CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 3731 (Cy.308)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Cymru) 2001

NODYN ESBONIADOL

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

Mae Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau wedi'u Cymeradwyo) 1990 yn cynnwys rhestr o fuddsoddiadau sydd wedi'u cymeradwyo at ddibenion Rhan IV o Ddeddf Llywodraeth Leol a Thai 1989 (sy'n gosod rheolau ar gyfrifon refeniw a chyllid cyfalaf yr awdurdodau lleol).

Mae rheoliad 2 o'r Rheoliadau hyn yn gwneud mân ddiwygiadau i Reoliadau 1990 ar ôl i Ddeddf Gwasanaethau a Marchnadoedd Ariannol 2000 ddod i rym. Darpariaeth arbed yw rheoliad 4, a'i effaith yw bod buddsoddiadau a oedd yn fuddsoddiadau wedi'u cymeradwyo ar 30 Tachwedd 2001 yn parhau yn fuddsoddiadau wedi'u cymeradwyo at ddibenion Rhan IV.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 3731 (W.308)

LOCAL GOVERNMENT, WALES

The Local Authorities (Approved Investments) (Amendment) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990 contain a list of investments which are approved for the purposes of Part IV of the Local Government and Housing Act 1989 (which imposes controls on the revenue accounts and capital finance of local authorities).

Regulation 2 of these Regulations makes minor amendments to the 1990 Regulations in consequence of the coming into force of the Financial Services and Markets Act 2000 . Regulation 4 is a saving provision the effect of which is that investments which were approved on 30th November 2001 remain approved for the purposes of Part IV.

OFFERYNNAU STATUDOL

2001 Rhif 3731 (Cy.308)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Cymru) 2001

Wedi'u gwneud	*20 Tachwedd 2001*
Yn dod i rym	*1 Rhagfyr 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwer a roddwyd i'r Ysgrifennydd Gwladol gan adran 66(1)(a) o Ddeddf Llywodraeth Leol a Thai 1989(**a**) sydd bellach wedi'i freinio yng Nghynulliad Cenedlaethol Cymru i'r graddau y mae'n arferadwy yng Nghymru (**b**):

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Cymru) 2001 a deuant i rym ar 1 Rhagfyr 2001.

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

Diwygio Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau wedi'u Cymeradwyo) 1990

2.-(1) Diwygir Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf) (Buddsoddiadau wedi'u Cymeradwyo) 1990(**c**) ("Rheoliadau 1990") fel a ganlyn.

(2) Yn rheoliad 1 (dehongli) -

(a) hepgorir y diffiniad o "authorised institution";

(b) ar ôl y diffiniad o "bill of exchange" mewnosodir y diffiniad canlynol -

""deposit-taker" has the same meaning as in

(a) 1989 p.42.

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1990/426; cafodd diwygiad perthnasol ei wneud gan O.S. 1995/1982.

STATUTORY INSTRUMENTS

2001 No. 3731 (W.308)

LOCAL GOVERNMENT, WALES

The Local Authorities (Approved Investments) (Amendment) (Wales) Regulations 2001

Made	*20th November 2001*
Coming into force	*1st December 2001*

The National Assembly for Wales makes the following Regulations in exercise of the power given to the Secretary of State by section 66(1)(a) of the Local Government and Housing Act 1989(**a**) which is now vested in the National Assembly for Wales so far as exercisable in Wales(**b**):

Name, commencement and application

1.-(1) The name of these Regulations is the Local Authorities (Approved Investments) (Amendment) (Wales) Regulations 2001 and they shall come into force on 1st December 2001.

(2) These Regulations apply to Wales only.

Amendment of the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990

2.-(1) The Local Authorities (Capital Finance) (Approved Investments) Regulations 1990(**c**) ("the 1990 Regulations") shall be amended as follows.

(2) In regulation 1 (interpretation) -

(a) the definition of "authorised institution" shall be omitted;

(b) after the definition of "bill of exchange" there shall be inserted the following definition -

""deposit-taker" has the same meaning as in

(a) 1989 c.42.

