

## RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

### Bil Tomenni Mwyngloddiau a Chwareli Nas Defnyddir (Cymru) Disused Mine and Quarry Tips (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 –

Section 1	Adran 1
Schedule 1	Atodlen 1
Sections 2 – 49	Adrannau 2 – 49
Schedule 2	Atodlen 2
Section 50	Adran 50
Schedule 3	Atodlen 3
Sections 51 – 90	Adrannau 51 – 90
Long title	Teitl hir

**Janet Finch-Saunders**

**49**

Schedule 1, page 53, after line 28, insert –

‘() The corporate plan must set out how the Authority intends to consider biodiversity when discharging its functions under this Act during the planning period.’.

Atodlen 1, tudalen 53, ar ôl llinell 26, mewnosoder –

‘() Rhaid i’r cynllun corfforaethol nodi sut y mae’r Awdurdod yn bwriadu ystyried bioamrywiaeth wrth gyflawni ei swyddogaethau o dan y Ddeddf hon yn ystod y cyfnod cynllunio.’.

**Huw Irranca-Davies**

17

Schedule 1, page 53, after line 29, insert –

- ‘() Before submitting the corporate plan for approval, the Authority must consult such persons as it considers appropriate.’

Atodlen 1, tudalen 53, ar ôl llinell 28, mewnosoder –

- ‘() Cyn cyflwyno’r cynllun corfforaethol i’w gymeradwyo, rhaid i’r Awdurdod ymgynghori â’r personau hynny y mae’n ystyried eu bod yn briodol.’

**Delyth Jewell**

30

Schedule 1, page 54, after line 14, insert –

- ‘() The annual report must set out how the Authority has had regard to the principles of sustainable management of natural resources (as defined in section 4 of the Environment (Wales) Act 2016 (anaw 3)) when carrying out its functions under this Act.’

Atodlen 1, tudalen 54, ar ôl llinell 14, mewnosoder –

- ‘() Rhaid i’r adroddiad blynyddol nodi sut y mae’r Awdurdod wedi rhoi sylw i egwyddorion rheoli cynaliadwy ar adnoddau naturiol (fel y’i diffinnir yn adran 4 o Ddeddf yr Amgylchedd (Cymru) 2016 (dccc 3)) wrth gyflawni ei swyddogaethau o dan y Ddeddf hon.’

**Janet Finch-Saunders**

50

Section 2, page 1, after line 15, insert –

- ‘() Where the Authority considers that a conflict exists between –
- (a) ensuring that disused tips do not threaten human welfare by reason of their instability; and
  - (b) any requirement to maintain and enhance biodiversity in the exercise of the Authority's functions in relation to Wales,
- the Authority must prioritise ensuring that disused tips do not threaten human welfare by reason of their instability.’

Adran 2, tudalen 1, ar ôl llinell 15, mewnosoder –

- ‘() Pan fo’r Awdurdod yn ystyried bod gwrthdaro rhwng –
- (a) sicrhau nad yw tomenni nas defnyddir yn bygwth lles pobl oherwydd eu hansefydlogrwydd; a
  - (b) unrhyw ofyniad i gynnal a gwella bioamrywiaeth wrth arfer swyddogaethau’r Awdurdod mewn perthynas â Chymru,
- rhaid i’r Awdurdod flaenoriaethu sicrhau nad yw tomenni nas defnyddir yn bygwth lles pobl oherwydd eu hansefydlogrwydd.’

**Delyth Jewell**

18

Page 1, after line 18, insert a new section –

**[ ] Biodiversity and resilience of ecosystems duty**

- (1) The Authority must seek to maintain and enhance biodiversity in the exercise of its functions in relation to Wales, and in doing so promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.
- (2) In complying with subsection (1), the Authority must take account of the resilience of ecosystems, in particular the following aspects –
  - (a) diversity between and within ecosystems;
  - (b) the connections between and within ecosystems;
  - (c) the scale of ecosystems;
  - (d) the condition of ecosystems (including their structure and functioning);
  - (e) the adaptability of ecosystems.’.

Tudalen 1, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Dyletswydd bioamrywiaeth a chydnerthedd ecosystemau**

- (1) Rhaid i’r Awdurdod geisio cynnal a gwella bioamrywiaeth wrth arfer ei swyddogaethau mewn perthynas â Chymru, ac wrth wneud hynny hyrwyddo cydnerthedd ecosystemau, i’r graddau y bo hynny’n gyson ag arfer y swyddogaethau hynny’n briodol.
- (2) Wrth gydymffurfio ag is-adran (1), rhaid i’r Awdurdod ystyried cydnerthedd ecosystemau, a’r agweddau a ganlyn yn benodol –
  - (a) amrywiaeth rhwng ecosystemau ac oddi fewn iddynt;
  - (b) y cysylltiadau rhwng ecosystemau ac oddi fewn iddynt;
  - (c) graddfa ecosystemau;
  - (d) cyflwr ecosystemau (gan gynnwys eu strwythur a’u gweithrediad);
  - (e) gallu ecosystemau i addasu.’.

