

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil yr Amgylchedd Hanesyddol (Cymru) Historic Environment (Wales) Bill

Mae’r gwelliannau â * ar eu pwys yn rhai newydd neu’n rhai sydd wedi’u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag ‘R’ yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno’r gwelliant.

Amendments marked ‘R’ mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn –	
The Bill will be considered in the following order –	
Adrannau 2 i 75	Sections 2 to 75
Atodlenni 1 a 3 i 6	Schedules 1 and 3 to 6
Adrannau 76 i 157	Sections 76 to 157
Atodlenni 2 a 7 i 10	Schedules 2 and 7 to 10
Adrannau 158 i 166	Sections 158 to 166
Atodlen 11	Schedule 11
Adrannau 167 i 191	sections 167 to 191
Atodlen 12	Schedule 12
Adrannau 192 i 213	Sections 192 to 213
Atodlenni 13 ac 14	Schedules 13 and 14
Adran 1	Section 1
Teitl hir	Long title

Page 2, after line 10, insert a new section –

‘PART []

PROTECTION OF SITES OF HISTORIC WRECKS

[] Protection of sites of historic wrecks

- (1) If the Welsh Ministers are satisfied with respect to any site in the sea that forms part of Wales that –
 - (a) it is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed, and
 - (b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference, they may by regulations designate an area round the site as a restricted area.
- (2) Regulations under this section must identify the site where the vessel lies or formerly lay, or is supposed to lie or have lain, and –
 - (a) the restricted area shall be all within such distance of the site (so identified) as is specified in the regulations, but excluding any area above high water mark of ordinary spring tides, and
 - (b) the distance specified for the purposes of paragraph (a) shall be whatever the Welsh Ministers consider appropriate to ensure protection for the wreck.
- (3) Before making regulations under this section, the Welsh Ministers must consult such persons as they consider appropriate having regard to the purposes of the regulations; but this consultation may be dispensed with if they are satisfied that the case is one in which regulations must be made as a matter of immediate urgency.
- (4) The Welsh Ministers must revoke regulations made under this section if they consider that there is not, or is no longer, any wreck in the area which requires protection under this section.
- (5) A licence granted by the Welsh Ministers for the purposes of subsection (6) must be in writing and –
 - (a) the Welsh Ministers must in respect of a restricted area grant licences only to persons who appear to them either –
 - (i) to be competent, and properly equipped, to carry out salvage operations in a manner appropriate to the historical, archaeological or artistic importance of any wreck which may be lying in the area and of any objects contained or formerly contained in a wreck, or
 - (ii) to have any other legitimate reason for doing in the area that which can only be done under the authority of a licence;
 - (b) a licence may be granted subject to conditions or restrictions, and may be varied or revoked by the Welsh Ministers at any time after giving not less than one week’s notice to the licensee;
 - (c) anything done contrary to any condition or restriction of a licence shall be treated for purposes of subsection (6) as done otherwise than under the authority of the licence.



- (6) Subject to subsection (8), a person commits an offence if, in a restricted area, the person does any of the following things otherwise than under the authority of a licence granted by the Welsh Ministers –
- (a) tampers with, damages or removes any part of a vessel lying wrecked on or in the sea bed, or any object formerly contained in such a vessel,
 - (b) carries out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the sea bed, or uses equipment constructed or adapted for any purpose of diving or salvage operations, or
 - (c) deposits, so as to fall and lie abandoned on the sea bed, anything which, if it were to fall on the site of a wreck (whether it so falls or not), would wholly or partly obliterate the site or obstruct access to it, or damage any part of the wreck,
- and also commits an offence if the person causes or permits any of those things to be done by others in a restricted area, otherwise than under the authority of such a licence.
- (7) Where a person is authorised, by a licence of the Welsh Ministers granted under this section, to carry out diving or salvage operations, it is an offence for any other person to obstruct the person, or cause or permit the person to be obstructed, in doing anything which is authorised by the licence; but this is subject to subsection (8).
- (8) Nothing is to be regarded as constituting an offence under this section where it is done by a person –
- (a) in the course of any action taken by the person for the sole purpose of dealing with an emergency of any description,
 - (b) in exercising, or seeing to the exercise of, functions conferred by or under an enactment on the person or a body for which the person acts, or
 - (c) out of necessity due to stress of weather or navigational hazards.
- (9) A person guilty of an offence under this section is liable on summary conviction to a fine of not more than £5,000, or on conviction on indictment to a fine.
- (10) In this section “the sea” includes any estuary or arm of the sea, and references to the sea bed include any area submerged at high water of ordinary spring tides.
- (11) This section does not bind the Crown.’.

