

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 15 Ionawr 2016
Tabled on 15 January 2016

Bil yr Amgylchedd (Cymru) Environment (Wales) Bill

William Powell

1

Gyda chefnogaeth / Supported by: Carl Sargeant

Section 6, page 3, line 32, leave out subsection (5) and insert –

- '(5) A public authority other than a Minister of the Crown or government department must prepare and publish a plan setting out what it proposes to do to comply with subsection (1).
- (6) A public authority must, before the end of 2019 and before the end of every third year after 2019, publish a report on what it has done to comply with subsection (1).
- (7) A public authority that has published a plan under subsection (5) –
 - (a) must review the plan in the light of each report that it publishes under subsection (6), and
 - (b) may revise the plan at any time.'

Adran 6, tudalen 3, llinell 35, hepgorer is-adran (5) a mewnosoder –

- '(5) Rhaid i awdurdod cyhoeddus ac eithrio unrhyw un neu ragor o Weinidogion y Goron neu unrhyw un neu ragor o adrannau'r llywodraeth baratoi a chyhoeddi cynllun sy'n nodi'r hyn y mae'n bwriadu ei wneud er mwyn cydymffurfio ag is-adran (1).
- (6) Rhaid i awdurdod cyhoeddus, cyn diwedd 2019 a chyn diwedd pob trydedd flwyddyn ar ôl 2019, gyhoeddi adroddiad ar yr hyn y mae wedi ei wneud i gydymffurfio ag is-adran (1).
- (7) O ran awdurdod cyhoeddus sydd wedi cyhoeddi cynllun o dan is-adran (5) –
 - (a) rhaid iddo adolygu'r cynllun yng ngoleuni pob adroddiad a gyhoeddir ganddo o dan is-adran (6), a
 - (b) caiff adolygu'r cynllun unrhyw bryd.'



William Powell

2

Gyda chefnogaeth / Supported by: Carl Sargeant

Section 6, page 3, after line 31, insert –

- () In complying with subsection (1), a public authority other than a Minister of the Crown or government department must have regard to –
- (a) the list published under section 7;
 - (b) the state of natural resources report published under section 8;
 - (c) any area statement published under section 11 for an area that includes all or part of an area in relation to which the authority exercises functions.’.

Adran 6, tudalen 3, ar ôl llinell 34, mewnosoder –

- () Wrth gydymffurfio ag is-adran (1), rhaid i awdurdod cyhoeddus ac eithrio unrhyw un neu ragor o Weinidogion y Goron neu unrhyw un neu ragor o adrannau’r llywodraeth roi sylw i –
- (a) y rhestr a gyhoeddir o dan adran 7;
 - (b) yr adroddiad ar gyflwr adnoddau naturiol a gyhoeddir o dan adran 8;
 - (c) unrhyw ddatganiad ardal a gyhoeddir o dan adran 11 ar gyfer ardal sy’n cynnwys ardal gyfan neu ran o ardal y mae’r awdurdod yn arfer swyddogaethau mewn perthynas a hi.’.

William Powell

3

Gyda chefnogaeth / Supported by: Carl Sargeant

Section 8, page 5, line 26, leave out ‘, including its assessment of the extent to which sustainable management of natural resources is being achieved.’ and insert –

- () Each report must, among other things, set out –
- (a) NRW’s assessment of the extent to which sustainable management of natural resources is being achieved;
 - (b) NRW’s assessment of biodiversity (including the living organisms and types of habitat included in any list published under section 7);
 - (c) what NRW considers to be the main trends and factors that are affecting, and are likely to affect, the state of natural resources;
 - (d) any aspects of the state of natural resources about which NRW considers that it does not have sufficient information to make an assessment.’.

