



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 2730 (Cy.237)

2004 No. 2730 (W.237)

**CAFFAEL TIR,
CYMRU**

**ACQUISITION OF LAND,
WALES**

Rheoliadau Prynu Tir yn Orfodol
(Gweithdrefn Sylwadau
Ysgrifenedig) (Cynulliad
Cenedlaethol Cymru) 2004

The Compulsory Purchase of Land
(Written Representations
Procedure) (National Assembly for
Wales) Regulations 2004

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn nodi'r weithdrefn sylwadau ysgrifenedig ("y weithdrefn") y gellir ei defnyddio wrth benderfynu a ddylid awdurdodi prynu tir yn orfodol os Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") yw'r awdurdod caffael neu gadarnhau ac y mae gweithdrefnau Deddf Caffael Tir 1981 ("y Ddeddf") yn gymwys.

These Regulations set out the written representations procedure (the "procedure") that may be used for deciding whether to authorise the compulsory purchase of land in Wales where the National Assembly for Wales ("the National Assembly") is the acquiring or confirming authority and the procedures in the Acquisition of Land Act 1981 ("the Act") apply.

Gellir penderfynu ar y gwrthwynebiadau o ran cadarnhau gorchymyn prynu gorfodol a wneir o dan Ran II o'r Ddeddf (fel a ddiffinnir yn adran 13A(1) o'r Ddeddf) na chawsant eu tynnu'n ôl ac na ellir eu diystyru ("gwrthwynebiadau sy'n parhau") yn ôl gweithdrefn a ragnodwyd gan reoliadau (adran 13A o'r Ddeddf). Dyma ddewis amgen i gynnal ymchwiliad, ar yr amod bod pawb sy'n parhau i wrthwynebu yn cydsynio yn y modd a ragnodwyd.

Objections to the confirmation of a compulsory purchase order made under Part II of the Act (as defined in section 13A(1) of the Act) which have not been withdrawn and which may not be disregarded ("remaining objections") can be determined by a procedure prescribed by regulations (section 13A of the Act). This is an alternative to the holding of an inquiry, provided all those having remaining objections consent in the prescribed manner.

Yn yr un modd, gellir penderfynu ar y gwrthwynebiadau sy'n parhau o ran gwneud gorchymyn prynu gorfodol o dan Atodlen 1 i'r Ddeddf (fel a ddiffinnir ym mharagraff 4A(1) o Atodlen 1 i'r Ddeddf) yn ôl y weithdrefn honno (paragraff 4A o Atodlen 1 i'r Ddeddf).

Similarly, remaining objections to the making of a compulsory purchase order under Schedule 1 to the Act (as defined in paragraph 4A(1) of Schedule 1 to the Act) can be determined by such a procedure (paragraph 4A of Schedule 1 to the Act).

Mae prif gamau'r weithdrefn yn cynnwys-

The main steps in the procedure include-

- (a) os yw'r Cynulliad Cenedlaethol yn ystyried defnyddio'r weithdrefn, bydd yn anfon ffurflen gydsynio (ar y ffurf a nodir yn yr Atodlen i'r

- (a) if the National Assembly is considering the use of the procedure, it will send a consent form (in the form set out in the Schedule to these

- Rheoliadau hyn) at bawb sy'n parhau i wrthwynebu, gan ofyn am eu cydsyniad ysgrifenedig i ddefnyddio'r weithdrefn (rheoliad 3);
- (b) dim ond os bydd yr holl wrthwynebwyr hynny yn cydsynio y caiff y Cynulliad Cenedlaethol ddefnyddio'r weithdrefn. Nid oes rheidrwydd arno i ddefnyddio'r weithdrefn ond, os yw'n penderfynu y dylai'r weithdrefn fod yn gymwys, bydd yn rhoi dyddiad dechrau ar gyfer y weithdrefn (rheoliad 4);
- (c) bydd unrhyw ddogfennau a gyflwynir gan yr awdurdod caffael i'r sawl sy'n parhau i wrthwynebu ar adeg gwneud gorchymyn prynu gorfodol neu baratoi gorchymyn o'r fath ar ffurf drafft, ac unrhyw lythyrau neu ddogfennau eraill a roddir i'r Cynulliad Cenedlaethol yn wrthwynebiadau i gadarnhau neu wneud y gorchymyn, yn mynd yn rhan o'r sylwadau a fydd i'w hystyried (rheoliad 5(1) a (2));
- (ch) oni bai bod yr awdurdod caffael yn dewis peidio â gwneud hynny, caiff wneud sylwadau i gefnogi ei gais (y gellir eu diystyru os derbynir hwy mwy na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau). Anfonir copi o'r sylwadau hynny at bawb sy'n parhau i wrthwynebu (rheoliad 5(4) a (5));
- (d) caiff unrhyw un sy'n parhau i wrthwynebu ymateb gyda sylwadau (y gellir eu diystyru os derbynir hwy fwy na 15 o ddiwrnodau gwaith ar ôl i'r Cynulliad Cenedlaethol anfon copi o sylwadau'r awdurdod caffael, o dan baragraff (ch) uchod) (rheoliad 5(6) a (7));
- (dd) caiff yr awdurdod caffael, wrth ymateb i sylwadau rhywun sy'n parhau i wrthwynebu a grybwyllir ym mharagraff (d) uchod, wneud sylwadau pellach (y gellir eu diystyru os derbynir hwy fwy na 10 niwrnod gwaith ar ôl i'r Cynulliad Cenedlaethol neu'r awdurdod caffael, os yw'n wahanol, anfon copi o sylwadau'r sawl sy'n parhau i wrthwynebu) (rheoliad 5(8) a (9));
- (e) caiff y Cynulliad Cenedlaethol ganiatáu i unrhyw berson arall wneud sylwadau (y gellir eu diystyru os derbynir hwy fwy na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau a bennwyd i'r awdurdod caffael roi ei sylwadau) (rheoliad 6);
- (f) mae gan y Cynulliad Cenedlaethol ddisgresiwn i estyn y terfynau amser mewn unrhyw achos arbennig (rheoliad 7);
- (ff) caiff y Cynulliad Cenedlaethol benodi arolygydd i ystyried y sylwadau, i archwilio safle (os yw'n briodol) ac i lunio adroddiad ysgrifenedig i'r Cynulliad Cenedlaethol gydag argymhelliad (rheoliad 8);
- Regulations) to all those with remaining objections, seeking their written consent to the use of the procedure (regulation 3);
- (b) only if all such objectors consent may the National Assembly use the procedure. It is not obliged to use the procedure, but, if it determines that the procedure should apply, it will set a starting date from which the procedure will commence (regulation 4);
- (c) any documents served by the acquiring authority on the remaining objectors at the time of the making or preparation in draft of a compulsory purchase order, and any letters and other documents provided to the National Assembly as objections to confirmation or making, will form part of the representations to be considered (regulation 5(1) and (2));
- (d) unless the acquiring authority elects not to do so, it may make representations in support of its application (which may be disregarded if received more than 14 working days after the starting date). Such representations will be copied to each remaining objector (regulation 5(4) and (5));
- (e) any remaining objector may make representations in response (which may be disregarded if received more than 15 working days after the National Assembly sends a copy of the acquiring authority's representations under paragraph (d) above) (regulation 5(6) and (7));
- (f) in response to a remaining objector's representations mentioned in paragraph (e) above, the acquiring authority may make further representations (which may be disregarded if received more than 10 working days after the National Assembly or, if different, the acquiring authority sends a copy of the remaining objectors' representations) (regulation 5(8) and (9));
- (g) the National Assembly may permit representations to be made by any other person (which may be disregarded if received more than 14 working days after the starting date set for the acquiring authority to provide its representations) (regulation 6);
- (h) the National Assembly has a discretion to extend the time limits in any particular case (regulation 7);
- (i) the National Assembly may appoint an inspector to consider the representations, to undertake a site inspection (if appropriate) and to report in writing to the National Assembly with a recommendation (regulation 8);