**Delyth Jewell**

19

Page 1, after line 18, insert a new section –

**[ ] The Authority’s duties when exercising its functions**

In carrying out its functions under this Act, the Authority must take into account the need to minimise the negative impacts on communities, including but not limited to –

- (a) noise;
- (b) air pollution;
- (c) access to green spaces.’.

Tudalen 1, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Dyletswyddau’r Awdurdod wrth arfer ei swyddogaethau**

Wrth gyflawni ei swyddogaethau o dan y Ddeddf hon, rhaid i'r Awdurdod ystyried yr angen i leihau'r effeithiau negyddol ar gymunedau, gan gynnwys ond heb fod yn gyfyngedig i—

- (a) sŵn;
- (b) llygredd aer;
- (c) mynediad at fannau gwyrdd.'

**Delyth Jewell**

20

Page 1, after line 18, insert a new section—

**[ ] The Authority's duty when exercising its functions**

In carrying out its functions under this Act, the Authority must have regard to—

- (a) the most recent report under section 8 of the Environment (Wales) Act 2016 (anaw 3) on the state of natural resources in relation to Wales,
- (b) the most recent future trends report under section 11 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2),
- (c) the most recent report under section 23 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) (future generations report),
- (d) scientific knowledge about climate change,
- (e) technology relevant to climate change, and
- (f) EU and international law and policy relating to climate change (including international agreements on measures designed to limit increases in global average temperatures).'

Tudalen 1, ar ôl llinell 19, mewnosoder adran newydd—

**[ ] Dyletswydd yr Awdurdod wrth arfer ei swyddogaethau**

Wrth gyflawni ei swyddogaethau o dan y Ddeddf hon, rhaid i'r Awdurdod roi sylw i—

- (a) yr adroddiad diweddaraf o dan adran 8 o Ddeddf yr Amgylchedd (Cymru) 2016 (dccc 3) ar gyflwr adnoddau naturiol o ran Cymru,
- (b) yr adroddiad tueddiadau tebygol y dyfodol diweddaraf o dan adran 11 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2),
- (c) yr adroddiad diweddaraf o dan adran 23 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) (adroddiad cenedlaethau'r dyfodol),
- (d) gwybodaeth wyddonol am newid hinsawdd,
- (e) technoleg sy'n berthnasol i newid hinsawdd, ac
- (f) cyfraith a pholisi yr UE a chyfraith a pholisi rhyngwladol sy'n ymwneud â newid hinsawdd (gan gynnwys cytundebau rhyngwladol ar fesurau sydd wedi eu dylunio i gyfyngu ar gynnydd mewn tymheredd cyfartalog byd-eang).'

**Janet Finch-Saunders**

31

Page 1, after line 18, insert a new section—

**[ ] The Authority’s duty when exercising its functions**

In carrying out its functions, the Authority must seek to promote skills development including through –

- (a) the promotion of apprenticeships, and
- (b) communication with education providers in Wales.’.

Tudalen 1, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Dyletswydd yr Awdurdod wrth arfer ei swyddogaethau**

Wrth gyflawni ei swyddogaethau, rhaid i’r Awdurdod geisio hyrwyddo datblygiad sgiliau gan gynnwys drwy –

- (a) hyrwyddo prentisiaethau, a
- (b) cyfathrebu â darparwyr addysg yng Nghymru.’.

**Huw Irranca-Davies**

6

Section 9, page 3, line 17, leave out –

‘ensure that the maps and information in the register, other than any information specified by regulations under section 8(2)(f), can be accessed electronically by members of the public at all reasonable times’

and insert –

‘publish the maps and information in the register, other than any information specified by regulations under section 8(2)(f)’.

Adran 9, tudalen 3, llinell 18, hepgorer –

‘sichrau y gall aelodau o’r cyhoedd weld y mapiau a’r wybodaeth yn y gofrestr, ac eithrio unrhyw wybodaeth a bennir drwy reoliadau o dan adran 8(2)(f), yn electronig ar bob adeg resymol’

a mewnosoder –

‘gyhoeddi’r mapiau a’r wybodaeth yn y gofrestr, ac eithrio unrhyw wybodaeth a bennir drwy reoliadau o dan adran 8(2)(f)’.

