



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 1254 (Cy. 255)

2022 No. 1254 (W. 255)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Awdurdodau Lleol
(Cyllid Cyfalaf a Chyfrifyddu)
(Cymru) (Diwygio) 2022**

**The Local Authorities (Capital
Finance and Accounting) (Wales)
(Amendment) Regulations 2022**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Chyfrifyddu) (Cymru) 2003 ("Rheoliadau 2003") drwy fewnosod rheoliad 24L sy'n gwneud darpariaeth ynghylch yr arferion chyfrifyddu sydd i'w dilyn gan awdurdod lleol pan fo elfen arall wedi ei roi yn lle elfen o ased seilwaith. Mae rheoliad 24L yn gymwys i awdurdodau lleol y mae'n ofynnol iddynt lunio datganiad o gyfrifon yn unol â rheoliad 8 o Reoliadau Cyfrifon ac Archwilio (Cymru) 2014. Rhaid i awdurdod lleol naill ai cymryd mai dim yw swm cario ymlaen yr elfen nas cydnabyddir mwyach neu gyfrifo'r swm cario ymlaen yn unol â'r arferion chyfrifyddu a nodir o dan reoliad 25 o Reoliadau 2003.

Mae rheoliad 24L yn gymwys i gyfrifon ar gyfer blynyddoedd ariannol mewn cysylltiad â'r cyfnodau sy'n dechrau â 1 Ebrill 2021 ac sy'n gorffen â 31 Mawrth 2025.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. 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 Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 ("the 2003 Regulations") by inserting regulation 24L which makes provision about the accounting practices to be followed by a local authority where a component of an infrastructure asset has been replaced. Regulation 24L applies to local authorities that are required to prepare a statement of accounts in accordance with regulation 8 of the Accounts and Audit (Wales) Regulations 2014. A local authority must either assume the carrying amount of the derecognised part is nil or calculate the carrying amount in line with the accounting practices identified under regulation 25 of the 2003 Regulations.

Regulation 24L applies to accounts for financial years in respect of the periods beginning with 1 April 2021 and ending with 31 March 2025.

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.

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**The Local Authorities (Capital
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(Amendment) Regulations 2022**

Gwnaed 29 Tachwedd 2022

Made 29 November 2022

Gosodwyd gerbron *Senedd*
Cymru 30 Tachwedd 2022

Laid before Senedd Cymru 30 November 2022

Yn dod i rym 2 Rhagfyr 2022

Coming into force 2 December 2022

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 21(1), 24, a 123(1) a (2) o Ddeddf Llywodraeth Leol 2003(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred by sections 21(1), 24, and 123(1) and (2) of the Local Government Act 2003(1), make the following Regulations.

Enwi, cychwyn a dehongli

Title, commencement and interpretation

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Chyfrifyddu) (Cymru) (Diwygio) 2022 a deuant i rym ar 2 Rhagfyr 2022.

1.—(1) The title of these Regulations is the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2022 and they come into force on 2 December 2022.

(2) Yn y Rheoliadau hyn, ystyr "Rheoliadau 2003" yw Rheoliadau Awdurdodau Lleol (Cyllid Cyfalaf a Chyfrifyddu) (Cymru) 2003(2).

(2) In these Regulations, "the 2003 Regulations" means the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003(2).

Asedau seilwaith

Infrastructure assets

2. Yn Rheoliadau 2003, ar ôl rheoliad 24K mewnosoder—

2. In the 2003 Regulations, after regulation 24K insert—

(1) 2003 p. 26. Diwygiwyd adran 24 gan adran 238(3) o Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (p. 28). Mae'r pwerau o dan Ran 1 o Ddeddf Llywodraeth Leol 2003 bellach wedi eu breinio yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru, yn rhinwedd adran 24 o Ddeddf Llywodraeth Leol 2003 fel y'i diwygiwyd.

