



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 120 (Cy.10)

2007 No. 120 (W.10)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

Gorchymyn Niwsansau Statudol
(Darpariaethau Amrywiol) (Cymru)
2007

The Statutory Nuisances
(Miscellaneous Provisions) (Wales)
Order 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae Adran 103 o Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005 (p. 16) ("Deddf 2005") yn diwygio adran 80(8) o Ddeddf Diogelu'r Amgylchedd 1990 (p. 43) ("Deddf 1990") gan roi iddi'r effaith bod yr amddiffyniad (i'r tramgwydd, o dan adran 80(4) o Ddeddf 1990, o fynd yn groes i dermau neu ofynion hysbysiad diddymu a gyflwynir o dan adran 80(1) o Ddeddf 1990 neu o fethu â chydymffurfio â hwy) sef yr amddiffyniad o fod wedi defnyddio'r dull ymarferol gorau i rwystro niwsans statudol neu i wrthbwysu'i effeithiau, ar gael o ran niwsans a achosir gan olau artiffisial ac sy'n deillio o oleuadau a ddefnyddir i oleuo cyfleuster allanol ar gyfer campau perthnasol.

Section 103 of the Clean Neighbourhoods and Environment Act 2005 (c. 16) ("the 2005 Act") amends section 80(8) of the Environmental Protection Act 1990 (c. 43) ("the 1990 Act") with the effect that the defence (to the offence under section 80(4) of the 1990 Act of contravening or failing to comply with the terms or requirements of an abatement notice served under section 80(1) of the 1990 Act) of having used best practicable means to prevent, or counteract the effects of, a statutory nuisance is available in respect of a nuisance caused by artificial light which arises from lights used to illuminate an outdoor relevant sports facility.

Diffinnir cyfleuster ar gyfer campau perthnasol yn adran 80(8A) o Ddeddf 1990 yn ardal, gyda strwythurau neu hebddynt, a ddefnyddir i gymryd rhan mewn campau perthnasol, ac eithrio ardal o'r fath a geir mewn mangreodded domestig.

A relevant sports facility is defined in section 80(8A) of the 1990 Act as an area, with or without structures, used when participating in a relevant sport, other than such an area comprised in domestic premises.

Mae adran 80(8B) o Ddeddf 1990 yn rhoi i Gynulliad Cenedlaethol Cymru, o ran Cymru, y swyddogaeth o ddynodi camp yn "gamp berthnasol" at ddibenion adran 80(8A) o Ddeddf 1990. Gwneir y Gorchymyn hwn drwy arfer y swyddogaeth honno.

Section 80(8B) of the 1990 Act confers upon the National Assembly for Wales, in relation to Wales, the function of designating a sport as a "relevant sport" for the purposes of section 80(8A) of the 1990 Act. This Order is made in exercise of that function.

Mae'r Gorchymyn hwn hefyd yn rhoi effaith i fân ddiwygiadau i Orchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion) (Cymru) 2006 (O.S. 2006/2797 (Cy. 236) (C. 93)).

This Order also effects minor amendments to the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 2, Transitional Provisions and Savings) (Wales) Order 2006 (S.I. 2006/2797 (W. 236) (C. 93)).

2007 Rhif 120 (Cy.10)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**Gorchymyn Niwsansau Statudol
(Darpariaethau Amrywiol) (Cymru)
2007**

Wedi'i wneud

23 Ionawr 2007

Yn dod i rym yn unol ag erthygl 1

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd gan adran 80(8B) o Ddeddf Diogelu'r Amgylchedd 1990(1) ac adran 108(1)(b), (2) a (5) o Ddeddf Cymdogaethau ac Amgylchedd Glân 2005(2):

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Niwsansau Statudol (Darpariaethau Amrywiol) (Cymru) 2007.

(2) Daw erthygl 3 o'r Gorchymyn hwn i rym ar 30 Ionawr 2007.

(3) Daw erthygl 2 o'r Gorchymyn hwn a'r Atodlen iddo i rym ar 31 Ionawr 2007.

(4) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

Dynodi "camp berthnasol"

2. Dynodir camp sy'n ymddangos yn y rhestr o gampau a geir yn yr Atodlen i'r Gorchymyn hwn yn "gamp berthnasol" at ddibenion adran 80(8A) o Ddeddf Diogelu'r Amgylchedd 1990(3).

(1) 1990 p. 43; mewnosodwyd adran 80(8B) gan adran 103(3) o Ddeddf Cymdogaethau ac Amgylchedd Glân 2005 (p. 16).