**Janet Finch-Saunders**

32

Section 12, page 4, after line 29, insert –

‘(2) For the purposes of subsection (1), an “assessment” must include a visit to the site to undertake an inspection of the disused tip.’.

Adran 12, tudalen 4, ar ôl llinell 29, mewnosoder –

‘(2) At ddibenion is-adran (1), rhaid i “asesiad” gynnwys ymweliad â’r safle i gynnal arolygiad o’r domen nas defnyddir.’.

**Delyth Jewell**

21

Section 13, page 5, after line 5, insert –

‘() Where the Welsh Ministers approve the programme with or without modifications they must explain their decision and the reasons for the decision.’.

Adran 13, tudalen 5, ar ôl llinell 5, mewnosoder –

( ) Pan fo Gweinidogion Cymru yn cymeradwyo'r rhaglen ag addasiadau neu hebddynt, rhaid iddynt esbonio eu penderfyniad a'r rhesymau dros y penderfyniad.'

**Huw Irranca-Davies**

7

Section 14, page 5, line 23, leave out 'each' and insert 'the'.

Adran 14, tudalen 5, llinell 24, hepgorer 'bob' a mewnosoder 'yr'.

**Huw Irranca-Davies**

8

Section 16, page 6, line 6, leave out 'each' and insert 'the'.

Adran 16, tudalen 6, llinell 6, hepgorer 'bob' a mewnosoder 'yr'.

**Huw Irranca-Davies**

9

Section 17, page 6, line 18, leave out 'each' and insert 'the'.

Adran 17, tudalen 6, llinell 19, hepgorer 'bob' a mewnosoder 'yr'.

**Janet Finch-Saunders**

33

Section 21, page 7, line 31, leave out 'a person who was given the notice of proposed registration' and insert 'any person'.

Adran 21, tudalen 7, llinell 31, hepgorer 'berson y rhoddwyd yr hysbysiad o gofrestriad arfaethedig iddo' a mewnosoder 'unrhyw berson'.

**Huw Irranca-Davies**

10

Section 22, page 8, line 34, after 'representations', insert 'but the amended period must not be less than 14 days'.

Adran 22, tudalen 8, llinell 37, ar ôl 'sylwadau', mewnosoder 'ond ni chaiff y cyfnod diwygiedig fod yn llai na 14 o ddiwrnodau'.

**Janet Finch-Saunders**

34

Section 23, page 9, line 8, leave out 'a person who was given the notice of proposed deregistration' and insert 'any person'.

Adran 23, tudalen 9, llinell 8, hepgorer 'berson y rhoddwyd yr hysbysiad o ddatgofrestriad arfaethedig iddo' a mewnosoder 'unrhyw berson'.

**Huw Irranca-Davies**

11

Section 29, page 11, line 30, after 'representations', insert 'but the amended period must not be less than 14 days'.

Adran 29, tudalen 11, llinell 33, ar ôl 'sylwadau', mewnosoder 'ond ni chaiff y cyfnod diwygiedig fod yn llai na 14 o ddiwrnodau'.

**Janet Finch-Saunders**

35

Section 30, page 12, line 9, leave out ‘a person who was given notice of the proposal’ and insert ‘any person’.

Adran 30, tudalen 12, llinell 10, hepgorer ‘berson y rhoddwyd hysbysiad o’r cynnig iddo’ a mewnosoder ‘unrhyw berson’.

**Huw Irranca-Davies**

12

Section 31, page 13, line 1, leave out ‘ensure that the list can be accessed electronically by members of the public at all reasonable times’ and insert ‘publish the list’.

Adran 31, tudalen 13, llinell 1, hepgorer ‘sicrhau y gall aelodau o’r cyhoedd weld y gofrestr yn electronig ar bob adeg resymol’ a mewnosoder ‘gyhoeddi’r gofrestr’.

**Huw Irranca-Davies**

13

Page 13, after line 2, insert a new section –

**[ ] Duty to publish notices**

- (1) Where a provision in Chapter 3 or 5 of this Part requires a notice to be given to a person, the Authority must publish the notice as soon as practicable after it is given.
- (2) In complying with subsection (1), the Authority may publish a notice in a redacted form if it considers it necessary to do so in order to avoid disclosing information contrary to any prohibition imposed by an enactment or other rule of law.’.

