



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 909 (Cy.92)

2004 No. 909 (W.92)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

**Gorchymyn Sbwriel a Baeddu gan
Gŵn (Cosb Benodedig) (Cymru)
2004**

**The Litter and Dog Fouling (Fixed
Penalty) (Wales) Order
2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae adran 88 o Ddeddf Diogelu'r Amgylchedd 1990 yn darparu y caiff rhywun dalu cosb benodedig er mwyn ei ryddhau ei hun o fod yn agored i'w gollfarnu am y tramgwydd o adael sbwriel o dan adran 87 o'r Ddeddf honno.

Section 88 of the Environmental Protection Act 1990 provides for the payment of a fixed penalty to discharge any liability to conviction for the offence of leaving litter under section 87 of that Act.

Mae Adran 4 o Ddeddf Cŵn (Baeddu Tir) 1996 yn darparu y caiff rhywun dalu cosb benodedig er mwyn ei ryddhau ei hun o fod yn agored i'w gollfarnu am y tramgwydd o fethu â chael gwared ar faw cŵn o dan adran 3 o'r Ddeddf honno, ac mae'n cymhwyso darpariaethau adran 88 (2)-(8) o Ddeddf Diogelu'r Amgylchedd.

Section 4 of the Dogs (Fouling of Land) Act 1996 provides for the payment of a fixed penalty to discharge any liability to conviction for the offence of failing to remove dog faeces under section 3 of that Act, and applies the provisions of section 88 (2)-(8) of the Environmental Protection Act.

Mae'r Gorchymyn hwn, sy'n gymwys i Gymru'n unig, yn cynyddu'r gosb benodedig am y tramgwyddau hyn ill dau, sef y tramgwydd o adael sbwriel a'r tramgwydd o faeddu gan gŵn, o £25 i £75.

This Order, which applies to Wales only, increases the fixed penalty for both the litter and dog fouling offences from £25 to £75.

2004 Rhif 909 (Cy.92)**2004 No. 909 (W.92)****DIOGELU'R AMGYLCHEDD,
CYMRU****ENVIRONMENTAL
PROTECTION, WALES****Gorchymyn Sbwriel a Baeddu gan
Gwn (Cosb Benodedig) (Cymru)
2004****The Litter and Dog Fouling (Fixed
Penalty) (Wales) Order
2004***Wedi'i wneud**24 Mawrth 2004**Made**24th March 2004**Yn dod i rym**1 Ebrill 2004**Coming into force**1st April 2004*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 88(7) o Ddeddf Diogelu'r Amgylchedd 1990(a), a chan y ddarpariaeth honno fel y'i cymhwysir gan adran 4(2) o Ddeddf Cwn (Baeddu Tir) 1996(b), sef y pwerau sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol mewn perthynas â Chymru(c), drwy hyn yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by section 88(7) of the Environmental Protection Act 1990(a), and by that provision as applied by section 4(2) of the Dogs (Fouling of Land) Act 1996(b), which powers are now exercisable by the National Assembly in relation to Wales(c), hereby makes the following Order:

Enwi, cychwyn, rhychwantu a chymhwysio

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Sbwriel a Baeddu gan Gŵn (Cosb Benodedig) (Cymru) 2004 a daw i rym ar 1 Ebrill 2004.

(2) Mae'r Gorchymyn hwn yn rhychwantu Cymru a Lloegr yn unig ac mae'n gymwys mewn perthynas â Chymru'n unig.

Swm y gosb benodedig

2. Yn adran 88(6) o Ddeddf Diogelu'r Amgylchedd 1990 (sy'n pennu'r gosb benodol am adael sbwriel ac a gymhwysir yn ogystal gan adran 4(2) o Ddeddf Cŵn (Baeddu Tir) 1996)-

- (a) ar ôl y swm a bennwyd ar gyfer Lloegr mewnosoder "or, in Wales, £75", a
- (b) diddymir drwy hyn unrhyw gyfeiriad at £25 sy'n goroesi.

Citation, commencement, extent and application

1.-(1) This Order may be cited as the Litter and Dog Fouling (Fixed Penalty) (Wales) Order 2004 and comes into force on 1st April 2004.

(2) This Order extends to England and Wales only and applies only in relation to Wales.

Amount of fixed penalty

2. In section 88(6) of the Environmental Protection Act 1990 (which specifies the fixed penalty for leaving litter and which is additionally applied by section 4(2) of the Dogs (Fouling of Land) Act 1996)-

- (a) after the amount specified for England there is inserted "or, in Wales, £75", and
- (b) any surviving reference to £25 is hereby repealed.

(a) 1990 p.43.

(b) 1996 p.20.

(c) Mae pwerau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, wedi'u trosglwyddo i Gynulliad Cenedlaethol Cymru: gweler Erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(a) 1990 c.43.

(b) 1996 c.20.

(c) The powers of the Secretary of State, insofar as exercisable in relation to Wales, have been transferred to the National Assembly for Wales: see Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

Dirymu

3.-(1) Dirymir Gorchymyn Sbwriel (Cosb Benodedig) 1996(a) mewn perthynas â Chymru.

(2) Dirymir Erthygl 3 o Orchymyn Baeddu gan Gŵn (Cosbau Penodedig) 1996(b) (swm y gosb benodedig) mewn perthynas â Chymru.

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

24 Mawrth 2004

Revocation

3.-(1) The Litter (Fixed Penalty) Order 1996(a) is revoked in relation to Wales.

(2) Article 3 of the Dog Fouling (Fixed Penalties) Order 1996(b) (amount of fixed penalty) is revoked in relation to Wales.

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

24th March 2004

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(a) O.S. 1996/3055.

(b) O.S. 1996/2763.

(c) 1998 p. 38.

(a) S.I. 1996/3055.

(b) S.I. 1996/2763.

(c) 1998 c. 38.

OFFERYNNAU STATUDOL

2004 Rhif 909 (Cy.92)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

Gorchymyn Sbwriel a Baeddu gan
Gŵn (Cosb Benodedig) (Cymru)
2004

STATUTORY INSTRUMENTS

2004 No. 909 (W.92)

**ENVIRONMENTAL
PROTECTION, WALES**

The Litter and Dog Fouling (Fixed
Penalty) (Wales) Order
2004

© Hawlfraint y Goron 2004

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

£3.00

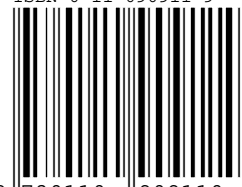
W51/04/03

ON

© Crown copyright 2004

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090911-9



9 780110 909110