Adran 8, tudalen 5, llinell 27, hepgorer ‘, gan gynnwys ei asesiad o’r graddau y mae rheoli cynaliadwy ar adnoddau naturiol yn cael ei gyflawni.’ a mewnosoder –

- () Rhaid i bob adroddiad nodi, ymysg pethau eraill –
- (a) asesiad CNC o’r graddau y mae rheoli cynaliadwy ar adnoddau naturiol yn cael ei gyflawni;



- (b) asesiad CNC o fioamrywiaeth (gan gynnwys yr organeddau byw a'r mathau o gynefinoedd a gynhwysir ar unrhyw restr a gyhoeddir o dan adran 7);
- (c) yr hyn y mae CNC yn ei ystyried yw'r prif dueddiadau a ffactorau sy'n effeithio, ac sy'n debygol o effeithio, ar gyflwr adnoddau naturiol;
- (d) unrhyw agweddau ar gyflwr adnoddau naturiol y mae CNC yn ystyried nad oes ganddo wybodaeth ddigonol amdanynt i wneud asesiad.'.

William Powell

4

Gyda chefnogaeth / Supported by: Carl Sargeant

Section 41, page 22, after line 14, insert –

- '(10) A statement under this section must also include –
 - (a) an estimate of the total amount of Welsh consumer emissions for the budgetary period to which the statement relates, and
 - (b) an explanation of how the Welsh Ministers have calculated the estimate.
- (11) The “Welsh consumer emissions” for a period are the emissions of greenhouse gases, whether in Wales or elsewhere, that may reasonably be attributed to the consumption and use of goods and services in Wales during the period.'.

Adran 41, tudalen 22, ar ôl llinell 16, mewnosoder –

- '(10) Rhaid i ddatganiad o dan yr adran hon hefyd gynnwys –
 - (a) amcangyfrif o gyfanswm allyriadau defnyddwyr Cymru ar gyfer y cyfnod cyllidebol y mae'r datganiad yn ymwneud ag ef, a
 - (b) eglurhad o sut y mae Gweinidogion Cymru wedi cyfrifo'r amcangyfrif.
- (11) Ystyr “allyriadau defnyddwyr Cymru” ar gyfer cyfnod yw'r allyriadau o nwyon tŷ gwydr, boed hwy yng Nghymru neu yn rhywle arall, y gellir eu priodoli yn rhesymol i ddefnyddio nwyddau a gwasanaethau yng Nghymru yn ystod y cyfnod.'.

Carl Sargeant

5

Section 4, page 2, line 19, leave out 'serious or irreversible' and insert 'significant'.

Adran 4, tudalen 2, llinell 19, hepgorer 'difrifol neu ddi-droi'n-ôl' a mewnosoder 'arwyddocaol'.

Carl Sargeant

6

Section 4, page 2, line 24, after 'ecosystems', insert '(including their structure and functioning)'.

Adran 4, tudalen 2, llinell 24, ar ôl 'ecosystemau', mewnosoder '(gan gynnwys eu strwythur a'u gweithrediad)'.



Carl Sargeant 7

Section 6, page 3, line 25, after 'ecosystems', insert '(including their structure and functioning)'.

Adran 6, tudalen 3, llinell 27, ar ôl 'ecosystemau', mewnosoder '(gan gynnwys eu strwythur a'u gweithrediad)'.

Carl Sargeant 8

Section 6, page 3, line 27, after 'to', insert –

'(a) the exercise of a function by Her Majesty's Revenue and Customs, or'.

Adran 6, tudalen 3, llinell 29, ar ôl 'i', mewnosoder –

'(a) arfer swyddogaeth gan Gyllid a Thollau Ei Mawrhydi, neu'.

Carl Sargeant 9

Section 8, page 5, line 32, leave out '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' and insert 'publish a draft of each report required by subsection (3) before the end of the calendar year preceding the year in which the report'.

Adran 8, tudalen 5, llinell 33, hepgorer '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' a mewnosoder 'gyhoeddi drafft o bob adroddiad sy'n ofynnol gan is-adran (3) cyn diwedd y flwyddyn galendr sy'n dod cyn y flwyddyn y mae'n rhaid i'r adroddiad'.