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

**[ ] Dyletswydd i gyhoeddi hysbysiadau**

- (1) Pan fo darpariaeth ym Mhennod 3 neu 5 o’r Rhan hon yn ei gwneud yn ofynnol i hysbysiad gael ei roi i berson, rhaid i’r Awdurdod gyhoeddi’r hysbysiad cyn gynted ag y bo’n ymarferol ar ôl iddo gael ei roi.
- (2) Wrth gydymffurfio ag is-adran (1), caiff yr Awdurdod gyhoeddi hysbysiad ar ffurf olygedig os yw’r Awdurdod yn ystyried ei bod yn angenrheidiol gwneud hynny er mwyn osgoi datgelu gwybodaeth yn groes i unrhyw waharddiad a osodir gan ddeddfiad neu reol gyfreithiol arall.’.

**Janet Finch-Saunders**

36

Page 13, after line 2, insert a new section –

**[ ] Identification of disused tips**

- (1) The Authority must, by 1 January 2030, identify and compile a list of all disused tips.
- (2) The list of disused tips required by subsection (1) must include the following information –
  - (a) the location of each disused tip, and
  - (b) the potential threat to human welfare by reason of its instability posed by each disused tip.’.

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

**[ ] Nodi tomenni nas defnyddir**

- (1) Rhaid i’r Awdurdod, erbyn 1 Ionawr 2030, nodi a llunio rhestr o’r holl domenni nas defnyddir.
- (2) Rhaid i’r rhestr o domenni nas defnyddir sy’n ofynnol gan is-adran (1) gynnwys yr wybodaeth a ganlyn –
  - (a) lleoliad pob tomen nas defnyddir, a
  - (b) y bygythiad posibl i les pobl oherwydd yr ansefydlogrwydd a berir gan bob tomen nas defnyddir.’.

**Janet Finch-Saunders**

37

Section 35, page 14, after line 32, insert –

‘() References to the disposal of property in subsection (3) include the sale of coal.’.

Adran 35, tudalen 14, ar ôl llinell 37, mewnosoder –

‘() Mae cyfeiriadau at waredu eiddo yn is-adran (3) yn cynnwys gwerthu glo.’.

**Delyth Jewell**

1

Section 35, page 14, after line 34, insert –

‘() If the property disposed of by an owner of land under subsection (3) is coal, it must not be sold for the purpose of burning.’.

Adran 35, tudalen 14, ar ôl llinell 39, mewnosoder –

‘() Os glo yw’r eiddo a waredir gan berchennog ar dir o dan is-adran (3), ni chaniateir ei werthu at ddiben ei losgi.’.

**Janet Finch-Saunders**

38

Section 37, page 16, after line 29, insert –

‘() An application made under subsection (4) must be accompanied by evidence of the inability of the owner of land to meet the costs of the operations required by the notice.’.

Adran 37, tudalen 16, ar ôl llinell 32, mewnosoder –

‘() I gyd-fynd â chais a wneir o dan is-adran (4), rhaid cyflwyno tystiolaeth o anallu’r perchennog ar dir i dalu costau’r gweithrediadau sy’n ofynnol gan yr hysbysiad.’.

**Janet Finch-Saunders**

39

Section 44, page 19, after line 29, insert –

‘() References to the disposal of property under subsection (1) include the sale of coal.’.

Adran 44, tudalen 19, ar ôl llinell 33, mewnosoder –

‘() Mae cyfeiriadau at waredu eiddo yn is-adran (1) yn cynnwys gwerthu glo.’.

Section 44, page 19, after line 31, insert –

- ‘( ) If the property disposed of by the Authority under subsection (1) is coal, it must not be sold for the purpose of burning.’

Adran 44, tudalen 19, ar ôl llinell 35, mewnosoder –

- ‘( ) Os glo yw’r eiddo a waredir gan yr Awdurdod o dan is-adran (1), ni chaniateir ei werthu at ddiben ei losgi.’

**Huw Irranca-Davies** 14

Section 46, page 21, line 17, leave out ‘reasonably’.

Adran 46, tudalen 21, llinell 17, hepgorer ‘rhesymol’.

**Janet Finch-Saunders** 40

Page 21, after line 17, insert a new section –

**[ ] Welsh Ministers’ power of direction**

- (1) Where the Welsh Ministers consider that operations need to be carried out immediately to achieve the following objective, the Welsh Ministers may direct the Authority to carry out those operations.
- (2) The objective is to –
  - (a) prevent or deal with threats to the stability of a disused tip, or
  - (b) stabilise a disused tip or prevent a disused tip from becoming more unstable so as to avoid or reduce threats to human welfare.
- (3) If the Welsh Ministers give a direction under subsection (1), the requirements for the Authority to give notice under section 45 or 46 do not apply.
- (4) Where the Authority carries out operations required by a direction under subsection (1), it will not be liable for breaches of planning or environmental law which occur as a direct result of complying with the direction.
- (5) The Welsh Ministers must publish a direction made under subsection (1).’

