



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

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**OFFERYNNAU STATUDOL**

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**STATUTORY INSTRUMENTS**

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**2004 Rhif 803 (Cy.83)**

**2004 No. 803 (W.83)**

**LLYFRGELLOEDD, CYMRU**

**LIBRARIES, WALES**

**Gorchymyn Diddymu Cyngor  
Ymgynghorol Llyfrgelloedd  
Cymru a Diwygiadau Canlyniadol  
2004**

**The Library Advisory Council for  
Wales Abolition and Consequential  
Amendments Order  
2004**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Gorchymyn hwn yn diddymu Cyngor Ymgynghorol Llyfrgelloedd Cymru (a adnabyddir fel 'Cyngor Gwasanaethau Llyfrgelloedd a Hysbysrwydd (Cymru)'), ac mae'n trosglwyddo ei holl eiddo a hawliau ac unrhyw rwymedigaethau i Gynulliad Cenedlaethol Cymru. Mae'r Gorchymyn hefyd yn gwneud diwygiadau canlyniadol yn sgîl ddiddymu'r Cyngor.

This Order abolishes the Library Advisory Council for Wales (known as 'the Library and Information Services Council (Wales)') and transfers all its property and rights and any liabilities to the National Assembly for Wales. The Order also makes amendments consequential upon the abolition of the Council.

**2004 Rhif 803 (Cy.83)****2004 No. 803 (W.83)****LLYFRGELLOEDD, CYMRU****LIBRARIES, WALES**

Gorchymyn Diddymu Cyngor  
Ymgynghorol Llyfrgelloedd  
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The Library Advisory Council for  
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*Wedi'i wneud**17 Mawrth 2004**Made**17th March 2004**Yn dod i rym**1 Ebrill 2004**Coming into force**1st April 2004*

Mae adran 28(1) o Ddeddf Llywodraeth Cymru 1998(a) ("Deddf 1998"), a Rhan I o Atodlen 4 iddi, yn galluogi'r Cynulliad Cenedlaethol i drosglwyddo iddo ef ei hun swyddogaethau statudol y Cyngor a sefydlwyd i Gymru o dan adran 2 o Ddeddf Llyfrgelloedd ac Amgueddfeydd Cyhoeddus 1964(b).

Section 28(1) of, and Part 1 of Schedule 4 to, the Government of Wales Act 1998(a) ("the 1998 Act"), enable the National Assembly to transfer to itself the statutory functions of the Council established for Wales under section 2 of the Public Libraries and Museums Act 1964(b).

Mae'r Cynulliad Cenedlaethol o'r farn bod swyddogaethau statudol y Cyngor, sef swyddogaethau cynghori'r Cynulliad Cenedlaethol ar y materion hynny sy'n gysylltiedig â darparu neu ddefnyddio cyfleusterau llyfrgelloedd boed o dan Ddeddf 1964 neu fel arall ac ar unrhyw gwestiynau y mae'r Cynulliad Cenedlaethol yn eu cyfeirio at y Cyngor, yn swyddogaethau sy'n gofyn am i gyngor gael ei roi i'r Cynulliad Cenedlaethol ei hun, ac felly yn dod o fewn adran 28(2)(a) o Ddeddf 1998.

The National Assembly considers that the statutory functions of the Council, namely the functions of advising the National Assembly upon such matters connected with the provision or use of library facilities whether under the 1964 Act or otherwise and upon any questions referred to the Council by the National Assembly, are functions which require advice to be given to the National Assembly itself, and therefore come within section 28(2)(a) of the 1998 Act.

Mae'r Cynulliad Cenedlaethol, trwy arfer ei bwerau o dan adran 28 o Ddeddf 1998, a Rhan 1 o Atodlen 4 iddi, yn gwneud y Gorchymyn canlynol:

The National Assembly, in exercise of its powers under section 28 of, and Part 1 of Schedule 4 to, the 1998 Act makes the following Order:

**Enw, cychwyn, cymhwyso a dehongli****Name, commencement, application and interpretation**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Diddymu Cyngor Ymgynghorol Llyfrgelloedd Cymru a Diwygiadau Canlyniadol 2004.

1.-(1) This Order is called the Library Advisory Council for Wales Abolition and Consequential Amendments Order 2004.

(2) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2004.

(2) This Order comes into force on 1st April 2004.

(3) Mae'r Gorchymyn hwn yn gymwys mewn perthynas â Chymru.

(3) This Order applies to Wales.

(a) 1998 p. 38.

(a) 1998 c. 38.

