OFFERYNNAU STATUDOL
CYMRU

2007 Rhif 3371 (Cy.298) (C.141)

DIOGELU'R AMGYLCHEDD, CYMRU

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 3) (Cymru) 2007

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym ddarpariaethau pellach Deddf Cymdogaethau Glân a'r Amgylchedd 2005 ("Deddf 2005") o ran Cymru.

Mae erthygl 2 o'r Gorchymyn hwn yn dwyn i rym ar 18 Ionawr 2008 ddarpariaethau canlynol Deddf 2005:

(a) paragraffau 5 i 7 o Atodlen 4 i Ddeddf 2005 sy'n gwneud mân ddiwygiadau i destun Deddf Diogelu'r Amgylchedd 1990 ("Ddeddf 1990");

(b) paragraff 8 o Atodlen 4 i Ddeddf 2005 sy'n diwygio adran 95(1)(c) o Ddeddf 1990 fel bod y gofrestr gyhoeddus o orchmynion a hysbysiadau, y mae adran 95 o Ddeddf 1990 yn ei gwneud yn ofynnol i awdurdodau lleol ei chadw, yn cynnwys copïau o bob gorchymyn a wneir o dan baragraff 2(1) o Atodlen 3A i Ddeddf 1990 mewn perthynas â dynodi tir at ddibenion rheoleiddio dosbarthu deunydd printiedig yn ddi-dâl;

(c) paragraff 9 o Atodlen 4 i Ddeddf 2005 sy'n diwygio adran 96 o Ddeddf 1990 gyda'r effaith o alluogi Gweinidogion Cymru i wneud rheoliadau mewn perthynas ag ysbwriel a gaiff ei gasglu gan brif awdurdodau ysbwriel o dan adran 92C(3) o Ddeddf 1990. Mae adran 92C(3) o Ddeddf 1990 yn ymwneud ag ysbwriel a gesglir gan brif awdurdod ysbwriel pan fydd person wedi methu â chydymffurfio â hysbysiad clirio ysbwriel a ddyroddwyd gan yr awdurdod hwnnw o dan adran 92A o Ddeddf 1990;

WELSH
STATUTORY INSTRUMENTS

2007 No. 3371 (W.298)(C.141)

ENVIRONMENTAL PROTECTION, WALES

The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 3) (Wales) Order 2007

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Clean Neighbourhoods and Environment Act 2005 ("the 2005 Act") in relation to Wales.

Article 2 of this Order brings into force on 18 January 2008 the following provisions of the 2005 Act:

(a) paragraphs 5 to 7 of Schedule 4 to the 2005 Act which make minor textual amendments to the Environmental Protection Act 1990 ("the 1990 Act");

(b) paragraph 8 of Schedule 4 to the 2005 Act which amends section 95(1)(c) of the 1990 Act so that the public register of orders and notices, which local authorities are required by section 95 of the 1990 Act to maintain, includes copies of all orders which are made under paragraph 2(1) of Schedule 3A to the 1990 Act in relation to the designation of land for the purposes of regulating the free distribution of printed matter;

(c) paragraph 9 of Schedule 4 to the 2005 Act which amends section 96 of the 1990 Act with the effect of enabling Welsh Ministers to make regulations in relation to litter collected by principal litter authorities under section 92C(3) of the 1990 Act. Section 92C(3) of the 1990 Act relates to litter collected by a principal litter authority when a person has failed to comply with a litter clearing notice issued by that authority under section 92A of the 1990 Act;

(ch) mae paragraff 14 o Atodlen 4 i Ddeddf 2005 yn rhoi is-adran (1) newydd yn adran 45 o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 ("Deddf 2003") gyda'r effaith bod cosbau penodedig yn unol ag adran 43(1) (graffiti a gosod posteri'n anghyfreithlon) o Ddeddf 2003 yn daladwy i'r awdurdod lleol y dyroddwyd yr hysbysiad gan ei swyddog awdurdodedig;

