



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 3238 (Cy.281) (C.144)

2004 No. 3238 (W.281) (C.144)

TIR, CYMRU

LAND, WALES

**YMDDYGIAD
GWRTHGYMDEITHASOL,
CYMRU**

**ANTI-SOCIAL
BEHAVIOUR,
WALES**

**Gorchymyn Deddf Ymddygiad
Gwrthgymdeithasol 2003
(Cychwyn Rhif 3) (Cymru) 2004**

**The Anti-social Behaviour Act
2003 (Commencement No. 3)
(Wales) Order 2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dod â darpariaethau Rhan 8 o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 ("y Ddeddf") i rym, mewn perthynas â gwrychoedd neu berthi yng Nghymru, ar 31 Rhagfyr 2004.

This Order brings into force, on 31 December 2004, the provisions of Part 8 of the Anti-social Behaviour Act 2003 ("the Act") in relation to hedges situated in Wales.

Mae Rhan 8 o'r Ddeddf yn rhoi'r pŵer i awdurdodau lleol ymdrin â chwynion am wrychoedd neu berthi uchel sy'n cael effaith andwyol ar allu cymydog i fwynhau ei eiddo. Mae hefyd yn rhoi'r pŵer i Gynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") wneud rheoliadau mewn perthynas â gwrychoedd neu berthi yng Nghymru, i osod mwyafswm y ffi y gall awdurdod lleol ei chodi ar gyfer ymdrin â chais o dan y Ddeddf, ac i bennu'r gweithdrefnau y dylid eu dilyn pan wneir apel i'r Cynulliad Cenedlaethol o dan adran 71 o'r Ddeddf.

Part 8 of the Act gives local authorities the power to deal with complaints about high hedges which are having an adverse effect on a neighbour's enjoyment of his or her property. It also gives the National Assembly for Wales ("the National Assembly") the power to make regulations, in relation to hedges situated in Wales, to set the maximum level of fee chargeable by a local authority for dealing with an application under the Act and to set out the procedures to be followed where an appeal is made to the National Assembly under section 71 of the Act.

**NODYN AM Y GORCHMYNION
CYCHWYN BLAENOROL**

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

Daethpwyd â darpariaethau'r Ddeddf y cyfeirir atynt yn Nhabl 1 isod i rym mewn perthynas â Chymru a Lloegr drwy Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn. Daethpwyd â darpariaethau'r Ddeddf y cyfeirir atynt yn Nhabl 2 isod i rym mewn perthynas â Chymru drwy Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

TABLE 1

<i>Adran(nau) neu Atodlen(ni)</i>	<i>Dyddiad cychwyn</i>	<i>Rhif yr O.S.</i>
1 i 11	20 Ionawr 2004	2003/3300
18	27 Chwefror 2004	2003/3300
23	27 Chwefror 2004	2003/3300
25 i 29	27 Chwefror 2004	2003/3300
30 i 38	20 Ionawr 2004	2003/3300
39(1) a (2)	20 Ionawr 2004	2003/3300
39(3) (yn rhannol)	20 Ionawr 2004	2003/3300
39(3) (y gweddill)	30 Ebrill 2004	2003/3300
39(4) i (6)	20 Ionawr 2004	2003/3300
46	31 Mawrth 2004	2004/690
53	20 Ionawr 2004	2003/3300
54	31 Mawrth 2004	2004/690
57 i 59	20 Ionawr 2004	2003/3300
60 i 64	27 Chwefror 2004	2003/3300
85(1) i (3)	20 Ionawr 2004	2003/3300
85(4) (yn rhannol)	20 Ionawr 2004	2003/3300
85(4) (y gweddill)	31 Mawrth 2004	2004/690
85(5)	31 Mawrth 2004	2004/690
85(6) (yn rhannol)	31 Mawrth 2004	2004/690
85(7)	20 Ionawr 2004	2003/3300
85(8)	27 Chwefror 2004	2003/3300

**NOTE AS TO EARLIER
COMMENCEMENT ORDERS**

(This note is not part of the Order)

The provisions of the Act referred to in Table 1 below have been brought into force in relation to both Wales and England by Commencement Orders made before the date of this Order. The provisions of the Act referred to in Table 2 below have been brought into force in relation to Wales by Commencement Orders made before the date of this Order.

TABLE 1

<i>Section(s) or Schedule(s)</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
1 to 11	20 January 2004	2003/3300
18	27 February 2004	2003/3300
23	27 February 2004	2003/3300
25 to 29	27 February 2004	2003/3300
30 to 38	20 January 2004	2003/3300
39(1) and (2)	20 January 2004	2003/3300
39(3) (in part)	20 January 2004	2003/3300
39(3) (remainder)	30 April 2004	2003/3300
39(4) to (6)	20 January 2004	2003/3300
46	31 March 2004	2004/690
53	20 January 2004	2003/3300
54	31 March 2004	2004/690
57 to 59	20 January 2004	2003/3300
60 to 64	27 February 2004	2003/3300
85(1) to (3)	20 January 2004	2003/3300
85(4) (in part)	20 January 2004	2003/3300
85(4) (remainder)	31 March 2004	2004/690
85(5)	31 March 2004	2004/690
85(6) (in part)	31 March 2004	2004/690
85(7)	20 January 2004	2003/3300
85(8)	27 February 2004	2003/3300