Tudalen 2, ar ôl llinell 13, mewnosoder adran newydd –

‘RHAN []

GWARCHOD SAFLEOEDD LLONGDDRYLLIADAU HANESYDDOL

[] Gwarchod safleoedd llongddrylliadau hanesyddol

- (1) Os yw Gweinidogion Cymru wedi eu bodloni mewn cysylltiad ag unrhyw safle yn y môr sy'n ffurfio rhan o Gymru –
- (a) bod y safle hwnnw yn safle llestr sy'n gorwedd wedi ei dryllio ar wely'r môr neu yn y môr, neu y gall y safle hwnnw fod yn safle o'r math hwnnw, a
 - (b) y dylai'r safle, o ganlyniad i bwysigrwydd hanesyddol, archaeolegol neu artistig y llestr, neu unrhyw wrthrychau a gynhwysir ynddi neu a gynhwyswyd ynddi gynt a all fod yn gorwedd ar wely'r môr neu'n agos at y llongddrylliad, gael ei warchod rhag ymyrraeth anawdurdodedig,



cânt, drwy reoliadau, ddynodi ardal o amgylch y safle yn ardal gyfyngedig.

- (2) Rhaid i reoliadau o dan yr adran hon nodi’r safle lle y mae’r llestr yn gorwedd neu lle y gorweddai gynt, neu lle y tybir ei bod yn gorwedd neu wedi gorwedd, ac –
 - (a) bydd yr ardal gyfyngedig gyfan o fewn y cyfryw bellter i’r safle (a nodir felly) fel a bennir yn y rheoliadau, ond gan eithrio unrhyw ardal uwchlaw marc penllanw’r gorllanw arferol, a
 - (b) bydd y pellter a bennir at ddibenion paragraff (a) yn cyfateb i ba bellter bynnag y mae Gweinidogion Cymru yn ystyried ei fod yn briodol i sicrhau gwarchodaeth ar gyfer y llongddrylliad.
- (3) Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r cyfryw bersonau y maent yn ystyried eu bod yn briodol, gan roi sylw i ddibenion y rheoliadau; ond caniateir hepgor yr ymgynghoriad hwn os ydynt wedi eu bodloni bod yr achos yn un y mae’n rhaid gwneud rheoliadau ar frys yn ei gylch.
- (4) Rhaid i Weinidogion Cymru ddirymu rheoliadau a wneir o dan yr adran hon os ydynt yn ystyried nad oes unrhyw longddrylliad yn yr ardal, neu nad oes unrhyw longddrylliad yn yr ardal mwyach, sy’n ei gwneud yn ofynnol ei gwarchod o dan yr adran hon.
- (5) Rhaid i drwydded a roddir gan Weinidogion Cymru at ddibenion is-adran (6) fod yn ysgrifenedig ac –
 - (a) rhaid i Weinidogion Cymru, mewn cysylltiad ag ardal gyfyngedig, roi trwyddedau dim ond i bersonau y mae’n ymddangos iddynt naill ai –
 - (i) eu bod yn gymwys, ac wedi eu paratoi’n briodol, i gyflawni gweithrediadau achub mewn modd sy’n briodol i bwysigrwydd hanesyddol, archaeolegol neu artistig unrhyw longddrylliad a all fod yn gorwedd yn yr ardal ac unrhyw wrthrychau a gynhwysir mewn llongddrylliad neu a gynhwyswyd gynt mewn llongddrylliad, neu
 - (ii) bod ganddynt unrhyw reswm dilys arall dros wneud yr hyn na ellir ond ei wneud yn yr ardal o dan awdurdod trwydded;
 - (b) caniateir rhoi trwydded yn ddarostyngedig i amodau neu gyfyngiadau, a chaiff Gweinidogion Cymru ei hamrywio neu ei dirymu ar unrhyw adeg ar ôl rhoi o leiaf wythnos o hysbysiad i’r trwyddedai;
 - (c) bydd unrhyw beth a wneir yn groes i unrhyw amod neu gyfyngiad ar drwydded yn cael ei drin at ddibenion is-adran (6) fel pe bai wedi ei wneud ac eithrio o dan awdurdod y drwydded.
- (6) Yn ddarostyngedig i is-adran (8), mae person yn cyflawni trosedd os yw’r person, mewn ardal gyfyngedig, yn gwneud unrhyw un neu ragor o’r pethau a ganlyn ac eithrio o dan awdurdod trwydded a roddir gan Weinidogion Cymru –
 - (a) ymyrryd ag unrhyw ran o lestr sy’n gorwedd wedi ei dryllio ar wely’r môr neu yn y môr, neu unrhyw wrthrych a gynhwyswyd gynt mewn llestr o’r fath, neu ddifrodi neu symud ymaith unrhyw ran o lestr neu unrhyw wrthrych o’r fath,
 - (b) cynnal gweithrediadau deifio neu achub a gyfeirir at archwilio unrhyw longddrylliad neu at dynnu gwrthrychau ohono neu o wely’r môr, neu ddefnyddio offer a adeiladwyd neu a addaswyd at unrhyw ddiben gweithrediadau deifio neu achub, neu



