



---

OFFERYNNAU STATUDOL  
CYMRU

---

**2009 Rhif 3272 (Cy.288) (C.145)**

**LLYWODRAETH LEOL,  
CYMRU**

Gorchymyn Mesur Llywodraeth  
Leol (Cymru) 2009 (Cychwyn Rhif  
2, Darpariaethau Trosiannol ac  
Arbedion) 2009

**NODYN ESBONIADOL**

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

Dyma'r ail orchymyn cychwyn sydd wedi'i wneud gan Weinidogion Cymru o dan Fesur Llywodraeth Leol (Cymru) 2009.

Mae erthygl 2 o'r Gorchymyn yn dwyn i rym ar 1 Ionawr 2010 y darpariaethau hynny yn y Mesur a bennir yn Atodlen 1 o'r Gorchymyn..

Mae erthygl 3(1) o'r Gorchymyn yn dwyn i rym ar 1 Ebrill 2010 y darpariaethau hynny yn y Mesur a bennir yn Atodlen 2 i'r Gorchymyn. Mae erthygl 3(2) i (4) o'r Gorchymyn yn arbed effaith darpariaethau penodol yn Rhan 1 o Ddeddf Llywodraeth Leol 1999 ( "Deddf 1999") er mwyn galluogi Archwilydd Cyffredinol Cymru i gynnal arolygiadau o sut mae awdurdodau gwerth gorau yng Nghymru yn cydymffurfio â gofynion y Rhan honno o Ddeddf 1999. Mae erthygl 3(5) yn arbed effaith adrannau 15 a 29(4) o Ddeddf 1999 at ddibenion unrhyw gyfarwyddiadau a ddyroddir o dan adran 15 o Ddeddf 1999. Bydd y darpariaethau hynny'n parhau mewn grym tan 1 Ebrill 2011 neu nes bod y cyfarwyddiadau a ddyroddir cyn y dyddiad hwnnw wedi'u tynnu'n ôl neu wedi dod i ben, p'un bynnag fydd olaf. Mae erthygl 3(5) hefyd yn arbed effaith adrannau 15 a 29(4) at ddibenion dyroddi cyfarwyddyd pellach o dan adran 15 ar ôl 1 Ebrill 2011, ond cyn i unrhyw gyfarwyddyd a ddyroddir cyn y dyddiad hwnnw ddod i ben.

Mae erthygl 4 o'r Gorchymyn yn dwyn i rym ar 1 Ebrill 2011 y darpariaethau hynny yn y Mesur a bennir yn Atodlen 3 i'r Gorchymyn.

---

WELSH STATUTORY  
INSTRUMENTS

---

**2009 No. 3272 (W.288) (C.145)**

**LOCAL GOVERNMENT,  
WALES**

The Local Government (Wales)  
Measure 2009 (Commencement  
No. 2, Transitional Provisions and  
Savings) Order 2009

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This is the second commencement order made by the Welsh Ministers under the Local Government (Wales) Measure 2009.

Article 2 of the Order brings into force on 1 January 2010 those provisions of the Measure specified in Schedule 1 to the Order.

Article 3(1) of the Order brings into force on 1 April 2010 those provisions of the Measure specified in Schedule 2 to the Order. Article 3(2) to (4) of the Order saves the effect of certain of the provisions of Part 1 of the Local Government Act 1999 (the "1999 Act") for the purpose of enabling the Auditor General for Wales to carry out inspections of compliance by Welsh best value authorities with the requirements of that Part of the 1999 Act. Article 3(5) saves the effect of sections 15 and 29(4) of the 1999 Act for the purposes of any directions issued under section 15 of the 1999 Act. These provisions will remain in force until 1 April 2011 or until such time as the directions issued before that date are withdrawn or expire, whichever is the latest. Article 3(5) also saves the effect of sections 15 and 29(4) for the purpose of issuing a further direction under section 15 after 1 April 2011, but before the expiry of any direction issued before that date.

Article 4 of the Order brings into force on 1 April 2011 those provisions of the Measure specified in Schedule 3 to the Order.