85(9) i (11)	31 Mawrth 2004	2004/690
86(1) a (2)	31 Mawrth 2004	2004/690
86(3) (yn rhannol)	20 Ionawr 2004	2003/3300
86(3) (y gweddill)	31 Mawrth 2004	2004/690
86(4) i (6)	20 Ionawr 2004	2003/3300
87	20 Ionawr 2004	2003/3300
89(1) i (4)	20 Ionawr 2004	2003/3300
89(5)	31 Mawrth 2004	2004/690
89(6) a (7)	20 Ionawr 2004	2003/3300
90	30 Gorffennaf 2004	2004/1502
92 (yn rhannol)	20 Ionawr 2004	2003/3300
92 (yn rhannol)	31 Mawrth 2004	2004/690
Atodlen 3 (yn rhannol)	20 Ionawr 2004	2003/3300
Atodlen 3 (yn rhannol)	31 Mawrth 2004	2004/690

TABL 2

85(9) to (11)	31 March 2004	2004/690
86(1) and (2)	31 March 2004	2004/690
86(3) (in part)	20 January 2004	2003/3300
86(3) (remainder)	31 March 2004	2004/690
86(4) to (6)	20 January 2004	2003/3300
87	20 January 2004	2003/3300
89(1) to (4)	20 January 2004	2003/3300
89(5)	31 March 2004	2004/690
89(6) and (7)	20 January 2004	2003/3300
90	30 July 2004	2004/1502
92 (in part)	20 January 2004	2003/3300
92 (in part)	31 March 2004	2004/690
Schedule 3 (in part)	20 January 2004	2003/3300
Schedule 3 (in part)	31 March 2004	2004/690

TABLE 2

<i>Adran(nau) neu Atodlen(ni)</i>	<i>Dyddiad cychwyn</i>	<i>Rhif yr O.S.</i>
13 (gydag arbedion)	30 Medi 2004	2004/2557 (Cy.228) (C.107)
14	30 Medi 2004	2004/2557 (Cy.228) (C.107)
16 (gydag arbedion)	30 Medi 2004	2004/2557 (Cy.228) (C.107)
17	30 Medi 2004	2004/2557 (Cy.228) (C.107)
40 i 45	31 Mawrth 2004	2004/999 (Cy.105)(C.43)
47 i 52	31 Mawrth 2004	2004/999 (Cy.105)(C.43)
55 a 56	31 Mawrth 2004	2004/999 (Cy.105)(C.43)
91 (gydag arbedion)	30 Medi 2004	2004/2557 (Cy.228) (C.107)

<i>Section(s) or Schedule(s)</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
13 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)
14	30 September 2004	2004/2557 (W.228) (C.107)
16 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)
17	30 September 2004	2004/2557 (W.228) (C.107)
40 to 45	31 March 2004	2004/999 (W.105) (C.43)
47 to 52	31 March 2004	2004/999 (W.105) (C.43)
55 and 56	31 March 2004	2004/999 (W.105) (C.43)
91 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)

Atodlen 1 (yn rhannol)	30 Medi 2004	2004/2557 (Cy.228) (C.107)
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Schedule 1 (in part)	30 September 2004	2004/2557 (W.228) (C.107)
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The Anti-social Behaviour Act
2003 (Commencement No. 3)
(Wales) Order 2004

Wedi'i wneud

8 Rhagfyr 2004

Made

8 December 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 93(3)(b) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 ("y Ddeddf")(a), drwy hyn yn gwneud y Gorchymyn a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred upon it by section 93(3)(b) of the Anti-social Behaviour Act 2003 ("the Act")(a), hereby makes the following Order:

Enwi a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Ymddygiad Gwrthgymdeithasol 2003 (Cychwyn Rhif 3) (Cymru) 2004.

(2) Mae'r Gorchymyn hwn yn gymwys i gŵynion am wrychoedd neu berthi(b) yng Nghymru.

Citation and application

1.-(1) This Order may be cited as the Anti-social Behaviour Act 2003 (Commencement No. 3) (Wales) Order 2004.

(2) This Order applies to complaints about hedges(b) situated in Wales.

Y darpariaethau sydd i'w cychwyn

2. Daw Rhan 8 o'r Ddeddf (Gwrychoedd neu Berthi Uchel) i rym ar 31 Rhagfyr 2004.

Provisions to be commenced

2. Part 8 of the Act (High Hedges) comes into force on 31 December 2004.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru yn unol ag adran 66(1) o Ddeddf Llywodraeth Cymru 1998(c).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c).

8 Rhagfyr 2004

8 December 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 2003 p.38.

(b) *Gweler* adran 66(6) o'r Ddeddf am ystyr "high hedge".

(c) 1998 p.38.

(a) 2003 c.38.

(b) *See* section 66(6) of the Act for the meaning of "high hedge".

(c) 1998 c.38.

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