Tudalen 21, ar ôl llinell 18, mewnosoder adran newydd –

**[ ] Pŵer cyfarwyddo Gweinidogion Cymru**

- (1) Pan fo Gweinidogion Cymru yn ystyried bod angen cynnal gweithrediadau ar unwaith er mwyn cyflawni’r amcan a ganlyn, caiff Gweinidogion Cymru gyfarwyddo’r Awdurdod i gynnal y gweithrediadau hynny.
- (2) Yr amcan yw –
  - (a) atal bygythiadau i sefydlogrwydd tomen nas defnyddir neu ymdrin â hwy, neu
  - (b) sefydlogi tomen nas defnyddir neu atal tomen nas defnyddir rhag dod yn fwy ansefydlog er mwyn osgoi neu leihau bygythiadau i les pobl.
- (3) Os yw Gweinidogion Cymru yn rhoi cyfarwyddyd o dan is-adran (1), nid yw’r gofynion i’r Awdurdod roi hysbysiad o dan adran 45 neu 46 yn gymwys.

- (4) Pan fo’r Awdurdod yn cynnal gweithrediadau sy’n ofynnol gan gyfarwyddyd o dan is-adran (1), ni fydd yn atebol am achosion o dorri cyfraith cynllunio neu gyfraith amgylcheddol sy’n digwydd o ganlyniad uniongyrchol i gydymffurfio â’r cyfarwyddyd.
- (5) Rhaid i Weinidogion Cymru gyhoeddi cyfarwyddyd a wneir o dan is-adran (1).’

**Delyth Jewell** 3

Section 47, page 21, line 29, leave out ‘in the 12 years ending immediately before that day’ and insert ‘since the year 1800’.

Adran 47, tudalen 21, llinell 30, hepgorer ‘yn y 12 mlynedd sy’n dod i ben yn union cyn y diwrnod hwnnw’ a mewnosoder ‘ers y flwyddyn 1800’.

**Delyth Jewell** 4

Section 47, page 21, line 30, leave out ‘12 year’.

Adran 47, tudalen 21, llinell 32, hepgorer ‘o 12 mlynedd’.

**Delyth Jewell** 5

Section 47, page 21, line 32, leave out ‘12 year’.

Adran 47, tudalen 21, llinell 35, hepgorer ‘o 12 mlynedd’.

**Janet Finch-Saunders** 41

Page 29, after line 5, insert a new section –

**‘PART [ ]**

**DEALING WITH ACTIVITIES THAT DESTABILISE A DISUSED TIP**

**[ ] Offence of destabilising a disused tip**

- (1) The Welsh Ministers may by regulations create a new criminal offence in relation to specified activities on a disused tip which destabilise the tip and threaten human welfare.
- (2) Regulations under this section may make provision, amongst other things, for powers to enter land.’.

Tudalen 29, ar ôl llinell 5, mewnosoder adran newydd –

**‘RHAN [ ]**

**YMDRIN Â GWEITHGAREDDAU SY’N ANSEFYDLOGI TOMEN NAS DEFNYDDIR**

**[ ] Y drosedd o ansefydlogi tomen nas defnyddir**

- (1) Caiff Gweinidogion Cymru drwy reoliadau greu trosedd newydd mewn perthynas â gweithgareddau penodedig ar domen nas defnyddir sy’n ansefydlogi’r domen ac yn bygwth lles pobl.
- (2) Caiff rheoliadau o dan yr adran hon wneud darpariaeth, ymhlith pethau eraill, ar gyfer pwerau i fynd ar dir.’.

**Janet Finch-Saunders**

42

Page 29, after line 5, insert a new section –

**[ ] Stop notices**

- (1) The Welsh Ministers may by regulations confer on the Authority the power to serve a stop notice on a person in relation to an offence under section [section to be inserted by amendment 41].
- (2) Regulations under subsection (1) may include provision about –
  - (a) the procedure for issuing a stop notice;
  - (b) the provision of completion certificates;
  - (c) appeals against the service of a stop notice;
  - (d) compensation;
  - (e) enforcement.
- (3) Regulations under this section may create offences in connection with a failure to comply with any requirements imposed by or under the regulations.’.