*** William Powell** 10A

As an amendment to amendment 10, at the beginning of line 4, insert 'annexing'.

Fel gwelliant i welliant 10, ar ddechrau llinell 4, mewnosoder 'atodi'.

Carl Sargeant 10

Section 9, page 6, after line 27, insert –

'() When the Welsh Ministers publish the national natural resources policy (or a revised policy), they must also publish a report summarising –

- (a) any consultation that was carried out in preparing the policy, and
- (b) any representations that were received as a result of the consultation.'

Adran 9, tudalen 6, ar ôl llinell 29, mewnosoder –

'() Pan fydd Gweinidogion Cymru yn cyhoeddi'r polisi adnoddau naturiol cenedlaethol (neu bolisi diwygiedig), rhaid iddynt hefyd gyhoeddi adroddiad sy'n crynhoi –

- (a) unrhyw ymgynghori a gynhaliwyd wrth baratoi'r polisi, a



(b) unrhyw sylwadau a gafwyd o ganlyniad i'r ymgynghori.'

Carl Sargeant

11

Section 11, page 8, after line 10, insert—

'() NRW must ensure that every part of Wales is included in at least one of the areas for which it prepares an area statement.'

Adran 11, tudalen 8, ar ôl llinell 10, mewnosoder—

'() Rhaid i CNC sicrhau bod pob rhan o Gymru yn cael ei chynnwys yn o leiaf un o'r ardaloedd y mae'n paratoi datganiad ardal ar eu cyfer.'

Carl Sargeant

12

Section 16, page 10, line 8, leave out—

', a person has an interest in land if the person has an estate in land or a right over land, whether the right is exercisable by virtue of ownership of an interest in land or by virtue of a licence or agreement, and in particular includes sporting rights.

(4) In this section—'

and insert—

“‘interest in land” (“*buddiant mewn tir*”) includes any estate in land and any right over land, whether the right is exercisable by virtue of ownership of an interest in land or by virtue of a licence or agreement, and in particular includes sporting rights;'

Adran 16, tudalen 10, llinell 9, hepgorer—

'gan berson fuddiant mewn tir os oes gan y person ystad mewn tir neu hawl dros dir, pa un a yw'r hawl yn arferadwy yn rhinwedd perchenogaeth o fuddiant mewn tir neu yn rhinwedd trwydded neu gytundeb, ac mae'n cynnwys yn benodol hawliau helwriaeth.

(4) Yn yr adran hon—'

a mewnosoder—

“‘buddiant mewn tir” (“*interest in land*”) yn cynnwys unrhyw ystad mewn tir ac unrhyw hawl dros dir, pa un a yw'r hawl yn arferadwy yn rhinwedd perchenogaeth o fuddiant mewn tir neu yn rhinwedd trwydded neu gytundeb, ac mae'n cynnwys yn benodol hawliau helwriaeth;'

Carl Sargeant

13

Section 24, page 14, line 31, after 'report', insert 'or a draft of such a report'.

Adran 24, tudalen 14, llinell 33, ar ôl 'naturiol', mewnosoder 'neu ddrafft o adroddiad o'r fath'.



Carl Sargeant 14

Section 26, page 15, after line 13, insert—

“biodiversity” (“*bioamrywiaeth*”) means the diversity of living organisms, whether at the genetic, species or ecosystem level;’.

Adran 26, tudalen 15, ar ôl llinell 16, mewnosoder—

‘ystyr “*bioamrywiaeth*” (“*biodiversity*”) yw amrywiaeth organeddau byw, boed ar lefel geneteg, rhywogaeth neu ecosystem;’.

Carl Sargeant 15

Section 26, page 15, after line 13, insert—

“ecosystem” (“*ecosystem*”) means a system consisting of living organisms interacting with one another and with their non-living environment;’.

Adran 26, tudalen 15, ar ôl llinell 19, mewnosoder—

‘ystyr “ecosystem” (“*ecosystem*”) yw system sy’n cynnwys organeddau byw sy’n rhyngweithio â’i gilydd a chyda’u hamgylchedd anfyw;’.