- (g) caiff yr arolygydd archwilio safle tir sy'n destun gorchymyn prynu gorfodol ynghyd â'r ardal gyfagos ar unrhyw adeg. Caiff yr archwilydd wneud yr archwiliad ar ei ben ei hunan (a hynny heb roi rhagysbysiad i'r awdurdod caffael nac i'r sawl sy'n parhau i wrthwynebu) neu yng nghwmni cynrychiolydd yr awdurdod caffael a'r sawl sy'n parhau i wrthwynebu (rheoliad 9(1)). Rhaid i'r Cynulliad Cenedlaethol anfon hysbysiad o ddyddiad ac amser archwiliad sydd i'w wneud yng nghwmni'r personau hynny at yr awdurdod caffael a'r sawl sy'n parhau i wrthwynebu, fel y caiff ei dderbyn dim llai na 5 niwrnod gwaith cyn yr archwiliad (rheoliad 9(2)). Pan na fydd cynrychiolydd o'r awdurdod caffael na'r sawl sy'n parhau i wrthwynebu yn bresennol ar gyfer archwiliad, nid yw'n ofynnol i'r archwilydd ei ohirio (rheoliad 9(3));
- (ng) os yw'r awdurdod caffael neu'r sawl sy'n parhau i wrthwynebu yn gwneud cais i'r Cynulliad Cenedlaethol, heb fod yn hwyrach na 10 niwrnod gwaith ar ôl y dyddiad dechrau, am archwiliad safle yn eu cwmni, rhaid i'r Cynulliad Cenedlaethol drefnu archwiliad o'r fath (rheoliad 9(4));
- (h) bydd y Cynulliad Cenedlaethol yn penderfynu cadarnhau neu wneud y gorchymyn prynu gorfodol ar sail y sylwadau ysgrifenedig ac unrhyw adroddiad gan yr archwilydd (rheoliad 10); ac
- (i) bydd y Cynulliad Cenedlaethol (oni bai mai'r awdurdod caffael ydyw) yn hysbysu'r awdurdod caffael, a'r sawl sydd â'r hawl i wneud sylwadau o ran eu gwrthwynebiadau, o'r penderfyniad a'r rhesymau dros y penderfyniad. Caiff unrhyw un o'r personau hynny wneud cais am gopi o unrhyw adroddiad neu sylw a ystyriwyd; wedyn, dylid anfon yr adroddiad neu'r sylwadau dim hwyrach na 10 niwrnod gwaith ar ôl derbyn y cais (rheoliad 11).
- (j) the inspector may at any time make a site inspection of the land which is the subject of the compulsory purchase order and of the surrounding area. The inspector may make the inspection unaccompanied (without giving prior notice to the acquiring authority and the remaining objectors) or in the company of a representative of the acquiring authority and the remaining objectors (regulation 9(1)). Notification of the date and time of an accompanied inspection must be sent to the acquiring authority, and the remaining objectors, by the National Assembly so as to be received not less than 5 working days before the inspection (regulation 9(2)). The inspector is not required to defer an accompanied inspection where the acquiring authority or a remaining objector is not present (regulation 9(3));
- (k) if, not later than 10 working days after the starting date, the acquiring authority or a remaining objector makes to the National Assembly a request for an accompanied site inspection, such an inspection must be arranged by the National Assembly (regulation 9(4));
- (l) the National Assembly will determine the confirmation or making of the compulsory purchase order on the basis of the written representations and any report of the inspector (regulation 10); and
- (m) the National Assembly will (unless it is the acquiring authority) notify the acquiring authority, and those permitted to make representations in respect of their objections, of the decision and the reasons for the decision. Any such person may apply for a copy of any report or representation taken into account; such report or representations then to be sent not later than 10 working days after receipt of the request (regulation 11).

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CAFFAEL TIR,
CYMRUACQUISITION OF LAND,
WALESRheoliadau Prynu Tir yn Orfodol
(Gweithdrefn Sylwadau
Ysgrifenedig) (Cynulliad
Cenedlaethol Cymru) 2004The Compulsory Purchase of Land
(Written Representations
Procedure) (National Assembly for
Wales) Regulations 2004

Wedi'u gwneud 19 Hydref 2004
Yn dod i rym 31 Hydref 2004

Made 19 October 2004
Coming into force 31 October 2004

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer ei bwerau o dan adrannau 7(2), 13A(2) a (6) a 13B(7) o Ddeddf Caffael Tir 1981(a), a pharagraff 4A(2), (7) ac (8) o Atodlen 1 iddi, a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw, drwy hyn yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales ("the National Assembly"), in exercise of its powers under sections 7(2), 13A(2) and (6) and 13B(7) of, and paragraph 4A(2), (7) and (8) of Schedule 1 to, the Acquisition of Land Act 1981(a), and all other powers enabling it in that behalf, hereby makes the following Regulations:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Prynu Tir yn Orfodol (Gweithdrefn Sylwadau Ysgrifenedig) (Cynulliad Cenedlaethol Cymru) 2004 a deuant i rym ar 31 Hydref 2004.

Citation, commencement and application

1.-(1) These Regulations may be cited as the Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004 and come into force on 31 October 2004.

(2) Yn ddarostyngedig i baragraff (3), mae'r Rheoliadau hyn yn gymwys pan fo'r Cynulliad Cenedlaethol, naill ai-

(2) Subject to paragraph (3), these Regulations apply where the National Assembly is either the-

- (a) yn awdurdod cadarnhau(b); neu
- (b) yn awdurdod priodol(c),

- (a) confirming authority(b); or
- (b) the appropriate authority(c),

- (a) 1981 p.67; mewnosodwyd adrannau 13A(2) a (6) a 13B(7) o Ddeddf Caffael Tir 1981, a pharagraff 4A(2), (7) ac (8) o Atodlen 1 iddi, gan Ddeddf Cynllunio a Phrynu Gorfodol 2004 (p.5). Mewn perthynas â Chymru, mae'r pwerau a geir yn y darpariaethau hynny, gan mwyaf, yn arferadwy gan Gynulliad Cenedlaethol Cymru yn rhinwedd adran 121(1) o Ddeddf Cynllunio a Phrynu Gorfodol 2004. Trosglwyddwyd y rhan fwyaf o swyddogaethau'r Ysgrifennydd Gwladol mewn perthynas ag awdurdodi prynu tir yn orfodol yng Nghymru (gan gynnwys adran 7(2) o Ddeddf Caffael Tir 1981) i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).
- (b) I gael gweld y diffiniad o "confirming authority", gweler adran 7(1) o Ddeddf Caffael Tir 1981.
- (c) I gael gweld y diffiniad o "appropriate authority", gweler paragraff 4(8) o Atodlen 1 i Ddeddf Caffael Tir 1981, adran 118(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 ac O.S. 1999/672.