Tudalen 29, ar ôl llinell 5, mewnosoder adran newydd –

**[ ] Hysbysiadau stop**

- (1) Caiff Gweinidogion Cymru drwy reoliadau roi i’r Awdurdod y pŵer i gyflwyno hysbysiad stop i berson mewn perthynas â throedd o dan adran [adran i’w mewnosod gan welliant 41].
- (2) Caiff rheoliadau o dan is-adran (1) gynnwys darpariaeth ynghylch –
  - (a) y weithdrefn ar gyfer dyroddi hysbysiad stop;
  - (b) darparu tystysgrifau cwblhau;
  - (c) apelau yn erbyn cyflwyno hysbysiad stop;
  - (d) digollediad;
  - (e) gorfodi.
- (3) Caiff rheoliadau o dan yr adran hon greu troseddau mewn cysylltiad â methu â chydymffurfio ag unrhyw ofynion a osodir gan y rheoliadau neu odanynt.’.

**Delyth Jewell**

22

Section 57, page 30, after line 1, insert –

‘(g) the Secretary of State.’.

Adran 57, tudalen 30, ar ôl llinell 1, mewnosoder –

‘(g) yr Ysgrifennydd Gwladol.’.

**Delyth Jewell**

23

Section 57, page 30, after line 1, insert –

‘(g) the Crown Estate Commissioners.’.

Adran 57, tudalen 30, ar ôl llinell 1, mewnosoder –

‘(g) Comisiynwyr Ystad y Goron.’.

**Janet Finch-Saunders**

**43**

Page 30, after line 29, insert a new section –

**[ ] Duties of owners to share information**

- (1) If an owner of land which includes a disused tip or land adjoining a disused tip –
  - (a) becomes aware of a threat to the stability of the disused tip, or evidence of the disused tip’s instability, and
  - (b) considers that the information ought to be shared with the Authority in the interests of avoiding or reducing a threat to human welfare,the owner must give the Authority the information as soon as practicable.
- (2) This section does not require or permit information to be given contrary to any prohibition imposed by an enactment or other rule of law.’.

Tudalen 30, ar ôl llinell 33, mewnosoder adran newydd –

**[ ] Dyletswyddau perchnogion i rannu gwybodaeth**

- (1) Os yw perchennog ar dir sy’n cynnwys tomen nas defnyddir neu dir sy’n gyffiniol â thomen nas defnyddir –
  - (a) yn dod yn ymwybodol o fygythiad i sefydlogrwydd y domen nas defnyddir, neu dystiolaeth o ansefydlogrwydd y domen nas defnyddir, a
  - (b) yn ystyried y dylid rhannu’r wybodaeth â’r Awdurdod er mwyn osgoi neu leihau bygythiad i les pobl,rhaid i’r perchennog roi’r wybodaeth i’r Awdurdod cyn gynted ag y bo’n ymarferol.
- (2) Nid yw’r adran hon yn ei gwneud yn ofynnol nac yn caniatáu i wybodaeth gael ei rhoi yn groes i unrhyw waharddiad a osodir gan ddeddfiad neu reol gyfreithiol arall.’.

**Janet Finch-Saunders**

**44**

Page 30, after line 29, insert a new section –

**[ ] Penalties in connection with giving information**

- (1) A person who is required to give information under section [section to be inserted by amendment 43] commits an offence if the person fails, without reasonable excuse, to give the information.
- (2) A person who is required to give information under section [section to be inserted by amendment 43] commits an offence if the person –
  - (a) gives information which is false or misleading in a material respect, and
  - (b) either –
    - (i) knows that the information is false or misleading, or
    - (ii) is reckless as to whether the information is false or misleading.
- (3) A person who is guilty of an offence under subsection (1) or subsection (2) is liable on summary conviction to a fine.

- (4) A contravention of subsection (1) by the Crown does not make the Crown criminally liable (but see section 28(3) of the Legislation Wales Act 2019 (anaw 4) regarding the liability of persons in the service of the Crown).’.

Tudalen 30, ar ôl llinell 33, mewnosoder adran newydd –

**[ ] Cosbau mewn cysylltiad â rhoi gwybodaeth**

- (1) Mae person y mae’n ofynnol iddo roi gwybodaeth o dan adran [adran i’w mewnosod gan welliant 43] yn cyflawni trosedd os yw’r person yn methu, heb esgus rhesymol, â rhoi’r wybodaeth.
- (2) Mae person y mae’n ofynnol iddo roi gwybodaeth o dan adran [adran i’w mewnosod gan welliant 43] yn cyflawni trosedd os yw’r person –
- (a) yn rhoi gwybodaeth sy’n anwir neu yn gamarweiniol mewn modd perthnasol, a
- (b) naill ai –
- (i) yn gwybod bod yr wybodaeth yn anwir neu’n gamarweiniol, neu
- (ii) yn ddi-hid ynghylch pa un a yw’r wybodaeth yn anwir neu’n gamarweiniol.
- (3) Mae person sy’n euog o droedd o dan is-adran (1) neu is-adran (2) yn agored ar euogfarn ddiannod i ddirwy.
- (4) Nid yw torri is-adran (1) gan y Goron yn gwneud y Goron yn atebol o ran cyfraith trosedd (ond gweler adran 28(3) o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) ynghylch atebolrwydd personau sy’n gwasanaethu’r Goron).’.