Carl Sargeant 16

Section 30, page 16, line 22, after ‘are’, insert ‘2020,’.

Adran 30, tudalen 16, llinell 23, ar ôl ‘yw’, mewnosoder ‘2020,’.

Carl Sargeant 17

Section 32, page 17, line 31, after ‘change’, insert ‘(including international agreements on measures designed to limit increases in global average temperatures)’.

Adran 32, tudalen 17, llinell 33, ar ôl ‘hinsawdd’, mewnosoder ‘(gan gynnwys cytundebau rhyngwladol ar fesurau a gynlluniwyd i gyfyngu ar gynnydd mewn tymheredd cyfartalog byd-eang)’.

Carl Sargeant 18

Section 41, page 22, after line 14, insert—

‘(10) The assessment must cover the areas of responsibility of each of the Welsh Ministers.’.

Adran 41, tudalen 22, ar ôl llinell 16, mewnosoder—

‘(10) Rhaid i’r asesiad ymdrin â meysydd cyfrifoldeb pob un o Weinidogion Cymru.’.

Carl Sargeant 19

Section 42, page 22, line 19, leave out ‘Within 3’ and insert ‘No later than three’.



Adran 42, tudalen 22, llinell 21, hepgorer 'O fewn 3 mis i osod' a mewnosoder 'Yn ddim hwyrach na thri mis ar ôl gosod'.

Carl Sargeant 20

Section 48, page 25, line 8, leave out ', repealing or revoking' and insert 'or repealing'.

Adran 48, tudalen 25, llinell 8, hepgorer ', yn diddymu neu'n dirymu' a mewnosoder 'neu'n diddymu'.

Carl Sargeant 21

Section 50, page 25, line 36, leave out 'interim emissions'.

Adran 50, tudalen 25, llinell 37, hepgorer 'allyriadau interim'.

Carl Sargeant 22

Section 50, page 26, line 1, leave out 'interim emissions'.

Adran 50, tudalen 26, llinell 1, hepgorer 'allyriadau interim'.

Carl Sargeant 23

Section 55, page 28, line 9, leave out 'may by regulations' and insert –

'must make regulations under this section ("carrier bag regulations").

(2) Carrier bag regulations may'.

Adran 55, tudalen 28, llinell 9, hepgorer 'Caiff Gweinidogion Cymru ei gwneud yn ofynnol drwy reoliadau' a mewnosoder –

'Rhaid i Weinidogion Cymru wneud rheoliadau o dan yr adran hon ("rheoliadau bagiau siopa").

(2) Caiff rheoliadau bagiau siopa ei gwneud yn ofynnol'.

Carl Sargeant 24

Section 55, page 28, line 10, leave out 'any of'.

Adran 55, tudalen 28, llinell 11, hepgorer 'unrhyw un neu ragor o'r' a mewnosoder 'yr'.

Carl Sargeant 25

Section 55, page 28, leave out lines 25 to 26.

Adran 55, tudalen 28, hepgorer llinellau 26 hyd at 27.



*** Janet Haworth**

26A

As an amendment to amendment 26, leave out line 2.

Fel gwelliant i welliant 26, hepgorer llinell 2.

Carl Sargeant

26

Section 57, page 29, line 19, after 'purposes', insert –

'which –

- (a) relate to environmental protection or improvement, and
- (b) directly or indirectly benefit the whole or any part of Wales (whether or not they also benefit any other area).

(2) But the regulations must provide for an exception enabling a seller of goods to apply the net proceeds of the charge to other charitable purposes where –

- (a) the seller has, within a specified period occurring before provision made under subsection (1) first comes into force, applied amounts received by way of charges for carrier bags to those purposes, and
- (b) the seller has given notice of having applied amounts to those purposes as mentioned in paragraph (a) and of the seller's wish to be able to apply some or all of the net proceeds of the charge to those purposes.