## **NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH**

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

Daethpwyd â'r darpariaethau canlynol ym Mesur Llywodraeth Leol (Cymru) 2009 i rym ar 17 Gorffennaf 2009 gan Orchymyn Mesur Llywodraeth Leol (Cymru) 2009 (Cychwyn Rhif 1) 2009 (2009/1796) (Cy.163) (C.88):

- (a) Adran 1;
- (b) Adran 2(2) a (3);
- (c) Adran 4;
- (ch) Adran 5;
- (d) Adran 6;
- (dd) Adran 7;
- (e) Adran 8(1) i (6) yn gynnwysedig;
- (f) Adran 15(8) a (9);
- (ff) Adran 16;
- (g) Adran 25;
- (ng) Adran 31;
- (h) Adran 32;
- (i) Adran 35;
- (j) Adran 36;
- (l) Adran 38;
- (ll) Adran 45; ac
- (m) Adran 47.

## **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The following provisions of the Local Government (Wales) Measure 2009 were brought into force on 17 July 2009 by the Local Government (Wales) Measure 2009 (Commencement No 1) Order 2009 (2009/1796) (W.163) (C.88):

- (a) Section 1;
- (b) Section 2(2) and (3);
- (c) Section 4;
- (d) Section 5;
- (e) Section 6;
- (f) Section 7;
- (g) Section 8(1) to (6) inclusive;
- (h) Section 15(8) and (9);
- (i) Section 16;
- (j) Section 25;
- (k) Section 31;
- (l) Section 32;
- (m) Section 35;
- (n) Section 36;
- (o) Section 38;
- (p) Section 45; and
- (q) Section 47.

**2009 Rhif 3272 (Cy.288) (C.145)**

**2009 No. 3272 (W.288) (C.145)**

**LLYWODRAETH LEOL,  
CYMRU**

**LOCAL GOVERNMENT,  
WALES**

Gorchymyn Mesur Llywodraeth  
Leol (Cymru) 2009 (Cychwyn Rhif  
2, Darpariaethau Trosiannol ac  
Arbedion) 2009

The Local Government (Wales)  
Measure 2009 (Commencement  
No. 2, Transitional Provisions and  
Savings) Order 2009

*Wedi'i wneud*

*9 Rhagfyr 2009*

*Made*

*9 December 2009*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 53(2) o Fesur Llywodraeth Leol (Cymru) 2009(1), yn gwneud y Gorchymyn canlynol:

The Welsh Ministers, in exercise of the powers conferred upon them by section 53(2) of the Local Government (Wales) Measure 2009(1), make the following Order:

**Enwi a dehongli**

**Title and interpretation**

1.–(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Llywodraeth Leol (Cymru) 2009 (Cychwyn Rhif 2, Darpariaethau Trosiannol ac Arbedion) 2009.

1.–(1) The title of this Order is the Local Government (Wales) Measure 2009 (Commencement No. 2, Transitional Provisions and Savings) Order 2009.

(2) Yn y Gorchymyn hwn ystyr "y Mesur" yw Mesur Llywodraeth Leol (Cymru) 2009.

(2) In this Order "the Measure" means the Local Government (Wales) Measure 2009.

**Darpariaethau sy'n dod i rym ar 1 Ionawr 2010**

**Provisions coming into force on 1 January 2010**

2. Mae'r darpariaethau yn y Mesur a bennir yn Atodlen 1 i'r Gorchymyn hwn yn dod i rym ar 1 Ionawr 2010.

2. The provisions of the Measure specified in Schedule 1 to this Order come into force on 1 January 2010.

**Darpariaethau sy'n dod i rym ar 1 Ebrill 2010**

**Provisions coming into force on 1 April 2010**

3.–(1) Ac eithrio fel y darperir ym mharagraffau (2) i (5), mae'r darpariaethau yn y Mesur a bennir yn Atodlen 2 i'r Gorchymyn hwn, i'r graddau nad ydynt eisoes mewn grym, yn dod i rym ar 1 Ebrill 2010.

3.–(1) Save as provided in paragraphs (2) to (5), the provisions of the Measure specified in Schedule 2 to this Order, insofar as they are not already in force, come into force on 1 April 2010.

(2) Tan 1 Ebrill 2011 mae'r darpariaethau a bennir ym mharagraff (3) yn dal yn effeithiol, at y diben y cyfeirir ato ym mharagraff (4), fel pe baent heb eu diwygio neu heb eu diddymu gan y Mesur.

(2) Until 1 April 2011 the provisions specified in paragraph (3) continue to have effect, for the purpose referred to in paragraph (4), as if they had not been amended or repealed by the Measure.

