



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 701 (Cy.58)

2007 No. 701 (W.58)

CŴN, CYMRU

DOGS, WALES

RHEOLI CŴN

CONTROL OF DOGS

**Gorchymyn Rheolaethau ar Gŵn
(Heb Fod yn Gymwys i Dir
Dynodedig) (Cymru) 2007**

**The Controls on Dogs (Non-
application to Designated Land)
(Wales) Order 2007**

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 dynodi disgrifiadau o dir nad yw Pennod 1 (rheolaethau ar gwn) o ran 6 (cwn) o Ddeddf Cyndogaethau Glan a'r Amgylchedd 2005 ("y Ddeddf") (erthygl 3) yn gymwys iddynt at y dibenion a bennir mewn perthynas a phob un o'r disgrifiadau.

This Order designates descriptions of land which are exempted from the application of Chapter 1 (controls on dogs) of Part 6 (dogs) of the Clean Neighbourhoods and Environment Act 2005 ("the Act") (article 3), for the purposes specified in relation to each description.

Dynodir dau ddisgrifiad o dir yn y Gorchymyn hwn. Y disgrifiadau yw-

Two descriptions of land are designated in this Order. They are-

- (i) tir a gaiff ei osod at ddefnydd y Comisiynwyr Coedwigaeth o dan adran 39(1) o Ddeddf Coedwigaeth 1967; a
- (ii) tir sy'n ffordd, neu'n rhan o ffordd.

- (i) land placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967; and
- (ii) land which is, or forms part of, a road.

Mae effeithiau'r esemptiadau a wneir gan y Gorchymyn hwn fel a ganlyn:

The effects of the exemptions made by this Order are:

- (i) mewn perthynas â'r disgrifiad cyntaf o dir, rhwystro gorchymyn rheoli cŵn, sy'n darparu ar gyfer tramgwydd neu dramgwyddau mewn perthynas â rheoli cwn mewn cysylltiad â'r tir hwnnw, rhag cael ei wneud; a
- (ii) mewn perthynas â'r ail ddisgrifiad o dir, rhwystro gorchymyn rheoli cŵn, sy'n darparu ar gyfer tramgwydd neu dramgwyddau mewn perthynas â gwahardd cŵn rhag mynd ar y tir hwnnw, rhag cael ei wneud.

- (i) in relation to the former description of land, to prevent a dog control order being made which provides for an offence or offences relating to the control of dogs in respect of that land; and
- (ii) in relation to latter description of land, to prevent a dog control order being made which provides for an offence or offences relating to the exclusion of dogs from that land.

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Wedi'i wneud 6 Mawrth 2007
Yn dod i rym 15 Mawrth 2007

Made 6 March 2007
Coming into force 15 March 2007

O ran Cymru, y person priodol fel y'i diffinnir yn adran 66(b) o Ddeddf Cymunedau Glân a'r Amgylchedd 2005(), at ddibenion arfer y pwerau a roddir gan adran 57(3) a (4) o'r Ddeddf honno, yw Cynulliad Cenedlaethol Cymru ac mae'n gwneud y Gorchymyn a ganlyn wrth arfer y pwerau hynny:

The National Assembly for Wales is, in relation to Wales, the appropriate person as defined in section 66(b) of the Clean Neighbourhoods and Environment Act 2005(1), for the purpose of exercising the powers conferred by section 57(3) and (4) of that Act, and makes the following Order in exercise of those powers:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Rheolaethau ar Gŵn (Heb fod yn Gymwys i Dir Dynodedig) (Cymru) 2007.

(2) Daw'r Gorchymyn hwn i rym ar 15 Mawrth 2007.

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

Title, commencement and application

1.-(1) The title of this Order is the Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007.

(2) This Order comes into force on 15 March 2007.

(3) This Order applies in relation to Wales.

Dehongli

2. Yn y Gorchymyn hwn-

ystyr "y Ddeddf" ("*the Act*") yw Ddeddf Cymunedau Glân a'r Amgylchedd 2005;

ystyr "ffordd" ("*road*") yw unrhyw ddarn o briffordd y caiff y cyhoedd fynd arno, ac mae'n cynnwys pontydd y mae ffordd yn mynd drostynt;

ystyr "tir" ("*land*") yw unrhyw dir sydd yn agored i'r awyr ac y mae gan y cyhoedd hawl neu ganiatâd i fynd arno (gyda thâl neu heb dâl), ac mae unrhyw dir â tho drosto i'w drin fel tir "agored i'r awyr" os yw ar agor ar un ochr o leiaf.

Interpretation

2. In this Order-

"the Act" means the Clean Neighbourhoods and Environment Act 2005;

"land" means any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment), and any land which is covered is to be treated as "open to the air" if it is open on at least one side;

"road" means any length of highway or of any other road to which the public have access, and includes bridges over which a road passes.

Tir nad yw Pennod 1 o Ran 6 o'r Ddeddf yn gymwys iddo

3. Dynodir unrhyw dir sy'n dod o fewn disgrifiad yng ngholofn gyntaf y tabl yn yr Atodlen yn dir nad yw Pennod 1 (rheolaethau ar gŵn) o Ran 6 (cŵn) o'r Ddeddf yn gymwys iddo, at y dibenion a bennir mewn perthynas â'r disgrifiad penodol yn ail golofn y tabl hwnnw.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(1)

6 Mawrth 2007

Llywydd y Cynulliad Cenedlaethol

Land to which Chapter 1 of Part 6 of the Act does not apply

3. Any land that falls within a description in the first column of the table in the Schedule is designated as land to which Chapter 1 (controls on dogs) of Part 6 (dogs) of the Act does not apply, for the purposes specified in relation to the particular description in the second column of that table.

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

6 March 2007

The Presiding Officer of the National Assembly

D. Elis-Thomas

ATODLEN

SCHEDULE

Erthygl 3

Article 3

TIR NAD YW PENNOD 1 O RAN 6 O'R DDEDDF YN GYMWYS IDDO

LAND TO WHICH CHAPTER 1 OF PART 6 OF THE ACT DOES NOT APPLY

<i>Disgrifiad o'r Tir</i>	<i>Dibenion nad yw Pennod 1 o Ran 6 o'r Ddeddf yn gymwys iddynt</i>
Tir a osodir at ddefnydd y Comisiynwyr Coedwigaeth o dan adran 39(1) o Ddeddf Coedwigaeth 1967(2)	At ddibenion gwneud gorchymyn rheoli o cŵn dan adran 55(1) o'r Ddeddf
Tir sy'n ffordd, neu'n rhan o ffordd	At ddibenion gwneud gorchymyn rheoli cŵn o dan adran 55(1) o'r Ddeddf sy'n darparu ar gyfer tramgwydd mewn perthynas â'r mater a ddisgrifir yn adran 55(3)(c) (gwahardd cwn o dir)

<i>Description of Land</i>	<i>Purposes for which Chapter 1 of Part 6 of the Act does not apply</i>
Land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967(2)	For the purpose of making a dog control order under section 55(1) of the Act
Land which is, or forms part of, a road	For the purpose of making a dog control order under section 55(1) of the Act which provides for an offence relating to the matter described in section 55(3)(c) (exclusion of dogs from land)

(1) 1998 p. 38.

(2) 1967 p. 10; diwygiwyd adran 39(1) gan O.S. 1999/1747, erthygl 3 ac Atodlen 12, Rhan II, paragraff 4(1) a (28).

(1) 1998 c. 38.

(2) 1967 c. 10; section 39(1) was amended by S.I. 1999/1747, article 3 and Schedule 12, Part II, paragraph 4(1) and (28).

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£3.00

W0044/03/07

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