OFFERYNNAU STATUDOL CYMRU

2018 Rhif 721 (Cy. 140)

DIOGELU'R AMGYLCHEDD, CYMRU

GWASTRAFF, CYMRU

Rheoliadau Gwastraff Peryglus (Diwygiadau Amrywiol) (Cymru) 2018

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio deddfwriaeth sy'n cyfeirio at Gyfarwyddeb 2008/98/EC Senedd Ewrop a'r Cyngor dyddiedig 19 Tachwedd 2008 ar wastraff ac yn diddymu Cyfarwyddebau penodol (OJ Rhif L 312, 22.11.2008, t. 3.)

Mae angen y diwygiadau a wneir gan y Rheoliadau hyn er mwyn gweithredu Rheoliad y Cyngor (EU) 2017/997 dyddiedig 8 Mehefin 2017 sy'n diwygio Atodiad III i Gyfarwyddeb 2008/98/EC Senedd Ewrop a'r Cyngor o ran y nodwedd beryglus HP 14 'Ecowenwynig' (OJ Rhif L 150, 14.6.2017, t. 1).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2018 No. 721 (W. 140)

ENVIRONMENTAL PROTECTION, WALES

WASTE, WALES

The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend legislation which refers to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ No L 312, 22.11.2008, p. 3).

The amendments made by these Regulations are necessary in order to implement Council Regulation (EU) 2017/997 of 8 June 2017 amending Annex III to Directive 2008/98/EC of the European Parliament and of the Council as regards the hazardous property HP 14 'Ecotoxic' (OJ No L 150, 14.6.2017, p. 1).

The Welsh Ministers' Code of Practice on the carrying out of regulatory impact assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2018 Rhif 721 (Cy. 140)

DIOGELU'R AMGYLCHEDD, CYMRU

GWASTRAFF, CYMRU

Rheoliadau Gwastraff Peryglus (Diwygiadau Amrywiol) (Cymru) 2018

Gwnaed	*11 Mehefin 2018*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*14 Mehefin 2018*
Yn dod i rym	*5 Gorffennaf 2018*

Mae Gweinidogion Cymru wedi eu dynodi(**1**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) mewn perthynas ag—

(a) mesurau ynghylch atal, lleihau a dileu llygredd a achosir gan wastraff a rheoli pecynnu a gwastraff pecynnu(**3**);

(b) atal, lleihau a rheoli gwastraff(**4**).

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972.

(**1**) Yn rhinwedd adran 59(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32) caiff Gweinidogion Cymru arfer y pŵer a roddir gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68) mewn perthynas ag unrhyw fater, neu at unrhyw ddiben, os ydynt wedi eu dynodi mewn perthynas â'r mater hwnnw neu at y diben hwnnw.

(**2**) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) a chan adran 3 o Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) a Rhan 1 o'r Atodlen iddi.

(**3**) O.S. 2005/850.

(**4**) O.S. 2010/1552.

WELSH STATUTORY INSTRUMENTS

2018 No. 721 (W. 140)

ENVIRONMENTAL PROTECTION, WALES

WASTE, WALES

The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018

Made	*11 June 2018*
Laid before the National Assembly for Wales	*14 June 2018*
Coming into force	*5 July 2018*

The Welsh Ministers are designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to—

(a) measures relating to the prevention, reduction and elimination of pollution caused by waste and the management of packaging and packaging waste(**3**);

(b) the prevention, reduction and management of waste(**4**).

The Welsh Ministers make these Regulations in exercise of the powers conferred upon them by section 2(2) of the European Communities Act 1972.

(**1**) By virtue of section 59(2) of the Government of Wales Act 2006 (c. 32), the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 (c. 68) in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.

(**2**) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(**3**) S.I. 2005/850.

(**4**) S.I. 2010/1552.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwastraff Peryglus (Diwygiadau Amrywiol) (Cymru) 2018.

(2) Daw'r Rheoliadau hyn i rym ar 5 Gorffennaf 2018.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio Deddf Diogelu'r Amgylchedd 1990

2. Yn adran 62A(2)(b) o Ddeddf Diogelu'r Amgylchedd 1990(**1**) (rhestrau o wastraff sy'n arddangos nodweddion peryglus), ar ôl "Directive 2008/98/EC" mewnosoder ", as last amended by Council Regulation (EU) 2017/997".

Diwygio Rheoliadau Gwastraff Peryglus (Cymru) 2005

3. Yn lle rheoliad 2(1)(a) o Reoliadau Gwastraff Peryglus (Cymru) 2005(**2**) (y Gyfarwyddeb Wastraff ac ystyr Gwastraff), rhodder—

"(a) "ystyr "y Gyfarwyddeb Wastraff" ("*the Waste Directive*") yw Cyfarwyddeb 2008/98/EC Senedd Ewrop a'r Cyngor ar wastraff a diddymu Cyfarwyddebau penodol, fel y'i diwygiwyd ddiwethaf gan Reoliad y Cyngor (EU) 2017/997;".

Diwygio Rheoliadau Rhwymedigaethau Cyfrifoldeb Cynhyrchwyr (Gwastraff Deunydd Pacio) 2007

4. Yn rheoliad 2(1) o Reoliadau Rhwymedigaethau Cyfrifoldeb Cynhyrchwyr (Gwastraff Deunydd Pacio) 2007(**3**) (dehongli a hysbysiadau), yn y diffiniad o "the Waste Directive", ar y diwedd, cyn yr hanner colon, mewnosoder ", as last amended by Council Regulation (EU) 2017/997".