(d) mae paragraff 15 o Atodlen 4 i Ddeddf 2005 yn cymhwyso i adrannau 43A a 43B o'r Ddeddf honno ddiffiniadau a geir yn adran 47(1) o Ddeddf 2003. Effaith hyn yw galluogi Gweinidogion Cymru i wneud rheoliadau mewn cysylltiad â chosbau sy'n daladwy yn unol â hysbysiad o dan adran 43(1) o Ddeddf 2003 (graffiti a gosod posteri'n anghyfreithlon);

(dd) mae paragraffau 16 i 19 o Atodlen 4 i Ddeddf 2005 yn rhoi'r term "defacement removal notice" yn lle "graffiti removal notice" yn adrannau 48, 49 a 51 o Ddeddf 2003, ac ym mhennawd adran 52 o'r Ddeddf honno;

(e) mae paragraff 17(7) o Atodlen 4 i Ddeddf 2005 yn mewnosod y geiriau "but not a parish or community council" yn y diffiniad o "local authority" yn adran 48(12) o Ddeddf 2003. Effaith hyn yw atal cynghorau plwyf a chynghorau cymuned rhag dyroddi hysbysiadau gwaredu graffiti, rhag cyflawni gwaith adfer pan na chydymffurfir â hysbysiad gwaredu graffiti a rhag adennill treuliau a dynnir wrth wneud hynny;

(f) mae Rhan 3 o Atodlen 5 i Ddeddf 2005 yn cynnwys diddymiadau i adran 324(3)(a) o Ddeddf Cynllunio Gwlad a Thref 1990 ac adran 43(10) ac (11) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003;

(ff) mae Rhan 7 o Atodlen 5 i Ddeddf 2005 yn cynnwys diddymiadau i adran 9 o Ddeddf Swn a Niwsans Statudol 1990 ac Atodlen 3 iddi ac i'r pennawd i adran 2 ac adrannau 8(8) a 9(3) o Ddeddf Sŵn 1996;

(g) mae Rhan 9 o Atodlen 5 i Ddeddf 2005 yn cynnwys diddymiad i adran 45(3) i (9) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003.

(d) paragraph 14 of Schedule 4 to the 2005 Act substitutes a new subsection (1) into section 45 of the Anti-social Behaviour Act 2003 ("the 2003 Act") with the effect that fixed penalties pursuant to section 43(1) (graffiti and fly-posting) of the 2003 Act are payable to the local authority whose authorised officer issued the notice;

(e) paragraph 15 of Schedule 4 to the 2005 Act applies definitions contained in section 47(1) of the 2003 Act to sections 43A and 43B of that Act. The effect of this is to enable Welsh Ministers to make regulations in connection with penalties payable in pursuance of a notice under section 43(1) of the 2003 Act (graffiti and fly-posting);

(f) paragraphs 16 to 19 of Schedule 4 to the 2005 Act substitute the term "defacement removal notice" for "graffiti removal notice" in sections 48, 49 and 51 of the 2003 Act, and in the heading of section 52 in that Act.

(g) paragraph 17(7) of Schedule 4 to the 2005 Act inserts the words "but not a parish or community council" into the definition of "local authority" in section 48(12) of the 2003 Act. The effect of this is to prevent parish and community councils from issuing graffiti removal notices, carrying out remedial works where a graffiti removal notice is not complied with and recovering expenses incurred in doing so;

(h) Part 3 of Schedule 5 to the 2005 Act contains repeals to section 324(3)(a) of the Town and Country Planning Act 1990 and section 43(10) and (11) of the Anti-social Behaviour Act 2003;

(i) Part 7 of Schedule 5 to the 2005 Act contains repeals to section 9 and Schedule 3 to the Noise and Statutory Nuisance Act 1990 and to the heading to section 2 and sections 8(8) and 9(3) of the Noise Act 1996;

(j) Part 9 of Schedule 5 to the 2005 Act contains a repeal to section 45(3) to (9) of the Anti-social Behaviour Act 2003.