- (c) dyddodi unrhyw beth, fel ei fod yn disgyn ac yn gorwedd wedi ei adael ar wely’r môr, a fyddai, pe bai’n disgyn ar safle llongdrylliad (pa un a yw’n syrthio felly ai peidio), yn difodi’r safle yn llwyr neu’n rhannol neu’n rhwystro mynediad iddo, neu’n difrodi unrhyw ran o’r llongdrylliad,
- ac mae hefyd yn cyflawni trosedd os yw’r person yn peri neu’n caniatáu i unrhyw un neu ragor o’r pethau hynny gael ei wneud neu eu gwneud gan eraill mewn ardal gyfyngedig, ac eithrio o dan awdurdod trwydded o’r fath.
- (7) Pan awdurdodir person, drwy drwydded Gweinidogion Cymru a roddir o dan yr adran hon, i gynnal gweithrediadau deifio neu achub, mae’n drosedd i unrhyw berson arall rwystro’r person, neu beri neu ganiatáu i’r person gael ei rwystro, wrth wneud unrhyw beth a awdurdodir gan y drwydded; ond mae hyn yn ddarostyngedig i is-adran (8).
- (8) Nid oes dim i’w ystyried yn drosedd o dan yr adran hon pan fo wedi ei wneud gan berson—
- (a) yng nghwrs unrhyw gamau a gymerwyd gan y person dim ond at ddiben ymdrin ag argyfwng o unrhyw ddisgrifiad,
- (b) wrth arfer, neu sicrhau yr arferir, swyddogaethau a roddir gan neu o dan ddeddfiad ar y person neu gorff y mae’r person yn gweithredu ar ei gyfer, neu
- (c) o angenrheidrwydd oherwydd straen y tywydd neu beryglon mordwyol.
- (9) Mae person sy’n euog o drosedd o dan yr adran hon yn agored, ar euogfarn ddiannod, i ddirwy heb fod yn fwy na £5,000, neu ar euogfarn ar dditiad i ddirwy.
- (10) Yn yr adran hon, mae "y môr" yn cynnwys unrhyw aber neu fraich o’r môr, ac mae cyfeiriadau at wely’r môr yn cynnwys unrhyw ardal sydd o dan ddŵr penllanw’r gorllanw arferol.
- (11) Nid yw’r adran hon yn rhwymo’r Goron.’.

Mick Antoniw

1

Section 2, page 3, line 4, leave out ‘or on’ and insert ‘, on or under’.

Adran 2, tudalen 3, llinell 5, hepgorer ‘neu arno’ a mewnosoder ‘, arno neu odano’.

Mick Antoniw

2

Section 17, page 10, line 36, after ‘may’, insert ‘do one or more of the following’.

Adran 17, tudalen 10, llinell 35, ar ôl ‘Cymru’, mewnosoder ‘wneud un neu ragor o’r canlynol’.

Mick Antoniw

3

Section 34, page 22, line 14, leave out ‘on the day’ and insert ‘at the time’.

Adran 34, tudalen 22, llinell 17, hepgorer ‘y diwrnod’ a mewnosoder ‘yr adeg’.

Mick Antoniw

4

Section 36, page 24, at the beginning of line 9, insert ‘Each copy of’.

Adran 36, tudalen 24, llinell 11, hepgorer ‘cyflwyno’r’ a mewnosoder ‘cyflwyno pob copi o’r’.

Mick Antoniw

5

Section 39, page 25, line 9, after ‘whom’, insert ‘a copy of’.

Adran 39, tudalen 25, llinell 10, ar ôl ‘cyflwynir’, mewnosoder ‘copi o’.

Mick Antoniw

32

Schedule 1, page 138, line 9, leave out ‘section 30, 33, 41, 58 or 60’ and insert ‘this Act’.

Atodlen 1, tudalen 138, llinell 9, hepgorer ‘adran 30, 33, 41, 58 neu 60’ a mewnosoder ‘y Ddeddf hon’.

Mick Antoniw

33

Schedule 4, page 146, line 14, leave out ‘any modification the Welsh Ministers consider appropriate’ and insert ‘modifications’.

Atodlen 4, tudalen 146, llinell 16, hepgorer ‘unrhyw addasiad y mae Gweinidogion Cymru yn ystyried ei fod yn briodol’ a mewnosoder ‘addasiadau’.

Mick Antoniw

34

Schedule 5, page 149, line 6, leave out ‘any modification the Welsh Ministers consider appropriate’ and insert ‘modifications’.

Atodlen 5, tudalen 149, llinell 6, hepgorer ‘unrhyw addasiad y mae Gweinidogion Cymru yn ystyried ei fod yn briodol’ a mewnosoder ‘addasiadau’.

Mick Antoniw

6

Section 76, page 49, line 17, leave out ‘fixed to the building’ and insert ‘that is fixed to the building and ancillary to it’.

Adran 76, tudalen 49, llinell 17, ar ôl ‘adeilad’, mewnosoder ‘ac sy’n atodol iddo’.

Mick Antoniw

7

Section 76, page 49, line 20, after ‘building’ at the first place where it appears, insert ‘, and ancillary to it’.

Adran 76, tudalen 49, llinell 20, ar ôl ‘adeilad’ yn y lle cyntaf y mae’n ymddangos, mewnosoder ‘, ac yn atodol iddo,’.

Mick Antoniw

8

Section 97, page 62, after line 1, insert –

- ‘() Subsections (5) and (6) do not prevent the imposition of other conditions for the purpose of enabling a listed building to be recorded.’.