- (a) 1981 c.67; sections 13A(2) and (6) and 13B(7) of, and paragraph 4A(2), (7) and (8) of Schedule 1 to, the Acquisition of Land Act 1981 were inserted by the Planning and Compulsory Purchase Act 2004 (c.5). In relation to Wales, the powers contained in those provisions are, for the most part, exercisable by the National Assembly for Wales by virtue of section 121(1) of the Planning and Compulsory Purchase Act 2004. Most of the functions of the Secretary of State relating to the authorisation of the compulsory purchase of land in Wales (including section 7(2) of the Acquisition of Land Act 1981) were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
- (b) For the definition of "confirming authority", see section 7(1) of the Acquisition of Land Act 1981.
- (c) For the definition of "appropriate authority", see paragraph 4(8) of Schedule 1 to the Acquisition of Land Act 1981, section 118(3) of the Planning and Compulsory Purchase Act 2004 and S.I. 1999/672.

ac y mae'n ystyried defnyddio'r weithdrefn sylwadau ysgrifenedig, neu'n ystyried trafodion o dan y weithdrefn honno(a).

(3) Ni fydd y Rheoliadau hyn yn gymwys os digwydd y canlynol cyn y dyddiad y daw'r Rheoliadau hyn i rym-

- (a) yn achos paragraff (2)(a), cyhoeddi am y tro cyntaf yr hysbysiad o wneud y gorchymyn prynu gorfodol yn unol ag adran 11(1) o Ddeddf Caffael Tir 1981; neu
- (b) yn achos paragraff (2)(b), cyhoeddi am y tro cyntaf yr hysbysiad o baratoi'r gorchymyn prynu gorfodol ar ffurf ddrafft yn unol â pharagraff (2) o Atodlen 1 i'r Ddeddf honno.

Dehongli

2.-(1) Yn y Rheoliadau hyn-

ystyr "anfon" ("*send*") yw anfon rhywbeth, gan ragdalu am y post dosbarth cyntaf, sydd wedi'i gyfeirio at y cyfeiriad cywir(b) neu at unrhyw gyfeiriad amgen y bydd y derbyniwr yn gofyn amdano;

ystyr "y cyflwyniad" ("*the submission*") yw'r cyflwyniad sy'n gofyn am gadarnhau gorchymyn prynu gorfodol o dan Ran II o Ddeddf Caffael Tir 1981 neu sy'n gofyn am wneud gorchymyn prynu gorfodol a baratowyd ar ffurf ddrafft o dan Atodlen 1 i'r Ddeddf honno;

mae "datganiad" ("*statement*") yn cynnwys ffotograff, map neu blan, ond yn eithrio datganiadau llafar;

ystyr "diwrnod gwaith" ("*working day*") yw unrhyw ddiwrnod nad yw'n ddydd Sadwrn, yn ddydd Sul, yn Ddydd Nadolig, yn Ddydd Gwener y Groglith nac yn wyl y banc o dan Ddeddf Bancio a Thrafodion Ariannol 1971(c);

ystyr "dyddiad dechrau" ("*starting date*") yw'r dyddiad dechrau y cyfeirir ato yn rheoliad 4(a);

ystyr "y sawl sy'n parhau i wrthwynebu" ("*remaining objector*") yw person sydd â gwrthwynebiad sy'n parhau(ch); ac

ystyr "sylwadau" ("*representations*") yw sylwadau ysgrifenedig, datganiadau a dogfennau ategol.

and it is considering the use of, or proceedings under, the written representations procedure(a).

(3) These Regulations do not apply where, in the case of-

- (a) paragraph (2)(a), first publication of the notice of the making of the compulsory purchase order pursuant to section 11(1) of the Acquisition of Land Act 1981; or
- (b) paragraph (2)(b), first publication of the notice of preparation in draft of the compulsory purchase order pursuant to paragraph (2) of Schedule 1 to that Act,

takes place before the date on which these Regulations come into force.

Interpretation

2.-(1) In these Regulations-

"remaining objector" ("*y sawl sy'n parhau i wrthwynebu*") means a person who has a remaining objection(b);

"representations" ("*sylwadau*") means written representations, statements and supporting documents;

"send" ("*anfon*") means sent by pre-paid first class post addressed to the proper address(c) or such alternative address as the recipient may request;

"starting date" ("*dyddiad dechrau*") means the starting date referred to in regulation 4(a);

"statement" ("*datganiad*") includes a photograph, map or plan, but excludes oral statements;

"the submission" ("*y cyflwyniad*") means the submission seeking the confirmation of a compulsory purchase order under Part II of the Acquisition of Land Act 1981 or the making of a compulsory purchase order prepared in draft under Schedule 1 to that Act; and

"working day" ("*diwrnod gwaith*") means any day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(d).

(a) I gael gweld y diffiniad o "written representations procedure", gweler adran 13A(6) o Ddeddf Caffael Tir 1981, a pharagraff 4A(7) o Atodlen 1 iddi.

(b) I gael gweld ystyr "proper address", gweler adran 6(3) o Ddeddf Caffael Tir 1981.

(c) 1971 p.80.

(ch) I gael gweld y diffiniad o "remaining objection", gweler adran 13A o Ddeddf Caffael Tir 1981, a pharagraff 4A(1) o Atodlen 1 iddi.

(a) For the definition of "written representations procedure", see section 13A(6) of, and paragraph 4A(7) of Schedule 1 to, the Acquisition of Land Act 1981.

(b) For the definition of "remaining objection", see section 13A of, and paragraph 4A(1) of Schedule 1 to, the Acquisition of Land Act 1981.

(c) For the meaning of "proper address", see section 6(3) of the Acquisition of Land Act 1981.

(d) 1971 c.80.

(2) Mae cyfeiriadau yn y Rheoliadau hyn at adrannau yn cyfeirio at adrannau Deddf Caffael Tir 1981, ac mae cyfeiriadau at Atodlen 1 yn cyfeirio at Atodlen 1 i'r Ddeddf honno.

(3) Os y Cynulliad Cenedlaethol yw'r awdurdod caffael, mae darpariaethau'r Rheoliadau hyn sy'n gofyn am gyfathrebu rhwng y Cynulliad Cenedlaethol a'r awdurdod caffael yn gymwys gyda'r addasiadau hynny y gall fod eu hangen.

Cydsynio

3.-(1) Mae'r rheoliad hwn yn rhagnodi'r dull y caiff y sawl sy'n parhau i wrthwynebu gydsynio i'r Cynulliad Cenedlaethol ddefnyddio'r weithdrefn sylwadau ysgrifenedig.

(2) Er mwyn rhoi ei gydsyniad, rhaid i'r sawl sy'n parhau i wrthwynebu ddychwelyd i'r Cynulliad Cenedlaethol, fel y bydd yn dod i law dim hwyrach na'r dyddiad y cyfeirir ato ym mharagraff (4), yr hysbysiad y cyfeirir ato ym mharagraff (3) gan nodi arno gydsyniad y gwrthwynebydd i ddefnyddio'r weithdrefn sylwadau ysgrifenedig.

