



OFFERYNNAU STATUDOL
CYMRU

2012 Rhif 887 (Cy.118) (C.26)

**GWASANAETHAU TÂN AC
ACHUB, CYMRU A
LLOEGR**

**LLYWODRAETH LEOL,
CYMRU**

TAI, CYMRU

Gorchymyn Deddf Lleoliaeth 2011
(Cychwyn Rhif 2 a Darpariaeth
Arbed) (Cymru) 2012

NODYN ESBONIADOL

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

Hwn yw'r ail Orchymyn Cychwyn a wnaed gan Weinidogion Cymru o dan Ddeddf Lleoliaeth 2011 ("y Ddeddf").

Mae erthygl 2 o'r Gorchymyn yn dwyn i rym ar 1 Ebrill 2012, o ran Cymru a Lloegr, rannau o adrannau 9 a 10 sy'n ymwneud â phwerau awdurdodau tân ac achub yng Nghymru.

Mae erthygl 3 yn dwyn i rym ar 1 Ebrill 2012, o ran Cymru, adran 46 sy'n diddymu darpariaethau yn Neddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009, ynghylch deisebau i awdurdodau lleol; adran 162(3)(b) ac (c), sy'n gwneud diwygiadau yn y seiliau ar gyfer adennill meddiant mewn perthynas â thenantiaethau diogel yn dilyn marwolaeth tenant blaenorol; a darpariaethau diddymu cysylltiedig yn adran 237 ac Atodlen 25.

Mae erthygl 4 yn gwneud darpariaeth arbed.

WELSH STATUTORY
INSTRUMENTS

2012 No. 887 (W.118) (C.26)

**FIRE AND RESCUE
SERVICES, ENGLAND AND
WALES**

**LOCAL GOVERNMENT,
WALES**

HOUSING, WALES

The Localism Act 2011
(Commencement No. 2 and Saving
Provision) (Wales) Order 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This is the second Commencement Order made by the Welsh Ministers under the Localism Act 2011 ("the Act").

Article 2 of the Order brings into force on 1 April 2012, in relation to England and Wales, parts of sections 9 and 10 which relate to the powers of fire and rescue authorities in Wales.

Article 3 brings into force on 1 April 2012, in relation to Wales, section 46 which repeals provisions within the Local Democracy, Economic Development and Construction Act 2009 about petitions to local authorities; section 162(3)(b) and (c) which makes amendments to the grounds for the recovery of possession in relation to secure tenancies after a previous tenant's death; and related repeal provisions within section 237 and Schedule 25.

Article 4 makes a saving provision.

NODYN YNGHYLCH GORCHMYNION CYCHWYN BLAENOROL

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

Mae'r darpariaethau canlynol o'r Ddeddf wedi eu dwyn i rym ar 31 Ionawr 2012 o ran Cymru, gan Orchymyn Deddf Lleoliaeth 2011 (Cychwyn Rhif 1) (Cymru) 2012 (2012/193) (Cy.31) (C.6);

- (a) Adrannau 38 i 43; a
- (b) Adran 69.

Mae darpariaethau canlynol y Ddeddf wedi eu dwyn i rym o ran Cymru a Lloegr gan orchymynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

<i>Darpariaeth</i>	<i>Dyddiad cychwyn</i>	<i>O.S. Rhif</i>
Adran 1(1) i (6)	18.2.2012	2012/411 (C. 11)
Adrannau 2 i 7	18.2.2012	2012/411 (C. 11)
Adran 8(2)	3.12.2011	2011/2896 (C. 103)
Adran 8 (i'r graddau nad yw eisoes mewn grym)	18.2.2012	2012/411 (C. 11)
Adrannau 9 a 10 (yn rhannol)	18.2.2012	2012/411 (C. 11)
Adrannau 11 i 14	18.2.2012	2012/411 (C. 11)
Adran 15	3.12.2011	2011/2896 (C. 103)
Adran 19	3.12.2011	2011/2896 (C. 103)
Adran 20 (yn rhannol)	3.12.2011	2011/2896 (C. 103)
Pennod 4 o Ran 1 (i'r graddau nad yw eisoes mewn grym)	15.1.2012	2012/57 (C. 2)
Adran 21 (yn rhannol) ac Atodlen 2 (yn rhannol)	3.12.2011	2011/2896 (C. 103)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force in relation to Wales on 31 January 2012 by the Localism Act 2011 (Commencement No. 1) (Wales) Order 2012 (2012/193) (W.31) (C.6);

- (a) Sections 38 to 43; and
- (b) Section 69.