NODYN AM ORCHMYNION CYCHWYN BLAENOROL

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

Mae darpariaethau canlynol Deddf 2005 wedi eu dwyn i rym o ran Cymru gan orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

Darpariaeth	*Dyddiad cychwyn*	*Rhif O.S.*
Adran 2 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 2 - at ddibenion sy'n weddill	19 Chwefror 2007	2006/2797 (Cy.236)(C.93)
Adran 6 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 6 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 7	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 8 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 8 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 9	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 10 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 10 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 11	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 12	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 13 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 13 - at ddibenion sy'n weddill	27 Hydref 2006	2006/2797 (Cy.236)(C.93)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2005 Act have been brought into force in relation to Wales by commencement orders made before the date of this Order:

Provision	*Date of commencement*	*S.I. No*
Section 2 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 2 - for remaining purposes	19 February 2007	2006/2797 (W.236)(C.93)
Section 6 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 6 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 7	15 March 2007	2006/2797 (W.236)(C.93)
Section 8 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 8 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 9	15 March 2007	2006/2797 (W.236)(C.93)
Section 10 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 10 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 11	27 October 2006	2006/2797 (W.236)(C.93)
Section 12	27 October 2006	2006/2797 (W.236)(C.93)
Section 13 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 13 - for remaining purposes	27 October 2006	2006/2797 (W.236)(C.93)

Adran 15	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 16	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 17 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 17 - at ddibenion sy'n weddill	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 19 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 19 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 20 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 20 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 21	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 22	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 23	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 24 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 24 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 25	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 28 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 28 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 29	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 30 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)

Section 15	27 October 2006	2006/2797 (W.236)(C.93)
Section 16	27 October 2006	2006/2797 (W.236)(C.93)
Section 17 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 17 - for remaining purposes	27 October 2006	2006/2797 (W.236)(C.93)
Section 19 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 19 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 20 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 20 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 21	15 March 2007	2006/2797 (W.236)(C.93)
Section 22	15 March 2007	2006/2797 (W.236)(C.93)
Section 23	15 March 2007	2006/2797 (W.236)(C.93)
Section 24 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 24 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 25	15 March 2007	2006/2797 (W.236)(C.93)
Section 28 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 28 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 29	15 March 2007	2006/2797 (W.236)(C.93)
Section 30 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)

Adran 30 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 31	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 34	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adrannau 37 a 38 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 38 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 45 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 45 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adrannau 46 i 48 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 48 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 50	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 52 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 52 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 53	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 55 at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 55 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 56 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 56 - at ddibenion sy'n weddill	27 Hydref 2006	2006/2797 (Cy.236)(C.93)

Section 30 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 31	15 March 2007	2006/2797 (W.236)(C.93)
Section 34	27 October 2006	2006/2797 (W.236)(C.93)
Sections 37 and 38 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 38 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 45 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 45 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Sections 46 to 48 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 48 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 50	27 October 2006	2006/2797 (W.236)(C.93)
Section 52 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 52 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 53	16 March 2006	2006/768 (W.75)(C.18)
Section 55 for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 55 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 56 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 56 - for remaining purposes	27 October 2006	2006/2797 (W.236)(C.93)

Adran 57 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 57 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 58 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 58 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 59 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 59 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 60 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 60 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 61	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 62	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 63	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 64	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 65	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 66	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 67 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 67 - at ddibenion sy'n weddill	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 69	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 70	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 71	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)

Section 57 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 57 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 58 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 58 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 59 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 59 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 60 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 60 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 61	15 March 2007	2006/2797 (W.236)(C.93)
Section 62	15 March 2007	2006/2797 (W.236)(C.93)
Section 63	15 March 2007	2006/2797 (W.236)(C.93)
Section 64	15 March 2007	2006/2797 (W.236)(C.93)
Section 65	15 March 2007	2006/2797 (W.236)(C.93)
Section 66	27 October 2006	2006/2797 (W.236)(C.93)
Section 67 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 67 - for remaining purposes	27 October 2006	2006/2797 (W.236)(C.93)
Section 69	15 March 2007	2006/2797 (W.236)(C.93)
Section 70	15 March 2007	2006/2797 (W.236)(C.93)
Section 71	15 March 2007	2006/2797 (W.236)(C.93)

Adran 72	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 73 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 73 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 74 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 74 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 75 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 75 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 76	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 77	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 78	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 79	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 80	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 81	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 82 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 82 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 83	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 84 - at ddibenion penodol	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 84 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 86	27 Hydref 2006	2006/768 (Cy.75)(C.18)

