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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2017 Rhif 640 (Cy. 146)**

**2017 No. 640 (W. 146)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

**Gorchymyn Adeiladau Rhestredig  
(Gwaith Brys) (Cyfradd Llog ar  
Dreuliau) (Cymru) 2017**

**The Listed Buildings (Urgent  
Works) (Interest Rate on Expenses)  
(Wales) Order 2017**

**NODYN ESBONIADOL**

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

Mae adran 54 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 ("Deddf 1990") yn galluogi awdurdod lleol neu Weinidogion Cymru i wneud gwaith yr ymddengys iddynt ei fod yn angenrheidiol ar frys er mwyn diogelu adeiladau rhestredig.

Mae'r Gorchymyn hwn yn gwneud darpariaeth mewn perthynas â'r gyfradd llog ar dreuliau y caniateir i awdurdod lleol neu Weinidogion Cymru eu hadennill o dan adran 55 o Ddeddf 1990 mewn perthynas â gwaith o'r fath.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal Asesiad Effaith Rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

**EXPLANATORY NOTE**

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

Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") enables a local authority or the Welsh Ministers to execute works which appear to them to be urgently necessary for the preservation of listed buildings.

This Order makes provision in relation to the rate of interest carried by expenses which a local authority or the Welsh Ministers may recover under section 55 of the 1990 Act in relation to such works.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a Regulatory Impact Assessment as to the likely costs and benefits of complying with this Order.

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*Gwnaed* 4 Mai 2017  
*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 8 Mai 2017  
*Yn dod i rym* 31 Mai 2017

*Made* 4 May 2017  
*Laid before the National Assembly  
for Wales* 8 May 2017  
*Coming into force* 31 May 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 55 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(1), a'r pwerau a roddir i'r Ysgrifennydd Gwladol gan adran 93 o'r Ddeddf honno ac sy'n arferadwy bellach gan Weinidogion Cymru(2), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on them by section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990(1), and the powers conferred on the Secretary of State by section 93 of that Act and now exercisable by the Welsh Ministers(2), make the following Order:

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Adeiladau Rhestredig (Gwaith Brys) (Cyfradd Llog ar Dreuliau) (Cymru) 2017 a daw i rym ar 31 Mai 2017.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

**Title, commencement and application**

1.—(1) The title of this Order is the Listed Buildings (Urgent Works) (Interest Rate on Expenses) (Wales) Order 2017 and it comes into force on 31 May 2017.

(2) This Order applies to Wales.

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(1) 1990 p. 9; diwygiwyd adran 55 gan adran 30(6) o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2016 (decc 4). Ceir diwygiadau eraill nad ydynt yn berthnasol i'r offeryn hwn.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraffau 30 a 32 o Atodlen 11 iddi.

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(1) 1990 c. 9; section 55 was amended by section 30(6) of the Historic Environment (Wales) Act 2016 (anaw 4). There are other amendments which are not relevant to this instrument.

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

## Adennill llog ar dreuliau

2.—(1) Y gyfradd llog ar dreuliau y caniateir i awdurdod lleol neu Weinidogion Cymru eu hadennill o dan adran 55(5B) o Ddeddf Cynllunio (Adeiladau Rhedredig ac Ardaloedd Cadwraeth) 1990 yw 2% y flwyddyn yn uwch na chyfradd sylfaenol Banc Lloegr.

(2) Ym mharagraff (1), ystyr “cyfradd sylfaenol Banc Lloegr” (“*Bank of England base rate*”) ar unrhyw ddiwrnod penodol yw—

- (a) ac eithrio pan fo is-baragraff (b) yn gymwys, y gyfradd ddiweddaraf a gyhoeddir mewn cyfarfod o Bwyllgor Polisi Ariannol Banc Lloegr a gynhelir cyn y diwrnod hwnnw fel y gyfradd fasnachu swyddogol, sef y gyfradd y mae'r Banc yn fodlon ei defnyddio mewn trafodiadau i ddarparu hylifedd byrdymor yn y marchnadoedd arian; neu
- (b) os yw gorchymyn o dan adran 19 (pwerau wrth gefn) o Ddeddf Banc Lloegr 1998(1) mewn grym, unrhyw gyfradd gyfwerth a bennir gan y Trysorlys o dan yr adran honno.

## Recovery of interest on expenses

2.—(1) The rate of interest carried by expenses which a local authority or the Welsh Ministers may recover under section 55(5B) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is 2% per annum above the Bank of England base rate.

(2) In paragraph (1), “Bank of England base rate” (“*cyfradd sylfaenol Banc Lloegr*”) for any particular day means—

- (a) except where sub-paragraph (b) applies, the rate as last announced at a meeting of the Monetary Policy Committee of the Bank of England held prior to that day as the official dealing rate, being the rate at which the Bank is willing to enter into transactions for providing short-term liquidity in the money markets; or
- (b) if an order under section 19 (reserve powers) of the Bank of England Act 1998(1) is in force, any equivalent rate determined by the Treasury under that section.

*Ken Skates*

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith, un o Weinidogion Cymru

4 Mai 2017

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Cabinet Secretary for Economy and Infrastructure, one of the Welsh Ministers

4 May 2017

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(1) 1998 p. 11.

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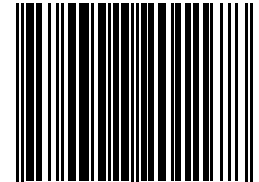
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