(3) Rhaid i'r hysbysiad fod ar y ffurf a nodir yn yr Atodlen i'r Rheoliadau hyn neu ar ffurf sy'n sylweddol debyg o ran ei heffaith.

(4) Rhaid i'r Cynulliad Cenedlaethol anfon yr hysbysiad y cyfeirir ato ym mharagraff (3) at bob un sy'n parhau i wrthwynebu a rhaid hysbysu dyddiad gyda'r hysbysiad hwnnw nad sy'n llai na 15 o ddiwrnodau gwaith ar ôl y dyddiad pan anfonir yr hysbysiad at y sawl sy'n gwrthwynebu.

(5) Os na roddir cydsyniad gan bob un sy'n parhau i wrthwynebu yn unol â pharagraff (2), bydd y Cynulliad Cenedlaethol, yn ddarostyngedig i baragraff (6), yn mynd rhagddo ar y sail nad yw'r weithdrefn sylwadau ysgrifenedig yn gymwys.

(6) Os daw'r hysbysiad y cyfeirir ato ym mharagraff (3), lle y dangosodd y sawl sy'n parhau i wrthwynebu ei gydsyniad i ddefnyddio'r weithdrefn sylwadau ysgrifenedig, i law'r Cynulliad Cenedlaethol ar ôl y dyddiad y cyfeirir ato ym mharagraff (4), caiff y Cynulliad Cenedlaethol drin y sawl sy'n gwrthwynebu fel un a gydsyniodd i ddefnyddio'r weithdrefn sylwadau ysgrifenedig ac, os felly, caiff ddewis mynd rhagddo o dan y weithdrefn honno os yw'n rhesymol o dan yr holl amgylchiadau i wneud hynny.

(7) Os yw paragraff (6) yn gymwys, rhaid i'r Cynulliad Cenedlaethol ystyried pa gamau a gymerwyd gan yr awdurdod caffael a'r sawl sy'n parhau i wrthwynebu neu drydydd parti y dylid ystyried eu bod yn golygu iddynt gydymffurfio'n sylweddol ag unrhyw ofynion sy'n dilyn yn y Rheoliadau hyn a rhaid iddo hysbysu'r personau hynny yn unol â hynny.

(2) References in these Regulations to sections are to sections of the Acquisition of Land Act 1981 and references to Schedule 1 are to Schedule 1 to that Act.

(3) Where the National Assembly is the acquiring authority, the provisions of these Regulations which require any communication between the National Assembly and the acquiring authority apply with such adaptation as may be necessary.

Consent

3.-(1) This regulation prescribes the manner in which a remaining objector may consent to the use of the written representations procedure by the National Assembly.

(2) In order to give consent, the remaining objector must return to the National Assembly, so as to be received no later than the date referred to in paragraph (4), the notice referred to in paragraph (3), on which the objector has indicated consent to the use of the written representations procedure.

(3) The notice must be in the form set out in the Schedule to these Regulations or in a form substantially to the like effect.

(4) The National Assembly must send the notice referred to in paragraph (3) to each remaining objector and such notice must be accompanied by notification of a date, which must be not less than 15 working days after the date on which the notice is sent to the objector.

(5) If consent is not given by each remaining objector in accordance with paragraph (2), the National Assembly will, subject to paragraph (6), proceed on the basis that the written representations procedure will not apply.

(6) If the notice referred to in paragraph (3), in which a remaining objector has indicated consent to the use of the written representations procedure, is received by the National Assembly after the date referred to in paragraph (4), the National Assembly may treat the objector as having consented to the use of the written representations procedure and, if so, may elect to proceed under that procedure if it is reasonable in all the circumstances to do so.

(7) Where paragraph (6) applies, the National Assembly must consider what steps taken by the acquiring authority and any remaining objector or third party are to be regarded as amounting to substantial compliance with any of the remaining requirements of these Regulations and must notify all such persons accordingly.

Hysbysu bod y weithdrefn sylwadau ysgrifenedig yn gymwys

4. Os bydd y Cynulliad Cenedlaethol yn penderfynu bod y weithdrefn sylwadau ysgrifenedig yn gymwys, rhaid iddo, cyn gynted ag y bo'n ymarferol, roi gwybod i bob un o'r sawl sy'n parhau i wrthwynebu, a'r awdurdod caffael, yn ysgrifenedig am-

- (a) y dyddiad a fydd yn ddyddiad dechrau ar gyfer y weithdrefn sylwadau ysgrifenedig;
- (b) y cyfeirnod a roddwyd i'r cyflwyniad;
- (c) y cyfeiriad y dylid anfon cyfathrebu ysgrifenedig at y Cynulliad Cenedlaethol; ac
- (ch) teitlau neu ddisgrifiadau y datganiadau sy'n bodoli eisoes a fydd yn cael eu hystyried gan y Cynulliad Cenedlaethol fel sylwadau wrth benderfynu ar y cyflwyniad.

Sylwadau

5.-(1) Cymerir fod unrhyw ddatganiad y mae'r awdurdod caffael yn ei roi i bawb sy'n parhau i wrthwynebu, ar yr adeg y mae'n rhoi hysbysiad o dan adran 12 neu baragraff 3 o Atodlen 1, yn ffurfio rhan o sylwadau'r awdurdod caffael at ddibenion y weithdrefn sylwadau ysgrifenedig.

(2) Rhaid i'r awdurdod caffael roi unrhyw ddatganiad o'r math a grybwyllir ym mharagraff (1) i'r Cynulliad Cenedlaethol, ond caiff y Cynulliad Cenedlaethol ddiystyru'r datganiad hwnnw os derbyniodd ef fwy na 5 niwrnod gwaith ar ôl y dyddiad dechrau.

(3) Bydd y gwrthwynebiad a wnaed i'r Cynulliad Cenedlaethol gan neu ar ran y sawl sy'n parhau i wrthwynebu yn ffurfio rhan o sylwadau'r sawl sy'n parhau i wrthwynebu at ddibenion y weithdrefn sylwadau ysgrifenedig, ac, os na fydd wedi gwneud hynny eisoes, rhaid i'r Cynulliad Cenedlaethol anfon copi o'r gwrthwynebiad at yr awdurdod caffael er mwyn iddo ddod i law ymhen dim mwy na 5 niwrnod gwaith ar ôl y dyddiad dechrau.

(4) Caiff yr awdurdod caffael-

- (a) gwneud sylwadau pellach i gefnogi ei gyflwyniad; neu
- (b) dewis trin unrhyw ddatganiad o dan baragraff (1) fel ei sylwadau mewn perthynas â'r cyflwyniad at ddibenion is-baragraff (a); ac, os digwydd hynny, rhaid i'r awdurdod caffael hysbysu'r Cynulliad Cenedlaethol a phawb sy'n parhau i wrthwynebu yn unol â hynny.

(5) Caiff y Cynulliad Cenedlaethol ddiystyru sylwadau a wnaed o dan baragraff (4) os yw'n derbyn y sylwadau hynny fwy na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau.

(6) Caiff y sawl sy'n parhau i wrthwynebu-

- (a) gwneud sylwadau i'r Cynulliad Cenedlaethol

Notification of application of written representations procedure

4. Where the National Assembly decides that the written representations procedure is to apply, it must, as soon as is practicable, inform each remaining objector, and the acquiring authority, in writing of the-

- (a) date which is to be the starting date for the written representations procedure;
- (b) reference number allocated to the submission;
- (c) address to which written communications to the National Assembly are to be sent; and
- (d) title or description of existing statements which will be considered by the National Assembly as representations in determining the submission.