Section 72	15 March 2007	2006/2797 (W.236)(C.93)
Section 73 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 73 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 74 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 74 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 75 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 75 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 76	15 March 2007	2006/2797 (W.236)(C.93)
Section 77	15 March 2007	2006/2797 (W.236)(C.93)
Section 78	15 March 2007	2006/2797 (W.236)(C.93)
Section 79	15 March 2007	2006/2797 (W.236)(C.93)
Section 80	27 October 2006	2006/2797 (W.236)(C.93)
Section 81	27 October 2006	2006/2797 (W.236)(C.93)
Section 82 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 82 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 83	27 October 2006	2006/2797 (W.236)(C.93)
Section 84 - for certain purposes	27 October 2006	2006/2797 (W.236)(C.93)
Section 84 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 86	27 October 2006	2006/768 (W.75)(C.18)

Adran 96 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 96 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 97 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 97 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 98 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 98 - at ddibenion sy'n weddill	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Adran 99	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 100	27 Hydref 2006	2006/2797 (Cy.236)(C.93)
Adran 101 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 101 - at ddibenion sy'n weddill	31 Ionawr 2007	2006/2797 (Cy.236)(C.93)
Adran 102 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 102 - at ddibenion sy'n weddill	31 Ionawr 2007	2006/2797 (Cy.236)(C.93)
Adran 103 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Adran 103 - at ddibenion sy'n weddill	31 Ionawr 2007	2006/2797 (Cy.236)(C.93)
Adran 104 - at ddibenion penodol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Atodlen 4, paragraff 4	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Atodlen 5, Rhan 1 (cerbydau)	27 Hydref 2006	2006/2797 (Cy.236)(C.93)

Section 96 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 96 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 97 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 97 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 98 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 98 - for remaining purposes	15 March 2007	2006/2797 (W.236)(C.93)
Section 99	27 October 2006	2006/2797 (W.236)(C.93)
Section 100	27 October 2006	2006/2797 (W.236)(C.93)
Section 101 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 101 - for remaining purposes	31 January 2007	2006/2797 (W.236)(C.93)
Section 102 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 102 - for remaining purposes	31 January 2007	2006/2797 (W.236)(C.93)
Section 103 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Section 103 - for remaining purposes	31 January 2007	2006/2797 (W.236)(C.93)
Section 104 - for certain purposes	16 March 2006	2006/768 (W.75)(C.18)
Schedule 4, paragraph 4	16 March 2006	2006/768 (W.75)(C.18)
Schedule 5, Part 1 (vehicles)	27 October 2006	2006/2797 (W.236)(C.93)

Atodlen 5, Rhan 2 (ysbwriel a sorod)	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Atodlen 5, Rhan 4 (gwastraff) - yn rhannol	16 Mawrth 2006	2006/768 (Cy.75)(C.18)
Atodlen 5, Rhan 5 (rheolaethau ar gŵn)	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)
Atodlen 5, Rhan 9 (defnyddio derbynebau cosbau penodol) - yn rhannol	15 Mawrth 2007	2006/2797 (Cy.236)(C.93)

Mae darpariaethau canlynol Deddf 2005 wedi eu dwyn i rym yng Nghymru a Lloegr gan orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

Darpariaeth	*Dyddiad cychwyn*	*Rhif O.S.*
Adran 32	1 Gorffennaf 2005	2005/1675 (C.69)
Adrannau 42 - 44	18 Hydref 2006	2005/2869 (C.122)
Adran 49(1) a (3)	7 Mawrth 2006	2006/656 (C.16)
Adran 49(2) a (6) - at ddibenion penodol	7 Mawrth 2005	2006/656 (C.16)
Adran 49(2) a (6) - at ddibenion sy'n weddill	6 Ebrill 2006	2006/656 (C.16)
Adran 49(4) a (9)	6 Ebrill 2006	2006/656 (C.16)
Adran 49(8) - at ddibenion penodol	6 Ebrill 2006	2006/656 (C.16)
Adrannau 87-95	1 Ionawr 2006	2005/3439 (C.144)
Atodlen 2	1 Ionawr 2006	2005/3439 (C.144)