(3) The regulations may make provision –

- (a) about how, when and to whom notice must be given;
- (b) about information that must be provided when giving notice;
- (c) for the exception to apply subject to conditions'.

Adran 57, tudalen 29, llinell 22, ar ôl 'elusennol', mewnosoder –

'sydd –

- (a) yn ymwneud â diogelu neu wella'r amgylchedd, a
- (b) o fudd uniongyrchol neu anuniongyrchol i Gymru gyfan neu unrhyw ran ohoni (pa un a ydynt o fudd hefyd i unrhyw ardal arall ai peidio).

(2) Ond rhaid i'r rheoliadau ddarparu ar gyfer eithriad sy'n galluogi gwerthwr nwyddau i gymhwyso'r enillion net o'r tâl at ddibenion elusennol eraill pan fo'r gwerthwr –

- (a) o fewn cyfnod penodedig cyn i'r ddarpariaeth a wneir o dan is-adran (1) ddod i rym am y tro cyntaf, wedi cymhwyso symiau a dderbyniwyd ar ffurf taliadau am fapiau siopa at y dibenion hynny, a
- (b) wedi rhoi hysbysiad ei fod wedi cymhwyso symiau at y dibenion hynny fel y crybwyllir ym mharagraff (a) ac am ddymuniad y gwerthwr i allu cymhwyso'r holl enillion net o'r tâl, neu ran ohonynt, at y dibenion hynny.

(3) Caiff y rheoliadau wneud darpariaeth –



- (a) ynghylch sut, pa bryd ac i bwy y mae'n rhaid rhoi hysbysiad;
- (b) ynghylch gwybodaeth y mae'n rhaid ei darparu wrth roi hysbysiad;
- (c) i'r eithriad fod yn gymwys yn ddarostyngedig i amodau'.

Carl Sargeant

27

Section 57, page 29, line 20, leave out subsection (2) and insert –

- '() The provision made by the regulations under subsection (1) may require a seller of goods to apply the net proceeds of the charge –
 - (a) to such charitable purposes within that subsection as the seller may determine, or
 - (b) where the regulations specify one or more charitable purposes, to those specified purposes or to such of them as the seller may determine.
- () Carrier bag regulations may (among other things) –
 - (a) provide for the net proceeds of the charge to be treated as having been applied in accordance with provision made under this section if they are accepted by specified persons or persons of a specified description (or both);
 - (b) make provision about the arrangements under which the net proceeds of the charge are to be given by sellers to the persons mentioned in paragraph (a) or any other person;
 - (c) require persons who accept any net proceeds of the charge to apply the proceeds to charitable purposes in accordance with provision made under subsection (1) or (2).'

Adran 57, tudalen 29, llinell 23, hepgorer is-adran (2) a mewnosoder –

- '() Caiff y ddarpariaeth a wneir gan y rheoliadau o dan is-adran (1) ei gwneud yn ofynnol i werthwr nwyddau gymhwyso'r enillion net o'r tâl –
 - (a) at y dibenion elusennol hynny o fewn yr is-adran honno y bydd y gwerthwr yn penderfynu arnynt, neu
 - (b) pan fo'r rheoliadau'n pennu un diben elusennol neu ragor, at y dibenion penodedig hynny neu at y rhai hynny o'u plith y bydd y gwerthwr yn penderfynu arnynt.
- () Caiff rheoliadau bagiau siopa (ymhlith pethau eraill) –
 - (a) darparu bod yr enillion net o'r tâl i'w trin fel petaent wedi eu cymhwyso yn unol â darpariaeth a wneir o dan yr adran hon os cânt eu derbyn gan bersonau penodedig neu bersonau o ddisgrifiad penodedig (neu'r ddau);
 - (b) gwneud darpariaeth ar gyfer y trefniadau i'r enillion net o'r tâl gael eu rhoi gan werthwyr i'r personau a grybwyllir ym mharagraff (a) neu i unrhyw berson arall;
 - (c) ei gwneud yn ofynnol i bersonau sy'n derbyn unrhyw enillion net o'r tâl gymhwyso'r enillion at ddibenion elusennol yn unol â darpariaeth a wneir o dan is-adran (1) neu (2).'



