



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2016 Rhif 78 (Cy. 35)**

**2016 No. 78 (W. 35)**

**RHEOLI PERYGL  
LLIFOGYDD, CYMRU**

**FLOOD RISK MANAGEMENT,  
WALES**

Rheoliadau Deddf Cronfeydd Dŵr  
1975 (Esemptiadau, Apeliadau ac  
Arolygiadau) (Cymru) 2016

The Reservoirs Act 1975  
(Exemptions, Appeals and  
Inspections) (Wales) Regulations  
2016

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

At ddibenion Deddf Cronfeydd Dŵr 1975 (p.23) (“Deddf 1975”), mae'r Rheoliadau hyn yn darparu ar gyfer—

- (a) pethau penodedig nad ydynt i'w trin fel cyforgronfeydd dŵr mawr (rheoliad 3);
- (b) hawl i apelio yn erbyn dynodi cyforgronfeydd dŵr mawr yn gronfeydd dŵr risg uchel (rheoliad 4);
- (c) hawl i apelio yn erbyn hysbysiadau a roddwyd gan Gorff Adnoddau Naturiol Cymru naill ai i benodi peiriannydd neu i roi effaith i argymhelliad peiriannydd (rheoliad 5); ac
- (d) amseroedd arolygiadau (rheoliad 9).

Mae adran 2E o Ddeddf 1975 yn ei gwneud yn ofynnol i Weinidogion Cymru ddarparu hawl i apelio yn erbyn dynodi cyforgronfa ddŵr fawr yn gronfa ddŵr risg uchel. Mae adran 19A o Ddeddf 1975 yn ei gwneud yn ofynnol i Weinidogion Cymru ddarparu hawl i apelio yn erbyn gofyniad i benodi peiriannydd a gofyniad i roi effaith i argymhelliad peiriannydd o dan amrywiad o adrannau Deddf 1975.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

For the purposes of the Reservoirs Act 1975 (c.23) (“the 1975 Act”), these Regulations provide for—

- (a) specified things not to be treated as large raised reservoirs (regulation 3);
- (b) a right of appeal against designations of large raised reservoirs as high-risk reservoirs (regulation 4);
- (c) a right of appeal against notices given by the Natural Resources Body for Wales either to appoint an engineer or to carry a recommendation of an engineer into effect (regulation 5); and
- (d) the timings of inspections (regulation 9).

Section 2E of the 1975 Act requires the Welsh Ministers to provide a right of appeal against the designation of a large raised reservoir as a high-risk reservoir. Section 19A of the 1975 Act requires the Welsh Ministers to provide a right of appeal against a requirement to appoint an engineer and a requirement to carry a recommendation of an engineer into effect under various sections of the 1975 Act.

Mae'r Rheoliadau hyn yn rhoi awdurdodaeth i Weinidogion Cymru ystyried apeliadau a wneir o dan y Rheoliadau hyn ac yn gwneud darpariaeth ar gyfer y broses apelio.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd Asesiad Effaith Rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth Dîm Rheoli Perygl Llifogydd ac Erydu Arfordirol yr Is-adran Ynni, Dŵr a Llifogydd, Llywodraeth Cymru, Adeiladau'r Goron, Parc Cathays, Caerdydd CF10 3NQ.

These Regulations confer jurisdiction on the Welsh Ministers to consider appeals made under these Regulations and make provision for the appeals process.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a Regulatory Impact Assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Flood and Coastal Erosion Risk Management Team of the Energy, Water and Flood Division, the Welsh Government, Crown Buildings, Cathays Park, Cardiff CF10 3NQ.

**2016 Rhif 78 (Cy. 35)**

**RHEOLI PERYGL  
LLIFOGYDD, CYMRU**

Rheoliadau Deddf Cronfeydd Dŵr  
1975 (Esemptiadau, Apeliadau ac  
Arolygiadau) (Cymru) 2016

*Gwnaed* 27 Ionawr 2016  
*Yn dod i rym yn unol â rheoliad 1(2)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau A1(8), 2E(1), 5, 10(2) a 19A(1) o Ddeddf Cronfeydd Dŵr 1975(1) yn gwneud y Rheoliadau a ganlyn.