Representations

5.-(1) Any statement provided by the acquiring authority to each remaining objector at the time at which it serves notice under section 12 or paragraph 3 of Schedule 1 will be taken to form part of the acquiring authority's representations for the purposes of the written representations procedure.

(2) The acquiring authority must provide the National Assembly with any statement of the type mentioned in paragraph (1), but any such statement may be disregarded if received by the National Assembly more than 5 working days after the starting date.

(3) The objection made by or on behalf of a remaining objector to the National Assembly will form part of the remaining objector's representations for the purposes of the written representations procedure and, if it has not already done so, the National Assembly must send a copy of the objection to the acquiring authority so as to be received not more than 5 working days after the starting date.

(4) The acquiring authority may-

- (a) make further representations in support of the submission; or
- (b) elect to treat any statement under paragraph (1) as its representations in relation to the submission for the purposes of sub-paragraph (a); and, in such a case, the acquiring authority must notify the National Assembly, and each remaining objector, accordingly.

(5) The National Assembly may disregard representations made under paragraph (4) if the representations are received by the National Assembly more than 14 working days after the starting date.

(6) A remaining objector may-

- (a) make representations to the National Assembly

yn ychwanegol at y rheini ym mharagraff (3); neu

- (b) dewis trin y gwrthwynebiad o dan baragraff (3) fel sylwadau'r gwrthwynebydd hwnnw at ddibenion is-baragraff (a); ac, os digwydd hynny, rhaid iddo hysbysu'r Cynulliad Cenedlaethol a'r awdurdod caffael yn unol â hynny.

(7) Caiff y Cynulliad Cenedlaethol ddiystyru sylwadau a wnaed o dan baragraff (6) os yw'r sylwadau yn dod i law mwy na 15 o ddiwrnodau gwaith ar ôl iddo anfon copi o'r sylwadau o dan baragraff (4)(a), neu hysbysiad o dan baragraff (4)(b), at y sawl sy'n parhau i wrthwynebu.

(8) Caiff yr awdurdod caffael wneud sylwadau i'r Cynulliad Cenedlaethol mewn perthynas â sylwadau'r sawl sy'n parhau i wrthwynebu a wnaed o dan baragraff (6)(a) neu unrhyw sylwadau a wnaed o dan reoliad 6 isod.

(9) Caiff y Cynulliad Cenedlaethol ddiystyru sylwadau a wnaed o dan baragraff (8) os daeth y sylwadau i law'r Cynulliad Cenedlaethol-

- (a) mwy na 10 niwrnod gwaith ar ôl i'r Cynulliad Cenedlaethol anfon copi o'r sylwadau o dan baragraff (6)(a) at yr awdurdod caffael; neu
- (b) mwy na 10 niwrnod gwaith ar ôl i'r Cynulliad Cenedlaethol anfon hysbysiad o dan reoliad 6(3) o'r Rheoliadau hyn, os na wnaed sylwadau o dan baragraff (6)(a).

(10) Caiff y Cynulliad Cenedlaethol ofyn i'r awdurdod caffael, a phob un o'r sawl sy'n parhau i wrthwynebu, ddarparu copiâu ychwanegol o sylwadau i'r Cynulliad Cenedlaethol o fewn unrhyw amserlen resymol y bydd y Cynulliad Cenedlaethol yn ei phennu.

(11) Er mwyn i'r broses medru cael ei chwblhau'n ddi-oed, rhaid i'r Cynulliad Cenedlaethol, cyn gynted ag y bo'n ymarferol, anfon-

- (a) copi o unrhyw sylwadau a wnaed gan yr awdurdod caffael at bob un o'r sawl sy'n parhau i wrthwynebu;
- (b) copi o unrhyw sylwadau a wnaed gan y sawl sy'n parhau i wrthwynebu at yr awdurdod caffael; ac
- (c) hysbysiad at bob un o'r sawl sy'n parhau i wrthwynebu a'r awdurdod caffael na wnaed unrhyw sylwadau eraill o fewn y cyfnod a ganiateir gan y rheoliad hwn.

Sylwadau trydydd partïon

6.-(1) Caiff y Cynulliad Cenedlaethol ganiatáu i unrhyw berson nad yw'n awdurdod caffael nac yn parhau i wrthwynebu wneud sylwadau.

in addition to those in paragraph (3); or

- (b) elect to treat an objection under paragraph (3) as that objector's representations for the purposes of sub-paragraph (a); and, in such a case, must notify the National Assembly, and the acquiring authority, accordingly.

(7) The National Assembly may disregard representations made under paragraph (6) if the representations are received by the National Assembly more than 15 working days after the National Assembly sends a copy of representations under paragraph (4)(a), or a notification under paragraph (4)(b), to the remaining objector.

(8) The acquiring authority may make representations to the National Assembly in relation to a remaining objector's representations made under paragraph (6)(a) or any representations made under regulation 6 below.

(9) The National Assembly may disregard representations made under paragraph (8) if the representations are received by the National Assembly-

- (a) more than 10 working days after the National Assembly sends a copy of the representations under paragraph (6)(a) to the acquiring authority; or
- (b) if no representations under paragraph (6)(a) are made, more than 10 working days after the National Assembly sends notification under regulation 6(3) of these Regulations.

(10) The National Assembly may request the acquiring authority, and each remaining objector, to provide it with additional copies of representations within such reasonable time scale as it may specify.

(11) To enable the process to be completed expeditiously, the National Assembly must, as soon as practicable, send to-

- (a) each remaining objector, a copy of any representations made by the acquiring authority;
- (b) the acquiring authority, a copy of any representations made by a remaining objector; and
- (c) each remaining objector and the acquiring authority, notification that no other representations have been made within a period permitted under this regulation.

Third party representations

6.-(1) The National Assembly may permit representations to be made by any person who is not the acquiring authority or a remaining objector.

(2) Caiff y Cynulliad Cenedlaethol ddiystyru sylwadau a wnaed yn unol â pharagraff (1) os derbynir hwy gan y Cynulliad Cenedlaethol mwy na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau.

(3) Rhaid i'r Cynulliad Cenedlaethol, cyn gynted ag y bo'n ymarferol, anfon at bob un o'r sawl sy'n parhau i wrthwynebu a'r awdurdod caffael-

- (a) copi o unrhyw sylwadau a wnaed o dan baragraff (1); neu
- (b) hysbysiad na wnaed sylwadau o dan baragraff (1) o fewn y cyfnod a ganiateir.

(4) Caiff yr awdurdod caffael wneud sylwadau i'r Cynulliad Cenedlaethol mewn perthynas ag unrhyw sylwadau a wnaed o dan baragraff (1).

(5) Caiff y Cynulliad Cenedlaethol ddiystyru sylwadau a wnaed o dan baragraff (4) os derbyniodd hwy fwy na 10 o ddiwrnodau gwaith ar ôl iddo anfon copi o'r sylwadau a wnaed o dan baragraff (1) at yr awdurdod caffael.

