OFFERYNNAU STATUDOL CYMRU

2018 Rhif 197 (Cy. 46)

PWERAU YMCHWILIO, CYMRU

Gorchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) (Diwygio) (Cymru) 2018

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn wedi ei wneud gan Weinidogion Cymru ac mae'n diwygio Gorchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) 2010 ("y Prif Orchymyn").

Mae erthygl 2 y Gorchymyn hwn yn diwygio'r Prif Orchymyn drwy fewnosod cofnod yn Rhan 1 o'r Atodlen i'r Prif Orchymyn mewn perthynas ag Awdurdod Cyllid Cymru ("ACC"). Mae hyn er mwyn rhagnodi gradd y bobl hynny o fewn ACC sy'n gallu awdurdodi gweithgarwch at ddibenion adrannau 28 a 29 o Ddeddf Rheoleiddio Pwerau Ymchwilio 2000.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

WELSH STATUTORY INSTRUMENTS

2018 No. 197 (W. 46)

INVESTIGATORY POWERS, WALES

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) (Wales) Order 2018

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made by the Welsh Ministers and makes amendment to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 ("the Principal Order").

Article 2 of this Order amends the Principal Order by inserting an entry into Part 1 of the Schedule to the Principal Order in relation to the Welsh Revenue Authority ("WRA"). This is to prescribe the rank of those within WRA who can authorise activity for the purposes of sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2018 Rhif 197 (Cy. 46)

PWERAU YMCHWILIO, CYMRU

Gorchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) (Diwygio) (Cymru) 2018

Gwnaed *20 Chwefror 2018*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *21 Chwefror 2018*

Yn dod i rym *1 Ebrill 2018*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 30(1) a (6A) o Ddeddf Rheoleiddio Pwerau Ymchwilio 2000(**1**).

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) (Diwygio) (Cymru) 2018.

(2) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2018.

(**1**) 2000 p. 23. Diwygiwyd adran 30 gan adran 187 o Ddeddf Casglu a Rheoli Trethi (Cymru) 2016 (dccc 6). O ganlyniad i'r diwygiad hwn, mae'r pŵer yn is-adran 30(1) yn arferadwy gan Weinidogion Cymru at ddibenion rhagnodi personau sy'n arfer swyddogaethau Awdurdod Cyllid Cymru o unrhyw ddisgrifiad neu sy'n dal unrhyw swydd neu radd a ragnodir.

WELSH STATUTORY INSTRUMENTS

2018 No. 197 (W. 46)

INVESTIGATORY POWERS, WALES

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) (Wales) Order 2018

Made *20 February 2018*

Laid before the National Assembly for Wales *21 February 2018*

Coming into force *1 April 2018*

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 30(1) and (6A) of the Regulation of Investigatory Powers Act 2000(**1**).

Title and commencement

1.—(1) The title of this Order is the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) (Wales) Order 2018.

(2) This Order comes into force on 1 April 2018.

(**1**) 2000 c. 23. Section 30 was amended by section 187 of the Tax Collection and Management (Wales) Act 2016 (anaw 6). As a result of this amendment the power in subsection 30(1) is exercisable by the Welsh Ministers for the purposes of prescribing persons exercising Welsh Revenue Authority functions of such description or holding such offices, ranks or positions as may be prescribed.

Diwygio Gorchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) 2010

2. Yn Rhan 1 o'r Atodlen i Orchymyn Rheoleiddio Pwerau Ymchwilio (Gwyliadwriaeth Gyfeiriedig a Ffynonellau Cuddwybodaeth Ddynol) 2010(**1**) (swyddi etc. a chyfyngiadau mewn cysylltiad ag awdurdodau cyhoeddus a bennir yn Rhan 1 o Atodlen 1 i'r Ddeddf), ar ôl y cofnod ar gyfer "The Welsh Assembly Government"(**2**) mewnosoder—

"The Welsh Revenue Authority	Grade 7 or equivalent	—	Paragraphs (b) and (f)".

Amendment of the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010

2. In Part 1 of the Schedule to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligences Sources) Order 2010(**1**) (offices etc. and restrictions in respect of public authorities specified in Part 1 of Schedule 1 to the Act), after the entry for "The Welsh Assembly Government"(**2**) insert—

"The Welsh Revenue Authority	Grade 7 or equivalent	—	Paragraphs (b) and (f)".

Mark Drakeford

Ysgrifennydd y Cabinet dros Gyllid, un o Weinidogion Cymru

20 Chwefror 2018

Cabinet Secretary for Finance, one of the Welsh Ministers

20 February 2018

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(**1**) O.S. 2010/521, y mae diwygiadau iddo ond nid oes yr un ohonynt yn berthnasol.
(**2**) Addaswyd gan Ddeddf Cymru 2014 (p. 29), adran 4(4)(a) fel bod rhaid ei ddarllen "The Welsh Government".

(**1**) S.I. 2010/521, to which there are amendments but none are relevant.
(**2**) Modified by the Wales Act 2014 (c. 29), section 4(4)(a) so that it is to be read as "The Welsh Government".

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WELSH STATUTORY INSTRUMENTS

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