The following provisions of the Act have been brought into force in England and Wales by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) to (6)	18.2.2012	2012/411 (C. 11)
Sections 2 to 7	18.2.2012	2012/411 (C. 11)
Section 8(2)	3.12.2011	2011/2896 (C.103)
Section 8 (so far as not already in force)	18.2.2012	2012/411 (C. 11)
Sections 9 and 10 (partially)	18.2.2012	2012/411 (C. 11)
Sections 11 to 14	18.2.2012	2012/411 (C. 11)
Section 15	3.12.2011	2011/2896 (C. 103)
Section 19	3.12.2011	2011/2896 (C. 103)
Section 20 (partially)	3.12.2011	2011/2896 (C.103)
Chapter 4 of Part 1 (so far as not already in force)	15.1.2012	2012/57 (C. 2)
Section 21 (partially) and Schedule 2 (partially)	3.12.2011	2011/2896 (C.103)

Adran 21 ac Atodlen 2 (i'r graddau nad ydynt eisoes mewn grym)	15.1.2012	2012/57 (C. 2)
Adran 22 (yn rhannol) ac Atodlen 3 (yn rhannol)	3.12.2011	2011/2896 (C. 103)
Adran 22 (yn rhannol) ac Atodlen 3 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 24	15.1.2012	2012/57 (C. 2)
Adran 26 (yn rhannol) ac Atodlen 4 (yn rhannol)	31.1.2012	2012/57 (C. 2)
Adran 30 (yn rhannol)	31.1.2012	2012/57 (C. 2)
Adran 36 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 70	15.1.2012	2012/57 (C.2)
Adrannau 72 i 79 ac Atodlenni 5 i 7	3.12.2011	2011/2896 (C. 103)
Adran 115	15.1.2012	2012/57 (C. 2)
Adrannau 116 (yn rhannol) a 121 (yn rhannol) ac Atodlenni 10 i 12 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 124(2) (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 128(2) (*) ac Atodlen 13 (yn rhannol) (*)	15.1.2012	2012/57 (C. 2)
Adran 129 (yn rhannol) (*)	15.1.2012	2012/57 (C. 2)
Adran 138(5) (yn rhannol) (*)	15.1.2012	2012/57 (C. 2)
Adran 142(3) (yn rhannol) (*)	15.1.2012	2012/57 (C. 2)
Adran 145 (yn rhannol)	15.1.2012	2012/57 (C. 2)

Section 21 and Schedule 2 (so far as not already in force)	15.1.2012	2012/57 (C. 2)
Section 22 (partially) and Schedule 3 (partially)	3.12.2011	2011/2896 (C. 103)
Section 22 (partially) and Schedule 3 (partially)	15.1.2012	2012/57 (C. 2)
Section 24	15.1.2012	2012/57 (C. 2)
Section 26 (partially) and Schedule 4 (partially)	31.1.2012	2012/57 (C. 2)
Section 30 (partially)	31.1.2012	2012/57 (C. 2)
Section 36 (partially)	15.1.2012	2012/57 (C. 2)
Section 70	15.1.2012	2012/57 (C.2)
Sections 72 to 79 and Schedules 5 to 7	3.12.2011	2011/2896 (C. 103)
Section 115	15.1.2012	2012/57 (C. 2)
Sections 116 (partially) and 121 (partially) and Schedules 10 to 12 (partially)	15.1.2012	2012/57 (C. 2)
Section 124(2) (partially)	15.1.2012	2012/57 (C. 2)
Section 128(2) (*) and Schedule 13 (partially) (*)	15.1.2012	2012/57 (C. 2)
Section 129 (partially) (*)	15.1.2012	2012/57 (C. 2)
Section 138(5) (partially) (*)	15.1.2012	2012/57 (C. 2)
Section 142(3) (partially) (*)	15.1.2012	2012/57 (C. 2)
Section 145 (partially)	15.1.2012	2012/57 (C. 2)

