galendr sy’n dod cyn y flwyddyn y mae’n rhaid iddo gael ei gyhoeddi.’.
- Carl Sargeant** 47
- Section 9, page 5, line 32, after ‘priorities’, insert ‘, risks’.
- Adran 9, tudalen 5, llinell 34, ar ôl ‘blaenoriaethau’, mewnosoder ‘, y risgiau’.
- Carl Sargeant** 48
- Section 9, page 5, line 34, after ‘change’, insert ‘and biodiversity’.
- Adran 9, tudalen 5, llinell 36, ar ôl ‘hinsawdd’, mewnosoder ‘a bioamrywiaeth’.
- Carl Sargeant** 49
- Page 6, line 22, move section 10 and insert after section 11.
- Tudalen 6, llinell 22, symuder adran 10 a’i fewnosod ar ôl adran 11.
- Carl Sargeant** 50
- Section 10, page 6, leave out lines 27 to 29 and insert—
- ‘(a) explain why a statement has been prepared for the area, by reference to—
- (i) the natural resources in the area,
 - (ii) the benefits which the natural resources provide, and
 - (iii) the priorities, risks and opportunities for the sustainable management of natural resources which need to be addressed;
- (b) explain how the principles of sustainable management of natural resources have been applied in preparing the statement;
- (c) state how NRW proposes to address the priorities, risks and opportunities, and how it proposes to apply the principles of sustainable management of natural resources in doing so;
- (d) specify the public bodies which NRW considers may assist in addressing the priorities, risks and opportunities.’.



Adran 10, tudalen 6, hepgorer llinellau 28 hyd at 31 a mewnosoder –

- (a) egluro pam y paratowyd datganiad ar gyfer yr ardal, drwy gyfeirio at –
 - (i) yr adnoddau naturiol yn yr ardal,
 - (ii) y manteision y mae’r adnoddau naturiol yn eu cynnig, a
 - (iii) y blaenoriaethau, y risgiau a’r cyfleoedd ar gyfer rheoli cynaliadwy ar adnoddau naturiol y mae angen ymdrin â hwy;
- (b) egluro sut y mae egwyddorion rheoli cynaliadwy ar adnoddau naturiol wedi eu cymhwyso wrth baratoi’r datganiad;
- (c) datgan sut y mae CNC yn bwriadu ymdrin â’r blaenoriaethau, y risgiau a’r cyfleoedd, a sut y mae’n bwriadu cymhwyso egwyddorion rheoli cynaliadwy ar adnoddau naturiol wrth wneud hynny;
- (d) pennu’r cyrff cyhoeddus y mae CNC yn ystyried y gallant gynorthwyo i ymdrin â’r blaenoriaethau, y risgiau a’r cyfleoedd.’.

Carl Sargeant

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Section 22, page 12, line 20, leave out ‘the person;’ and insert –

- ‘ a person;
- () requiring a person to whom an exemption or relaxation applies to comply with conditions specified in the regulations;’.

Adran 22, tudalen 12, llinell 20, hepgorer ‘i’r person;’ a mewnosoder –

- ‘ i berson;
- () sy’n ei gwneud yn ofynnol i berson y mae eithriad neu lacio gofyniad yn gymwys iddo gydymffurfio ag amodau a bennir yn y rheoliadau;’.

Carl Sargeant

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Section 22, page 12, line 21, leave out ‘its application to the person in a way the Welsh Ministers consider necessary in consequence of any provision made by virtue of paragraph (a) or (b)’ and insert ‘a way the Welsh Ministers consider necessary for the enforcement of, or in consequence of, any provision made by virtue of paragraphs (a) to (c)’.

Adran 22, tudalen 12, llinell 21, hepgorer ‘wrth ei gymhwyso i’r person mewn modd y mae Gweinidogion Cymru yn ystyried ei fod yn angenrheidiol o ganlyniad i unrhyw ddarpariaeth a wneir yn rhinwedd paragraff (a) neu (b)’ a mewnosoder ‘mewn modd y mae Gweinidogion Cymru yn ystyried ei fod yn angenrheidiol er mwyn gorfodi unrhyw ddarpariaeth a wneir yn rhinwedd paragraffau (a) i (c), neu o ganlyniad i unrhyw ddarpariaeth o’r fath’.



Carl Sargeant 53

Section 22, page 12, after line 30, insert—

- () must be satisfied that the regulations will not have the overall effect of increasing the regulatory burden on any person, and’.