Schedule 5, Part 2 (litter and refuse)	15 March 2007	2006/2797 (W.236)(C.93)
Schedule 5, Part 4 (waste) - in part	16 March 2006	2006/768 (W.75)(C.18)
Schedule 5, Part 5 (dog controls)	15 March 2007	2006/2797 (W.236)(C.93)
Schedule 5, Part 9 (use of fixed penalty receipts) - in part	15 March 2007	2006/2797 (W.236)(C.93)

The following provisions of the 2005 Act have been brought into force in Wales and England by commencement orders made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No*
Section 32	1 July 2005	2005/1675 (C.69)
Sections 42 - 44	18 October 2006	2005/2869 (C.122)
Section 49(1) and (3)	7 March 2006	2006/656 (C.16)
Section 49(2) and (6) - for certain purposes	7 March 2005	2006/656 (C.16)
Section 49(2) and (6) - for remaining purposes	6 April 2006	2006/656 (C.16)
Section 49(4) and (9)	6 April 2006	2006/656 (C.16)
Section 49(8) - for certain purposes	6 April 2006	2006/656 (C.16)
Sections 87 -95	1 January 2006	2005/3439 (C.144)
Schedule 2	1 January 2006	2005/3439 (C.144)

Atodlen 3	1 Ionawr 2006	2005/3439 (C.144)
Atodlen 4, paragraff 3 - yn rhannol	6 Ebrill 2006	2006/656 (C.16)
Atodlen 5, Rhan 8	1 Ionawr 2006	2005/3439 (C.144)

Gwnaed y Gorchmynion Cychwyn canlynol o dan Ddeddf 2005 gan yr Ysgrifennydd Gwladol o ran Cymru a Lloegr -

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 1) 2007, O.S. 2005/1675 (C.69);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion) (Cymru a Lloegr) 2007, O.S. 2005/2896 (C.122);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 3) 2005, O.S. 2005/3439 (C.144);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 4) 2006, O.S. 2006/656 (C.16);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion) (Cymru a Lloegr) (Diwygio) 2006, O.S. 2006/1002 (C.31).

Mae'r Gorchmynion Cychwyn canlynol wedi eu gwneud o dan Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005 gan yr Ysgrifennydd Gwladol o ran Lloegr-

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 1, Darpariaethau Trosiannol ac Arbed) (Lloegr) 2006, O.S. 2006/795 (C.19);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 2) (Lloegr) 2006, O.S. 2006/1361 (C.46);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 3) (Lloegr) 2006, O.S. 2006/2006 (C.69);

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 4) (Lloegr) 2007, O.S. 2007/1390 (C.15).

Schedule 3	1 January 2006	2005/3439 (C.144)
Schedule 4, paragraph 3 - in part	6 April 2006	2006/656 (C.16)
Schedule 5, Part 8	1 January 2006	2005/3439 (C.144)

The following Commencement Orders have been made under the 2005 Act by the Secretary of State in relation to England and Wales -

The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 1) Order 2007, S.I. 2005/1675 (C.69);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 2, Transitional Provisions and Savings) (England and Wales) Order 2007, S.I. 2005/2896 (C.122);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.3) Order 2005, S.I. 2005/3439 (C.144);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.4) Order 2006, S.I. 2006/656 (C.16);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.2, Transitional Provisions and Savings) (England and Wales) (Amendment) Order 2006, S.I 2006/1002 (C.31).

The following Commencement Orders have been made under the Clean Neighbourhoods and Environment Act 2005 by the Secretary of State in relation to England-

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.1, Transitional and Saving Provisions) (England) Order 2006, S.I. 2006/795 (C.19);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.2) (England) Order 2006, S.I. 2006/1361 (C.46);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.3) (England) Order 2006, S.I. 2006/2006 (C.69);

The Clean Neighbourhoods and Environment Act 2005 (Commencement No.4) (England) Order 2007, S.I. 2007/1390 (C.15).