(2) O.S. 2003/3239 (Cy. 319), a ddiwygiwyd gan O.S. 2004/1010 (Cy. 107), 2006/944 (Cy. 93), 2007/1051 (Cy. 108), 2008/588 (Cy. 59), 2009/560 (Cy. 52), 2010/685 (Cy. 67), 2014/481 (Cy. 58), 2016/102 (Cy. 50), 2018/325 (Cy. 61), 2019/736 (Cy. 139), 2020/110 (Cy. 19), 2021/327 (Cy. 85) ac 2022/907 (Cy. 198).

(1) 2003 c. 26. Section 24 was amended by section 238(3) of the Local Government and Public Involvement in Health Act 2007 (c. 28). Powers under Part 1 of the Local Government Act 2003 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales, by virtue of section 24 of the Local Government Act 2003 as amended.

(2) S.I. 2003/3239 (W. 319), amended by S.I. 2004/1010 (W. 107), 2006/944 (W. 93), 2007/1051 (W. 108), 2008/588 (W. 59), 2009/560 (W. 52), 2010/685 (W. 67), 2014/481 (W. 58), 2016/102 (W. 50), 2018/325 (W. 61), 2019/736 (W. 139), 2020/110 (W. 19), 2021/327 (W. 85) and 2022/907 (W. 198).

“Infrastructure assets

24L.—(1) In this regulation—

“carrying amount” means the amount at which an asset is recognised after deducting any accumulated depreciation and impairment losses;

“derecognised” means that all or part of an asset or liability is removed from an authority’s balance sheet;

“infrastructure asset” means an asset owned by a local authority, which there is no prospect of the authority selling or using for any purpose other than that for which it was created, and which forms part of the infrastructure of the authority’s area, such as—

- (a) a highway,
- (b) a footpath,
- (c) a bridge,
- (d) a permanent way,
- (e) a coastal defence, or
- (f) a water supply and drainage system;

“prior period adjustment” means a correction of a material accounting error within a local authority’s statement of accounts for a previous financial year.

(2) Paragraph (3) applies in relation to the accounts of a local authority—

- (a) where the local authority is required to prepare a statement of accounts in accordance with regulation 8 of the Accounts and Audit (Wales) Regulations 2014(1), and
- (b) the local authority has replaced a component of an infrastructure asset.

(3) Where this paragraph applies the local authority, for the purposes of determining the carrying amount to be derecognised in respect of the component that has been replaced (“the relevant amount”), must—

- (a) determine the relevant amount as nil, or
- (b) calculate the relevant amount in accordance with the accounting practices identified in regulation 25.

(4) If a local authority determines the relevant amount in accordance with paragraph (3)(a) it must include a note to that effect in its statement of accounts for the year in relation to which that determination is made.

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(4) If a local authority determines the relevant amount in accordance with paragraph (3)(a) it must include a note to that effect in its statement of accounts for the year in relation to which that determination is made.

(1) O.S. 2014/3362 (Cy. 337), a ddiwygiwyd gan O.S. 2018/91 (Cy. 22); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 2014/3362 (W. 337), amended by S.I. 2018/91 (W. 22); there are other amending instruments but none is relevant to these Regulations.

(5) When preparing a statement of accounts to which this regulation applies, a local authority is not required to make any prior period adjustment to the balances of that statement of accounts in respect of infrastructure assets.

(6) This regulation applies in relation to accounts prepared for financial years falling within the periods beginning with 1 April 2021 and ending with 31 March 2025.”

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(6) This regulation applies in relation to accounts prepared for financial years falling within the periods beginning with 1 April 2021 and ending with 31 March 2025.”

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
29 Tachwedd 2022

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Finance and Local Government, one of
the Welsh Ministers
29 November 2022

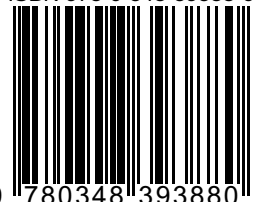
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