Adran 22, tudalen 12, ar ôl llinell 31, mewnosoder—

- () bod wedi eu bodloni na fydd y rheoliadau’n cael yr effaith gyffredinol o gynyddu’r baich rheoliadol ar unrhyw berson, a’.

Carl Sargeant 54

Section 22, page 13, after line 9, insert—

- () Where provision has been made under subsection (1) to enable an experimental scheme to be carried out, NRW must—
- (a) evaluate the scheme at such time as it considers appropriate, and
 - (b) publish a report setting out the evaluation and describing any action that NRW considers should be taken in light of it.’.

Adran 22, tudalen 13, ar ôl llinell 9, mewnosoder—

- () Pan fo darpariaeth wedi ei gwneud o dan is-adran (1) i alluogi cynnal cynllun arbrofol, rhaid i CNC—
- (a) gwerthuso’r cynllun ar ba adeg bynnag y mae’n ystyried ei bod yn briodol, a
 - (b) cyhoeddi adroddiad sy’n nodi’r gwerthusiad ac yn disgrifio unrhyw gamau y mae CNC yn ystyried y dylid eu cymryd yng ngoleuni’r gwerthusiad.’.

Carl Sargeant 55

Section 23, page 14, line 3, after ‘techniques’, insert ‘, or to develop or test proposals for regulatory change’.

Adran 23, tudalen 14, llinell 3, ar ôl ‘addasedig’, mewnosoder ‘, neu i ddatblygu neu brofi cynigion ar gyfer newid rheoleiddiol’.

Carl Sargeant 56

Section 25, page 14, line 18, leave out ‘section 11(2) or 22(1)’ and insert ‘this Part’.

Adran 25, tudalen 14, llinell 21, hepgorer ‘adran 11(2) neu 22(1)’ a mewnosoder ‘y Rhan hon’.

Carl Sargeant 57

Section 25, page 14, line 24, leave out subsection (5).

Adran 25, tudalen 14, llinell 28, hepgorer is-adran (5).



Carl Sargeant 58

Section 29, page 15, after line 24, insert –

‘(3) The Welsh Ministers may by regulations amend subsection (1) so that it specifies a percentage greater than 80%.’.

Adran 29, tudalen 15, ar ôl llinell 24, mewnosoder –

‘(3) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio is-adran (1) fel ei bod yn pennu canran sy’n fwy nag 80%.’.

Carl Sargeant 59

Section 30, page 15, line 27, leave out subsection (1) and insert –

‘(1) For each interim target year, the Welsh Ministers must by regulations set a maximum amount for the net Welsh emissions account, expressed as a percentage below the baseline (an “interim emissions target”).’.

Adran 30, tudalen 15, llinell 27, hepgorer is-adran (1) a mewnosoder –

‘(1) Ar gyfer pob blwyddyn darged interim rhaid i Weinidogion Cymru, drwy reoliadau, osod uchafswm ar gyfer cyfrif allyriadau net Cymru, a fynegir fel canran islaw’r waelodlin (“targed allyriadau interim”).’.

*** Llyr Gruffydd** 60A

As an amendment to amendment 60, line 1, after ‘are’, insert ‘2020,’.

Fel gwelliant i welliant 60, llinell 1, ar ôl ‘yw’, mewnosoder ‘2020,’.

*** Llyr Gruffydd** 60B

As an amendment to amendment 60, after line 2, insert –

‘(5) The interim emissions target for 2020 must be at least 40% lower than the baseline.’.

Fel gwelliant i welliant 60, ar ôl llinell 2, mewnosoder –

(5) Rhaid i’r targed allyriadau dros dro ar gyfer 2020 fod o leiaf 40% yn is na’r gwaelodlin.’.

Carl Sargeant 60

Section 30, page 15, after line 33, insert –

‘(3) The interim target years are 2030 and 2040.

(4) The Welsh Ministers must set the interim emissions targets before the end of 2018.’.

Adran 30, tudalen 15, ar ôl llinell 35, mewnosoder –

‘(3) Y blynyddoedd targed interim yw 2030 a 2040.

(4) Rhaid i Weinidogion Cymru osod y targedau allyriadau interim cyn diwedd 2018.’.



Carl Sargeant 61

Section 32, page 16, line 23, after 'changing', insert 'the 2050 emissions target,'.