(6) Caiff y Cynulliad Cenedlaethol ofyn i unrhyw berson sy'n gwneud sylwadau o dan baragraff (1), neu'r awdurdod caffael, roi copiâu ychwanegol o'r sylwadau iddo o fewn amserlen resymol y caiff y Cynulliad ei phennu.

Caniatáu mwy o amser

7. Mewn achos penodol, caiff y Cynulliad Cenedlaethol roi cyfarwyddiadau i osod terfynau amser hwyrach ar gyfer cael sylwadau na'r rheini a ganiateir gan reoliadau 5 a 6.

Penodi arolygydd

8. Caiff y Cynulliad Cenedlaethol benodi archwilydd i-

- (a) ystyried y datganiadau a roddwyd o dan reoliad 4(ch) a'r sylwadau a roddwyd yn unol â rheoliadau 5 a 6;
- (b) archwilio safle, os bydd hynny'n briodol; ac
- (c) cyflwyno adroddiad ysgrifenedig, ynghyd ag argymhelliad, i'r Cynulliad Cenedlaethol mewn perthynas â'r cyflwyniad.

Archwilio safleoedd

9.-(1) Caiff yr archwilydd, ar unrhyw adeg, gynnal-

- (a) archwiliad heb rywun yn gwmni iddo a heb roi rhagysbysiad ohono i'r awdurdod caffael na'r sawl sy'n parhau i wrthwynebu; a
- (b) archwiliad yng nghwmni yr awdurdod caffael a phob un o'r sawl sy'n parhau i wrthwynebu, neu eu cynrychiolwyr,

o dir sy'n destun i'r gorchymyn prynu gorfodol ac o'r

(2) The National Assembly may disregard representations made pursuant to paragraph (1) where it receives such representations more than 14 working days after the starting date.

(3) The National Assembly must, as soon as practicable, send to each remaining objector and the acquiring authority-

- (a) a copy of any representations made under paragraph (1); or
- (b) notification that no representations under paragraph (1) have been made within the period permitted.

(4) The acquiring authority may make representations to the National Assembly in relation to any representations made under paragraph (1).

(5) The National Assembly may disregard representations made under paragraph (4) if it receives them more than 10 working days after it sent a copy of the representations under paragraph (1) to the acquiring authority.

(6) The National Assembly may request any person making representations under paragraph (1), or the acquiring authority, to provide it with additional copies of representations within such reasonable timescale as it may specify.

Allowing further time

7. The National Assembly may, in a particular case, give directions setting later limits for the receipt of representations than those permitted by regulations 5 and 6.

Appointment of an inspector

8. The National Assembly may appoint an inspector to-

- (a) consider the statements made under regulation 4(d) and the representations provided in accordance with regulations 5 and 6;
- (b) undertake a site inspection, if appropriate; and
- (c) report, in writing, to the National Assembly with a recommendation in respect of the submission.

Site inspections

9.-(1) The inspector may, at any time, make an-

- (a) unaccompanied inspection without giving prior notice to the acquiring authority and the remaining objectors; and
- (b) inspection in the company of the acquiring authority and each remaining objector, or their representative,

of land which is the subject of the compulsory

ardal gyfagos.

(2) Yn achos archwiliad o dan baragraff (1)(b), rhaid i'r Cynulliad Cenedlaethol anfon hysbysiad o ddyddiad ac amser yr archwiliad at yr awdurdod caffael a'r sawl sy'n parhau i wrthwynebu, fel y bydd yn dod i law dim llai na 5 niwrnod gwaith cyn y dyddiad hwnnw.

(3) Nid yw'n ofynnol i'r archwilydd ohirio archwiliad o dan baragraff (1)(b) os na fydd unrhyw berson a grybwyllir yn y paragraff hwnnw yn bresennol ar yr adeg a bennwyd.

(4) Os yw'r Cynulliad Cenedlaethol yn derbyn cais gan yr awdurdod caffael neu gan un o'r sawl sy'n parhau i wrthwynebu yn gofyn am archwiliad, a hynny heb fod yn hwyrach na 10 niwrnod gwaith ar ôl y dyddiad dechrau, rhaid i'r Cynulliad Cenedlaethol drefnu archwiliad o'r fath.

Penderfynu

10.-(1) Caiff y Cynulliad Cenedlaethol ddod i benderfyniad ar sail y datganiadau a wnaed o dan reoliad 4(ch), sylwadau a roddwyd yn unol â rheoliadau 5 a 6 ynghyd ag unrhyw adroddiad a baratowyd yn unol â rheoliad 8(c).

(2) Caiff y Cynulliad Cenedlaethol ddod i benderfyniad o leiaf 10 niwrnod gwaith ar ôl anfon hysbysiad o'i fwriad i wneud hynny at yr awdurdod caffael ac at bob un o'r sawl sy'n parhau i wrthwynebu, er na wnaed unrhyw sylwadau o fewn y terfynau amser a ganiatawyd neu a estynnwyd o dan y Rheoliadau hyn, os ymddengys i'r Cynulliad Cenedlaethol fod ganddo ddigon o ddeunydd i ddod i benderfyniad.

Hysbysiadau o benderfyniadau

11.-(1) Rhaid i'r Cynulliad Cenedlaethol anfon hysbysiad ysgrifenedig o'i benderfyniad, a'r rhesymau dros wneud y penderfyniad hwnnw, at-

- (a) yr awdurdod caffael;
- (b) pob un o'r sawl sy'n parhau i wrthwynebu; ac
- (c) unrhyw berson arall a ganiatawyd i wneud sylwadau o dan reoliad 6.

(2) Os bydd person sydd â'r hawl i gael hysbysiad o'r penderfyniad eisiau gwneud cais am gyfle i archwilio unrhyw adroddiad neu sylw a ystyriwyd gan y Cynulliad Cenedlaethol wrth ddod i'w benderfyniad, neu i gael copiâu ohonynt, rhaid iddo wneud cais ysgrifenedig i'r Cynulliad Cenedlaethol o fewn 6 wythnos i'r dyddiad y cafodd ei hysbysu o'r penderfyniad; ac, os gwneir cais o'r fath, rhaid i'r Cynulliad Cenedlaethol, cyn gynted ag y bo'n ymarferol ar ôl derbyn y cais, wneud trefniadau ar gyfer yr archwiliad neu, a hynny heb fod yn hwyrach na 10 niwrnod gwaith ar ôl iddo dderbyn y cais, anfon y copi y gofynnwyd amdano at y person hwnnw.

purchase order and of the surrounding area.

(2) In the case of an inspection under paragraph (1)(b), the National Assembly must send notification of the date and time of the inspection to the acquiring authority, and the remaining objectors, so as to be received not less than 5 working days before that date.

(3) The inspector is not required to defer an inspection under paragraph (1)(b) where any person mentioned in that paragraph is not present at the time appointed.

(4) If the National Assembly receives a request for an inspection from the acquiring authority or a remaining objector not later than 10 working days after the starting date, the National Assembly must arrange such an inspection.

Decision

10.-(1) The National Assembly may make its decision on the basis of statements made under regulation 4(d), representations provided in accordance with regulations 5 and 6 and any report prepared pursuant to regulation 8(c).

(2) The National Assembly may, not less than 10 working days after sending to the acquiring authority, and to each remaining objector, notice of its intention to do so, make its decision notwithstanding that no representations have been provided within time limits permitted or extended under these Regulations, if it appears to the National Assembly that it has sufficient material to make a decision.