Adran 146 (yn rhannol) a 147(2), (3), (4) a (5) (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 147(1) a (6)	15.1.2012	2012/57 (C. 2)
Adran 150(1), (2) a (4) i (8)	15.1.2012	2012/57 (C. 2)
Adrannau 151 a 152	15.1.2012	2012/57 (C. 2)
Adran 153 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 154 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 158 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 165 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 176	15.1.2012	2012/57 (C. 2)
Adran 178 (yn rhannol) ac Atodlen 16 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 186 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 187(1) a (2)	15.1.2012	2012/57 (C. 2)
Adran 187(3) a (4) (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 190	15.1.2012	2012/57 (C. 2)
Adran 191(2) i (5)	15.1.2012	2012/57 (C. 2)
Adrannau 193 a 194	15.1.2012	2012/57 (C. 2)
Adran 195 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 197 (3)(e), (f) a (5)	15.1.2012	2012/57 (C. 2)
Adrannau 223 a 224	15.1.2012	2012/57 (C. 2)
Adran 230	15.1.2012	2012/57 (C. 2)

Section 146 (partially) and 147(2), (3), (4) and (5) (partially)	15.1.2012	2012/57 (C. 2)
Section 147(1) and (6)	15.1.2012	2012/57 (C. 2)
Section 150(1), (2) and (4) to (8)	15.1.2012	2012/57 (C. 2)
Sections 151 and 152	15.1.2012	2012/57 (C. 2)
Section 153 (partially)	15.1.2012	2012/57 (C. 2)
Section 154 (partially)	15.1.2012	2012/57 (C. 2)
Section 158 (partially)	15.1.2012	2012/57 (C. 2)
Section 165 (partially)	15.1.2012	2012/57 (C. 2)
Section 176	15.1.2012	2012/57 (C. 2)
Section 178 (partially) and Schedule 16 (partially)	15.1.2012	2012/57 (C. 2)
Section 186 (partially)	15.1.2012	2012/57 (C. 2)
Section 187(1) and (2)	15.1.2012	2012/57 (C. 2)
Section 187 (3) and (4) (partially)	15.1.2012	2012/57 (C. 2)
Section 190	15.1.2012	2012/57 (C. 2)
Section 191 (2) to (5)	15.1.2012	2012/57 (C. 2)
Sections 193 and 194	15.1.2012	2012/57 (C. 2)
Section 195 (partially)	15.1.2012	2012/57 (C. 2)
Section 197 (3)(e), (f) and (5)	15.1.2012	2012/57 (C. 2)
Sections 223 and 224	15.1.2012	2012/57 (C. 2)
Section 230	15.1.2012	2012/57 (C. 2)

Adran 237 (yn rhannol) a Rhan 4 o Atodlen 25 (yn rhannol) a Rhannau 9, 11 i 13 a 25 o Atodlen 25	15.1.2012	2012/57 (C. 2)
Adran 237 (yn rhannol) a Rhan 5 o Atodlen 25 (yn rhannol)	31.1.2012	2012/57 (C. 2)
Adran 237 (yn rhannol) a Rhannau 2 a 3 (yn rhannol) o Atodlen 25	18.2.2012	2012/411 (C. 11)

Section 237 (partially) and Part 4 of Schedule 25 (partially) and Parts 9, 11 to 13 and 25 of Schedule 25	15.1.2012	2012/57 (C. 2)
Section 237 (partially) and Part 5 of Schedule 25 (partially)	31.1.2012	2012/57 (C. 2)
Section 237 (partially) and Parts 2 and 3 (partially) of Schedule 25	18.2.2012	2012/411 (C. 11)

(* Mae'r darpariaethau hyn yn gymwys i'r Alban yn ogystal (gweler adran 239 o'r Ddeddf) a dygwyd hwy i rym o ran yr Alban gan yr un Gorchymyn.

(* These provisions also extend to Scotland (see section 239 of the Act) and were brought into force in relation to Scotland by the same Order.

