OFFERYNNAU STATUDOL CYMRU

2002 Rhif 2297 (Cy.226)

DŴR CYMRU

Rheoliadau Diogelu Dŵr Rhag Llygredd Nitradau Amaethyddol (Diwygio) (Cymru) 2002

Wedi'u gwneud - -	*5 Medi 2002*
Yn dod i rym - -	*11 Medi 2002*

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), sydd wedi ei ddynodi(**1**) at ddibenion adran 2(2) o Ddeddf Cymunedau Ewrop 1972(**2**) mewn perthynas â mesurau sy'n ymwneud â diogelu dyfroedd rhag llygredd a achosir gan nitradau o ffynonellau amaethyddol, drwy arfer y pwerau a roddwyd i'r Cynulliad Cenedlaethol o dan yr adran honno, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu Dwr Rhag Llygredd Nitradau Amaethyddol (Diwygio) (Cymru) 2002 ac maent yn dod i rym ar 11 Medi 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(3) Yn y Rheoliadau hyn, ystyr "y Prif Reoliadau" yw Rheoliadau Diogelu Dwr Rhag Llygredd Nitradau Amaethyddol (Cymru a Lloegr) 1996(**3**).

Diwygio'r Prif Reoliadau

2. Mae'r Prif Reoliadau yn cael eu diwygio yn unol â'r Atodlen i'r Rheoliadau hyn.

Achub

3. Nid yw'r Rheoliadau hyn yn effeithio ar unrhyw beth a wnaed o dan y Prif Reoliadau neu gan ymddiried ynddynt cyn i'r diwygiadau sy'n cael eu gwneud gan y Rheoliadau hyn gael effaith.

(**1**) Gweler Erthygl 3 o Orchymyn (Dynodi) Cymunedau Ewrop (Rhif 2) 2001 ac Atodlen 2, paragraff 2, iddo (O.S. 2001/2555).
(**2**) 1972 p.68.
(**3**) O.S. 1996/888. Gwnaed diwygiadau gan O.S. 1997/2971 ac O.S. 1998/1202.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**4**)

Mike German
Dirprwy Brif Weinidog, Y Gweinidog dros Ddatblygu Gwledig a Chymru Dramor.

5 Medi 2002

(**4**) 1998 p.38.

ATODLEN Rheoliad 2

The following amendments are made to the Principal Regulations:

1. In Regulation 2—

(a) after the definition of "chemical fertiliser", insert: " "designation" means, in relation to land in Wales, the inclusion of that land in an area defined as a nitrate vulnerable zone by regulation 3B(1). ".

(b) after the definition of "groundwater", insert:

""interest", in relation to land, means—

(a) a fee simple absolute in possession;

(b) a term of years absolute of which not less than one year remains unexpired; or

(c) a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 or a tenancy under the Agricultural Holdings Act 1986.".

(c) after the definition of "livestock manure", insert: "National Assembly means the National Assembly for Wales.".

(d) after "regulation 3" in the definition of "nitrate vulnerable zone", insert: "or, where the nitrate vulnerable zone is situated in Wales, regulation 3B".

(e) in paragraph (a) of the definition of "the relevant Minister", delete: "or which are partly in England and partly in Wales,".

(f) for paragraph (b) of the definition of "the relevant Minister", substitute: "(b) in relation to land in Wales, means the National Assembly;".

2. In regulation 3(1), delete: "and the Secretary of State for Wales" and "and Wales".

3. Insert, after regulation 3(2): "(3) Paragraphs (1) and (2) do not apply to Wales.".

4. Insert, after regulation 3—

"**Provisions in relation to Wales**

3A. Regulations 3B, 3C and 3D apply only in relation to Wales.

Designation of nitrate vulnerable zones in Wales

3B.—(1) In these Regulations as they apply to Wales, "nitrate vulnerable zone" means, subject to regulation 3D, any of the areas referred to in Schedule 1A and more particularly shown coloured blue or pink on the maps contained in the volume of maps marked "Volume of Maps of Nitrate Vulnerable Zones S.I. 1996 No. 888 (2002 revision)" and deposited at the offices of the National Assembly, Cathays Park, Cardiff, being all known areas of land in Wales which drain into and contribute to pollution of the waters which the National Assembly has identified, in accordance with the criteria set out in Schedule 2, whether those waters are located wholly in Wales or not, as waters affected by pollution and waters which could be affected by pollution if action pursuant to regulation 6 were not taken.

(2) The National Assembly must, by 1st August 2006 and at intervals of no more than four years thereafter, review and if necessary revise or add to the designation of nitrate vulnerable zones to take into account changes and factors unforeseen at the time of the previous designation.