Notification of decision

11.-(1) The National Assembly must send written notice of its decision, and the reasons for that decision, to-

- (a) the acquiring authority;
- (b) each remaining objector; and
- (c) any other person permitted to make representations under regulation 6.

(2) A person entitled to be notified of the decision who wishes to request an opportunity to inspect, or to receive a copy of, any report or representation considered by the National Assembly in reaching its decision must apply to the National Assembly in writing within six weeks of being notified of the decision; and, where such an application is made, the National Assembly must, as soon as reasonably practicable after receiving the request, make arrangements for the inspection to take place or, not later than 10 working days after receipt of the request, send the copy requested to that person.

Cyfathrebu'n electronig

12. Gellir anfon drwy'r post neu drwy gyfrwng cyfathrebu electronig unrhyw ddogfen y mae'n ofynnol ei hanfon neu yr awdurdodir ei hanfon gan y naill berson at y llall o dan ddarpariaethau'r Rheoliadau hyn; a rhaid dehongli unrhyw gyfeiriad at ysgrifennu yn y Rheoliadau hyn, sut bynnag y caiff ei fynegi, fel pe bai'n cynnwys cyfeiriad at ffurf y mae modd ei chadw ar gyfrifiadur, ei throsglwyddo i gyfrifiadur ac oddi wrth gyfrifiadur, a'i darllen drwy gyfrwng cyfrifiadur.

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

19 Hydref 2004

Llywydd y Cynulliad Cenedlaethol

Use of electronic communications

12. Any document required or authorised to be sent by one person to another under the provisions of these Regulations may be sent by post or by means of electronic communication; and any reference in these Regulations, however expressed, to writing, is to be construed as including a reference to a form capable of being stored on, transmitted to and from, and read by means of a computer.

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

19 October 2004

D.Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

YR ATODLEN

SCHEDULE

Rheoliad 3(3)

Regulation 3(3)

[(A)] GORCHYMYN PRYNU
GORFODOL

[(A)] COMPULSORY PURCHASE
ORDER

CYDSYNIO Â'R WEITHDREFN SYLWADAU YSGRIFENEDIG

CONSENT TO THE WRITTEN REPRESENTATIONS PROCEDURE

(o dan Reoliadau Prynu Tir yn Orfodol
(Gweithdrefn Sylwadau Ysgrifenedig) (Cynulliad
Cenedlaethol Cymru) 2004)

(under the Compulsory Purchase of Land (Written
Representations Procedure) (National Assembly for
Wales) Regulations 2004)

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad
Cenedlaethol") yn cydnabod cael eich gwrthwynebiad
i [gadarnhau] [wneud](b) y Gorchymyn uchod. Mae'n
ystyried a ddylai gwrthwynebiadau gael eu trafod drwy
weithdrefn sylwadau ysgrifenedig.

The National Assembly for Wales ("the National
Assembly") acknowledges receipt of your objection to
the [confirmation] [making](b) of the above Order. It
is considering whether objections should be dealt with
by a written representations procedure.

Mae'r Cynulliad Cenedlaethol yn derbyn eich bod yn
parhau i wrthwynebu at ddibenion [adran 13A
o][paragraff 4A o Atodlen 1 i](b) Ddeddf Caffael Tir
1981. Mae hyn yn golygu bod gennych yr hawl i gael
lleisio'ch sylwadau sy'n gwrthwynebu [cadarnhau]
[gwneud](b) y Gorchymyn mewn ymchwiliad.

The National Assembly accepts that you are a
remaining objector for the purposes of [section 13A
of][paragraph 4A of Schedule 1 to](b) the Acquisition
of Land Act 1981. This means that you have a right to
have your representations objecting to the
[confirmation] [making](b) of the Order heard at an
inquiry.

Mae'r hawl honno yn golygu bod gennych chi, neu eich
cynrychiolydd, yr hawl yn yr ymchwiliad hwnnw i -

Such a right means that you, or your representative, has
the right at such an inquiry to-

- esbonio ar lafar pam yr ydych yn gwrthwynebu
[cadarnhau] [gwneud](b) y Gorchymyn;
- groesholi unrhyw dyst y mae'r awdurdod
caffael yn ei alw; ac
- roi tystiolaeth lafar eich hunan ac i alw unrhyw
dystion i gefnogi eich gwrthwynebiad.

- explain orally why you object to the
[confirmation] [making](b) of the Order;
- cross-examine any witness called by the
acquiring authority; and
- give oral evidence yourself and to call any
witnesses in support of your objection.

Caiff y Cynulliad Cenedlaethol ganiatáu defnyddio'r
weithdrefn sylwadau ysgrifenedig i drafod
gwrthwynebiadau i [gadarnhau] [wneud](b) y
Gorchymyn dim ond os ydych chi, a phawb arall sy'n
parhau i wrthwynebu, yn cydsynio â hynny.

The National Assembly may only permit objections to
the [confirmation] [making](b) of the Order being dealt
with by the written representations procedure if you,
and all the other remaining objectors, consent to this.

Mae'r weithdrefn sylwadau ysgrifenedig i'w chael yn
Rheoliadau Prynu Tir yn Orfodol (Gweithdrefn
Sylwadau Ysgrifenedig) (Cynulliad Cenedlaethol
Cymru) 2004. Ceir crynodeb o'r weithdrefn yn yr
Atodiad i'r hysbysiad hwn.

The written representations procedure is set out in The
Compulsory Purchase of Land (Written
Representations Procedure) (National Assembly for
Wales) Regulations 2004. A summary of the procedure
is set out in the Annex to this notice.

Os ydych yn cydsynio â defnyddio'r weithdrefn
sylwadau ysgrifenedig, llenwch y datganiad ar
ddiwedd yr hysbysiad hwn i ddangos hynny.
Llofnodwch a rhowch y dyddiad yn y blychau priodol,
a dychwelyd y ffurflen at [(c)] erbyn [(ch)].

If you consent to the use of the written representations
procedure, please complete the statement at the end of
this notice to indicate that you do. Please sign and date
in the spaces given and return it to [(c)] by [(d)].

Os nad ydych yn gwneud hynny, bydd gan y Cynulliad Cenedlaethol yr hawl i fynd rhagddo ar y sail nad ydych yn cydsynio â defnyddio'r weithdrefn sylwadau ysgrifenedig ac yna bydd ymchwiliad cyhoeddus (neu wrandawriad arall) yn cael ei gynnal.

Os ydych yn cydsynio, a'r Cynulliad Cenedlaethol yn penderfynu ei bod yn briodol defnyddio'r weithdrefn sylwadau ysgrifenedig, ni fydd modd ichi dynnu eich cydsyniad yn ôl na chael gwrandawriad ar lafar mewn ymchwiliad neu wrandawriad oni bai bod y Cynulliad Cenedlaethol yn pennu bod amgylchiadau esgusodol i gyfiawnhau cynnal ymchwiliad neu wrandawriad. Os ydych yn cydsynio, ond penderfynir cynnal ymchwiliad neu wrandawriad beth bynnag, bydd gennych yr hawl o hyd i fod yn bresennol yn yr ymchwiliad neu'r gwrandawriad ac i gymryd rhan ynddo.