---

(1) 2009. mccc 2.

---

(1) 2009. nawm 2.

(3) Y darpariaethau y cyfeirir atynt ym mharagraff (2) yw'r adrannau canlynol yn Neddf Llywodraeth Leol 1999—

- (a) 1(1)(k), (6) a (7) i'r graddau y mae'n ymwneud ag adrannau 10A, 11, 12A, 13A, 15 a 25 o'r Ddeddf honno,
- (b) 10A(1)(a),
- (c) 25(2)(d),
- (ch) 29(1A) i'r graddau y mae'n ymwneud ag adrannau 10A, 12A, 13A, 15 a 25 o'r Ddeddf honno, a
- (d) 29(2A) a (4).

(4) Y diben y cyfeirir ato ym mharagraff (2) yw i Archwilydd Cyffredinol Cymru gynnal arolygiadau o sut mae awdurdodau gwerth gorau yng Nghymru yn cydymffurfio â gofynion Rhan 1 o Ddeddf Llywodraeth Leol 1999 i'r graddau y mae'r gofynion hynny'n ymwneud â blwyddyn ariannol 2009-2010.

(5) Mae adrannau 15 a 29(4) o Ddeddf Llywodraeth Leol 1999 yn dal yn effeithiol—

- (a)(i) tan 1 Ebrill 2011; neu
- (ii) hyd nes y daw unrhyw gyfarwyddyd a ddyroddir o dan adran 15 cyn y dyddiad hwnnw i ben; neu
- (iii) hyd nes y caiff unrhyw gyfarwyddyd a ddyroddir o dan adran 15 ei dynnu'n ôl cyn y dyddiad hwnnw;

p'un bynnag fydd olaf; neu

- (b) pan fo cyfarwyddyd wedi'i ddyroddi o dan adran 15 cyn 1 Ebrill 2011 (y "cyfarwyddyd gwreiddiol"), o ran unrhyw gyfarwyddyd pellach a ddyroddir cyn i'r cyfarwyddyd gwreiddiol ddod i ben i'r un awdurdod gwerth gorau yng Nghymru a oedd yn destun y cyfarwyddyd gwreiddiol, hyd nes y daw'r cyfarwyddyd pellach hwnnw i ben.

#### **Darpariaethau sy'n dod i rym ar 1 Ebrill 2011**

4. Mae'r darpariaethau yn y Mesur a bennir yn Atodlen 3 i'r Gorchymyn hwn, i'r graddau nad ydynt eisoes mewn grym, yn dod i rym ar 1 Ebrill 2011.

*Brian Gibbons*

Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol, un o Weinidogion Cymru

9 Rhagfyr 2009

(3) The provisions referred to in paragraph (2) are the following sections of the Local Government Act 1999—

- (a) 1(1)(k), (6) and (7) insofar as it relates to sections 10A, 11, 12A, 13A, 15 and 25 of that Act,
- (b) 10A(1)(a),
- (c) 25(2)(d),
- (d) 29(1A) insofar as it relates to sections 10A, 12A, 13A, 15 and 25 of that Act, and
- (e) 29(2A) and (4).

(4) The purpose referred to in paragraph (2) is that of the Auditor General for Wales carrying out inspections of compliance by Welsh best value authorities with the requirements of Part 1 of the Local Government Act 1999 insofar as those requirements relate to the financial year 2009-2010.

(5) Sections 15 and 29(4) of the Local Government Act 1999 continue to have effect—

- (a)(i) until 1 April 2011; or
- (ii) until the expiry of any direction issued under section 15 before that date; or
- (iii) until the withdrawal of any direction issued under section 15 before that date;

whichever is the latest; or

- (b) where a direction has been issued under section 15 prior to 1 April 2011 (the "original direction"), in relation to any further direction issued prior to the expiry of the original direction to the same Welsh best value authority that was the subject of the original direction, until the expiry of that further direction.

#### **Provisions coming into force on 1 April 2011**

4. The provisions of the Measure specified in Schedule 3 to this Order, insofar as they are not already in force, come into force on 1 April 2011.