(**1**) 1990 p. 43, mewnosodwyd adran 62A gan O.S. 2005/894 ac fe'i diwygiwyd gan O.S. 2015/1360; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

(**2**) O.S. 2005/1806 (Cy. 138), a ddiwygiwyd gan O.S. 2011/971 (Cy. 141), 2015/1417 (Cy. 141) a 2016/691(Cy. 189).

(**3**) O.S. 2007/871, a ddiwygiwyd gan O.S. 2016/738; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

Title, commencement and application

1.—(1) The title of these Regulations is the Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018.

(2) These Regulations come into force on 5 July 2018.

(3) These Regulations apply in relation to Wales.

Amendment of the Environmental Protection Act 1990

2. In section 62A(2)(b) of the Environmental Protection Act 1990(**1**) (lists of waste displaying hazardous properties), after "Directive 2008/98/EC", insert ", as last amended by Council Regulation (EU) 2017/997".

Amendment of the Hazardous Waste (Wales) Regulations 2005

3. For regulation 2(1)(a) of the Hazardous Waste (Wales) Regulations 2005(**2**) (the Waste Directive and the meaning of Waste), substitute—

"(a) "the Waste Directive" ("*y Gyfarwyddeb Wastraff*") means Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives, as last amended by Council Regulation (EU) 2017/997;".

Amendment of the Producer Responsibility Obligations (Packaging Waste) Regulations 2007

4. In regulation 2(1) of the Producer Responsibility Obligations (Packaging Waste) Regulations 2007(**3**) (interpretation and notices), in the definition of "the Waste Directive", at the end, before the semi-colon, insert ", as last amended by Council Regulation (EU) 2017/997".

(**1**) 1990 c. 43, section 62A was inserted by S.I. 2005/894 and amended by S.I. 2015/1360; there are other amending instruments but none is relevant.

(**2**) S.I. 2005/1806 (W. 138), amended by S.I. 2011/971 (W. 141), 2015/1417 (W. 141) and 2016/691 (W. 189).

(**3**) S.I. 2007/871, amended by S.I. 2016/738; there are other amending instruments but none is relevant.

Diwygio Rheoliadau Gwastraff (Cymru a Lloegr) 2011

5. Yn rheoliad 3(1) o Reoliadau Gwastraff (Cymru a Lloegr) 2011(**1**) (dehongli), yn y diffiniad o "the Waste Framework Directive", ar y diwedd, cyn yr hanner colon, mewnosoder, "as last amended by Council Regulation (EU) 2017/997".

Diwygio Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016

6. Yn rheoliad 3 o Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016(**2**) (dehongli: Cyfarwyddebau), yn y diffiniad o "the Waste Framework Directive", ar y diwedd, cyn yr hanner colon, mewnosoder ", as last amended by Council Regulation (EU) 2017/997".

Dirymiadau

7. Mae'r rheoliadau a ganlyn wedi eu dirymu—

(a) rheoliad 3(2) o Reoliadau Gwastraff Peryglus (Diwygiadau Amrywiol) (Cymru) 2015(**3**);

(b) rheoliad 3(2) o Reoliadau Gwastraff (Ystyr Adfer) (Diwygiadau Amrywiol) (Cymru) 2016(**4**).

Amendment of the Waste (England and Wales) Regulations 2011

5. In regulation 3(1) of the Waste (England and Wales) Regulations 2011(**1**) (interpretation), in the definition of "the Waste Framework Directive", at the end, before the semi-colon, insert ", as last amended by Council Regulation (EU) 2017/997".

Amendment of the Environmental Permitting (England and Wales) Regulations 2016

6. In regulation 3 of the Environmental Permitting (England and Wales) Regulations 2016(**2**) (interpretation: Directives), in the definition of "the Waste Framework Directive", at the end, before the semi-colon, insert ", as last amended by Council Regulation (EU) 2017/997".

Revocations

7. The following regulations are revoked—

(a) regulation 3(2) of the Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2015(**3**);

(b) regulation 3(2) of the Waste (Meaning of Recovery) (Miscellaneous Amendments) (Wales) Regulations 2016(**4**).

Lesley Griffiths

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, un o Weinidogion Cymru
11 Mehefin 2018

Cabinet Secretary for Energy, Planning and Rural Affairs, one of the Welsh Ministers
11 June 2018

©ⓗHawlfraint y Goron 2018

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

© Crown copyright 2018

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(**1**) O.S. 2011/988, a ddiwygiwyd gan O.S. 2016/691 (Cy. 189); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.
(**2**) O.S. 2016/1154; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.
(**3**) O.S. 2015/1417 (Cy. 141).
(**4**) O.S. 2016/691 (Cy. 189).

(**1**) S.I. 2011/988, amended by S.I. 2016/691 (W. 189); there are other amending instruments but none is relevant.
(**2**) S.I. 2016/1154; there are amending instruments but none is relevant.
(**3**) S.I. 2015/1417 (W. 141).
(**4**) S.I. 2016/691 (W. 189).

£4.25

W201806131010 06/2018

ISBN 978-0-348-20251-9

http://www.legislation.gov.uk/id/wsi/2018/721