Adran 32, tudalen 16, llinell 23, ar ôl 'newid', mewnosoder 'targed allyriadau 2050,'.

Carl Sargeant 62

Section 32, page 16, line 23, leave out 'an interim target year,'.

Adran 32, tudalen 16, llinell 23, hepgorer 'blwyddyn darged interim,'.

Carl Sargeant 63

Section 32, page 16, line 32, after 'regulations', insert 'changing the 2050 emissions target, or'.

Adran 32, tudalen 16, llinell 33, ar ôl 'sy'n', mewnosoder 'newid targed allyriadau 2050, neu'n'.

Carl Sargeant 64

Section 32, page 16, line 32, leave out 'an interim target year,'.

Adran 32, tudalen 16, llinell 33, hepgorer 'blwyddyn darged interim,'.

Carl Sargeant 65

Section 32, page 17, line 7, after 'regulations', insert 'changing the 2050 emissions target or'.

Adran 32, tudalen 17, llinell 9, ar ôl 'sy'n', mewnosoder 'newid targed allyriadau 2050 neu'n'.

Carl Sargeant 66

Section 32, page 17, line 8, leave out 'an interim target year,'.

Adran 32, tudalen 17, llinell 9, hepgorer 'blwyddyn darged interim,'.

Carl Sargeant 67

Section 43, page 22, line 10, leave out 'which relates to the final year of a budgetary period may be combined with the statement under section 41 for that period' and insert 'for a year may be combined with the statement under section 41 for the budgetary period that includes that year'.

Adran 43, tudalen 22, llinell 10, hepgorer 'sy'n ymwneud â blwyddyn olaf cyfnod cyllidebol gael ei gyfuno â'r datganiad o dan adran 41 ar gyfer y cyfnod hwnnw' a mewnosoder 'ar gyfer blwyddyn gael ei gyfuno â'r datganiad o dan adran 41 ar gyfer y cyfnod cyllidebol sy'n cynnwys y flwyddyn honno'.



Carl Sargeant

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Section 45, page 22, line 25, leave out 'target or targets that have been set under this Part' and insert 'targets'.

Adran 45, tudalen 22, llinell 25, hepgorer 'targed allyriadau interim sydd wedi ei osod neu'r targedau allyriadau interim sydd wedi eu gosod o dan y Rhan hon' a mewnosoder 'targedau allyriadau interim'.

Carl Sargeant

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Section 45, page 22, after line 36, insert—

- () No later than six months after the Welsh Ministers lay the statement under section 43 relating to 2030 before the National Assembly for Wales, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
 - (a) whether the interim emissions target for 2040 and the 2050 emissions target are the highest achievable targets, and
 - (b) if either of them is not the highest achievable target, what is the highest achievable target.
- () No later than six months after the Welsh Ministers lay the statement under section 43 relating to 2040 before the National Assembly for Wales, the advisory body must send a report to the Welsh Ministers setting out the body's views on—
 - (a) whether the 2050 emissions target is the highest achievable target, and
 - (b) if not, what is the highest achievable target.
- () A report under subsection (3) or (4) may be combined with a report under subsection (2).'

Adran 45, tudalen 22, ar ôl llinell 39, mewnosoder—

- () Yn ddim hwyrach na chwe mis ar ôl i Weinidogion Cymru osod y datganiad o dan adran 43 mewn perthynas â 2030 gerbron Cynulliad Cenedlaethol Cymru, rhaid i'r corff cynghori anfon adroddiad at Weinidogion Cymru sy'n nodi safbwyntiau'r corff ynghylch—
 - (a) a yw'r targed allyriadau interim ar gyfer 2040 a tharged allyriadau 2050 y targedau uchaf y gellir eu cyflawni, a
 - (b) os nad y targed uchaf y gellir ei gyflawni yw'r naill neu'r llall ohonynt, beth yw'r targed uchaf y gellir ei gyflawni.
- () Yn ddim hwyrach na chwe mis ar ôl i Weinidogion Cymru osod y datganiad o dan adran 43 mewn perthynas â 2040 gerbron Cynulliad Cenedlaethol Cymru, rhaid i'r corff cynghori anfon adroddiad at Weinidogion Cymru sy'n nodi safbwyntiau'r corff ynghylch—
 - (a) a yw targed allyriadau 2050 y targed uchaf y gellir ei gyflawni,
 - (b) os nad ydyw, beth yw'r targed uchaf y gellir ei gyflawni.