Mae drafft o'r Rheoliadau hyn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru, a'i gymeradwyo drwy benderfyniad ganddo, yn unol ag adran 5(6), (7) ac (8) o Ddeddf Cronfeydd Dŵr 1975.

**2016 No. 78 (W. 35)**

**FLOOD RISK MANAGEMENT,  
WALES**

The Reservoirs Act 1975  
(Exemptions, Appeals and  
Inspections) (Wales) Regulations  
2016

*Made* 27 January 2016  
*Coming into force in accordance with  
regulation 1(2)*

The Welsh Ministers, in exercise of the powers conferred by sections A1(8), 2E(1), 5, 10(2) and 19A(1) of the Reservoirs Act 1975(1) make the following Regulations.

A draft of these Regulations has been laid before and approved by a resolution of the National Assembly for Wales pursuant to section 5(6), (7) and (8) of the Reservoirs Act 1975.

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(1) 1975 (p.23). Mewnosodwyd adrannau A1, 2E, 19A gan adran 33 o Ddeddf Rheoli Llifogydd a Dŵr 2010 (p.29) a pharagraffau 2, 7 a 30 o Atodlen 4 iddi. Mae swyddogaethau o dan yr adrannau hyn wedi eu rhoi i "y Gweinidog". Mae adran 33 o Ddeddf Rheoli Llifogydd a Dŵr 2010, a pharagraff 42 o Atodlen 4 iddi, yn darparu bod cyfeiriad at y Gweinidog yn gyfeiriad at Weinidogion Cymru, mewn perthynas â Chymru. Diwygiwyd adran 10(2) gan adran 33 o Ddeddf Rheoli Llifogydd a Dŵr 2010 a pharagraff 12(3) o Atodlen 4 iddi. Mae diwygiadau eraill ond nid ydynt yn berthnasol. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 5, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru, yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672 ac Atodlen 1 iddo. Mae'r swyddogaethau hynny yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30 o Atodlen 11 iddi.

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(1) 1975 (c.23). Sections A1, 2E, 19A were inserted by section 33 of, and paragraphs 2, 7 and 30 of Schedule 4 to, the Flood and Water Management Act 2010 (c.29). Functions under these sections are conferred on "the Minister". Section 33 of, and paragraph 42 of Schedule 4 to, the Flood and Water Management Act 2010 provides that a reference to the Minister is a reference to the Welsh Ministers, in relation to Wales. Section 10(2) was amended by section 33 of, and paragraph 12(3) of Schedule 4 to, the Flood and Water Management Act 2010. There are other amendments but none is relevant. Functions of the Secretary of State under section 5, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales, by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, SI 1999/672. Those functions are exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

## Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Cronfeydd Dŵr 1975 (Esemptiadau, Apeliadau ac Arolygiadau) (Cymru) 2016.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2016.

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

## Dehongli

### 2. Yn y Rheoliadau hyn—

mae i “cronfa ddŵr risg uchel” (“*high risk reservoir*”) yr un ystyr ag a roddir i “high-risk reservoir” yn adran 2C o Ddeddf Cronfeydd Dŵr 1975;

mae i “cyforgronfa ddŵr fawr” (“*large raised reservoir*”) yr un ystyr ag a roddir i “large raised reservoir” yn adran A1 o Ddeddf Cronfeydd Dŵr 1975;

ystyr “CANC” (“*NRBW*”) yw Corff Adnoddau Naturiol Cymru

ystyr “Deddf 1975” (“*the 1975 Act*”) yw Deddf Cronfeydd Dŵr 1975;

mae i “ymgymerwr” (“*undertaker*”) yr un ystyr ag a roddir i “undertakers” yn adran 1(4) o Ddeddf Cronfeydd Dŵr 1975.

