



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2021 Rhif 152 (Cy. 37)**

**2021 No. 152 (W. 37)**

**PRIDIANNAU TIR, CYMRU**

**LAND CHARGES, WALES**

**Rheolau Pridiannau Tir Lleol  
(Ffioedd) (Cymru) 2021**

**The Local Land Charges (Fees)  
(Wales) Rules 2021**

**NODYN ESBONIADOL**

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

**EXPLANATORY NOTE**

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

Mae'r Rheolau hyn yn rhagnodi'r ffioedd sy'n daladwy i'r Prif Gofrestrydd Tir am amrywiol wasanaethau sy'n ymwneud â phridiannau tir lleol sy'n effeithio ar dir yng Nghymru. Darperir y gwasanaethau hynny o dan Ddeddf Pridiannau Tir Lleol 1975 a Rheolau Pridiannau Tir Lleol 2018. Mae'r ffioedd a ragnodir yn y Rheolau hyn yn disodli'r ffioedd a bennir gan reol 14 o Reolau Pridiannau Tir Lleol 1977 ac Atodlen 3 iddynt am wasanaethau tebyg sy'n ymwneud â phridiannau tir lleol a ddarperir gan awdurdodau lleol yng Nghymru. Mae'r Rheolau hyn yn cael effaith yn ardal weinyddol awdurdod lleol ar neu ar ôl y dyddiad a bennir mewn hysbysiad a roddir gan y Prif Gofrestrydd Tir i'r awdurdod lleol hwnnw yn unol â Rhan 4 o Atodlen 5 i Ddeddf Seilwaith 2015.

Mae'r gwasanaethau y mae ffioedd yn daladwy amdanynt wedi eu nodi yn yr Atodlen. Mae rhesi (1) i (4) yn wasanaethau mewn cysylltiad â hysbysiadau rhwystro golau, sy'n fath penodol o bridiant tir lleol. O dan baragraff (5), mae ffi yn daladwy am chwiliad swyddogol o'r gofrestr. Ond nid yw'r ffi honno'n daladwy os ceir cais am chwiliad o'r fath o fewn 6 mis i gais cynharach gan yr un person, mewn perthynas â'r un tir, y talwyd ffi amdano.

Mae rheol 3 yn rhagnodi pa bryd y mae'r ffioedd am y gwasanaethau hyn yn daladwy a sut mae talu'r ffioedd.

Mae rheol 4 yn dirymu rheol 14 o Reolau Pridiannau Tir Lleol 1977 ac Atodlen 3 iddynt fel y maent yn gymwys i dir yng Nghymru.

O ganlyniad i reol 4, mae'r Rheolau hyn yn diwygio Rheolau Pridiannau Tir Lleol 2018 er mwyn sicrhau eglurder ynghylch dirymu Rheolau Pridiannau Tir Lleol 1977.

These Rules prescribe the fees payable to the Chief Land Registrar for various services relating to local land charges affecting land in Wales. Those services are provided under the Local Land Charges Act 1975 and the Local Land Charges Rules 2018. The fees prescribed in these Rules replace the fees specified by rule 14 of and Schedule 3 to the Local Land Charges Rules 1977 for similar services relating to local land charges provided by local authorities in Wales. These Rules have effect in the administrative area of a local authority on or after the date specified in a notice given by the Chief Land Registrar to that local authority in accordance with Part 4 of Schedule 5 to the Infrastructure Act 2015.

The services for which fees are payable are set out in the Schedule. Rows (1) to (4) are services in connection with light obstruction notices, which are a particular type of local land charge. Under paragraph (5), a fee is payable for an official search of the register. But that fee is not payable if an application for such a search is received within 6 months of an earlier application by the same person, in relation to the same land, for which a fee was paid.

Rule 3 prescribes when the fees for these services are payable and how the fees are to be paid.

Rule 4 revokes rule 14 and Schedule 3 to the Local Land Charges Rules 1977 as they apply to land in Wales.

