OFFERYNNAU STATUDOL CYMRU

2011 Rhif 551 (Cy.77)

DIOGELU'R AMGYLCHEDD, CYMRU

Gorchymyn Targedau Ailgylchu, Paratoi i Ailddefnyddio a Chompostio (Diffiniadau) (Cymru) 2011

NODYN ESBONIADOL

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

Mae adran 3 o Fesur Gwastraff (Cymru) 2010 ("y Mesur") yn sefydlu targedau statudol ar gyfer y ganran o wastraff trefol awdurdod lleol y mae'n rhaid ei ailgylchu, ei baratoi i ailddefnyddio neu ei gompostio.

Mae'r Gorchymyn hwn yn atodi'r Mesur, drwy bennu pryd y mae gwastraff trefol awdurdod lleol yn cael ei ailgylchu (erthygl 3), ei baratoi i'w ail ddefnyddio (erthygl 4) a'i gompostio (erthygl 5) at ddibenion y targedau hynny.

WELSH STATUTORY INSTRUMENTS

2011 No. 551 (W.77)

ENVIRONMENTAL PROTECTION, WALES

The Recycling, Preparation for Re-use and Composting Targets (Definitions) (Wales) Order 2011

EXPLANATORY NOTE

(This note is not part of the Order)

Section 3 of the Waste (Wales) Measure 2010 ("the Measure") establishes statutory targets for the percentage of a local authority's municipal waste which must be recycled, prepared for re-use and composted.

This Order supplements the Measure, by setting out when local authority municipal waste is recycled (article 3), prepared for re-use (article 4) and composted (article 5) for the purposes of those targets.

OFFERYNNAU STATUDOL CYMRU

2011 Rhif 551 (Cy.77)

DIOGELU'R AMGYLCHEDD, CYMRU

Gorchymyn Targedau Ailgylchu, Paratoi i Ailddefnyddio a Chompostio (Diffiniadau) (Cymru) 2011

Gwnaed *25 Chwefror 2011*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *1 Mawrth 2011*

Yn dod i rym *30 Mawrth 2011*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd gan adran 3(6) a 19(1) o Fesur Gwastraff (Cymru) 2010(**1**).

Mae Gweinidogion Cymru wedi ymgynghori â'r personau hynny y mae'n ofynnol iddynt ymgynghori â hwy, yn ôl adran 8(1) o'r Mesur hwnnw.

Enwi, cychwyn a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Targedau Ailgylchu, Paratoi i Ailddefnyddio a Chompostio (Diffiniadau) (Cymru) 2011; mae'n gymwys o ran Cymru ac mae'n dod i rym ar 30 Mawrth 2011.

Dehongli

2.—(1) Yn y Gorchymyn hwn—

ystyr "gweithred adennill" ("*recovery operation*") yw unrhyw weithred sy'n cynnwys ailbrosesu, gwirio, glanhau, atgyweirio, compostio neu dreulio anaerobig a'i phrif ganlyniad yw bod gwastraff yn gallu ateb diben;

ystyr "y Mesur" ("*the Measure*") yw Mesur Gwastraff (Cymru) 2010;

ystyr "y targedau" ("*the targets*") yw targedau ailgylchu, paratoi i ailddefnyddio a chompostio a bennir yn adran 3(3) o'r Mesur.

(**1**) 2010 mccc 8.

WELSH STATUTORY INSTRUMENTS

2011 No. 551 (W.77)

ENVIRONMENTAL PROTECTION, WALES

The Recycling, Preparation for Re-use and Composting Targets (Definitions) (Wales) Order 2011

Made *25 February 2011*

Laid before the National Assembly for Wales *1 March 2011*

Coming into force *30 March 2011*

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 3(6) and 19(1) of the Waste (Wales) Measure 2010(**1**).

The Welsh Ministers have consulted those persons which they are required to consult by section 8(1) of that Measure.

Title, application and commencement

1. The title of this Order is the Recycling, Preparation for Re-use and Composting Targets (Definitions) (Wales) Order 2011; it applies in relation to Wales and comes into force on 30 March 2011.

Interpretation

2.—In this Order—

"the Measure" ("*y Mesur*") means the Waste (Wales) Measure 2010;

"recovery operation" ("*gweithred adennill*") means any operation involving the reprocessing, checking, cleaning, repairing, composting or anaerobic digestion of waste the principal result of which is waste capable of serving a purpose;

"the targets" ("*y targedau*") means the recycling, preparation for re-use and composting targets specified in section 3(3) of the Measure.

(**1**) 2010 nawm 8.