## Pethau penodedig ddim i'w drin fel cyforgronfeydd dŵr mawr

3.—(1) Yn unol ag adran A1(8) o Ddeddf 1975, nid yw'r pethau a ganlyn i'w drin fel cyforgronfeydd dŵr mawr at ddibenion y Ddeddf honno—

(a) lagŵn mwyntfa sy'n dip o fewn ystyr Rheoliadau Mwynfeydd 2014(1);

(b) lagŵn chwarel sy'n—

(i) dip o fewn ystyr Rheoliadau Chwareli 1999(2); neu

(ii) dip segur o fewn ystyr Rhan 2 o Ddeddf Mwynfeydd a Chwareli (Tipiau) 1969(3);

(c) camlas neu fordwyath mewndirol arall;

## Title, commencement and application

1.—(1) The title of these Regulations is the Reservoirs Act 1975 (Exemptions, Appeals and Inspections) (Wales) Regulations 2016.

(2) These Regulations come into force on the 1 April 2016.

(3) These Regulations apply in relation to Wales.

## Interpretation

### 2. In these Regulations—

“the 1975 Act” (“*Deddf 1975*”) means the Reservoirs Act 1975;

“high-risk reservoir” (“*cronfa ddŵr risg uchel*”) has the meaning given to it in section 2C of the Reservoirs Act 1975;

“large raised reservoir” (“*cyforgronfa ddŵr fawr*”) has the meaning given to it in section A1 of the Reservoirs Act 1975;

“NRBW” (“*CANC*”) means the Natural Resources Body for Wales;

“undertaker” (“*ymgymerwr*”) has the meaning given to ‘undertakers’ in section 1(4) of the Reservoirs Act 1975.

## Specified things not to be treated as large raised reservoirs

3.—(1) Pursuant to section A1(8) of the 1975 Act the following things are not to be treated as large raised reservoirs for the purpose of that Act—

(a) a mine lagoon which is a tip within the meaning of the Mines Regulations 2014(1);

(b) a quarry lagoon which is—

(i) a tip within the meaning of the Quarries Regulations 1999(2); or

(ii) a disused tip within the meaning of Part 2 of the Mines and Quarries (Tips) Act 1969(3);

(c) a canal or other inland navigation;

(1) O.S. 2014/3248.

(2) O.S. 1999/2024, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) 1969 (p. 10)

(1) S.I. 2014/3248.

(2) S.I. 1999/2024, to which there are amendments not relevant to these Regulations.

(3) 1969 c.10

- (d) strwythurau a ddyluniwyd ac a adeiladwyd â'r prif ddiben o amddiffyn tir rhag y môr; neu
- (e) arglawdd ffordd neu arglawdd rheilffordd ac eithrio —
  - (i) pan mae'r draen neu'r draeniau sy'n rhedeg trwyddo wedi ei flocio neu eu blocio mewn ffordd artiffisial at ddibenion defnyddio ardaloedd i fyny'r afon i storio dŵr; neu
  - (ii) pan mae'r draen neu'r draeniau sy'n rhedeg trwyddo wedi ei adeiladu neu eu hadeiladu fel bod dŵr yn cael ei storio yn uwch na lefel naturiol y tir.

- (d) structures designed and constructed with the primary purpose of protecting land from the sea: or
- (e) a road embankment or railway embankment except where—
  - (i) the drain or drains through it are artificially blocked for the purposes of using areas upstream to store water; or
  - (ii) the drain or drains through it are constructed so that water is stored above natural ground level.

(2) Nid yw paragraff (1)(c) yn cynnwys cronfa ddŵr sy'n ffurfio rhan o gamlas neu fordwyath fewndirol arall.

(2) Paragraph (1)(c) does not include a reservoir which forms part of a canal or other inland navigation.

#### **Hawl i apelio dynodiad cyforgronfa ddŵr fawr yn gronfa ddŵr risg uchel**

4.—(1) Caiff ymgwymerwr sydd wedi ei gyflwyno ag hysbysiad o dan adran 2B(1) o Ddeddf 1975(1) apelio yn erbyn y dynodiad ar unrhyw sail i Weinidogion Cymru.

(2) Wrth benderfynu ar apêl o dan baragraff (1), rhaid i Weinidogion Cymru naill ai gadarnhau neu ganslo'r dynodiad.

#### **Right to appeal a designation of a large raised reservoir as a high-risk reservoir**

4.—(1) An undertaker who has been served with a notice under section 2B(1) of the 1975 Act(1) may appeal the designation on any ground to the Welsh Ministers.