As a consequence of rule 4, these Rules amend the Local Land Charges Rules 2018 to ensure clarity regarding the revocation of the Local Land Charges Rules 1977.

O ganlyniad i reol 4, mae'r Rheolau hyn yn diwygio Rheolau Pridiannau Tir Lleol 2018 er mwyn sicrhau eglurder ynghylch dirymu Rheolau Pridiannau Tir Lleol 1977.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheolau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheolau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Is-adran Cyllid Llywodraeth Leol a Phartneriaethau'r Gweithlu, Adeiladau'r Goron, Parc Cathays, Caerdydd CF10 3NQ.

As a consequence of rule 4, these Rules amend the Local Land Charges Rules 2018 to ensure clarity regarding the revocation of the Local Land Charges Rules 1977.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Rules. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Rules. A copy can be obtained from the Welsh Government, Local Government Finance and Workforce Partnerships Division, Crown Buildings, Cathays Park, Cardiff CF10 3NQ.

**2021 Rhif 152 (Cy. 37)**

**PRIDIANNAU TIR, CYMRU**

**Rheolau Pridiannau Tir Lleol  
(Ffioedd) (Cymru) 2021**

*Gwnaed* 12 Chwefror 2021

*Gosodwyd* gerbron *Senedd*  
*Cymru* 15 Chwefror 2021

*Yn dod i rym* 1 Ebrill 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Arglwydd Ganghellor gan adran 14(1)(h) o Ddeddf Pridiannau Tir Lleol 1975(1) ac sydd bellach wedi eu breinio ynddynt hwy i'r graddau y maent yn arferadwy o ran Cymru(2), yn gwneud y Rheolau a ganlyn.

**Enwi, cychwyn a dehongli**

1.—(1) Enw'r Rheolau hyn yw Rheolau Pridiannau Tir Lleol (Ffioedd) (Cymru) 2021.

(2) Daw'r Rheolau hyn i rym ar 1 Ebrill 2021 ond nid yw rheolau 2, 3, 4 a 5 ond yn cael effaith mewn perthynas ag ardal awdurdod lleol, ar y dyddiad y daw Rhannau 1 i 3 o Atodlen 5 i Ddeddf Seilwaith 2015(3) i rym mewn perthynas â'r ardal honno.

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- (1) 1975 p. 76. Amnewidiwyd adran 14(1)(h) gan adran 34(1) a (2)(a) o Ddeddf Seilwaith 2015 (p. 7) a pharagraff 13(2)(d) o Atodlen 5 iddi.
- (2) Trosglwyddwyd swyddogaeth yr Arglwydd Ganghellor o dan adran 14(1), i'r graddau y mae'n ymwneud â'r pŵer i wneud rheolau ar gyfer rhagnodi ffioedd a'r dull o dalu ffioedd, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004 (O.S. 2004/3044) ac mae bellach wedi ei breinio yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.
- (3) 2015 p. 7.

**2021 No. 152 (W. 37)**

**LAND CHARGES, WALES**

**The Local Land Charges (Fees)  
(Wales) Rules 2021**

*Made* 12 February 2021

*Laid before Senedd Cymru* 15 February 2021

*Coming into force* 1 April 2021

The Welsh Ministers in exercise of the powers conferred on the Lord Chancellor by section 14(1)(h) of the Local Land Charges Act 1975(1) and now vested in them so far as exercisable in relation to Wales(2) make the following Rules.

**Title, commencement and interpretation**

1.—(1) The title of these Rules is the Local Land Charges (Fees) (Wales) Rules 2021.

(2) These Rules come into force on 1 April 2021 but Rules 2, 3, 4 and 5 only have effect in relation to the area of a local authority, on the date on which Parts 1 to 3 of Schedule 5 to the Infrastructure Act 2015(3) come into effect in relation to that area.

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- (1) 1975 c. 76. Section 14(1)(h) was substituted by section 34(1) and (2)(a) of, and paragraph 13 (2)(d) of Schedule 5 to, the Infrastructure Act 2015 (c. 7).
- (2) The function of the Lord Chancellor under section 14(1) so far as it relates to the power to make rules for prescribing fees and the manner of payment of fees was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044) and is now vested in the Welsh Ministers by virtue of section 162 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (3) 2015 c. 7.