Adran 97, tudalen 62, ar ôl llinell 1, mewnosoder –

() Nid yw is-adrannau (5) a (6) yn atal amodau eraill rhag cael eu gosod at ddiben galluogi cofnodi adeilad rhestredig.’

Mick Antoniw

9

Section 101, page 63, line 25, after ‘served’, insert ‘(which may include provision enabling the Welsh Ministers to extend the period)’.

Adran 101, tudalen 63, llinell 27, ar ôl ‘fewn’, mewnosoder ‘(a gaiff gynnwys darpariaeth sy’n galluogi Gweinidogion Cymru i estyn y cyfnod)’.

Mick Antoniw

10

Section 109, page 67, line 32, leave out ‘incapable of reasonably beneficial use’ and insert ‘unusable’.

Adran 109, tudalen 67, llinell 35, hepgorer ‘nad oes modd gwneud defnydd rhesymol fuddiol o’r adeilad rhestredig na’r tir cysylltiedig, y cyflwynir yr hysbysiad mewn cysylltiad â hwy,’ a mewnosoder ‘bod yr adeilad rhestredig a’r tir cysylltiedig y cyflwynir yr hysbysiad mewn cysylltiad â hwy yn anefnyddiadwy’.

Mick Antoniw

11

Section 109, page 68, line 1, leave out ‘for any works subject to conditions or has been modified by the imposition of conditions, that the building and land cannot be made capable of reasonably beneficial use by carrying out the works’ and insert ‘subject to conditions or has been modified by the imposition of conditions, that the building and land cannot be made usable by carrying out the works to which the consent relates’.

Adran 109, tudalen 68, llinell 1, hepgorer ‘ar gyfer unrhyw waith yn ddarostyngedig i amodau neu wedi ei addasu drwy osod amodau, nad yw’n bosibl gwneud yr adeilad na’r tir fel bod modd gwneud defnydd rhesymol fuddiol ohonynt drwy gyflawni’r gwaith’ a mewnosoder ‘yn ddarostyngedig i amodau neu wedi ei addasu drwy osod amodau, nad yw’n bosibl gwneud yr adeilad na’r tir yn ddefnyddiadwy drwy gyflawni’r gwaith y mae’r cydsyniad yn ymwneud ag ef’.

Mick Antoniw

12

Section 109, page 68, line 5, leave out ‘capable of reasonably beneficial use’ and insert ‘usable’.

Adran 109, tudalen 68, llinell 5, hepgorer ‘fel bod modd gwneud defnydd rhesymol fuddiol ohonynt’ a mewnosoder ‘yn ddefnyddiadwy’.

Mick Antoniw

13

Section 109, page 68, after line 13, insert –

() In this section and Schedule 9 –

“associated land” (“*tir cysylltiedig*”), in relation to a listed building, means land which –

- (a) includes, adjoins or is adjacent to the building, and
- (b) is owned with the building;

“usable” (“*defnyddiadwy*”), in relation to a listed building or associated land, means capable of reasonably beneficial use.’.

Adran 109, tudalen 68, ar ôl llinell 12, mewnosoder –

‘() Yn yr adran hon ac yn Atodlen 9 –

ystyr “*defnyddiadwy*” (“*usable*”), mewn perthynas ag adeilad rhestredig neu dir cysylltiedig, yw bod modd gwneud defnydd rhesymol fuddiol ohono;

ystyr “*tir cysylltiedig*” (“*associated land*”), mewn perthynas ag adeilad rhestredig, yw tir –

- (a) sy’n cynnwys yr adeilad, sy’n cydffinio ag ef neu sy’n gyfagos iddo, a
- (b) a berchnogir gyda’r adeilad.’.

Mick Antoniw

14

Section 109, page 68, line 14, leave out ‘capable of reasonably beneficial use’ and insert ‘usable’.

Adran 109, tudalen 68, llinell 13, hepgorer ‘oes modd i adeilad rhestredig a’r tir cysylltiedig gael eu defnyddio’n rhesymol fuddiol’ a mewnosoder ‘yw adeilad rhestredig a’r tir cysylltiedig yn ddefnyddiadwy’.

Mick Antoniw

15

Section 109, page 68, line 23, leave out ‘incapable of reasonably beneficial use’ and insert ‘unusable’.

Adran 109, tudalen 68, llinell 22, hepgorer ‘un nad oes modd gwneud defnydd rhesymol fuddiol ohono’ a mewnosoder ‘annefnyddiadwy’.

Mick Antoniw

16

Section 109, page 68, line 27, leave out ‘capable of reasonably beneficial use’ and insert ‘usable’.

Adran 109, tudalen 68, llinell 27, hepgorer ‘fel bod modd ei ddefnyddio’n rhesymol fuddiol’ a mewnosoder ‘yn ddefnyddiadwy’.

Mick Antoniw

17

Section 109, page 68, line 29, leave out subsection (8).

Adran 109, tudalen 68, llinell 30, hepgorer is-adran (8).