(2) On deciding an appeal under paragraph (1), the Welsh Ministers must either confirm or cancel the designation.

#### **Hawl i apelio yn erbyn gofyniad mewn hysbysiad**

5.—(1) Caiff ymgwymerwr y mae hysbysiad gorfodi wedi ei gyflwyno iddo apelio i Weinidogion Cymru ar unrhyw sail yn erbyn gofyniad yn yr hysbysiad i benodi peiriannydd neu i roi effaith i argymhelliad peiriannydd.

(2) Wrth benderfynu ar apêl o dan baragraff (1), rhaid i Weinidogion Cymru—

- (a) cadarnhau'r gofyniad;
- (b) addasu'r gofyniad; neu
- (c) penderfynu rhoi'r gorau i'r gofyniad cael effaith.

(3) Pan fo apêl yn cael ei gwneud, caiff y gofyniad ei atal tra bo'r apêl yn cael ei phenderfynu.

(4) Yn y rheoliad hwn ystyr "hysbysiad gorfodi" yw hysbysiad a roddir o dan adran 8(1), 8(3A)(2), 9(7), 10(7), 12(4), 13(5) neu 14(4) o Ddeddf 1975.

#### **Right to appeal a requirement in a notice**

5.—(1) An undertaker who has been served with an enforcement notice may appeal to the Welsh Ministers on any ground against a requirement in the notice to appoint an engineer or carry a recommendation of an engineer into effect.

(2) On deciding an appeal under paragraph (1), the Welsh Ministers must—

- (a) confirm the requirement;
- (b) modify the requirement; or
- (c) determine that the requirement is to cease to have effect.

(3) Where an appeal is brought, the requirement is suspended while the appeal is pending.

(4) In this regulation "enforcement notice" means a notice given under section 8(1), 8(3A)(2), 9(7), 10(7), 12(4), 13(5) or 14(4) of the 1975 Act.

(1) Mewnosodwyd adran 2B gan adran 33 o Ddeddf Rheoli Llifogydd a Dŵr 2010 (p. 29) a pharagraff 7 o Atodlen 4 iddi.  
 (2) Mewnosodwyd adran 8(3A) gan adran 75 o Ddeddf Dŵr 2003 (p. 37).

(1) Section 2B was inserted by section 33 of, and paragraph 7 of Schedule 4 to, the Flood and Water Management Act 2010 (c.29)  
 (2) Section 8(3A) was inserted by section 75 of the Water Act 2003 c.37.

## Apeliadau

6.—(1) Rhaid i apêl o dan reoliad 4 neu 5—

- (a) cael ei gwneud yn ysgrifenedig;
- (b) datgan seiliau'r apêl; ac
- (c) dod i law Gweinidogion Cymru ddim mwy na 28 diwrnod ar ôl y dyddiad y cyflwynir hysbysiad gorfodi, neu hysbysiad a gyflwynir o dan adran 2B o'r Ddeddf, i'r ymgwymerwr.

(2) Rhaid i Weinidogion Cymru gyfeirio'r apêl at berson penodedig iddo ei hystyried a phenderfynu arni.

(3) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cael apêl rhaid i Weinidogion Cymru anfon copi o'r apêl a'r wybodaeth ategol at CANC.

## Trafodion gerbron y person penodedig

7.—(1) Os yw'r person penodedig wedi ei fodloni bod apêl wedi ei chyflwyno yn unol â rheoliad 6 rhaid i'r person penodedig benderfynu ar y cais.

(2) Yn ddarostyngedig i baragraffau (3) i (10), mae'r person penodedig i benderfynu ar y weithdrefn ar gyfer penderfynu ar apêl.

(3) Cyn penderfynu ar apêl rhaid i'r person penodedig—

- (a) caniatáu 21 o ddiwrnodau i'r apelydd a CANC gyflwyno sylwadau a dogfennau ategol mewn perthynas â'r apêl;
- (b) cyn gynted ag y bo'n rhesymol ymarferol anfon copi i CANC o unrhyw sylwadau a dogfennau ategol a gyflwynwyd gan yr apelydd o dan is-baragraff (a);
- (c) cyn gynted ag y bo'n rhesymol ymarferol anfon copi i'r apelydd o unrhyw sylwadau a dogfennau ategol a gyflwynwyd gan CANC o dan is-baragraff (a);
- (d) caniatáu 14 o ddiwrnodau pellach i'r apelydd a CANC gyflwyno sylwadau ar sylwadau a dogfennau ategol y naill a'r llall i'r person penodedig.

