



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 1410 (Cy. 96) (C. 50)

2001 No. 1410 (W. 96) (C. 50)

CEFN GWLAD, CYMRU

COUNTRYSIDE, WALES

**Gorchymyn Deddf Cefn Gwlad a
Hawliau Tramwy 2000 (Cychwyn
Rhif 2) (Cymru) 2001**

**The Countryside and Rights of
Way Act 2000 (Commencement
No. 2) (Wales) Order 2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dod â rhai dapariaethau penodol o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000 ("y Ddeddf") i rym mewn perthynas â Chymru ar 1 Mai 2001, sef:

This Order brings into force on 1 May 2001 certain provisions of the Countryside and Rights of Way Act 2000 ("the Act") in relation to Wales, namely:

(1) adran 57, mewn perthynas â pharagraff 18 ac 19 o Atodlen 6 (sy'n diwygio Deddf Priffyrdd 1980),

(1) section 57, in relation to paragraphs 18 and 19 of Schedule 6 (which amend the Highways Act 1980),

(2) paragraffau 18(a) a 19 o Atodlen 6 i'r graddau y maent yn gwneud newidiadau mewn perthynas â gorchymynion diddymu a gwyro croesfannau rheilffordd,

(2) paragraphs 18(a) and 19 of Schedule 6 to the extent that they make changes relating to rail crossing extinguishment and diversion orders,

(3) adran 68 (sy'n perthyn i fynediad gan cerbydau ar draws tir comin),

(3) section 68 (which relates to vehicular access over common land),

(4) adran 72 (sy'n cynnwys darpariaethau dehongli ar gyfer Rhan II o'r Ddeddf),

(4) section 72 (which contains interpretation provisions for Part II of the Act),

(5) Rhan IV o'r Ddeddf, ac Atodlenni 13 a 14 iddi (sy'n diwygio'r gyfraith mewn perthynas ag ardaloedd o harddwch naturiol eithriadol),

(5) Part IV of, and Schedules 13 and 14 to, the Act (which amend the law relating to areas of outstanding natural beauty),

(6) adran 102 (sy'n cyflwyno'r Atodlen diddymiadau) mewn perthynas â rhai diddymiadau yn Atodlen 16,

(6) section 102 (which introduces the repeals Schedule) in relation to certain repeals in Schedule 16,

(7) rhai diwygidau mân a chanlyniadol eraill i'r gyfraith.

(7) certain other minor and consequential amendments to the law.

Mae Erthygl 3 o'r Gorchymyn yn sicrhau y bydd adran 134(5) o Ddeddf Priffyrdd 1980 (sy'n cyfyngu'r personau sydd â'r hawl i erlyn tramgwydd o dan adran 134(4) o'r Ddeddf honno) yn dal yn gymwys mewn perthynas â thramgwyddau a gyflawnwyd cyn 1 Mai 2001.

Article 3 of the Order ensures that section 134(5) of the Highways Act 1980 (which limits the persons who may prosecute an offence under section 134(4) of that Act) will continue to apply in relation to offences committed before 1 May 2001.

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Hawliau Tramwy 2000 (Cychwyn
Rhif 2) (Cymru) 2001****The Countryside and Rights of
Way Act 2000 (Commencement
No. 2) (Wales) Order 2001***Wedi'u gwneud**5 Ebrill 2001**Made**5th April 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adran 103(3), (4) a (5) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(a).

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by section 103(3), (4) and (5) of the Countryside and Rights of Way Act 2000(a).

Enwi, dehongli a chymhwyso**Citation, interpretation and application**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Cefn Gwlad a Hawliau Tramwy 2000 (Cychwyn Rhif 2) (Cymru) 2001.

1.-(1) This Order may be cited as the Countryside and Rights of Way Act 2000 (Commencement No. 2) (Wales) Order 2001.

