



OFFERYNNAU STATUDOL
CYMRU

2008 Rhif 591 (Cy.60) (C.22)

**LLYWODRAETH LEOL,
CYMRU**

Gorchymyn Deddf Llywodraeth
Leol a Chynnwys y Cyhoedd
mewn Iechyd 2007 (Cychwyn)
(Cymru) 2008

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dod â darpariaethau Deddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 ("Deddf 2007") i rym o ran Cymru ac eithrio i'r graddau y maent yn ymwneud ag awdurdod heddlu ar gyfer ardal heddlu yng Nghymru.

Mae erthygl 2 o'r Gorchymyn hwn yn dod â'r darpariaethau a ganlyn o Ddeddf 2007 i rym ar 1 Ebrill 2008:

- (a) adran 137, sy'n mewnosod adran 3(4) newydd yn Neddf Llywodraeth Leol 1999 ("Deddf 1999") fel bod rhaid i awdurdod, wrth benderfynu ar sut i gyflawni ei ddyletswydd o dan adran 3(1) o Ddeddf 1999 ac wrth benderfynu â phwy i ymgynghori o dan adran 3(2) o'r Ddeddf honno ac ar ffurf, cynnwys ac amseriad y cyfryw ymgynghoriadau, roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru;
- (b) adran 140, sy'n hepgor adran 5 o Ddeddf 1999 (dyletswydd ar awdurdod i gynnal adolygiadau gwerth gorau);
- (c) adran 210, sy'n galluogi Gweinidogion Cymru, i wneud darpariaeth o ran Cymru, drwy orchymyn, yn cymhwyso unrhyw ddarpariaethau o adrannau 205 i 208 o Ddeddf 2007 sy'n ymwneud â chydawdurdodau gwastraff; ac

WELSH
STATUTORY INSTRUMENTS

2008 No. 591 (W.60) (C.22)

**LOCAL GOVERNMENT,
WALES**

The Local Government and Public
Involvement in Health Act 2007
(Commencement) (Wales) Order
2008

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") in relation to Wales except so far as they relate to a police authority for a police area in Wales.

Article 2 of this Order brings into force on 1 April 2008 the following provisions of the 2007 Act:

- (a) section 137, which substitutes a new section 3(4) into the Local Government Act 1999 ("the 1999 Act") such that, in deciding how to fulfil its duty under section 3(1) of the 1999 Act and in deciding who to consult under section 3(2) of that Act and the form, content and timing of such consultations, an authority must have regard to any guidance issued by the Welsh Ministers;
- (b) section 140, which omits section 5 of the 1999 Act (duty upon an authority to conduct best value reviews);
- (c) section 210, which enables the Welsh Ministers to, by order, make provision in relation to Wales applying any provisions of sections 205 to 208 of the 2007 Act which concern joint waste authorities; and

(ch) adran 241, i'r graddau y mae'n ymwneud â'r diddymiadau yn Rhan 8 o Atodlen 18 o ddarpariaethau yn Neddf 1999 a Deddf Llywodraeth Leol 2000 ynghylch adran 5 o Ddeddf 1999.

(d) section 241, in so far as it relates to the repeals in Part 8 of Schedule 18 of provisions in the 1999 Act and the Local Government Act 2000 concerning section 5 of the 1999 Act.

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Gorchymyn Deddf Llywodraeth
Leol a Chynnwys y Cyhoedd
mewn Iechyd 2007 (Cychwyn)
(Cymru) 2008

The Local Government and Public
Involvement in Health Act 2007
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2008

Gwnaed

3 Mawrth 2008

Made

3 March 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adran 245(4) o Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by section 245(4) of the Local Government and Public Involvement in Health Act 2007(1), make the following Order:

Enwi, cymhwyso a dehongli

Title, application and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (Cychwyn) (Cymru) 2008.

1.—(1) The title of this Order is the Local Government and Public Involvement in Health Act 2007 (Commencement) (Wales) Order 2008.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru ac eithrio mewn perthynas ag awdurdod heddlu ar gyfer ardal heddlu yng Nghymru.

(2) This Order applies in relation to Wales save in relation to a police authority for a police area in Wales.

(3) Yn y Gorchymyn hwn—

(3) In this Order—

ystyr "y Ddeddf" ("*the Act*") yw Deddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007;

"the Act" ("*y Ddeddf*") means the Local Government and Public Involvement in Health Act 2007;

ystyr "Deddf 1999" ("*the 1999 Act*") yw Deddf Llywodraeth Leol 1999(2); ac

"the 1999 Act" ("*Deddf 1999*") means the Local Government Act 1999(2); and

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Llywodraeth Leol 2000(3).

"the 2000 Act" ("*Deddf 2000*") means the Local Government Act 2000(3).

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2008—

2. The following provisions of the Act come into force on 1 April 2008—

(a) adran 137;

(a) section 137;

(b) adran 140;

(b) section 140;

(c) adran 210; ac

(c) section 210; and

(ch) adran 241, i'r graddau y mae'n ymwneud â'r diddymiaid yn Rhan 8 o Atodlen 18 i—

(d) section 241, in so far as it relates to the repeals in Part 8 of Schedule 18 of—

(1) 2007 p.28.

(2) 1999 p.27.

(3) 2000 p.22.

(1) 2007 c.28.

(2) 1999 c.27.

(3) 2000 c.22.

- (i) adrannau 5 a 6(2)(c), (d) ac (l) o Ddeddf 1999;
- (ii) y gair "5," yn adran 28(2) o Ddeddf 1999;
- (iii) y geiriau "Subject to subsection (5)," yn adran 21(4) o Ddeddf 2000; a
- (iv) adran 21(5) o Ddeddf 2000.

- (i) sections 5 and 6(2)(c), (d) and (l) of the 1999 Act;
- (ii) the word "5," in section 28(2) of the 1999 Act;
- (iii) the words "Subject to subsection (5)," in section 21(4) of the 2000 Act; and
- (iv) section 21(5) of the 2000 Act.

Brian Gibbons

Y Gweinidog dros Gyfiawnder Cymdeithasol a
Llywodraeth Leol, un o Weinidogion Cymru

Minister for Social Justice and Local Government, one
of the Welsh Ministers

3 Mawrth 2008

3 March 2008

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