(4) Caiff y person penodedig ofyn am wybodaeth bellach gan yr apelydd neu CANC ar unrhyw adeg.

(5) Ar ôl ystyried y sylwadau a'r dogfennau a gyflwynwyd o dan baragraff (3) rhaid i'r person penodedig benderfynu a fydd yr apêl yn cael ei chynnal drwy sylwadau ysgrifenedig neu drwy wrandawriad a rhaid hysbysu'r partïon am y penderfyniad.

(6) Os yw apêl i'w phenderfynu drwy wrandawriad rhaid i'r person penodedig bennu'r dyddiad a rhoi o leiaf 28 o ddiwrnodau o rybudd i'r apelydd ac i CANC.

## Appeals

6.—(1) An appeal under regulation 4 or 5 must—

- (a) be made in writing;
- (b) state the grounds of the appeal; and
- (c) must be received by the Welsh Ministers no more than 28 days after the date on which the undertaker is served with an enforcement notice or a notice served under section 2B of the Act.

(2) The Welsh Ministers must remit the appeal to an appointed person for consideration and determination.

(3) As soon as reasonably practicable after receiving an appeal the Welsh Ministers must send a copy of the appeal and supporting evidence to NRBW.

## Proceedings before the appointed person

7.—(1) If the appointed person is satisfied that an appeal is filed in accordance with regulation 6 the appointed person must determine the application.

(2) Subject to paragraphs (3) to (10), the procedure for determining the appeal is to be decided by the appointed person.

(3) Before determining the appeal the appointed person must—

- (a) allow the appellant and NRBW 21 days to submit representations and supporting documents in relation to the appeal;
- (b) as soon as reasonably practicable send to the NRBW a copy of any representations and supporting documents submitted by the appellant under sub paragraph (a);
- (c) as soon as reasonably practicable send to the appellant a copy of any representations and supporting documents submitted by the NRBW under sub paragraph (a);
- (d) allow the appellant and NRBW a further 14 days to submit comments on each other's representations and supporting documents to the appointed person.

(4) The appointed person may at any time request further information from the appellant or NRBW.

(5) After consideration of the representations and documents submitted under paragraph (3) the appointed person must decide whether the appeal will be conducted by written representations or by hearing and must inform the parties of the decision.

(6) If an appeal is to be determined by a hearing the appointed person must fix the date and allow the appellant and NRBW at least 28 days notice.

(7) Os yw'r naill barti neu'r llall yn bwriadu galw neu roi tystiolaeth gan dyst yn y gwrandawriad rhaid iddynt, o leiaf 14 o ddiwrnodau cyn y dyddiad a bennwyd ar gyfer y gwrandawriad, anfon proflen o'r dystiolaeth y bwriedir ei rhoi at y person penodedig.

(8) Rhaid i'r person penodedig sicrhau bod gan y ddau barti gopiâu o'r holl broflenni tystiolaeth a gyflwynwyd o dan baragraff (7).

(9) Caiff yr apelydd dynnu apêl yn ôl drwy roi hysbysiad ysgrifenedig i'r person penodedig ar unrhyw adeg cyn i'r person penodedig benderfynu arni.

(10) Mae'r holl bartïon i'r apêl i ddwyn eu costau eu hunain.