(3) Yn y Rheolau hyn—

ystyr “awdurdod lleol” (“*local authority*”) yw cyngor sir neu fwrdeistref sirol yng Nghymru;

ystyr “y prif Reolau” (“*the principal Rules*”) yw Rheolau Pridiannau Tir Lleol 2018(1);

mae i “tir” yr un ystyr ag a roddir i “land” yn adran 16 o Ddeddf Pridiannau Tir Lleol 1975;

ystyr “tystysgrif ddiffiniol” (“*definitive certificate*”) yw dystysgrif a ddyroddir gan yr Uwch Dribiwnlys o dan adran 2(3)(a) o Ddeddf Hawliau Golau 1959(2).

## Ffioedd

2. Y ffioedd am y gwasanaethau a bennir yn yr Atodlen yw'r rheini a nodir yn yr Atodlen honno ac maent yn daladwy i'r Prif Gofrestrydd Tir yn unol â rheol 3.

## Y dull o dalu

3.—(1) Mae'r ffioedd yn daladwy wrth ddarparu'r cais neu'r gofyniad, neu wrth gyflwyno'r dystysgrif ddiffiniol, fel sy'n briodol.

(2) Rhaid i'r ffioedd gael eu talu drwy gerdyn credyd neu gerdyn debyd ac eithrio pan fo'r Prif Gofrestrydd Tir yn caniatáu fel arall neu pan fo paragraff (3) neu (4) yn gymwys.

(3) Pan fo cytundeb rhwng y ceisydd neu'r person sy'n gofyn am y gwasanaeth a'r Prif Gofrestrydd Tir, caniateir talu ffi drwy ddebyd uniongyrchol i unrhyw gyfrif banc Cofrestrfa Tir Ei Mawrhydi a gyfarwyddir gan y Prif Gofrestrydd Tir o bryd i'w gilydd.

(4) Pan fo cais neu ofyniad yn cael ei wneud, neu dystysgrif ddiffiniol yn cael ei chyflwyno, heblaw drwy ddefnyddio dull electronig o gyfathrebu, caniateir talu'r ffi drwy sicc neu archeb bost, wedi ei chroesi a'i gwneud yn daladwy i Gofrestrfa Tir Ei Mawrhydi.

## Dirymu

4. Mae rheol 14 o Reolau Pridiannau Tir Lleol 1977 ac Atodlen 3 iddynt wedi eu dirymu(3).

(3) In these Rules—

“definitive certificate” (“*tystysgrif diffiniol*”) means a certificate issued by the Upper Tribunal under section 2(3)(a) of the Rights of Light Act 1959(1);

“land” (“*tir*”) has the same meaning as in section 16 of the Local Land Charges Act 1975;

“local authority” (“*awdurdod lleol*”) means the council of a county or county borough in Wales;

“the principal Rules” (“*y prif Reolau*”) means the Local Land Charges Rules 2018(2).

## Fees

2. The fees for the services specified in the Schedule are those set out in that Schedule and are payable to the Chief Land Registrar in accordance with rule 3.

## Manner of payment

3.—(1) The fees are payable on delivery of the application or requisition, or lodging of the definitive certificate, as appropriate.

(2) The fees must be paid by credit or debit card except where the Chief Land Registrar otherwise permits or where paragraph (3) or (4) applies.

(3) Where there is an agreement between the applicant or person requesting the service and the Chief Land Registrar, a fee may be paid by direct debit to such bank account of Her Majesty's Land Registry as the Chief Land Registrar may from time to time direct.

(4) Where an application or requisition is made, or a definitive certificate is lodged, other than by using an electronic means of communication, the fee may be paid by cheque or postal order crossed and made payable to Her Majesty's Land Registry.