(2) Yn y Gorchymyn hwn:

(2) In this Order:

ystyr "Deddf 1980" ("*the 1980 Act*") yw Deddf Priffyrdd 1980(b);

"the Act" ("*y Ddeddf*") means the Countryside and Rights of Way Act 2000 and unless otherwise stated references to sections, Parts and Schedules are references to sections and Parts of, and Schedules to, the Act;

ystyr "Deddf 1981" ("*the 1981 Act*") yw Deddf Bywyd Gwyllt a Chefn Gwlad 1981(c);

"the 1980 Act" ("*Deddf 1980*") means the Highways Act 1980(b);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Cefn Gwlad a Hawliau Tramwy 2000 ac oni bai fod yna ddatganiad gwahanol mae cyfeiriadau at adrannau, Rhannau ac Atodlenni yn gyfeiriadau at adrannau a Rhannau o'r Ddeddf, ac Atodlenni iddi;

"the 1981 Act" ("*Deddf 1981*") means the Wildlife and Countryside Act 1981(c);

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru.

(3) This Order applies to Wales.

Diwrnod Penodedig**Appointed day**

2. Mai 2001 yw'r diwrnod penodedig y daw darpariaethau canlynol y Ddeddf i rym:-

2. May 2001 is the day appointed on which the following provisions of the Act come into force:-

(a) adran 46(1)(b) (diddymu adrannau 61 i 63 o Ddeddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949(d));

(a) section 46(1)(b) (repeals of sections 61 to 63 of the National Parks and Access to the Countryside Act 1949(d));

(b) adran 46(3) (sy'n cyflwyno Atodlen 4) i'r graddau y mae'n perthyn i ddarpariaethau Atodlen 4 y cyfeirir atynt yn is-baragraff (g) isod;

(b) section 46(3) (which introduces Schedule 4) in so far as it relates to the provisions of Schedule 4 referred to in sub-paragraph (j) below;

(c) adran 57 (diwygiadau i Ddeddf 1980 ac i

(c) section 57 (amendments to the 1980 Act and other Acts) in so far as it gives effect to the