Mick Antoniw

18

Section 111, page 69, line 26, leave out ‘acquiring authority starts the compulsory acquisition of the building’ and insert ‘compulsory acquisition of the building is started’.

Adran 111, tudalen 69, llinell 32, hepgorer 'yw'r awdurdod caffael yn ystod y cyfnod hwnnw yn dechrau caffael yr adeilad yn orfodol o dan adran 137' a mewnosoder 'dechreuir caffael yr adeilad yn orfodol o dan adran 137 yn ystod y cyfnod hwnnw'.

Mick Antoniw

19

Section 111, page 70, line 2, leave out –

'when the acquiring authority serves the notice required by section 12 of the Acquisition of Land Act 1981 (c. 67) or paragraph 3(1) of Schedule 1 to that Act;

(b) is discontinued –

(iii) in the case of an acquisition by the Welsh Ministers, when they decide not to make the compulsory purchase order;

(iv) in the case of an acquisition by a planning authority, when the order is withdrawn or the Welsh Ministers decide not to confirm it,

and "acquiring authority" has the meaning given by section 137(7)

and insert –

' –

(i) by a planning authority when it serves the notice required by section 12 of the Acquisition of Land Act 1981 (c. 67);

(ii) by the Welsh Ministers when they serve the notice required by paragraph 3(1) of Schedule 1 to that Act;

(b) a compulsory acquisition is discontinued –

(i) in the case of an acquisition by a planning authority, when the compulsory purchase order is withdrawn or the Welsh Ministers decide not to confirm it;

(ii) in the case of an acquisition by the Welsh Ministers, when they decide not to make the compulsory purchase order'.

Adran 111, tudalen 70, llinell 2, hepgorer –

'pan fydd yr awdurdod caffael yn cyflwyno'r hysbysiad sy'n ofynnol gan adran 12 o Ddeddf Caffael Tir 1981 (p. 67) neu baragraff 3(1) o Atodlen 1 i'r Ddeddf honno;

(b) yn cael ei derfynu –

(i) yn achos caffaeliad gan Weinidogion Cymru, pan fyddant yn penderfynu peidio â gwneud y gorchymyn prynu gorfodol;

(ii) yn achos caffaeliad gan awdurdod cynllunio, pan fydd y gorchymyn wedi ei dynnu'n ôl neu pan fydd Gweinidogion Cymru yn penderfynu peidio â'i gadarnhau,

ac mae i "awdurdod caffael" yr ystyr a roddir gan adran 137(7)

a mewnosoder –

' –

(i) gan awdurdod cynllunio pan fydd yn cyflwyno'r hysbysiad sy'n ofynnol gan adran 12 o Ddeddf Caffael Tir 1981 (p. 67);



- (ii) gan Weinidogion Cymru pan fyddant yn cyflwyno'r hybysiad sy'n ofynnol gan baragraff 3(1) o Atodlen 1 i'r Ddeddf honno;
- (b) mae caffaeliad gorfodol yn cael ei derfynu –
- (i) yn achos caffaeliad gan awdurdod cynllunio, pan fydd y gorchymyn prynu gorfodol wedi ei dynnu'n ôl neu pan fydd Gweinidogion Cymru yn penderfynu peidio â'i gadarnhau;
 - (ii) yn achos caffaeliad gan Weinidogion Cymru, pan fyddant yn penderfynu peidio â gwneud y gorchymyn prynu gorfodol'.

Mick Antoniw

20

Section 122, page 78, line 11, leave out 'on the day' and insert 'at the time'.

Adran 122, tudalen 78, llinell 15, hepgorer 'y diwrnod' a mewnosoder 'yr adeg'.

Mick Antoniw

21

Section 124, page 80, at the beginning of line 1, insert 'Each copy of'.

Adran 124, tudalen 80, llinell 1, hepgorer 'cyflwyno'r' a mewnosoder 'cyflwyno pob copi o'r'.

Mick Antoniw

22

Section 147, page 93, after line 34, insert –

'(4) Regulations under this section may not make any provision that binds the Crown.'

Adran 147, tudalen 93, ar ôl llinell 36, mewnosoder –

'(4) Ni chaiff rheoliadau o dan yr adran hon wneud unrhyw ddarpariaeth sy'n rhwymo'r Goron.'

Mick Antoniw

23

Section 157, page 102, line 29, leave out 'of which' and insert ', if'.

Adran 157, tudalen 102, llinell 25, hepgorer 'y mae' a mewnosoder ', os yw'.

Mick Antoniw

35

Schedule 7, page 152, line 14, leave out 'section 117, 118, 121 or 133' and insert 'this Act'.

Atodlen 7, tudalen 152, llinell 16, hepgorer 'adran 117, 118, 121 neu 133' a mewnosoder 'y Ddeddf hon'.

Mick Antoniw

36

Schedule 9, page 158, line 14, leave out 'capable of reasonably beneficial use' and insert 'usable'.

Atodlen 9, tudalen 158, llinell 16, hepgorer 'fel bod modd ei ddefnyddio'n rhesymol fuddiol' a mewnosoder 'yn ddefnyddiadwy'.