Carl Sargeant 28

Section 57, page 30, line 5, leave out '(including such charitable purposes' and insert 'within subsection (1) (including such charitable purposes within that subsection'.

Adran 57, tudalen 30, llinell 5, hepgorer '(gan gynnwys y dibenion elusennol hynny' a mewnosoder 'o fewn is-adran (1) (gan gynnwys y dibenion elusennol hynny o fewn yr is-adran honno'.

Carl Sargeant 29

Section 65, page 33, line 24, after 'conviction', insert ', or on conviction on indictment,'.

Adran 65, tudalen 33, llinell 24, ar ôl 'conviction', mewnosoder ', or on conviction on indictment,'.

Carl Sargeant 30

Section 66, page 34, line 26, after 'conviction', insert ', or on conviction on indictment,'.

Adran 66, tudalen 34, llinell 26, ar ôl 'conviction', mewnosoder ', or on conviction on indictment,'.

Carl Sargeant 31

Section 75, page 41, line 22, leave out 'or the Wild Birds Directive (as applicable)'.

Adran 75, tudalen 41, llinell 23, hepgorer 'or the Wild Birds Directive (as applicable)'.

Carl Sargeant 32

Section 75, page 41, leave out lines 31 to 33.

Adran 75, tudalen 41, hepgorer llinellau 32 hyd at 34.

Carl Sargeant 33

Schedule 2, page 64, leave out line 26 and insert –

'(a) before subsection (1) insert –

“(A1) This section applies where –

(a) Her Majesty's Revenue and Customs are exercising their functions;

(b) any other public authority is exercising its functions in relation to England.”

(b) in subsection (1), for “Every” substitute “The”;

Atodlen 2, tudalen 64, hepgorer llinell 29 a mewnosoder –



(a) cyn is-adran (1) mewnosoder –

“(A1) This section applies where –

- (a) Her Majesty’s Revenue and Customs are exercising their functions;
- (b) any other public authority is exercising its functions in relation to England.”

(b) yn is-adran (1), yn lle “Every” rhodder “The”;

Carl Sargeant

34

Schedule 2, page 64, line 34, leave out ‘omit “in relation to’ and insert ‘for “in relation to England, a county council” substitute “a county council in’.

Atodlen 2, tudalen 64, llinell 37, hepgorer ‘hepgorer “in relation to’ a mewnosoder ‘yn lle “in relation to England, a county council” rhodder “a county council in’.

Carl Sargeant

35

Schedule 2, page 65, line 23, leave out ‘In section 38(3) of the Well-being of Future Generations (Wales) Act 2015’ and insert –

- (1) The Well-being of Future Generations (Wales) Act 2015 is amended as follows.
- (2) In section 11(3), for the words after “means” substitute “the goals set out in “Transforming our world: the 2030 Agenda for Sustainable Development”, adopted by the General Assembly of the United Nations by resolution A/Res/70/1 of 25 September 2015”.
- (3) In section 38(3)‘.

Atodlen 2, tudalen 65, llinell 23, hepgorer ‘Yn adran 38(3) o Ddeddf Llesiant Cenedlaethau’r Dyfodol (Cymru) 2015’ a mewnosoder –

- (1) Mae Deddf Llesiant Cenedlaethau’r Dyfodol (Cymru) 2015 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 11(3), yn lle’r geiriau ar ôl “nodau” rhodder “a bennir yn Trawsnewid ein byd: Agenda 2030 ar gyfer Datblygu Cynaliadwy, a fabwysiadwyd gan Gynulliad Cyffredinol y Cenedloedd Unedig gan benderfyniad A/Res/70/1 ar 25 Medi 2015”.
- (3) Yn adran 38(3)‘.