(2) 2005 p. 16.

(3) Mewnosodwyd adran 80(8A) gan adran 103(3) o Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005.

2007 No. 120 (W.10)

**ENVIRONMENTAL
PROTECTION, WALES**

**The Statutory Nuisances
(Miscellaneous Provisions) (Wales)
Order 2007**

Made

23 January 2007

Coming into force in accordance with article 1

The National Assembly for Wales makes the following Order in exercise of the powers conferred by section 80(8B) of the Environmental Protection Act 1990(1) and section 108(1)(b), (2) and (5) of the Clean Neighbourhoods and Environment Act 2005(2):

Title, commencement and application

1.-(1) The title of this Order is the Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007.

(2) Article 3 of this Order comes into force on 30 January 2007.

(3) Article 2 of, and the Schedule to, this Order come into force on 31 January 2007.

(4) This Order applies in relation to Wales.

Designation of a "relevant sport"

2. A sport appearing in the list of sports set out in the Schedule to this Order is designated as a "relevant sport" for the purposes of section 80(8A) of the Environmental Protection Act 1990(3).

(1) 1990 c. 43; section 80(8B) was inserted by section 103(3) of the Clean Neighbourhoods and Environment Act 2005 (c. 16).

(2) 2005 c. 16.

(3) Section 80(8A) was inserted by section 103(3) of the Clean Neighbourhoods and Environment Act 2005.

Diwygio Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion (Cymru) 2006

3. Diwygir Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion (Cymru) 2006(1) fel a ganlyn-

- (a) yn y testun Cymraeg yn y pennawd i erthygl 5 yn lle "2006" rhodder "2007";
- (b) yn y testunau Cymraeg a Saesneg yn y geiriau agoriadol yn erthygl 5 yn lle "2006" rhodder "2007";
- (c) yn y testunau Cymraeg a Saesneg o'r pennawd i erthygl 6 yn lle "2006" rhodder "2007";
- (ch) yn y testunau Cymraeg a Saesneg yn y geiriau agoriadol yn erthygl 6 yn lle "2006" rhodder "2007";
- (d) yn y testun Cymraeg yn lle'r pennawd I erthygl 7 rhodder-

"Darpariaethau yn Neddf 2005 sy'n dod i rym ar y dyddiad y daw erthygl 2 o Orchymyn Niwsansau Statudol (Darpariaethau Amrywiol) (Cymru) 2007 a'r Atodlen'r Gorchymyn hwnnw i rym";

(dd) yn y testun Saesneg yn lle'r pennawd i erthygl 7 rhodder-

"Provisions of the 2005 Act coming into force on the date on which article 2 of, and the Schedule to, the Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007 come into force";

- (e) yn y testun Cymraeg yn ngeiriau agoriadol erthygl 7 yn lle'r geiriau "Gorchymyn Niwsansau Statudol (Goleuo Artiffisial) (Dynodi Campau Perthnasol) (Cymru) 2006" rhodder "erthygl 2 o Prchymyn Niwsansau Statudol (Darpariaethau Amrywiol) (Cymru) 2007 a'r Atodlen i'r Gorchymyn hwnnw";
- (f) yn y testun Saesneg yng ngeiriau agoriadol erthygl 7 rhodder y geiriau "article 2 of, and the Schedule to, the Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007" yn lle'r geiriau "the Statutory Nuisance (Artificial Lighting) (Designation of Relevant Sports) (Wales Order 2006";
- (ff) yn y testun Cymraeg o erthygl 10(1) yn lle "â rheoliad" rhodder "ag erthygl";
- (g) yn nhestun Saesneg erthygl 10(1) yn lle "regulation" rhodder "article".

Amendment of the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 2, Transitional Provisions and Savings) (Wales) Order 2006

3. The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 2, Transitional Provisions and Savings) (Wales) Order 2006(1) is amended as follows-

- (a) in the Welsh text of the heading to article 5 for "2006" substitute "2007";
- (b) in the Welsh and English texts of the opening words in article 5 for "2006" substitute "2007";
- (c) in the Welsh and English texts of the heading to article 6 for "2006" substitute "2007";
- (d) in the Welsh and English texts of the opening words in article 6 for "2006" substitute "2007";
- (e) in the Welsh text for the heading to article 7 substitute-

"Darpariaethau yn Neddf 2005 sy'n dod i rym ar y dyddiad y daw erthygl 2 o Orchymyn Niwsansau Statudol (Darpariaethau Amrywiol) (Cymru) 2007 a'r Atodlen i'r Gorchymyn hwnnw i rym";