(b) 1964 p. 75. Mae swyddogaethau'r Ysgrifennydd Gwladol o dan y Ddeddf wedi'u trosglwyddo i'r Cynulliad Cenedlaethol gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) 1964 c.75. The Secretary of State's functions under the Act have been transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(4) Yn y Gorchymyn hwn -

ystyr "Deddf 1964" ("*the 1964 Act*") yw Ddeddf Llyfrgelloedd ac Amgueddfeydd Cyhoeddus 1964:

ystyr "y Cyngor" ("*the Council*") yw'r Cyngor Ymgynghorol Llyfrgelloedd a sefydlwyd ar gyfer Cymru a Sir Fynwy o dan adran 2 o Ddeddf 1964, a adnabyddir fel Cyngor Gwasanaethau Llyfrgelloedd a Gwybodaeth (Cymru); ac

ystyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru.

### **Diddymu'r Cyngor**

2.-(1) Diddymir y Cyngor a'i swyddogaethau.

(2) Trosglwyddir i'r Cynulliad Cenedlaethol yr holl eiddo a hawliau y mae gan y Cyngor hawl iddynt ac unrhyw rwymedigaethau sydd ar y Cyngor.

### **Diwygiadau Canlyniadol**

3. -(1) Diwygir adran 2 o Ddeddf 1964 fel a ganlyn:

(a) yn lle is-adran (1) rhwch -

"(1) There shall be a Library Advisory Council for England and it shall be the duty of the Council to advise the Secretary of State upon such matters connected with the provision or use of library facilities whether under this Act or otherwise as it thinks fit, and upon any questions referred to it by him.";

(b) Yn is-adran (2) yn lle "each" rhwch "the" (yn y ddau fan);

(c) Yn is-adran (3) yn lle "Each" rhwch "The";

(ch) Yn is-adran (4) yn lle "either" rhwch "the";

(d) Yn is-adran (5) yn lle "Each" rhwch "The" ac yn lle "a " rhwch "the ".

(2) Yn Rhan 2 o Atodlen 1A o Ddeddf Cysylltiadau Hiliol 1976(a), diddymir y cyfeiriad at "Library and Information Services Council (Wales)".

(3) Yn Rhan 6 o Atodlen 1 i Ddeddf Rhyddid Gwybodaeth 2000(b), diddymir y cyfeiriad at "Library and Information Services Council (Wales)".

(a) 1976 p. 74. Mewnosodwyd Atodlen 1A gan adran 2(2) o Ddeddf Cysylltiadau Hiliol (Diwygio) 2000 (p.34), ac Atodlen 1 iddi, a ddiwygwyd gan Orchymyn Deddf Cysylltiadau Hiliol 1976 (Dyletswydd Statudol Cyffredinol) 2001 (O.S. 2001/3457), erthygl 2(d), a'r Atodlen iddi.

(b) 2000 p. 36.

(4) In this Order -

"the 1964 Act" ("*Deddf 1964*") means the Public Libraries and Museums Act 1964;

'the Council' ("*y Cyngor*") means the Library Advisory Council established for Wales and Monmouthshire under section 2 of the 1964 Act, known as the Library and Information Services Council (Wales); and

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales.

### **Abolition of the Council**

2.-(1) The Council and its functions are abolished.

(2) All property and rights to which the Council is entitled and any liabilities to which the Council is subject are transferred to the National Assembly.

### **Consequential Amendments**

3.-(1) Section 2 of the 1964 Act is amended as follows:

(a) for subsection (1) substitute -

"(1) There shall be a Library Advisory Council for England and it shall be the duty of the Council to advise the Secretary of State upon such matters connected with the provision or use of library facilities whether under this Act or otherwise as it thinks fit, and upon any questions referred to it by him.";

(b) In subsection (2) substitute "the" for "each" (in both places);

(c) In subsection (3) substitute "The" for "Each";

(d) In subsection (4) substitute "the" for "either";

(e) In subsection (5) substitute "The" for "Each" and "the " for "a ".

(2) In Part 2 of Schedule 1A to the Race Relations Act 1976(a), the entry relating to the Library and Information Services Council (Wales) is repealed.

(3) In Part 6 of Schedule 1 to the Freedom of Information Act 2000(b), the entry relating to the Library and Information Services Council (Wales) is repealed.

(a) 1976 c. 74. Schedule 1A was inserted by the Race Relations (Amendment) Act 2000 (c.34), section 2(2) and Schedule 1 and amended by the Race Relations Act 1976 (General Statutory Duty) Order 2001 (S.I. 2001/3457), article 2(d), and the Schedule to it.

(b) 2000 c. 36.

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

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

17 Mawrth 2004

17th March 2004

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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(a) 1998 p.38.

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(a) 1998 c.38.

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