Minister for Social Justice and Local Government, one of the Welsh Ministers

9 December 2009

ATODLEN 1

DARPARIAETHAU SY'N DOD I RYM AR 1  
IONAWR 2010

Erthygl 2

Adran 15(7) er mwyn rhoi ei effaith i'r pŵer i wneud Gorchmynion yn adran 15(7)(b);  
Adran 37;  
Adrannau 39 i 44;  
Adran 46;  
Adran 51(2) a (3) ac Atodlen 2 a 3; ac  
Adran 52 ac Atodlen 4 at ddibenion adran 4, is-adran (5) o Ddeddf Llywodraeth Leol 2000.

ATODLEN 2

DARPARIAETHAU SY'N DOD I RYM AR 1  
EBRILL 2010

Erthygl 3

Adran 2(1);  
Adran 3;  
Adran 8(7);  
Adrannau 9 i 13;  
Adrannau 15(1), (6) a (7);  
Adran 17(1)(a) at ddibenion cynnal archwiliad i benderfynu a yw awdurdod gwella yng Nghymru wedi cyflawni ei ddyletswyddau o dan adran 15(6) a (7);  
Adran 18;  
Adran 19(1)(b) at ddibenion cyhoeddi adroddiad yn datgan a yw awdurdod gwella yng Nghymru wedi cyflawni ei ddyletswyddau o dan adran 15(6) a (7);  
Adran 19(1)(c) i (h), (2), (3) a (4);  
Adrannau 20 i 24;  
Adrannau 26 i 30;  
Adrannau 33 a 34;  
Adran 51(1) ac Atodlen 1; ac  
Adran 52 ac Atodlen 4 i'r graddau y mae'n ymwneud â Deddf y Comisiwn Archwilio 1998 a Deddf Llywodraeth Leol 1999.

SCHEDULE 1

PROVISIONS COMING INTO FORCE ON 1  
JANUARY 2010

Article 2

Section 15(7) for the purposes of giving effect to the Order making power in Section 15(7)(b);  
Section 37;  
Sections 39 to 44;  
Section 46;  
Section 51(2) and (3) and Schedule 2 and 3; and  
Section 52 and Schedule 4 for the purposes of section 4, subsection (5) Local Government Act 2000.

SCHEDULE 2

PROVISIONS COMING INTO FORCE ON 1  
APRIL 2010

Article 3

Section 2(1);  
Section 3;  
Section 8(7);  
Sections 9 to 13;  
Sections 15(1), (6) and (7);  
Section 17(1)(a) for the purposes of carrying out an audit to determine whether a Welsh improvement authority has discharged its duties under section 15(6) and (7);  
Section 18;  
Section 19(1)(b) for the purposes of issuing a report stating whether a Welsh improvement authority has discharged its duties under section 15(6) and (7);  
Section 19(1)(c) to (h), (2), (3) and (4);  
Sections 20 to 24;  
Sections 26 to 30;  
Sections 33 and 34;  
Section 51(1) and Schedule 1; and  
Section 52 and Schedule 4 insofar as it relates to the Audit Commission Act 1998 and the Local Government Act 1999.

ATODLEN 3

DARPARIAETHAU SY'N DOD I RYM AR 1  
EBRILL 2011

Erthygl 4

Adran 14;

Adran 15(2), (3), (4) a (5);

Adran 17;

Adran 19(1)(a);

Adran 19(1)(b); ac

Adran 24(2)(a).

---

©© Hawlfraint y Goron 2009

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

SCHEDULE 3

PROVISIONS COMING INTO FORCE ON 1  
APRIL 2011

Article 4

Section 14;

Section 15(2), (3), (4) and (5);

Section 17;

Section 19(1)(a);

Section 19(1)(b); and

Section 24(2)(a).

---

© Crown copyright 2009

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

---

OFFERYNNAU STATUDOL  
CYMRU

---

**2009 Rhif 3272 (Cy.288) (C.145)**

**LLYWODRAETH LEOL,  
CYMRU**

Gorchymyn Mesur Llywodraeth  
Leol (Cymru) 2009 (Cychwyn Rhif  
2, Darpariaethau Trosiannol ac  
Arbedion) 2009

---

WELSH STATUTORY  
INSTRUMENTS

---

**2009 No. 3272 (W.288) (C.145)**

**LOCAL GOVERNMENT,  
WALES**

The Local Government (Wales)  
Measure 2009 (Commencement  
No. 2, Transitional Provisions and  
Savings) Order 2009