Ailgylchu

3.—(1) Mae gwastraff trefol awdurdod lleol(**1**) yn cael ei ailgylchu at ddibenion y targedau—

(a) pan fo'r gwastraff wedi mynd drwy weithred ailbrosesu; fel rhan o weithred adennill; a

(b) pan fo'r gwastraff yn cael ei ailbrosesu yn gyn nyrch, deunydd, neu sylwedd, p'un a yw hynny at ei ddiben gwreiddiol neu ddiben arall.

(2) Ond nid yw gwastraff trefol awdurdod lleol yn cael ei ailgylchu at ddibenion y targedau os yw'n cael ei ddefnyddio fel tanwydd nac ar gyfer gwaith ôl-lenwi.

(3) Yn yr erthygl hon, ystyr "gwaith ôl-lenwi" yw gwaith lle y mae gwastraff yn cael ei ddefnyddio at ddibenion adfer mewn mannau sydd wedi eu cloddio neu at ddibenion peirianneg mewn tirlunio.

Paratoi i ailddefnyddio

4.—(1) Mae gwastraff trefol awdurdod lleol yn cael ei baratoi ar gyfer ei ailddefnyddio at ddibenion y targedau—

(a) pan fo cynnyrch gwastraff neu gydran o gynnyrch gwastraff wedi cael eu gwirio, glanhau neu atgyweirio fel rhan o weithred adennill; a

(b) pan fo'r cynnyrch gwastraff neu gydran o'r cynnyrch gwastraff yn gallu cael eu hailddefnyddio at eu diben gwreiddiol.

Compostio

5.—(1) Mae gwastraff trefol awdurdod lleol yn cael ei gompostio at ddibenion y targedau—

(a) pan fo gwastraff bioddiraddadwy wedi bod drwy weithred adennill o gompostio neu dreulio anaerobig; a

(b) pan fo gwastraff wedi cael ei ailbrosesu yn gynnyrch, yn ddeunydd neu sylwedd sy'n gallu cael ei ddefnyddio fel cyflyrydd pridd, gwrtaith neu gyfrwng tyfu.

(2) Yn yr erthygl hon, ystyr "compostio" yw'r driniaeth fiolegol o wastraff lle y mae dadelfeniad a sefydlogrwydd y gwastraff yn cael ei gyflawni drwy weithgaredd microbau gan broses aerobig.

(3) Yn yr erthygl hon, ystyr "treulio anaerobig" yw'r driniaeth fiolegol o wastraff lle y mae dadelfeniad a sefydlogrwydd y gwastraff yn cael ei gyflawni drwy weithgaredd microbau gan broses anaerobig.

(**1**) Diffinnir gwastraff trefol awdurdod lleol yn adran 3(8) o'r Mesur fel maint cyfan, yn ôl pwysau, o bob un o'r canlynol: yr holl wastraff a gasglwyd gan awdurdod lleol o dan adran 45 o Ddeddf Diogelu'r Amgylchedd 1990 (p.43); yr holl wastraff a ollyngwyd yn y flwyddyn honno mewn mannau a ddarperir gan awdurdod lleol o dan is-adran (1)(b) a (3) o adran 51 o'r Ddeddf honno; ac unrhyw wastraff arall a bennir drwy orchymyn gan Weinidogion Cymru.

Recycling

3.—(1) Local authority municipal waste(**1**) is recycled for the purpose of the targets when—

(a) the waste has undergone a reprocessing recovery operation; and

(b) the waste is reprocessed into a product, material or substance, whether for its original or other purpose.

(2) But local authority municipal waste is not recycled for the purposes of the targets if it is used for fuel or for backfilling operations.

(3) In this article, a "backfilling operation" means an operation where waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping.

Preparation for Re-use

4.—(1) Local authority municipal waste is prepared for re-use for the purpose of the targets when—

(a) a waste product or component of a waste product has undergone a checking, cleaning or repairing recovery operation; and

(b) the waste product or component of a waste product can be re-used for its original purpose.

Composting

5.—(1) Local authority municipal waste is composted for the purpose of the targets when—

(a) biodegradable waste has undergone a recovery operation of composting or anaerobic digestion; and

(b) the waste has been reprocessed into a product, material or substance that is capable of use as a soil conditioner, fertiliser or growing medium.

(2) In this article, "composting" means the biological treatment of waste where the decomposition and stabilisation of the waste is achieved through microbial activity from an aerobic process.

(3) In this article, "anaerobic digestion" means the biological treatment of waste where the decomposition and stabilisation of the waste is achieved through microbial activity from an anaerobic process.

(**1**) Local authority municipal waste is defined in section 3(8) of the Measure as the total amount by weight of each of the following: all the waste collected by a local authority under section 45 of the Environmental Protection Act 1990 (c.43); all waste deposited at places provided by a local authority under subsection (1)(b) and (3) of section 51 of that Act; and such other waste as may be specified by order of the Welsh Ministers.

Jane Davidson

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

25 Chwefror 2011

Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

25 February 2011

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