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INSTRUMENTS

2020 Rhif 1215 (Cy. 274)

2020 No. 1215 (W. 274)

**YMADAEL Â'R UNDEB
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN
UNION, WALES**

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

**Rheoliadau'r Amgylchedd
(Diwygiadau Amrywiol) (Cymru)
(Ymadael â'r UE) 2020**

**The Environment (Miscellaneous
Amendments) (Wales) (EU Exit)
Regulations 2020**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau ym mharagraff 1(1) o Atodlen 2 a pharagraff 21(b) o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill yng nghyfraith yr UE a ddargedwir sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

Mae rheoliad 2 yn gwneud diwygiadau i Orchymyn Corff Adnoddau Naturiol Cymru (Sefydlu) 2012 (O.S. 2012/1903 (C.230)).

Mae rheoliad 3 yn diwygio Rheoliadau Safonau Ansawdd Aer (Cymru) (Diwygio) (Ymadael â'r UE) 2019 (O.S. 2019/390 (C.95)), sydd ei hun yn diwygio Rheoliadau Safonau Ansawdd Aer (Cymru) 2010 (O.S. 2010/1433 (C.126)).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in paragraph 1(1) of Schedule 2 and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies in retained EU law arising from the withdrawal of the United Kingdom from the European Union.

Regulation 2 makes amendments to the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903 (W. 230)).

Regulation 3 amends the Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/390 (W. 95)), which itself amends the Air Quality Standards (Wales) Regulations 2010 (S.I. 2010/1433 (W. 126)).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. 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 these Regulations.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Amgylchedd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2020.

(2) Daw'r Rheoliadau hyn i rym ar ddiwrnod cwblhau'r cyfnod gweithredu ac eithrio rheoliad 3 a ddaw i rym yn union cyn diwrnod cwblhau'r cyfnod gweithredu.

Diwygio Gorchymyn Corff Adnoddau Naturiol Cymru (Sefydlu) 2012

2.—(1) Mae Gorchymyn Corff Adnoddau Naturiol Cymru (Sefydlu) 2012(1) wedi ei ddiwygio fel a ganlyn.

(2) Yn lle erthygl 11(3), rhodder—

“(3) Caiff Gweinidogion Cymru neu'r Ysgrifennydd Gwladol roi cyfarwyddiadau cyffredinol neu benodol i'r Corff er mwyn—

- (a) sicrhau y bodlonir unrhyw un neu ragor o rwymedigaethau UE a ddargedwir, neu
- (b) gweithredu unrhyw un neu ragor o rwymedigaethau rhyngwladol y Deyrnas Unedig.”

(3) Yn lle erthygl 11A(2)(b), rhodder—

“(b) o dan unrhyw ddeddfiad arall at ddiben—

- (i) sicrhau y bodlonir unrhyw un neu ragor o rwymedigaethau UE a ddargedwir, neu
- (ii) gweithredu unrhyw un neu ragor o rwymedigaethau rhyngwladol y Deyrnas Unedig.”.

(4) Yn lle erthygl 11A(4), rhodder—

“(4) Mae paragraff (4A) yn gymwys os yw Gweinidogion Cymru neu'r Ysgrifennydd Gwladol yn amrywio neu'n dirymu unrhyw gyfarwyddyd a roddir i'r Corff (boed o dan erthygl 11 neu o dan unrhyw ddeddfiad arall) at ddiben—

- (a) sicrhau y bodlonir unrhyw un neu ragor o rwymedigaethau UE a ddargedwir, neu
- (b) gweithredu unrhyw un neu ragor o rwymedigaethau rhyngwladol y Deyrnas Unedig.

Title and commencement

1.—(1) The title of these Regulations is the Environment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2020.

(2) These Regulations come into force on IP completion day except for regulation 3 which comes into force immediately before IP completion day.

Amendment of the Natural Resources Body for Wales (Establishment) Order 2012

2.—(1) The Natural Resources Body for Wales (Establishment) Order 2012(1) is amended as follows.

(2) For article 11(3), substitute—

“(3) The Welsh Ministers or the Secretary of State may give the Body general or specific directions for—

- (a) securing that any retained EU obligation is met, or
- (b) the implementation of any international obligation of the United Kingdom.”

(3) For article 11A(2)(b), substitute—

“(b) under any other enactment for the purpose of—

- (i) securing that any retained EU law obligation is met, or
- (ii) the implementation of any international obligation of the United Kingdom.”.

(4) For article 11A(4), substitute—

“(4) Paragraph (4A) applies if the Welsh Ministers or the Secretary of State vary or revoke any direction given to the Body (whether under article 11 or under any other enactment) for the purpose of—

- (a) securing that any retained EU law obligation is met, or
- (b) the implementation of any international obligation of the United Kingdom.

(1) O.S. 2012/1903 (Cy. 203), fel y'i diwygiwyd gan O.S. 2013/755 (Cy. 90) ac O.S. 2013/1821 (Cy. 1821).

(1) S.I. 2012/1903 (W. 203), as amended by S.I. 2013/755 (W. 90) and 2013/1821 (W. 1821).

(4A) Pan fo'r paragraff hwn yn gymwys, rhaid i'r person sy'n gwneud yr amrywiad neu'r dirymiad—

- (a) cyhoeddi'r amrywiad neu'r dirymiad cyn gynted ag y bo'n rhesymol ymarferol;
- (b) sicrhau bod copïau o'r amrywiad neu'r dirymiad ar gael ar gais."

Diwygio Rheoliadau Safonau Ansawdd Aer (Cymru) (Diwygio) (Ymadael â'r UE) 2019

3. Yn rheoliad 2(5)(a) o Reoliadau Safonau Ansawdd Aer (Cymru) (Diwygio) (Ymadael â'r UE) 2019(1), yn lle "Chyfarwyddeb 2008/1/EC" rhodder "Chyfarwyddeb 2010/75/EU".

(4A) Where this paragraph applies, the person making the variation or revocation must—

- (a) publish the variation or revocation as soon as reasonably practicable;
- (b) make copies of the variation or revocation available on request."

Amendment of the Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019

3. In regulation 2(5)(a) of the Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019(1), for "Directive 2008/1/EC" substitute "Directive 2010/75/EU".

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
4 Tachwedd 2020

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Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
4 November 2020

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(1) O.S. 2019/390 (Cy. 95).

(1) S.I. 2019/390 (W. 95).

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