Mae'n bosibl yr hoffech ofyn cyngor cyfreithiol neu gyngor arall cyn cydsynio. Nid oes modd i'r Cynulliad Cenedlaethol eich cyngori a ddylech gydsynio ai peidio.

Os na fyddwch yn cydsynio, trefnir cynnal ymchwiliad neu wrandawriad, a chewch y cyfle i wneud sylwadau iddynt. Mae'r weithdrefn mewn ymchwiliad i'w chael yn [Rheolau Prynu Gorfodol gan Awdurdodau Caffael Anweinidogol (Gweithdrefn Ymchwiliadau) 1990 (O.S. 1990/512)] [Rheolau Prynu Gorfodol gan Weinidogion (Gweithdrefn Ymholiadau) 1994 (O.S. 1994/3264)](b).

Yr wyf i, [], wedi darllen ac wedi deall yr uchod. Rwy'n cydsynio / Nid wyf yn cydsynio i ddefnyddio'r weithdrefn sylwadau ysgrifenedig yn lle cynnal ymchwiliad.

Llofnodwyd.....
Enw.....
(mewn llythrennau breision)
Cyfeiriad
Dyddiad.....

NODIADAU AR DDEFNYDDIO'R FFURFLEN GYDSYNIO

- (a) Mewnosoder teitl llawn y Gorchymyn.
- (b) Dileer unrhyw ddeunydd amherthnasol.
- (c) Mewnosoder y cyfeiriad y dylid dychwelyd yr hysbysiad iddo.
- (ch) Mewnosoder dyddiad dychwelyd ar gyfer yr hysbysiad.

If you do not do so, the National Assembly will be entitled to proceed on the basis that you do not consent to the written representations procedure and a public inquiry (or other hearing) will be held.

If you do consent, and the National Assembly decides that it is appropriate to use the written representations procedure, it will not be possible for you to withdraw your consent and be heard orally at an inquiry or hearing unless the National Assembly determines that there are extenuating circumstances to justify the holding of an inquiry or hearing. If you consent, but it is nonetheless decided to hold an inquiry or hearing, you will still have a right to attend and take part at the inquiry or hearing.

You may wish to seek legal or other advice before consenting. The National Assembly is not able to give you any advice as to whether or not you should consent.

If you do not consent, arrangements will be made for the holding of an inquiry or hearing, at which you will have the opportunity to make representations. The procedure at an inquiry is set out in the [Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990 (S.I. 1990/512)] [Compulsory Purchase by Ministers (Inquiries Procedure) Rules 1994 (S.I. 1994/3264)](b).

I, [], have read the above which I understand. I consent/do not consent to the use of the written representations procedure instead of an inquiry being held.

Signed.....
Name.....
(in block capitals)
Address.....
Dated.....

NOTES ON THE USE OF THE CONSENT FORM

- (a) Insert full title of the Order.
- (b) Delete material which is inapplicable.
- (c) Insert address to which the notice is to be returned.
- (d) Insert date by which the notice is to be returned.

YR ATODIAD

Crynodeb o'r weithdrefn sylwadau ysgrifenedig

(1) Os bydd y Cynulliad Cenedlaethol yn penderfynu ei bod hi'n briodol i ddefnyddio'r weithdrefn sylwadau ysgrifenedig, bydd yn anfon ffurflen gydsynio at bob un o'r rhai sy'n parhau i wrthwynebu er mwyn ceisio cael eu cydsyniad i ddefnyddio'r weithdrefn. Ni fydd y Cynulliad Cenedlaethol yn medru penderfynu a fydd yn defnyddio'r weithdrefn sylwadau ysgrifenedig oni bai bod pob un o'r rhai sy'n parhau i wrthwynebu yn cydsynio. Os bydd y weithdrefn i'w defnyddio, bydd y Cynulliad Cenedlaethol yn rhoi dyddiad dechrau ar gyfer cychwyn y weithdrefn a bydd yn nodi pa ddogfennau sy'n bodoli sydd i'w hystyried yn ychwanegol at y sylwadau a fydd yn dilyn.

(2) Os bydd yr awdurdod caffael yn dewis rhoi sylwadau, rhaid iddo wneud hynny dim hwyrach na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau (gellir diystyru'r sylwadau os derbynnir hwy fwy na 14 o ddiwrnodau gwaith ar ôl y dyddiad dechrau) a rhaid iddo wneud copiâu o'r sylwadau ar gyfer pob un sy'n parhau i wrthwynebu.

(3) Mae gan bob un sy'n parhau i wrthwynebu yr hawl wedyn i ymateb gyda sylwadau pellach, y gellir eu diystyru os derbynnir hwy fwy na 15 o ddiwrnodau gwaith ar ôl i'r Cynulliad Cenedlaethol anfon copi o sylwadau'r awdurdod caffael at y sawl sy'n gwrthwynebu o dan baragraff (2) uchod.

(4) Wedyn, caiff yr awdurdod caffael ymateb gyda sylwadau pellach, y gellir eu diystyru os derbynnir hwy fwy na 10 niwrnod gwaith ar ôl i'r Cynulliad Cenedlaethol anfon copi o sylwadau'r sawl sy'n parhau i wrthwynebu at yr awdurdod, o dan baragraff (3) uchod.

(5) Mae gan y Cynulliad Cenedlaethol ddisgresiwn i estyn y terfynau amser hyn, os bydd hynny'n briodol.

(6) Ni chaniateir gwneud sylwadau llafar, ond caiff y Cynulliad Cenedlaethol ganiatáu sylwadau ysgrifenedig gan drydydd partion.

Summary of the written representations procedure

(1) If the National Assembly decides that the use of the written representations procedure is appropriate, it will send a consent form to all remaining objectors to seek their consent to the use of the procedure. The National Assembly can only decide whether to use the written representations procedure if all remaining objectors consent. If the procedure is to be used, the National Assembly will set a starting date for the commencement of the procedure and will indicate what existing documents are to be taken into account in addition to the subsequent representations.

(2) If the acquiring authority wishes to make representations, it must do so not later than 14 working days after the starting date (such representations may be disregarded if received more than 14 working days after the starting date) and must copy the representations to each remaining objector.

(3) Each remaining objector has a right then to provide representations in response, which may be disregarded if received more than 15 working days after the National Assembly sends a copy of the acquiring authority's representations to the objector under paragraph (2) above.

(4) The acquiring authority may then provide representations in response, which may be disregarded if received more than 10 working days after the National Assembly sends a copy of the remaining objectors' representations to the authority under paragraph (3) above.

(5) The National Assembly has a discretion to extend these time limits, where appropriate.

(6) Oral representations are not permitted, but written representations by third parties may be permitted by the National Assembly.

2004 Rhif 2730 (Cy.237)

**CAFFAEL TIR,
CYMRU**

Rheoliadau Prynu Tir yn Orfodol
(Gweithdrefn Sylwadau
Ysgrifenedig) (Cynulliad
Cenedlaethol Cymru) 2004

2004 No. 2730 (W.237)

**ACQUISITION OF LAND,
WALES**

The Compulsory Purchase of Land
(Written Representations
Procedure) (National Assembly for
Wales) Regulations 2004

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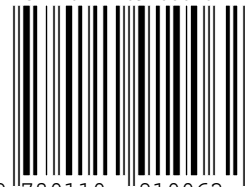
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