### **Effaith penderfyniad gan y person penodedig**

8. Mae Gweinidogion Cymru wedi eu rhwymo gan benderfyniad gan y person penodedig.

### **Arolygiad cyfnodol o gronfeydd dŵr risg uchel**

9.—(1) At ddibenion adran 10(2) o Ddeddf 1975, mae cronfa ddŵr risg uchel i'w harolygu ar bob un o'r adegau a ganlyn—

- (a) cyn diwedd y cyfnod o chwe mis gan ddechrau ar ddyddiad cwblhau unrhyw addasiad i'r gronfa ddŵr—
  - (i) nad yw'n cynyddu neu'n lleihau ei chynhwysedd;
  - (ii) y gallai'r fath addasiad effeithio ar ei diogelwch; a
  - (iii) sydd heb ei ddylunio na'i oruchwylio gan beiriannydd sifil cymwysedig;
- (b) ar unrhyw adeg a argymhellir gan y peiriannydd sy'n goruchwylio o dan adran 12(3) o Ddeddf 1975;
- (c) ar unrhyw adeg a argymhellir yn adroddiad y peiriannydd sy'n arolygu a luniwyd o dan adran 10(3) o Ddeddf 1975;
- (d) o fewn blwyddyn i'w dynodi o dan adran 2B o Ddeddf 1975;
- (e) yn ddim hwyrach na 10 mlynedd ar ôl dyddiad yr arolygiad diweddaraf a wnaed o dan adran 10 o Ddeddf Cronfeydd Dŵr 1975 ac unwaith bob 10 mlynedd wedi hynny.

(2) Nid yw paragraff (1)(d) yn gymwys i unrhyw gronfa ddŵr a gofrestrwyd fel cyfgronfa ddŵr fawr yn flaenorol o dan Reoliadau Deddf Cronfeydd Dŵr 1975 (Cofrestrau, Adroddiadau a Chofnodion) 1985(1).

(7) If either party intend to call or give witness evidence at the hearing they must, at least 14 days before the date fixed for the hearing send a proof of the evidence intended to be given to the appointed person.

(8) The appointed person must ensure both parties have copies of all proofs of evidence submitted under paragraph (7).

(9) An appeal may be withdrawn by the appellant by notice in writing to the appointed person at any time before it is determined by the appointed person.

(10) All parties to the appeal are to bear their own costs.

### **Effect of a determination made by the appointed person**

8. The Welsh Ministers are bound by a determination by the appointed person.

### **Periodical inspection of high-risk reservoirs**

9.—(1) For the purposes of section 10(2) of the 1975 Act, a high-risk reservoir is to be inspected at each of the following times—

- (a) before the end of the period of six months beginning on the date of completion of any alteration to the reservoir which—
  - (i) does not increase or decrease its capacity;
  - (ii) is such as might affect its safety; and
  - (iii) has not been designed and supervised by a qualified civil engineer;
- (b) at any time recommended by the supervising engineer under section 12(3) of the 1975 Act;
- (c) at any time recommended in the report of the inspecting engineer made under section 10(3) of the 1975 Act;
- (d) within one year of designation under section 2B of the 1975 Act.
- (e) no later than 10 years after the date of the most recent inspection made under section 10 of the 1975 Act and once every 10 years thereafter.

(2) Paragraph (1)(d) does not apply to any reservoir previously registered as a large raised reservoir under the Reservoirs Act 1975 (Registers, Reports and Records) Regulations 1985(1).

(3) Nid yw'r gofyniad i arolygu cronfa ddŵr risg uchel o dan adran 10(2) o Ddeddf 1975 wedi ei gyflawni pan bod yr arolygiad wedi ei gyfyngu i ran o'r gronfa ddŵr.

(4) Nid yw paragraff (3) yn gymwys mewn unrhyw achos pan fo peiriannydd sy'n arolygu sy'n gweithredu o dan adran 12(3) o Ddeddf 1975 neu beiriannydd sy'n goruchwyllo sy'n gweithredu o dan adran 10(3) o'r Ddeddf honno yn argymhell bod arolygiad yn cael ei gyfyngu i ran o'r gronfa ddŵr.

(3) The requirement to have a high-risk reservoir inspected under section 10(2) of the 1975 Act is not fulfilled where the inspection is limited to part of the reservoir.

(4) Paragraph (3) does not apply in any case where an inspecting engineer acting under section 12(3) of the 1975 Act or a supervising engineer acting under section 10(3) of that Act recommends that an inspection is limited to part of the reservoir.

*Carl Sargeant*

Y Gweinidog Cyfoeth Naturiol, un o Weinidogion  
Cymru  
27 Ionawr 2016

Minister for Natural Resources, one of the Welsh  
Minister  
27 January 2016

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