



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 1359 (Cy. 355)

2021 No. 1359 (W. 355)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

Rheoliadau Deddf Parciau
Cenedlaethol a Mynediad i Gefn
Gwlad 1949 (Ystyr Corff
Cyhoeddus) (Cymru) 2021

The National Parks and Access to
the Countryside Act 1949 (Meaning
of Public Body) (Wales)
Regulations 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio adran 11A o Ddeddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949 (p. 97) ("Deddf 1949"). Mae adran 11A(2) yn darparu, wrth arfer neu gyflawni unrhyw swyddogaeth mewn perthynas â thir, neu sy'n effeithio ar dir, mewn unrhyw Barc Cenedlaethol, bod rhaid i "relevant authority" roi sylw i'r dibenion a bennir yn adran 5(1) o Ddeddf 1949.

Cadw a gwella'r harddwch naturiol, y bywyd gwyllt a'r dreftadaeth ddiwylliannol a hyrwyddo cyfleoedd i'r cyhoedd ddeall a mwynhau nodweddion arbennig Parciau Cenedlaethol yw'r dibenion yn adran 5(1).

Mae'r awdurdodau sy'n ddarostyngedig i'r ddyletswydd hon wedi eu diffinio yn adran 11A(3) ac maent yn cynnwys "any public body", y mae ei ddiffiniad yn cynnwys unrhyw "local authority, joint board or joint committee" (adran 11A(4)).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 11A of the National Parks and Access to the Countryside Act 1949 (c. 97) ("the 1949 Act"). Section 11A(2) provides that when exercising or performing any function in relation to, or affecting, land in any National Park, a "relevant authority" must have regard to the purposes specified in section 5(1) of the 1949 Act.

The purposes in section 5(1) are conserving and enhancing the natural beauty, wildlife and cultural heritage and promoting opportunities for the understanding and enjoyment of the special qualities of National Parks by the public.

The authorities subject to this duty are defined in section 11A(3) and include "any public body", the definition of which includes any "local authority, joint board or joint committee" (section 11A(4)).

Mae'r Rheoliadau hyn yn diwygio adran 11A(4) fel bod cyd-bwyllgorau corfforedig a sefydlir drwy reoliadau a wneir o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (dsc 1) ("Deddf 2021"), wedi eu cynnwys yn y diffiniad o "public body". Drwy hyn, mae cyd-bwyllgorau corfforedig yn ddarostyngedig i'r ddyletswydd yn adran 11A(2).

Mae'r Rheoliadau hyn yn gysylltiedig â rheoliadau a oedd yn sefydlu cyd-bwyllgorau corfforedig penodol o dan Ran 5 o Ddeddf 2021.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r rheoliadau sy'n sefydlu cyd-bwyllgorau corfforedig a gorchmynion a rheoliadau cysylltiedig. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol. Gellir cael copi oddi wrth: yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

These Regulations amend section 11A(4) so that corporate joint committees, established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1) ("the 2021 Act"), are included in the definition of "public body". This results in corporate joint committees being subject to the duty in section 11A(2).

These Regulations are connected with regulations which established certain corporate joint committees under Part 5 of the 2021 Act.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the regulations which establish corporate joint committees and connected orders and regulations. As a result, a regulatory impact assessment has been prepared. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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The National Parks and Access to
the Countryside Act 1949 (Meaning
of Public Body) (Wales)
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Gwnaed Am 9.50 a.m. ar 1 Rhagfyr 2021

Made At 9.50 a.m. on 1 December 2021

Yn dod i rym 3 Rhagfyr 2021

Coming into force 3 December 2021

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan adrannau 84(2)(a) a 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1).

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 84(2)(a) and 174 of the Local Government and Elections (Wales) Act 2021(1).

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol ag adran 174(4) a (5)(l) o'r Ddeddf honno.

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 174(4) and (5)(l) of that Act.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949 (Ystyr Corff Cyhoeddus) (Cymru) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 3 Rhagfyr 2021.

Title and coming into force

1.—(1) The title of these Regulations is the National Parks and Access to the Countryside Act 1949 (Meaning of Public Body) (Wales) Regulations 2021.

(2) These Regulations come into force on 3 December 2021.

Diwygio adran 11A o Ddeddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949

2.—(1) Mae adran 11A (dyletswydd cyrff a phersonau penodol i roi sylw i'r dibenion y dynodwyd Parciau Cenedlaethol ar eu cyfer) o Ddeddf Parciau Cenedlaethol a Mynediad i Gefn Gwlad 1949(1) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (4), yn y diffiniad o “public body”, ar ôl “local authority,” mewnosoder “corporate joint committee.”.

(3) Ar ôl is-adran (6) mewnosoder—

“(7) In this section, “corporate joint committee” means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

Amendment of section 11A of the National Parks and Access to the Countryside Act 1949

2.—(1) Section 11A (duty of certain bodies and persons to have regard to the purposes for which National Parks are designated) of the National Parks and Access to the Countryside Act 1949(1) is amended as follows.

(2) In subsection (4), in the definition of “public body”, after “local authority,” insert “corporate joint committee.”.

(3) After subsection (6) insert—

“(7) In this section, “corporate joint committee” means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
Am 9.50 a.m. ar 1 Rhagfyr 2021

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Minister for Finance and Local Government, one of
the Welsh Ministers
At 9.50 a.m. on 1 December 2021

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(1) 1949 p. 97. Mewnosodwyd adran 11A gan Ddeddf yr Amgylchedd 1995 (p. 25), adran 62(1) ac fe'i diwygiwyd gan Ddeddf yr Amgylchedd Naturiol a Chymunedau Gwledig 2006 (p. 16), Atodlen 12, paragraff 1 a Deddf yr Amgylchedd 1995 (p. 25), Atodlen 24, paragraff 1.

(1) 1949 c. 97. Section 11A was inserted by the Environment Act 1995 (c. 25), section 62(1) and amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 12, paragraph 1 and the Environment Act 1995 (c. 25), Schedule 24, paragraph 1.