(a) 2000 p.37

(a) 2000 c.37

(b) 1980 p.66

(b) 1980 c.66

(c) 1981 p.69

(c) 1981 c.69

(d) 1949 p.97

(d) 1949 c.97

- Ddeddfau eraill i'r graddau y mae'n rhoi effaith i'r amnewidiadau y cyfeirir atynt yn is-baragraffau (ng) ac (h) isod;
- (ch) adran 68 (mynediad cerbydau ar draws tir comin);
- (d) adran 70(2) a (4) (mân ddiwygiadau);
- (dd) adran 72 (darpariaethau dehongli Rhan II);
- (e) Rhan IV (dynodi a rheoli ardaloedd o harddwch naturiol eithriadol)(ac felly Atodlenni 13, 14 a 15);
- (f) adran 96 (diwygiadau i adran 39 o Ddeddf 1981);
- (ff) adran 102 i'r graddau y mae'n perthyn i'r darpariaethau yn Atodlen 16 y cyfeirir atynt yn is-baragraffau (i) i (o) isod ;
- (g) paragraffau 1, 4, 5 a 6 o Atodlen 4;
- (ng) paragraff 18(a) o Atodlen 6 (diwygiadau i Ddeddf 1980) i'r graddau y mae'n amnewid am "118, 119," yn adran 325(1)(d) o Ddeddf 1980 gyfeiriadau at adrannau 118, 118A, 119 a 119A;
- (h) paragraff 19 o Atodlen 6 i'r graddau y mae'n amnewid am "gorchymyn gwyro llwybr cyhoeddus" yn adran 326(5) o Ddeddf 1980 gyfeiriadau at orchymyn diddymu croesfan reilffordd, gorchymyn gwyro llwybr cyhoeddus a gorchymyn gwyro croesfan reilffordd;
- (i) Rhan I o Atodlen 16 (diddymiadau sy'n perthyn i fynediad i gefn gwlad) ac eithrio i'r graddau y mae'n diddymu:
- (i) adran 193(2) o Ddeddf Cyfraith Eiddo 1925(a);
- (ii) paragraff 35A o Atodlen 17 i Ddeddf Llywodraeth Leol 1972(b); a
- (iii) paragraff 13 o Atodlen 6 i Ddeddf Llywodraeth Leol (Cymru) 1994(c);
- (l) Rhan II o Atodlen 16 (diddymiadau sy'n perthyn i hawliau tramwy cyhoeddus a thraffig ffyrdd) i'r graddau y mae'n diddymu adran 22(1)(a) o Ddeddf Rheoli Traffig Ffyrdd 1984 (ch);
- (m) Rhan II o Atodlen 16 i'r graddau y mae'n diddymu adran 134(5) o Ddeddf 1980;
- (n) Rhannau III a IV o Atodlen 16 (diddymiadau sy'n perthyn i safleoedd o ddiddordeb gwyddonol arbennig a bywyd gwylt); ac
- (o) Rhannau V a VI o Atodlen 16 (diddymiadau sy'n perthyn i ardaloedd o harddwch naturiol eithriadol ac i Ddeddf 1981).
- substitutions referred to in sub-paragraphs (k) and (l) below;
- (d) section 68 (vehicular access across common land);
- (e) section 70(2) and (4) (minor amendments);
- (f) section 72 (interpretation provisions of Part II);
- (g) Part IV (designation and management of areas of outstanding natural beauty) (and accordingly Schedules 13, 14 and 15);
- (h) Section 96 (amendments to section 39 of the 1981 Act);
- (i) Section 102 in so far as it relates to the provisions in Schedule 16 referred to in sub-paragraphs (m) to (q) below ;
- (j) paragraphs 1, 4, 5 and 6 of Schedule 4;
- (k) paragraph 18(a) of Schedule 6 (amendments to the 1980 Act) to the extent that in section 325(1)(d) of the 1980 Act it substitutes for "118, 119," references to sections 118, 118A, 119 and 119A;
- (l) paragraph 19 of Schedule 6 to the extent that in section 326(5) of the 1980 Act it substitutes for "a public path diversion order" references to a rail crossing extinguishment order, a public path diversion order and a rail crossing diversion order;
- (m) Part I of Schedule 16 (repeals relating to access to the countryside) except in so far as it repeals:
- (i) section 193(2) of the Law of Property Act 1925(a);
- (ii) paragraph 35A of Schedule 17 to the Local Government Act 1972(b); and
- (iii) paragraph 13 of Schedule 6 to the Local Government (Wales) Act 1994(c);
- (n) Part II of Schedule 16 (repeals relating to public rights of way and road traffic) in so far as it repeals part of section 22(1)(a) of the Road Traffic Regulation Act 1984(d);
- (o) Part II of Schedule 16 in so far as it repeals section 134(5) of the 1980 Act;
- (p) Parts III and IV of Schedule 16 (repeals relating to sites of special scientific interest and wildlife); and
- (q) Parts V and VI of Schedule 16 (repeals relating to areas of outstanding natural beauty and the 1981 Act).

(a) 1925 p.20
 (b) 1972 p.70
 (c) 1994 p.19
 (ch) 1984 p.27

(a) 1925 c.20
 (b) 1972 c.70
 (c) 1994 c.19
 (d) 1984 c.27

Darpariaeth drosiannol

3. Nid yw diddymiad adran 134(5) o Ddeddf 1980 sy'n cael ei gychwyn gan erthygl 2(d) ac (m) yn cael effaith mewn perthynas ag unrhyw dramgwydd o dan adran 134 o'r Ddeddf honno a gyflawnwyd cyn 1 Mai 2001.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998 (a).

5 Ebrill 2001

Llywydd y Cynulliad Cenedlaethol

Transitional provision

3. The repeal of section 134(5) of the 1980 Act commenced by article 2(e) and (o) shall not have effect in relation to any offence under section 134 of that Act committed before 1 May 2001.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

5th April 2001

D. Elis-Thomas

The Presiding Officer of the National Assembly

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