## Revocation

4. Rule 14 of, and Schedule 3 to, the Local Land Charges Rules 1977 are revoked(3).

(1) O.S. 2018/273.

(2) 1959 p. 56.

(3) *Gweler* paragraff 40(3) a (4) o Atodlen 5 i Ddeddf Seilwaith 2015 (p. 7) sy'n darparu na fydd rheolau a wneir o dan adran 14 o Ddeddf Pridiannau Tir Lleol 1975 ond yn cael effaith mewn perthynas ag ardal awdurdod lleol ar neu ar ôl y dyddiad a bennir mewn hysbysiad a roddir gan y Prif Gofrestrydd Tir i'r awdurdod lleol hwnnw yn unol â pharagraff 40(1) o'r Atodlen honno.

(1) 1959 c. 56.

(2) S.I. 2018/273.

(3) *See* paragraph 40(3) and (4) of Schedule 5 to the Infrastructure Act 2015 (c. 7) which provide that rules made under section 14 of the Local Land Charges Act 1975 will only have effect in relation to the area of a local authority on or after the date specified in a notice given by the Chief Land Registrar to that local authority in accordance with paragraph 40(1) of that Schedule.

**Diwygiad canlyniadol i Reolau Pridiannau Tir Lleol 2018**

5.—(1) Mae Rheolau Pridiannau Tir Lleol 2018 wedi eu diwygio fel a ganlyn.

(2) Yn rheol 15 (dirymiadau)—

- (a) ar ddechrau paragraff (1) hepgorer y geiriau “Subject to paragraph (2)”; a
- (b) hepgorer paragraff (2).

**Consequential amendment to the Local Land Charges Rules 2018**

5.—(1) The Local Land Charges Rules 2018 are amended as follows.

(2) In rule 15 (Revocations)—

- (a) at the beginning of paragraph (1) omit the words “Subject to paragraph (2)”; and
- (b) omit paragraph (2).

*Julie James*

Y Gweinidog Tai a Llywodraeth Leol, un o  
Weinidogion Cymru  
12 Chwefror 2021

Minister for Housing and Local Government, one of  
the Welsh Ministers  
12 February 2021

YR ATODLEN  
Ffioedd

Rheol 2

SCHEDULE  
Fees

Rule 2

<i>Gwasana</i>	<i>Ffi</i>
(1) Cofrestru hysbysiad rhwystro golau o dan reol 4 o'r prif Reolau	£18
(2) Amrywio cofrestriad hysbysiad rhwystro golau o dan reol 7(1) o'r prif Reolau	£18
(3) Canslo cofrestriad hysbysiad rhwystro golau o dan reol 7(1) o'r prif Reolau	£18
(4) Amrywio cofrestriad hysbysiad rhwystro golau o dan reol 7(6) o'r prif Reolau (wedi cyflwyno tystysgrif ddiffiniol)	£18
(5) Chwiliad swyddogol o'r gofrestr (gan gynnwys dyroddi tystysgrif swyddogol o chwiliad) o dan adran 9(1) o Ddeddf Pridiannau Tir Lleol 1975	£15; neu £0 os darperir y gofyniad o fewn 6 mis i ddarparu gofyniad cynharach gan yr un person am chwiliad swyddogol mewn cysylltiad â'r un tir, y talwyd y ffi a ragnodwyd amdano.

<i>Service</i>	<i>Fee</i>
(1) Registration of a light obstruction notice under rule 4 of the principal Rules	£18
(2) Variation of the registration of a light obstruction notice under rule 7(1) of the principal Rules	£18
(3) Cancellation of the registration of a light obstruction notice under rule 7(1) of the principal Rules	£18
(4) Variation of the registration of a light obstruction notice under rule 7(6) of the principal Rules (definitive certificate lodged)	£18
(5) Official search of the register (including issue of an official certificate of search) under section 9(1) of the Local Land Charges Act 1975	£15; or £0 if the requisition is delivered within 6 months of the delivery by the same person of an earlier requisition for an official search in respect of the same land and for which the prescribed fee was paid.

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