OFFERYNNAU STATUDOL CYMRU

2007 Rhif 3371 (Cy.298) (C.141)

DIOGELU'R AMGYLCHEDD, CYMRU

Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 3) (Cymru) 2007

Gwnaed *27 Tachwedd 2007*

Mae Gweinidogion Cymru, wrth arfer y pwerau a roddwyd gan adran 108(1)(b) a (2) o Ddeddf Cymdogaethau Glân a'r Amgylchedd 2005(**1**) ac sydd bellach wedi'u breinio ynddynt hwy(**2**), yn gwneud y Gorchymyn a ganlyn:

Enwi, cymhwyso a dehongli

1.–(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Cymdogaethau Glân a'r Amgylchedd 2005 (Cychwyn Rhif 3) (Cymru) 2007.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Yn y Gorchymyn hwn–

ystyr "Ddeddf 2005" ("t*he 2005 Act*") yw Deddf Cymdogaethau Glân a'r Amgylchedd 2005.

Darpariaethau Deddf 2005 sy'n dod i rym ar 18 Ionawr 2008

2. Daw darpariaethau canlynol Deddf 2005 i rym ar 18 Ionawr 2008–

(a) adran 106 ac Atodlen 4, mewn cysylltiad â pharagraffau 5 i 9 ac 14 i 19 o Atodlen 4 (Mân Ddiwygiadau a Rhai Canlyniadol) yn unig;

(**1**) 2005 p. 16.

(**2**) Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 30 o Atodlen 11 iddi, mae swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru yn arferadwy gan Weinidogion Cymru.

WELSH STATUTORY INSTRUMENTS

2007 No. 3371 (W.298) (C.141)

ENVIRONMENTAL PROTECTION, WALES

The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 3) (Wales) Order 2007

Made *27 November 2007*

The Welsh Ministers, in exercise of the powers conferred by section 108(1)(b) and (2) of the Clean Neighbourhoods and Environment Act 2005(**1**) and now vested in them(**2**), make the following Order:

Title, application and interpretation

1.–(1) The title of this Order is the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 3) (Wales) Order 2007.

(2) This Order applies in relation to Wales.

(3) In this Order–

"the 2005 Act" ("*Deddf 2005*") means the Clean Neighbourhoods and Environment Act 2005.

Provisions of the 2005 Act coming into force on 18 January 2008

2. The following provisions of the 2005 Act come into force on 18 January 2008–

(a) section 106 and Schedule 4, in respect of paragraphs 5 to 9 and 14 to 19 of Schedule 4 (Minor and Consequential Amendments) only;

(**1**) 2005 c. 16.

(**2**) By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006, functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers.

(b) adran 107 a Rhan 3 o Atodlen 5 (Diddymiadau), mewn cysylltiad â diddymu adran 324(3)(a) o Ddeddf Cynllunio Gwlad a Thref 1990(**1**) ac adran 43(10) ac (11) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003(**2**) yn unig;

(c) adran 107 a Rhan 7 o Atodlen 5 (Diddymiadau), mewn cysylltiad ag adran 9 o Ddeddf Swn a Niwsans Statudol 1993(**3**) ac Atodlen 3 iddi a'r pennawd i adran 2 ac adrannau 8(8), 9(3) a 9(4A) o Ddeddf Swn 1996(**4**) yn unig;

(ch) adran 107 a Rhan 9 o Atodlen 5 (Diddymiadau), mewn cysylltiad ag adran 45 (3) i (9) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 yn unig.

(b) section 107 and Part 3 of Schedule 5 (Repeals), in respect of the repeal of section 324(3)(a) of the Town and Country Planning Act 1990(**1**) and section 43 (10) and (11) of the Anti-social Behaviour Act 2003(**2**) only;

(c) section 107 and Part 7 of Schedule 5 (Repeals), in respect of section 9 of and Schedule 3 to the Noise and Statutory Nuisance Act 1993(**3**) and the heading to section 2 and sections 8(8), 9(3) and 9(4A) of the Noise Act 1996(**4**) only;

(d) section 107 and Part 9 of Schedule 5 (Repeals), in respect of section 45(3) to (9) of the Anti-social Behaviour Act 2003 only.

Jane Davidson

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

27 Tachwedd 2007

Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

27 November 2007

(**1**) 1990 p. 8.
(**2**) 2003 p. 38.
(**3**) 1993 p. 40.
(**4**) 1996 p. 37.

(**1**) 1990 c . 8.
(**2**) 2003 c. 38.
(**3**) 1993 c. 40.
(**4**) 1996 c. 37.

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