Mae'r darpariaethau canlynol o'r Ddeddf wedi eu dwyn i rym o ran Lloegr gan orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

The following provisions of the Act have been brought into force in England by commencement orders made before the date of this Order:

<i>Darpariaeth</i>	<i>Dyddiad cychwyn</i>	<i>O.S. Rhif</i>
Adran 68	15.1.2012	2012/57 (C. 2)
Adran 69(8)	3.12.2011	2011/2896 (C. 103)
Adran 69 (yn rhannol)	15.1.2012	2012/57 (C. 2)
Adran 237 (yn rhannol) a Rhan 9 o Atodlen 25	15.1.2012	2012/57 (C. 2)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 68	15.1.2012	2012/57 (C. 2)
Section 69(8)	3.12.2011	2011/2896 (C. 103)
Section 69 (partially)	15.1.2012	2012/57 (C. 2)
Section 237 (partially) and Part 9 of Schedule 25	15.1.2012	2012/57 (C. 2)

2012 Rhif 887 (Cy.118) (C.26)

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**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
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TAI, CYMRU

HOUSING, WALES

Gorchymyn Deddf Lleoliaeth 2011
(Cychwyn Rhif 2 a Darpariaeth
Arbed) (Cymru) 2012

The Localism Act 2011
(Commencement No. 2 and Saving
Provision) (Wales) Order 2012

Gwnaed 14 Mawrth 2012
Yn dod i rym 1 Ebrill 2012

Made 14 March 2012
Coming into force 1 April 2012

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adran 240(3), (4) a (7) o Ddeddf Lleoliaeth 2011(1).

The Welsh Ministers make the following Order in exercise of the powers conferred upon them by section 240(3), (4) and (7) of the Localism Act 2011(1).

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Lleoliaeth 2011 (Cychwyn Rhif 2 a Darpariaeth Arbed) (Cymru) 2012.

(2) Yn y Gorchymyn hwn—

ystyr "Deddf 2004" ("*the 2004 Act*") yw Deddf y Gwasanaethau Tân ac Achub 2004(2); ac

ystyr "y Ddeddf" ("*the Act*") yw Deddf Lleoliaeth 2011.

Y diwrnod penodedig i ddarpariaethau ddod i rym o ran Cymru a Lloegr

2. Y diwrnod penodedig i ddarpariaethau canlynol y Ddeddf ddod i rym, i'r graddau y maent yn ymwneud â Chymru a Lloegr, yw 1 Ebrill 2012—

(a) adran 9(1) i'r graddau y mae'n mewnosod—

Title and interpretation

1.—(1) The title of this Order is the Localism Act 2011 (Commencement No. 2 and Saving Provision) (Wales) Order 2012.

(2) In this Order—

"the Act" ("*y Ddeddf*") means the Localism Act 2011; and

"the 2004 Act" ("*Deddf 2004*") means the Fire and Rescue Services Act 2004(2).

Appointed day for provisions coming into force in relation to England and Wales

2. The appointed day for the coming into force of the following provisions of the Act so far as relating to England and Wales is 1 April 2012—

(a) section 9(1) so far as it inserts—

(1) 2011 p.20.

(2) 2004 p.21.

(1) 2011 c.20.

(2) 2004 c.21.

- (i) adrannau 5A a 5B newydd yn Neddf 2004 i'r graddau y maent yn ymwneud ag awdurdodau tân ac achub yng Nghymru,
- (ii) adrannau 5C a 5D newydd yn Neddf 2004 i'r graddau y maent yn ymwneud â phŵer Gweinidogion Cymru i wneud gorchmynion, a
- (iii) adrannau 5F i 5L newydd yn Neddf 2004;
- (b) adran 9(2) i'r graddau y mae'n ymwneud ag awdurdodau tân ac achub yng Nghymru;
- (c) adran 9(3), (6) a (7)(a) ac (c);
- (d) adran 9(7)(b) i'r graddau y mae'n mewnosod adran 62(1A)(a) a (d) newydd yn Neddf 2004;
- (e) adran 9(7)(b) i'r graddau y mae'n mewnosod adran 62(1A)(b) newydd yn Neddf 2004 i'r graddau y mae'n ymwneud â phŵer Gweinidogion Cymru i wneud gorchmynion;
- (f) adran 10(1) i (3) a (5) i'r graddau y mae'n ymwneud ag awdurdodau tân ac achub yng Nghymru;
- (g) adran 10(4);
- (h) i'r graddau y maent yn ymwneud ag awdurdodau tân ac achub yng Nghymru, y cofnodion ar gyfer adrannau 5 ac 19 o Ddeddf 2004 yn Rhan 2 o Atodlen 25, ac adran 237 i'r graddau y mae'n ymwneud â'r cofnodion hynny; ac
- (i) y cofnod ar gyfer adran 62(3) o Ddeddf 2004 yn Rhan 2 o Atodlen 25, ac adran 237 i'r graddau y mae'n ymwneud â'r cofnod hwnnw.

