



# Deddf yr Amgylchedd Hanesyddol (Cymru) 2016

2016 dccc 4

RHAN 5

CYFFREDINOL

## 40 Rheoliadau a gorchmynion

- (1) Yn adran 60 o [Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979](#) (p.46) (rheoliadau a gorchmynion: darpariaethau cyffredinol), ar ôl is-adran (1) mewnosoder—

“(1A) Any power of the Welsh Ministers to make regulations or an order under this Act includes power to make such incidental, supplemental, consequential, transitory, transitional or saving provision as the Welsh Ministers consider appropriate.”

- (2) Ar ôl is-adran (2) o'r adran honno mewnosoder—

“(3) Any power of the Welsh Ministers to make regulations under this Act or an order under section 3, 37 or 61 is exercisable by statutory instrument.

- (4) A statutory instrument containing—

- (a) regulations under section 1AA or 9ZB; or
- (b) regulations which, by virtue of subsection (1A), amend or repeal any provision of an Act of Parliament or an Act or Measure of the National Assembly for Wales,

may not be made by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

- (5) Any other statutory instrument containing regulations or an order made by the Welsh Ministers under this Act, other than regulations under section 19,

is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”

- (3) Yn adran 93 o **Ddeddf Cynllunio (Adeiladau Rhestrdig ac Ardaloedd Cadwraeth) 1990 (p.9)** (rheoliadau a gorchmynion: darpariaethau cyffredinol), yn is-adran (1), ar ôl “regulations under this Act” mewnosoder “in relation to England and the Welsh Ministers may make regulations under this Act in relation to Wales”.
- (4) Yn is-adran (3) o’r adran honno—
- (a) ar ôl “regulations made under this Act” mewnosoder “, other than regulations under section 2A, 26M or 56A,”, a
  - (b) ar ôl “either House of Parliament” mewnosoder “(in the case of regulations made by the Secretary of State) or the National Assembly for Wales (in the case of regulations made by the Welsh Ministers)”.
- (5) Ar ôl is-adran (3) o’r adran honno mewnosoder—
- “(3A) A statutory instrument containing regulations under section 2A, 26M or 56A may not be made by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.”
- (6) Yn is-adran (4) o’r adran honno, ar ôl “sections 8(5), 26C,” insert “55(5B),”.
- (7) Yn is-adran (5) o’r adran honno—
- (a) ar ôl “an order under section” mewnosoder “55(5B),” a
  - (b) ar ôl “either House of Parliament” mewnosoder “(in the case of an order made by the Secretary of State) or the National Assembly for Wales (in the case of an order made by the Welsh Ministers)”.
- (8) Yn is-adran (6) o’r adran honno, ar ôl “the Secretary of State” mewnosoder “or (as the case may be) the Welsh Ministers”.
- (9) Yn adran 21 o’r Ddeddf honno (apelau: darpariaeth atodol), hepgorer is-adrannau (10) ac (11).
- (10) Yn Atodlen 3 i’r Ddeddf honno (penderfynu ar apelau penodol gan berson a benodir gan Weinidogion Cymru), ym mharagraff 8, hepgorer is-baragraff (6).
- (11) Rhaid i reoliadau o dan y Ddeddf hon gael eu gwneud drwy offeryn statudol.
- (12) Ni chaniateir i offeryn statudol sy’n cynnwys—
- (a) rheoliadau o dan adran 35(9) (pŵer i amrywio ystyr “cofnod amgylchedd hanesyddol”), neu
  - (b) rheoliadau o dan adran 39(7)(h) (Y Panel Cynghori ar Amgylchedd Hanesyddol Cymru: anghymhwysio staff sefydliadau penodedig rhag bod yn aelodau),
- gael ei wneud oni bai bod drafft o’r offeryn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo drwy benderfyniad ganddo.