Mick Antoniw 37

Schedule 9, page 158, line 21, leave out ‘capable of reasonably beneficial use’ and insert ‘usable’.

Atodlen 9, tudalen 158, llinell 23, hepgorer ‘fel bod modd ei ddefnyddio’n rhesymol fuddiol’ a mewnosoder ‘yn ddefnyddiadwy’.

Mick Antoniw 38

Schedule 9, page 158, line 24, leave out ‘capable of reasonably beneficial use’ and insert ‘usable’.

Atodlen 9, tudalen 158, llinell 26, hepgorer ‘fel bod modd ei ddefnyddio neu ei defnyddio yn rhesymol fuddiol’ a mewnosoder ‘yn ddefnyddiadwy’.

Mick Antoniw 39

Schedule 9, page 161, line 9, leave out ‘has the meaning’ and insert ‘and “usable” (“defnyddiadwy”) have the meanings’.

Atodlen 9, tudalen 161, llinell 9, hepgorer “‘tir cysylltiedig” (“associated land”) yr ystyr’ a mewnosoder “‘defnyddiadwy” (“usable”) a “‘tir cysylltiedig” (“associated land”) yr ystyron’.

Mick Antoniw 24

Section 164, page 106, after line 19, insert –

‘() section 144(7) is to be read as if paragraph (b) were omitted.’.

Adran 164, tudalen 106, ar ôl llinell 17, mewnosoder –

‘() mae adran 144(7) i’w darllen fel pe bai paragraff (b) wedi ei hepgor.’.

Mick Antoniw 40

Schedule 11, page 164, line 8, leave out –

‘mentioned in sub-paragraph (2) committed while section 161 applied to it.

(2) The offences referred to in sub-paragraph (1) are offences committed under –

- (a) section 117 as applied by section 163 (breaching section 161 or failing to comply with condition of consent),
- (b) section 121 as applied by section 163 (breaching temporary stop notice), or
- (c) section 133 as applied by section 163 (failing to comply with enforcement notice)’

and insert –

‘under this Act committed while section 161 applied to it’.

Atodlen 11, tudalen 164, llinell 9, hepgorer –

‘a grybwyllir yn is-baragraff (2) a gyflawnwyd tra oedd adran 161 yn gymwys iddo.

(2) Y troseddau y cyfeirir atynt yn is-adran (1) yw troseddau a gyflawnir o dan –

- (a) adran 117 fel y’i cymhwysir gan adran 163 (torri adran 161 neu fethu â chydymffurfio ag amod mewn cydsyniad),
- (b) adran 121 fel y’i cymhwysir gan adran 163 (torri hysbysiad stop dros dro), neu
- (c) adran 133 fel y’i cymhwysir gan adran 163 (methu â chydymffurfio â hysbysiad gorfodi)’

a mewnosoder –

‘o dan y Ddeddf hon a gyflawnwyd tra oedd adran 161 yn gymwys iddo’.

Mick Antoniw

25

Section 174, page 112, line 17, after ‘consent’, insert ‘or conservation area consent’.

Adran 174, tudalen 112, llinell 18, ar ôl ‘rhestredig’, mewnosoder ‘neu gydsyniad ardal gadwraeth’.

Mick Antoniw

26

Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version.

Adran 179, tudalen 115, llinell 24, hepgorer ‘diddordeb yn yr ymchwiliad, neu y byddai wedi bod â diddordeb’ a mewnosoder ‘buddiant yn yr ymchwiliad, neu y byddai wedi bod â buddiant’.

Mick Antoniw

27

Section 182, page 117, line 35, leave out ‘, or direct that listed building’ and insert ‘or conservation area consent, or direct that’.

Adran 182, tudalen 117, llinell 38, hepgorer ‘, neu gyfarwyddo bod rhaid rhoi cydsyniad adeilad rhestredig’ a mewnosoder ‘neu gydsyniad ardal gadwraeth, neu gyfarwyddo bod rhaid rhoi cydsyniad’.

Mick Antoniw

28

Section 184, page 120, line 2, leave out –

‘that, where the Welsh Ministers make a relevant decision, an interested person may either –

- (a) appeal to the High Court against the decision on a point of law, or
- (b) require the Welsh Ministers’

and insert –

‘either –

- () that an interested person may appeal to the High Court on a point of law against a relevant decision made by the Welsh Ministers, or
- () that where the Welsh Ministers make a relevant decision an interested person may require them’.

Adran 184, tudalen 120, llinell 2, hepgorer –



’, pan fo Gweinidogion Cymru yn gwneud penderfyniad perthnasol, y caiff person sydd â buddiant naill ai –

- (a) apelio i’r Uchel Lys yn erbyn y penderfyniad ar bwynt cyfreithiol, neu
- (b) ei gwneud yn ofynnol i Weinidogion Cymru’

a mewnosoder –

’naill ai –

- () y caiff person sydd â buddiant apelio i’r Uchel Lys ar bwynt cyfreithiol yn erbyn penderfyniad perthnasol a wneir gan Weinidogion Cymru, neu
- () pan fo Gweinidogion Cymru yn gwneud penderfyniad perthnasol, y caiff person sydd â buddiant ei gwneud yn ofynnol iddynt’.