() Caniateir cyfuno adroddiad o dan is-adran (3) neu (4) ag adroddiad o dan is-adran (2).’.

Carl Sargeant 70

Section 45, page 23, line 4, leave out ‘three’ and insert ‘six’.

Adran 45, tudalen 23, llinell 4, hepgorer ‘thri’ a mewnosoder ‘chwe’.

Carl Sargeant 71

Section 50, page 24, line 6, leave out ‘30 setting or amending’ and insert ‘29 changing the 2050 emissions target or regulations under section 30 setting or changing’.

Adran 50, tudalen 24, llinell 7, hepgorer ‘30 sy’n gosod neu’n diwygio’ a mewnosoder ‘29 sy’n newid targed allyriadau 2050 neu reoliadau o dan adran 30 sy’n gosod neu’n newid’.

Carl Sargeant 72

Section 50, page 24, line 12, leave out ‘amending’ and insert ‘changing’.

Adran 50, tudalen 24, llinell 13, hepgorer ‘diwygio’ a mewnosoder ‘newid’.

Carl Sargeant 73

Section 50, page 24, after line 27, insert –

‘(3) When advising the Welsh Ministers about a proposal to make regulations changing the 2050 emissions target, or setting or changing an interim emissions target or a carbon budget, the advisory body must have regard to the matters mentioned in section 32(3).’.

Adran 50, tudalen 24, ar ôl llinell 28, mewnosoder –

‘(3) Pan fo’n cynghori Gweinidogion Cymru ynghylch cynnig i wneud rheoliadau sy’n newid targed allyriadau 2050, neu’n gosod neu’n newid targed allyriadau interim neu gyllideb garbon, rhaid i’r corff cynghori roi sylw i’r materion a grybwyllir yn adran 32(3).’.

Carl Sargeant 74

Section 53, page 25, line 31, leave out ‘means a year specified under section 30(a)’ and insert ‘has the meaning given by section 30(3)’.

Adran 53, tudalen 25, llinell 21, hepgorer ‘ystyr “blwyddyn darged interim” (“interim target year”) yw blwyddyn a bennir o dan adran 30(1)(a)’ a mewnosoder ‘mae i “blwyddyn darged interim” (“interim target year”) yr ystyr a roddir gan adran 30(3).’.

Carl Sargeant 75

Section 67, page 33, line 35, leave out subsection (2) and insert –

‘(2) In section 118 of the Water Industry Act 1991 (c. 56) –



- (a) in subsection (1), after “trade premises” insert “in England”;
- (b) after subsection (1) insert –

“(1A) Subject to the following provisions of this Chapter and section 34D of the Environmental Protection Act 1990, the occupier of any trade premises in Wales in the area of a sewage undertaker may discharge any trade effluent proceeding from those premises into the undertaker’s public sewers if the occupier does so with the undertaker’s consent.”.

Adran 67, tudalen 33, llinell 35, hepgorer is-adran (2) a mewnosoder –

(2) Yn adran 118 o Ddeddf y Diwydiant Dŵr 1991 (p. 56) –

- (a) yn is-adran (1), ar ôl “trade premises” mewnosoder “in England”;
- (b) ar ôl is-adran (1) mewnosoder –

“(1A) Subject to the following provisions of this Chapter and section 34D of the Environmental Protection Act 1990, the occupier of any trade premises in Wales in the area of a sewage undertaker may discharge any trade effluent proceeding from those premises into the undertaker’s public sewers if the occupier does so with the undertaker’s consent.”.

Carl Sargeant

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Page 45, after line 12, insert a new section –

[] Valuation of non-agricultural land for apportionment of drainage expenses

- (1) The Land Drainage Act 1991 (c. 59) is amended as follows.
- (2) In section 37 (apportionment of expenses of internal drainage boards) –
 - (a) in subsection (5), after “this section” insert “as it applies in relation to England,”;
 - (b) after subsection (5) insert –

“(5A) For the purposes of this section as it applies in relation to Wales, the value of other land in an internal drainage district is to be determined in accordance with regulations made by the Welsh Ministers.

(5B) The regulations may, among other things, make provision –

- (a) about methods to be applied, or factors to be taken into account, in determining the value of land;
- (b) for the value of land to be determined on the basis of estimates, assumptions or averages;
- (c) for the value of land to be determined for the purposes of this section by reference to the value shown for the time being in a list or register prepared for the purposes of another enactment;
- (d) for determining the value of land which is only partly within the internal drainage district in question.