**Huw Irranca-Davies**

15

Page 36, after line 25, insert a new section –

**[ ] Duty to establish and maintain a website or other electronic facility**

The Authority must establish and maintain a website, or other electronic facility (such as a software application), which the public can access without charge.’.

Tudalen 36, ar ôl llinell 26, mewnosoder adran newydd –

**[ ] Dyletswydd i sefydlu a chynnal gwefan neu gyfleuster electronig arall**

Rhaid i’r Awdurdod sefydlu a chynnal gwefan, neu gyfleuster electronig arall (megis cymhwysiad meddalwedd), y gall y cyhoedd ei chyrru neu ei gyrchu yn ddi-dâl.’.

**Huw Irranca-Davies**

16

Page 36, after line 25, insert a new section –

**[ ] Publication**

Where this Act requires the Authority to publish anything –

- (a) it must be published on the website, or other electronic facility, established and maintained under section [section to be inserted by amendment 15], and
- (b) it may also be published in any other manner the Authority considers appropriate.’.

Tudalen 36, ar ôl llinell 26, mewnosoder adran newydd –

**[ ] Cyhoeddi**

Pan fo’r Ddeddf hon yn ei gwneud yn ofynnol i’r Awdurdod gyhoeddi unrhyw beth –

- (a) rhaid iddo gael ei gyhoeddi ar y wefan, neu gyfleuster electronig arall, a sefydlir ac a gynhelir o dan adran [*adran i’w mewnosod gan welliant 15*], a
- (b) caniateir ei gyhoeddi hefyd mewn unrhyw fodd arall y mae’r Awdurdod yn ystyried ei fod yn briodol.’.

**Janet Finch-Saunders**

45

Page 36, after line 25, insert a new section –

**[ ] Communication and engagement strategy**

- (1) The Authority must publish a communication and engagement strategy.
- (2) The strategy must set out, at a minimum, how the Authority will engage with the public in the exercise of its functions.
- (3) The Authority may revise the strategy and must publish the revised strategy.
- (4) Before publishing a strategy under this section, the Authority must consult such persons as it considers appropriate.’.

Tudalen 36, ar ôl llinell 26, mewnosoder adran newydd –

**[ ] Strategaeth gyfathrebu ac ymgysylltu**

- (1) Rhaid i’r Awdurdod gyhoeddi strategaeth gyfathrebu ac ymgysylltu.
- (2) Rhaid i’r strategaeth nodi, o leiaf, sut y bydd yr Awdurdod yn ymgysylltu â’r cyhoedd wrth arfer ei swyddogaethau.
- (3) Caiff yr Awdurdod ddiwygio’r strategaeth a rhaid iddo gyhoeddi’r strategaeth ddiwygiedig.
- (4) Cyn cyhoeddi strategaeth o dan yr adran hon, rhaid i’r Awdurdod ymgynghori â’r personau hynny y mae’n ystyried eu bod yn briodol.’.

**Janet Finch-Saunders**

46

Section 71, page 37, after line 16, insert –

- ( ) The Welsh Ministers must publish guidance about the circumstances which may constitute a threat to human welfare under section 84.
- ( ) The Welsh Ministers may revise guidance published under subsection (*[first subsection to be inserted by this amendment]*) and must publish the revised guidance.’.

Adran 71, tudalen 37, ar ôl llinell 16, mewnosoder –

- ( ) Rhaid i Weinidogion Cymru gyhoeddi canllawiau ynghylch yr amgylchiadau a all fod yn fygythiad i les pobl o dan adran 84.
- ( ) Caiff Gweinidogion Cymru ddiwygio canllawiau a gyhoeddir o dan is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*) a rhaid iddynt gyhoeddi’r canllawiau diwygiedig.’.