Mick Antoniw

29

Section 192, page 124, line 11, leave out ‘it would be appropriate’.

Adran 192, tudalen 124, llinell 12, hepgorer ‘a fyddai’n briodol, neu i ba raddau y byddai’n briodol, cynnwys’ a mewnosoder ‘pa un ai i gynnwys, neu i ba raddau y dylid cynnwys,’.

Mick Antoniw

30

Section 192, page 124, line 27, after ‘situated’, insert ‘(including, if different, the planning authority in whose area anything appearing in the register by virtue of subsection (2) is situated)’.

Adran 192, tudalen 124, llinell 30, ar ôl ‘ardal’, mewnosoder ‘(gan gynnwys, os yw’n wahanol, yr awdurdod cynllunio y mae unrhyw beth sy’n ymddangos yn y gofrestr yn rhinwedd is-adran (2) yn ei ardal)’.

Mick Antoniw

31

Section 197, page 128, line 1, leave out ‘which, under or by virtue of Part 3, 4 or 5, the authority is authorised to make, issue or serve’ and insert ‘under or by virtue of Part 3, 4 or 5’.

Adran 197, tudalen 128, llinell 1, hepgorer ‘y mae’r awdurdod wedi ei awdurdodi, o dan neu yn rhinwedd Rhan 3, 4 neu 5, i’w wneud, ei ddyroddi neu ei dyroddi neu ei gyflwyno neu ei chyflwyno’ a mewnosoder ‘o dan neu yn rhinwedd Rhan 3, 4 neu 5’.

James Evans

50

Section 207, page 133, after line 7, insert –

- ‘() Subsection (7) does not apply in relation to section [*new section to be inserted by amendment 49 – Protection of sites of historic wrecks*].’.

Adran 207, tudalen 133, ar ôl llinell 8, mewnosoder –

- ‘() Nid yw is-adran (7) yn gymwys mewn perthynas ag adran [*adran newydd i’w mewnosod gan welliant 49 – Gwarchod safleoedd llongdrylliadau hanesyddol*].’.

James Evans

51

Section 210, page 135, line 26, after ‘207(7)’, insert ‘(but see section 207(*new subsection to be inserted by amendment 50*))’.

Adran 210, tudalen 136, llinell 9, ar ôl ‘207(7)’, mewnosoder ‘(ond gweler adran 207(*is-adran newydd i’w mewnosod gan welliant 50*))’.

James Evans

52

Schedule 13, page 171, after line 24, insert –

‘Protection of Wrecks Act 1973 (c. 33)

[] The Protection of Wrecks Act 1973 is amended as follows.

[] In section 1, before subsection (1), insert –

“(A1) This section does not apply in relation to a vessel the site of which is, or is capable of being, designated in accordance with the provisions of section [*new section to be inserted by amendment 49 – Protection of sites of historic wrecks*] of the Historic Environment (Wales) Act 2023 (Protection of sites of historic wrecks).”

[] In section 3(4), after “proceedings for such an offence” insert “or an offence under section (*new section to be inserted by amendment 49 – Protection of sites of historic wrecks*) of the Historic Environment (Wales) Act 2023”’.

Atodlen 13, tudalen 171, ar ôl llinell 25, mewnosoder –

‘Deddf Gwarchod Llongddrylliadau 1973 (p. 33)

[] Diwygir Deddf Gwarchod Llongddrylliadau 1973 fel a ganlyn.

[] Yn adran 1, cyn is-adran (1) mewnosoder –

“(A1) This section does not apply in relation to a vessel the site of which is, or is capable of being, designated in accordance with the provisions of section [*adran newydd i’w mewnosod gan welliant 49 – Gwarchod safleoedd llongddrylliadau hanesyddol*] of the Historic Environment (Wales) Act 2023 (Protection of sites of historic wrecks).”

[] Yn adran 3(4), ar ôl “proceedings for such an offence” mewnosoder “or an offence under section (*adran newydd i’w mewnosod gan welliant 49 – Gwarchod safleoedd llongddrylliadau hanesyddol*) of the Historic Environment (Wales) Act 2023”’.

Mick Antoniw

41

Schedule 13, page 176, line 30, leave out ‘to which section 161 of that Act applies’.

Atodlen 13, tudalen 176, llinell 30, hepgorer ‘to which section 161 of that Act applies’.

Mick Antoniw

42

Schedule 13, page 188, line 18, leave out –

‘, after “section 73” insert “as they apply’

and insert –

‘ –

- (i) in the words before paragraph (a), for “in section 73” substitute “section 73 as they apply in relation to England,”;
- (ii) in paragraph (a), after “Town and Country Planning Act 1990” insert “as it applies’.

Atodlen 13, tudalen 188, llinell 18, hepgorer –

‘, ar ôl “section 73” mewnosoder “as they apply’

a mewnosoder –

‘ –

- (i) yn y geiriau o flaen paragraff (a), yn lle “in section 73” rhodder “section 73 as they apply in relation to England,”;
- (ii) ym mharagraff (a), ar ôl “Town and Country Planning Act 1990” mewnosoder “as it applies’.