(b) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 1990/426; a relevant amendment was made by S.I. 1995/1982.

section 43 of the Local Government and Housing Act 1989(**a**);";

(c) yn y diffiniad o "relevant lender", yn lle'r geiriau "an authorised institution or a building society within the meaning of the Building Societies Act 1986" rhoddir y geiriau "a deposit-taker".

(3) Yn rheoliad 2 (buddsoddiadau wedi'u cymeradwyo) -

(a) yn lle paragraff (b) rhoddir y paragraff canlynol -

"(b) any deposit made with a deposit-taker (other than a deposit-taker falling within sub-paragraph (c)) or the Bank of England, or any certificate of such a deposit, and, for this purpose, "deposit" has the same meaning as in article 5 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(**b**) except that no account is to be taken of the reference to a local authority in article 6(1)(a)(viii) of that Order;";

(b) Ym mharagraff (d) yn lle'r geiriau "an authorised institution" rhoddir y geiriau "a deposit-taker".

Darpariaeth arbed

3. Bydd unrhyw fuddsoddiad a wnaed gan awdurdod lleol ar neu cyn 30 Tachwedd 2001 a oedd, ar y dyddiad hwnnw, yn fuddsoddiad wedi'i gymeradwyo at ddibenion Rhan IV o Ddeddf Llywodraeth Leol a Thai 1989 (cyfrifon refeniw a chyllid cyfalaf yr awdurdodau lleol) yn rhinwedd rheoliad 2 o Reoliadau 1990 yn parhau yn fuddsoddiad wedi'i gymeradwyo at ddibenion Rhan IV er gwaethaf y diwygiadau i Reoliadau 1990 a wneir gan y Rheoliadau hyn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998 (**c**)

20 Tachwedd 2001

Llywydd y Cynulliad Cenedlaethol

section 43 of the Local Government and Housing Act 1989(**a**);";

(c) in the definition of "relevant lender", for the words "an authorised institution or a building society within the meaning of the Building Societies Act 1986" there shall be substituted the words "a deposit-taker".

(3) In regulation 2 (approved investments) -

(a) for paragraph (b) there shall be substituted the following paragraph -

"(b) any deposit made with a deposit-taker (other than a deposit-taker falling within sub-paragraph (c)) or the Bank of England, or any certificate of such a deposit, and, for this purpose, "deposit" has the same meaning as in article 5 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(**b**) except that no account is to be taken of the reference to a local authority in article 6(1)(a)(viii) of that Order;";

(b) In paragraph (d) for the words "an authorised institution" there shall be substituted the words "a deposit-taker".

Saving provision

3. Any investment made by a local authority on or before 30th November 2001 which was, on that date, approved for the purposes of Part IV of the Local Government and Housing Act 1989 (revenue accounts and capital finance of local authorities) by virtue of regulation 2 of the 1990 Regulations shall continue to be approved for the purposes of Part IV notwithstanding the amendments to the 1990 Regulations made by these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**c**)

20th November 2001

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) Mewnsodwyd diffiniad "deposit-taker" yn adran 43 gan Orchymyn Deddf Gwasanaethau a Marchnadoedd Ariannol 2000 (Diwygiadau Canlyniadol) 2001 (O.S. 2001/3649).

(b) O.S. 2001/544.

(c) 1998 p.38.

(a) The definition of deposit-taker was inserted into section 43 by the Financial Services and Markets Act 2000 (Consequential Amendments) Order 2001 (S.I. 2001/3649).

(b) S.I. 2001/544.

(c) 1998 c.38.

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LLYWODRAETH LEOL, CYMRU

LOCAL GOVERNMENT, WALES

Rheoliadau Awdurdodau Lleol (Buddsoddiadau wedi'u Cymeradwyo) (Diwygio) (Cymru) 2001

The Local Authorities (Approved Investments) (Amendment) (Wales) Regulations 2001

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