



Deddf yr Amgylchedd Hanesyddol (Cymru) 2016

2016 dccc 4

RHAN 2

HENEBION HYNAFOL ETC

Amrywiol

19 Tir y credir bod heneb hynafol arno: pŵer mynediad

Yn adran 26 o [Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979 \(p.46\)](#) (pŵer mynediad i dir y credir bod heneb hynafol arno), ar y diwedd mewnosoder—

“(4) But subsection (3) does not apply in relation to excavations in the land by a person authorised by the Welsh Ministers under subsection (1) if the Welsh Ministers know or have reason to believe that an ancient monument they know or believe to be in, on or under the land is or may be at risk of imminent damage or destruction.”

20 Henebion mewn dyfroedd tiriogaethol

(1) Yn adran 53 o [Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979 \(p.46\)](#) (henebion mewn dyfroedd tiriogaethol), yn is-adran (2), ar ôl “shall describe the monument as lying off the coast of England, or of Scotland, or of Wales; and” mewnosoder “, subject to subsection (2B),”.

(2) Ar ôl is-adran (2) o’r adran honno mewnosoder—

“(2A) The functions under this Act conferred on the Welsh Ministers by the Historic Environment (Wales) Act 2016 (as well as those already transferred to them) are exercisable in relation to Wales within the meaning of the Government of Wales Act 2006 (which includes the sea adjacent to Wales out as far as the seaward boundary of the territorial sea (see section 158(1) of that Act)).

(2B) Accordingly, a monument is not to be treated by virtue of section 53(2) as being in Wales unless it is situated in Wales within the meaning of section 158(1) of the Government of Wales Act 2006.”

21 Cyflwyno dogfennau drwy gyfathrebiadau electronig

(1) Yn adran 56 o [Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979](#) (p.46) (cyflwyno dogfennau), yn is-adran (1), ar ôl paragraff (c) mewnosoder—

“(ca) in a case where—

(i) the notice or other document relates to a monument situated in Wales or land in Wales; and

(ii) an address for service using electronic communications has been given by that person,

by sending it using an electronic communication, in accordance with the condition set out in subsection (1A); or”.

(2) Ar ôl is-adran (1) o’r adran honno mewnosoder—

“(1A) The condition mentioned in subsection (1)(ca) is that the notice or document must be—

(a) capable of being accessed by the person mentioned in that provision;

(b) legible in all material respects; and

(c) in a form sufficiently permanent to be used for subsequent reference;

and for this purpose “legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served or given by means of a notice or document in printed form.”

(3) Ar ôl is-adran (2) o’r adran honno mewnosoder—

“(3) In this section, “Wales” has the same meaning as in the Government of Wales Act 2006 (see section 158(1) of that Act).”

(4) Yn adran 61 o’r [Ddeddf honno](#) (dehongli), yn is-adran (1), mewnosoder yn y lle priodol—

““address”, in relation to electronic communications, means a number or address used for the purposes of such communications;”;

““electronic communication” has the same meaning as in the Electronic Communications Act 2000;”.

(5) Ar ôl is-adran (2A) o’r adran honno mewnosoder—

“(2B) Where—

(a) an electronic communication is used for the purpose of serving or giving a notice or other document on or to any person for the purposes of this Act; and

(b) the communication is received by that person outside that person’s business hours,

it is to be treated as having been received on the next working day; and in this subsection “working day” means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday.”

22 Ystyr “monument” yn Neddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979

- (1) Mae adran 61 o [Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979 \(p.46\)](#) (dehongli) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (7)—
 - (a) hepgorer yr “and” ar ôl paragraff (b);
 - (b) ar ôl paragraff (c) mewnosoder “and
 - (d) any site in Wales (other than one falling within paragraph (b) or (c) above) comprising any thing, or group of things, that evidences previous human activity;”.
- (3) Ar ôl is-adran (7) mewnosoder—

“(7A) In subsection (7)(d) “Wales” has the meaning given by section 158(1) of the Government of Wales Act 2006.”