Mick Antoniw

43

Schedule 13, page 188, line 23, leave out –

‘has the same meaning as in the Town and Country Planning Act 1990’

and insert –

‘is to be interpreted in accordance with Part 1 of the Town and Country Planning Act 1990,

and in that Part as it applies in relation to Wales references to “the planning Acts” are to be treated as including this Act’.

Atodlen 13, tudalen 188, llinell 24, hepgorer –

‘has the same meaning as in the Town and Country Planning Act 1990’

a mewnosoder –

‘is to be interpreted in accordance with Part 1 of the Town and Country Planning Act 1990,

and in that Part as it applies in relation to Wales references to “the planning Acts” are to be treated as including this Act’.

Mick Antoniw

44

Schedule 13, page 189, after line 4, insert –

[] In section 60C(8), in paragraph (b) of the definition of “land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

Atodlen 13, tudalen 189, ar ôl llinell 4, mewnosoder –

[] Yn adran 60C(8), ym mharagraff (b) o'r diffiniad o “land”, ar ôl “the Ancient Monuments and Archaeological Areas Act 1979” mewnosoder “or the Historic Environment (Wales) Act 2023”.

Mick Antoniw

45

Schedule 14, page 194, after line 15, insert –

‘Offence of breaching temporary stop notice in relation to scheduled monument

[] Section 33(4)(b) does not apply in relation to proceedings for an offence relating to a temporary stop notice that was issued before section 33 comes into force.

Service and taking effect of enforcement notice in relation to scheduled monument

[] Section 36(5)(a) does not apply in relation to the service of an enforcement notice that was issued before section 36 comes into force.

Purchase notice served on council in relation to building in National Park

[] (1) Sub-paragraph (2) applies in relation to a purchase notice that has been served on a county council or county borough council in Wales in relation to a building in a National Park before section 109 comes into force.

(2) The following provisions are to be read as if references to a planning authority were references to the council –

- (a) section 183(7)(c);
- (b) section 186(3) and (7);
- (c) Schedule 9.

Atodlen 14, tudalen 194, ar ôl llinell 16, mewnosoder –

‘Y drosedd o dorri hysbysiad stop dros dro mewn perthynas â heneb gofrestredig

[] Nid yw adran 33(4)(b) yn gymwys mewn perthynas ag achos ar gyfer trosedd sy'n ymwneud â hysbysiad stop dros dro a ddyroddwyd cyn i adran 33 ddod i rym.

Cyflwyno hysbysiad gorfodi a'r hysbysiad yn cymryd effaith mewn perthynas â heneb gofrestredig

[] Nid yw adran 36(5)(a) yn gymwys mewn perthynas â chyflwyno hysbysiad gorfodi a ddyroddwyd cyn i adran 36 ddod i rym.

Hysbysiad prynu a gyflwynir i gyngor mewn perthynas ag adeilad mewn Parc Cenedlaethol

[] (1) Mae is-baragraff (2) yn gymwys mewn perthynas â hysbysiad prynu sydd wedi ei gyflwyno i gyngor sir neu gyngor bwrdeistref sirol yng Nghymru mewn perthynas ag adeilad mewn Parc Cenedlaethol cyn i adran 109 ddod i rym.

(2) Mae’r darpariaethau a ganlyn i’w darllen fel pe bai cyfeiriadau at awdurdod cynllunio yn gyfeiriadau at y cyngor –

- (a) adran 183(7)(c);
- (b) adran 186(3) a (7);
- (c) Atodlen 9’.

James Evans

46

Section 1, page 1, after line 10, insert –

‘() the Protection of Wrecks Act 1973 (c. 33);’.

Adran 1, tudalen 1, ar ôl llinell 11, mewnosoder –

‘() Deddf Gwarchod Llongddrylliadau 1973 (p. 33);’.

James Evans

47

Section 1, page 1, after line 15, insert –

‘() Part [*new Part inserted by amendment 49 – Protection of sites of historic wrecks*] of this Act makes provision about the protection of sites of historic wrecks, including provision for the Welsh Ministers to designate areas as restricted areas for the purpose of protecting historic wrecks.’.

Adran 1, tudalen 1, ar ôl llinell 16, mewnosoder –

‘() Mae Rhan [*Rhan newydd wedi’i mewnosod gan welliant 49 – Gwarchod safleoedd llongddrylliadau hanesyddol*] o’r Ddeddf hon yn gwneud darpariaeth ynghylch gwarchod safleoedd llongddrylliadau hanesyddol, gan gynnwys darpariaeth i Weinidogion Cymru ddynodi ardaloedd yn ardaloedd cyfyngedig at ddiben gwarchod llongddrylliadau hanesyddol.’.

James Evans

48

Section 1, page 1, line 16, leave out ‘of this Act’.

Adran 1, tudalen 1, llinell 17, hepgorer ‘o’r Ddeddf hon’.