- (i) new sections 5A and 5B of the 2004 Act so far as relating to fire and rescue authorities in Wales,
- (ii) new sections 5C and 5D of the 2004 Act so far as relating to power of the Welsh Ministers to make orders, and
- (iii) new sections 5F to 5L of the 2004 Act;
- (b) section 9(2) so far as relating to fire and rescue authorities in Wales;
- (c) section 9(3), (6) and (7)(a) and (c);
- (d) section 9(7)(b) so far as it inserts new section 62(1A)(a) and (d) of the 2004 Act;
- (e) section 9(7)(b) so far as it inserts new section 62(1A)(b) of the 2004 Act so far as relating to power of the Welsh Ministers to make orders;
- (f) section 10(1) to (3) and (5) so far as relating to fire and rescue authorities in Wales;
- (g) section 10(4);
- (h) so far as they relate to fire and rescue authorities in Wales, the entries for sections 5 and 19 of the 2004 Act in Part 2 of Schedule 25, and section 237 so far as relating to those entries; and
- (i) the entry for section 62(3) of the 2004 Act in Part 2 of Schedule 25, and section 237 so far as relating to that entry.

Y diwrnod penodedig i ddarpariaethau ddod i rym o ran Cymru

3. Y diwrnod penodedig i ddarpariaethau canlynol y Ddeddf ddod i rym, i'r graddau y maent yn ymwneud â Chymru, yw 1 Ebrill 2012—

- (a) adran 46;
- (b) yn ddarostyngedig i erthygl 4, adran 162(3) (b) ac (c); ac
- (c) Rhannau 7 a 10 o Atodlen 25, ac adran 237 i'r graddau y mae'n ymwneud â'r Rhannau hynny.

Darpariaeth arbed

4.—(1) Mae'r ddarpariaeth arbed ganlynol yn cael effaith.

(2) Mae'r diwygiadau a wneir gan adran 162(3)(b) ac (c) o'r Ddeddf yn gymwys mewn perthynas â thenantiaeth os bu farw'r tenant diogel, y cyfeirir ato yn adran 89(1) neu 90(1) (yn ôl fel y digwydd) o Ddeddf Tai 1985(1) ("y tenant blaenorol"), ar neu ar ôl 1 Ebrill 2012.

Appointed day for provisions coming into force in relation to Wales

3. The appointed day for the coming into force of the following provisions of the Act so far as relating to Wales is 1 April 2012—

- (a) section 46;
- (b) subject to article 4, section 162(3)(b) and (c); and
- (c) Parts 7 and 10 of Schedule 25, and section 237 so far as relating to those Parts.

Saving provision

4.—(1) The following saving provision has effect.

(2) The amendments made by section 162(3)(b) and (c) of the Act apply in respect of a tenancy where the secure tenant referred to in section 89(1) or 90(1) (as the case may be) of the Housing Act 1985(1) ("the previous tenant") died on or after 1 April 2012.

(1) 1985 c.68.

(1) 1985 c.68.

(3) Nid yw'r diwygiadau hynny yn gymwys os bu farw'r tenant blaenorol cyn y dyddiad hwnnw.

(4) Mae i'r geiriau ac ymadroddion a ddefnyddir yn yr erthygl hon, yr un ystyr a roddir i eiriau ac ymadroddion Saesneg cyfatebol yn Rhan 4 o Ddeddf Tai 1985 ac yn Atodlen 2 i'r Ddeddf honno.

(3) Those amendments do not apply where the previous tenant died before that date.

(4) Words and phrases used in this article have the same meaning as in Part 4 of and Schedule 2 to the Housing Act 1985.

Carl Sargeant

Y Gweinidog Llywodraeth Leol a Chymunedau, un o Weinidogion Cymru.

14 Mawrth 2012

Minister for Local Government and Communities, one of the Welsh Ministers.

14 March 2012

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