**Delyth Jewell**

**24**

Page 38, after line 12, insert a new section –

**[1] Civil sanctions**

- (1) In this section, “the 2008 Act” means the Regulatory Enforcement and Sanctions Act 2008 (c. 13).
- (2) The Welsh Ministers may by regulations make any provision, in relation to an offence under this Act, that could be made under Part 3 of the 2008 Act (civil sanctions) if –
  - (a) the Authority was a regulator for the purposes of Part 3 of that Act, and
  - (b) the offence was a relevant offence in relation to the Authority for the purposes of Part 3 of that Act.
- (3) Sections 63 to 70 of the 2008 Act (guidance; exercise of powers; payment into Consolidated Fund) apply to provision made under this section as they apply to provision made under Part 3 of that Act.
- (4) Section 60(1) and (2) of the 2008 Act (consultation) apply to regulations under subsection (1) as they apply to an order under Part 3 of that Act.
- (5) For the purposes of subsections (3) and (4), references to a regulator in sections 60 and 63 to 70 of the 2008 Act are to be read as references to the Authority.’.

Tudalen 38, ar ôl llinell 12, mewnosoder adran newydd –

**[1] Sanctiynau sifil**

- (1) Yn yr adran hon, ystyr “Deddf 2008” yw Deddf Gorfodi Rheoleiddiol a Sanctiynau 2008 (p. 13).
- (2) Caiff Gweinidogion Cymru drwy reoliadau wneud unrhyw ddarpariaeth, mewn perthynas â throedd o dan y Ddeddf hon, y gellid ei gwneud o dan Ran 3 o Ddeddf 2008 (sanctiynau sifil) os oedd –
  - (a) yr Awdurdod yn rheoleiddiwr at ddibenion Rhan 3 o’r Ddeddf honno, a
  - (b) y drosedd yn drosedd berthnasol mewn perthynas â’r Awdurdod at ddibenion Rhan 3 o’r Ddeddf honno.
- (3) Mae adrannau 63 i 70 o Ddeddf 2008 (canllawiau; arfer pwerau; talu i mewn i Gronfa Gyfunol) yn gymwys i ddarpariaeth a wneir o dan yr adran hon fel y maent yn gymwys i ddarpariaeth a wneir o dan Ran 3 o’r Ddeddf honno.
- (4) Mae adran 60(1) a (2) o Ddeddf 2008 (ymgyngori) yn gymwys i reoliadau o dan is-adran (1) fel y maent yn gymwys i orchymyn o dan Ran 3 o’r Ddeddf honno.
- (5) At ddibenion is-adrannau (3) a (4), mae cyfeiriadau at reoleiddiwr yn adrannau 60 a 63 i 70 o Ddeddf 2008 i’w darllen fel cyfeiriadau at yr Awdurdod.’.

**Janet Finch-Saunders**

**47**

Section 76, page 39, after line 5, insert –

- ( ) section [section to be inserted by amendment 41] (offence of destabilising a disused tip);’.

Adran 76, tudalen 39, ar ôl llinell 5, mewnosoder –

‘( ) adran [adran i’w mewnosod gan welliant 41] (y drosedd o ansefydlogi tomen nas defnyddir);’.

**Janet Finch-Saunders** 48

Section 76, page 39, after line 5, insert –

‘( ) section [section to be inserted by amendment 42] (stop notices);’.

Adran 76, tudalen 39, ar ôl llinell 5, mewnosoder –

‘( ) adran [adran i’w mewnosod gan welliant 42] (hysbysiadau stop);’.

**Delyth Jewell** 25

Section 76, page 39, after line 6, insert –

‘( ) section [section to be inserted by amendment 24] (civil sanctions);’.

Adran 76, tudalen 39, ar ôl llinell 6, mewnosoder –

‘( ) adran [adran i’w mewnosod gan welliant 24] (sanctsiynau sifil);’.

**Delyth Jewell** 26

Section 84, page 43, after line 28, insert –

‘(h) serious threat by flood.’.

Adran 84, tudalen 43, ar ôl llinell 29, mewnosoder –

‘(h) bygythiad difrifol drwy lifogydd.’.

**Delyth Jewell** 27

Section 84, page 43, after line 28, insert –

‘(h) serious contamination of water.’.

Adran 84, tudalen 43, ar ôl llinell 29, mewnosoder –

‘(h) halogi dŵr yn ddifrifol.’.

**Delyth Jewell** 28

Section 84, page 43, after line 28, insert –

‘(h) serious environmental harm.’.

Adran 84, tudalen 43, ar ôl llinell 29, mewnosoder –

‘(h) niwed amgylcheddol difrifol.’.

**Delyth Jewell** 29

Section 84, page 43, after line 28, insert –

'(h) serious threat by fire.'

Adran 84, tudalen 43, ar ôl llinell 29, mewnosoder –

'(h) bygythiad difrifol drwy dân.'