(f) in the English text for the heading to article 7 substitute-

"Provisions of the 2005 Act coming into force on the date on which article 2 of, and the Schedule to, the Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007 come into force";

- (g) in the Welsh text in the opening words in article 7 for the words "Gorchymyn Niwsansau Statudol (Goleuo Artiffisial) (Dynodi Campau Perthnasol) (Cymru) 2006" substitute "erthygl 2 o Orchymyn Niwsansau Statudol (Darpariaethau Amrywiol) (Cymru) 2007 a'r Atodlen i'r Gorchymyn hwnnw".
- (h) in the English text in the opening words in article 7 for the words "the Statutory Nuisance (Artificial Lighting) (Designation of Relevant Sports) (Wales) Order 2006" substitute "article 2 of, and the Schedule to, the Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007";
- (i) in the Welsh text of article 10(1) for "â rheoliad" substitute "ag erthygl";
- (j) in the English text of article 10(1) for "regulation" substitute "article".

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

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

23 Ionawr 2007

23 January 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

YR ATODLEN

SCHEDULE

Erthygl 2

Article 2

Y RHESTR O GAMPAU

- | | |
|---|------------------------------|
| 1. Pêl-droed Americanaidd | 1. American Football |
| 2. Saethyddiaeth | 2. Archery |
| 3. Pêl-droed (Socer) (Rheolau'r Gymdeithas Bêl droed) | 3. Association Football |
| 4. Athletau | 4. Athletics |
| 5. Pêl-droed Rheolau Awstralia | 5. Australian Rules Football |
| 6. Badminton | 6. Badminton |
| 7. Pêl fas | 7. baseball |
| 8. Pêl fasedg | 8. Basketball |
| 9. Biathlon | 9. Biathlon |
| 10. Bobsledio | 10. Bobsleigh |
| 11. Bowls | 11. Bowls |
| 12. Camogie | 12. Camogie |
| 13. Canwio | 13. Canoeing |
| 14. Criced | 14. Cricket |
| 15. Croquet | 15. Croquet |
| 16. Cwrlo | 16. Curling |
| 17. Seiclo | 17. Cycling |
| 18. Marchogyddiaeth | 18. Equestrian Sports |
| 19. Pêl-droed Gwyddelig | 19. Gaelic Football |

20. Golff	20. Golf
21. Gymnasteg	21. Gymnastics
22. Pêl-law	22. Handball
23. Hoci	23. Hockey
24. Rasio Ceffylau	24. Horse Racing
25. Chwarae hyrli	25. Hurling
26. Hoci Iâ	26. Ice Hockey
27. Sglefrio ar Iâ	27. Ice Skating
28. Lacrosse	28. Lacrosse
29. Luge	29. Luge
30. Pentathlon Modern	30. Modern Pentathlon
31. Marchogaeth Beic Modur	31. Motor Cycling
32. Campau Moduro	32. Motor Sports
33. Pêl-rwyd	33. Netball
34. Wal Ddringo tu allan	34. Outdoor Climbing Wall
35. Polo	35. Polo
36. Camp Olwynion Troed	36. Roller Sports
37. Rownderi	37. Rounders
38. Rhwyfo	38. Rowing
39. Rygbi'r Gynghrair	39. Rugby League
40. Rygbi'r Undeb	40. Rugby Union
41. Hwyllo	41. Sailing
42. Saethu	42. Shooting
43. Camp Byrddau Sgrialu	43. Skateboarding
44. Sgio	44. Skiing
45. Eirafyrddio	45. Snowboarding
46. Pêl feddal	46. Softball
47. Nofio (gan gynnwys Deifio)	47. Swimming (including Diving)
48. Tennis	48. Tennis
49. Triathlon	49. Triathlon
50. Tynnu Rhaff	50. Tug of War
51. Pêl foli	51. Volleyball

OFFERYNNAU STATUDOL

2007 Rhif 120 (Cy.10)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

Gorchymyn Niwsansau Statudol
(Darpariaethau Amrywiol) (Cymru)
2007

STATUTORY INSTRUMENTS

2007 No. 120 (W.10)

**ENVIRONMENTAL
PROTECTION, WALES**

The Statutory Nuisances
(Miscellaneous Provisions) (Wales)
Order 2007

©© Hawlfraint y Goron 2006

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.

© Crown copyright 2006

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.

£3.00

W461/01/07

ON