- (5C) The regulations may –
- (a) make different provision for different cases, including different provision in relation to different circumstances or descriptions of land;
 - (b) make such incidental, supplementary, consequential, transitional or saving provision as the Welsh Ministers consider appropriate.
- (5D) Regulations may not be made under subsection (5A) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, the National Assembly for Wales.”

(3) In section 65(2) (regulations), after “Subject to” insert “section 37(5D) and”.’.

Tudalen 45, ar ôl llinell 12, mewnosoder adran newydd –

[] Priso tir anamaethyddol er mwyn dosrannu costau draenio

- (1) Mae Deddf Draenio Tir 1991 (p. 59) wedi ei diwygio fel a ganlyn.
- (2) Yn adran 37 (dosrannu costau byrddau draenio mewnol) –
- (a) yn is-adran (5), ar ôl “this section” mewnosoder “as it applies in relation to England,”;
 - (b) ar ôl is-adran (5) mewnosoder –
 - “(5A) For the purposes of this section as it applies in relation to Wales, the value of other land in an internal drainage district is to be determined in accordance with regulations made by the Welsh Ministers.
 - (5B) The regulations may, among other things, make provision –
 - (a) about methods to be applied, or factors to be taken into account, in determining the value of land;
 - (b) for the value of land to be determined on the basis of estimates, assumptions or averages;
 - (c) for the value of land to be determined for the purposes of this section by reference to the value shown for the time being in a list or register prepared for the purposes of another enactment;
 - (d) for determining the value of land which is only partly within the internal drainage district in question.
 - (5C) The regulations may –
 - (a) make different provision for different cases, including different provision in relation to different circumstances or descriptions of land;
 - (b) make such incidental, supplementary, consequential, transitional or saving provision as the Welsh Ministers consider appropriate.



(5D) Regulations may not be made under subsection (5A) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, the National Assembly for Wales."

(3) Yn adran 65(2) (rheoliadau), ar ôl "Subject to" mewnosoder "section 37 (5D) and".'. .

Carl Sargeant

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Section 88, page 47, after line 11, insert –

'(e) section 84 (valuation of non-agricultural land).'

Adran 88, tudalen 47, ar ôl llinell 11, mewnosoder –

'(e) adran 84 (prasio tir anamaethyddol).'

Carl Sargeant

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Schedule 2, page 61, line 27, leave out paragraph 6 and insert –

[] (1) The Environment Act 1995 is amended as follows.

(2) In section 9(5)(b)(ii), omit ", 5E".

(3) In section 66, after subsection (7) insert –

“(7A) A National Park authority for a park in Wales which is proposing to publish, adopt or review any plan under this section must have regard to –

(a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and

(b) any area statement published under section 10 of that Act for an area that includes all or part of the park.”

Countryside and Rights of Way Act 2000 (c. 37)

[] In section 90 of the Countryside and Rights of Way Act 2000, after subsection (1) insert –

“(1A) In the case of an area of outstanding natural beauty in Wales, a conservation board or relevant local authority which is proposing to publish, adopt or review any plan under section 89 must have regard to –

(a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and

(b) any area statement published under section 10 of that Act for an area that includes all or part of the area of outstanding natural beauty.”.

Atodlen 2, tudalen 61, llinell 27, hepgorer paragraff 6 a mewnosoder –

[] (1) Mae Deddf yr Amgylchedd 1995 wedi ei diwygio fel a ganlyn.

(2) Yn adran 9(5)(b)(ii), hepgorer “, 5E”.



(3) Yn adran 66, ar ôl is-adran (7) mewnosoder –

“(7A) A National Park authority for a park in Wales which is proposing to publish, adopt or review any plan under this section must have regard to –

- (a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and
- (b) any area statement published under section 10 of that Act for an area that includes all or part of the park.”

Deddf Cefn Gwlad a Hawliau Tramwy 2000 (p. 37)

[] Yn adran 90 o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000, ar ôl is-adran (1) mewnosoder –

“(1A) In the case of an area of outstanding natural beauty in Wales, a conservation board or relevant local authority which is proposing to publish, adopt or review any plan under section 89 must have regard to –

- (a) the state of natural resources report published under section 8 of the Environment (Wales) Act 2016, and
- (b) any area statement published under section 10 of that Act for an area that includes all or part of the area of outstanding natural beauty.”.

