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OFFERYNNAU STATUDOL  
CYMRU

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**2012 Rhif 2048 (Cy. 239) (C. 81)**

**Y DIWYDIANT DŴR, CYMRU  
A LLOEGR**

**Gorchymyn Deddf Rheoli  
Llifogydd a Dŵr 2010 (Cychwyn  
Rhif 8 a Darpariaethau Trosiannol)  
2012**

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn yn dwyn i rym ddarpariaethau Deddf Rheoli Llifogydd a Dŵr 2010 ("Deddf 2010").

Mae erthygl 2 o'r Gorchymyn hwn yn pennu bod adran 42 o Ddeddf 2010, i'r graddau nad yw eisoes wedi ei chychwyn a dim ond mewn perthynas ag ymgwymerwyr carthffosiaeth y mae eu hardaloedd yn gyfan gwbl neu'n bennaf yng Nghymru, yn dod i rym ar 1 Hydref 2012.

Mae adran 42 o Ddeddf 2010 yn mewnosod adran 106B yn Neddf y Diwydiant Dŵr 1991 ("Deddf 1991"). Mae adran 106B yn darparu mai dim ond os yw'r amodau a nodir yn adran 106B(2) a (3) o'r Ddeddf honno wedi eu bodloni y caiff person arfer yr hawl, o dan adran 106(1) o Ddeddf 1991, i gael ei ddraenau neu ei garthffosydd i ymgysylltu â charthffosydd cyhoeddus. Mae'r amodau hyn yn cynnwys gofyniad i'r person, cyn adeiladu carthffos neu ddraen ochrol, ymrwymo mewn cytundeb gyda'r ymgwymerwr carthffosiaeth perthnasol o dan adran 104 o Ddeddf 1991 i fabwysiadu'r garthffos neu'r draen ochrol.

Mae adran 106B o Ddeddf 1991 hefyd yn galluogi Gweinidogion Cymru i gyhoeddi safonau (mewn perthynas ag ymgwymerwyr carthffosiaeth y mae eu hardaloedd yn gyfan gwbl neu'n bennaf yng Nghymru) ar gyfer dylunio ac adeiladu carthffosydd a draenau ochrol. Rhaid i'r holl gytundebau mabwysiadu o dan adran 104 o Ddeddf 1991 (yn unol ag adran 106B o'r Ddeddf honno) gynnwys unrhyw safonau perthnasol,

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WELSH STATUTORY  
INSTRUMENTS

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**2012 No. 2048 (W. 239) (C. 81)**

**WATER INDUSTRY,  
ENGLAND AND WALES**

**The Flood and Water Management  
Act 2010 (Commencement No.8  
and Transitional Provisions) Order  
2012**

**EXPLANATORY NOTE**

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

This Order brings into force provisions of the Flood and Water Management Act 2010 ("the 2010 Act").

Article 2 of this Order specifies that section 42 of the 2010 Act, to the extent not already commenced and in relation to sewerage undertakers whose areas are wholly or mainly in Wales comes into force on 1 October 2012.

Section 42 of the 2010 Act inserts section 106B into the Water Industry Act 1991 ("the 1991 Act"). Section 106B provides that a person may only exercise the right, under section 106(1) of the 1991 Act, to have his drains or sewers communicate with public sewers only if the conditions set out in section 106B(2) and (3) of that Act have been satisfied. These conditions include a requirement for the person to, prior to the construction of a sewer or lateral drain, enter into an agreement with the relevant sewerage undertaker under section 104 of the 1991 Act for the adoption of the sewer or lateral drain.

Section 106B of the 1991 Act also enables the Welsh Ministers to publish standards (in relation to sewerage undertakers whose areas are wholly or mainly in Wales) for design and construction of sewers and lateral drains. All adoption agreements under section 104 of the 1991 Act (pursuant to section 106B of that Act) must include any relevant standards, or depart from them with the express consent of the parties to the

neu wyro oddi wrthynt gyda chydsyniad datganedig y partïon i'r cytundeb.

Mae adran 42 o Ddeddf 2010 hefyd yn gwneud diwygiadau cysylltiedig i adrannau 104, 105 a 112 o Ddeddf 1991.

Mae erthygl 3 o'r Gorchymyn hwn yn cynnwys darpariaethau trosiannol mewn perthynas â chymhwyso adran 106B(4) i garthffosydd neu ddraeniau ochrol sy'n gysylltiedig â gwaith adeiladu sydd wedi ei ddechrau cyn 1 Hydref 2013.

agreement.

Section 42 of the 2010 Act also makes related amendments to sections 104, 105 and 112 of the 1991 Act.

Article 3 of this Order contains transitional provisions in relation to the application of section 106B(4) to sewers or lateral drains connected with building work started before 1 October 2013.

## NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Dygwyd darpariaethau canlynol Deddf Rheoli Llifogydd a Dŵr 2010 i rym drwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Flood and Water Management Act 2010 were brought into force by commencement order made before the date of this Order.

<i>Darpariaeth y Ddeddf</i>	<i>Y dyddiad cychwyn</i>	<i>Rhif O.S.</i>
Adran 1 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 1 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adran 2 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 2 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adran 3 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 3 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adran 4 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 4 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adran 5	1 Hydref 2010	2010/2169 (C. 108)
Adran 6 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 6 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adrannau 7 i 10	1 Hydref 2010	2010/2169 (C. 108)

<i>Provision of the Act</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Section 1 ( <i>partially</i> )	1 September 2010	2010/2169 (C.108)
Section 1 ( <i>remainder</i> )	1 October 2010	2010/2169 (C. 108)
Section 2 ( <i>partially</i> )	1 September 2010	2010/2169 (C. 108)
Section 2 ( <i>remainder</i> )	1 October 2010	2010/2169 (C. 108)
Section 3 ( <i>partially</i> )	1 September 2010	2010/2169 (C. 108)
Section 3 ( <i>remainder</i> )	1 October 2010	2010/2169 (C. 108)
Section 4 ( <i>partially</i> )	1 September 2010	2010/2169 (C. 108)
Section 4 ( <i>remainder</i> )	1 October 2010	2010/2169 (C. 108)
Section 5	1 October 2010	2010/2169 (C. 108)
Section 6 ( <i>partially</i> )	1 September 2010	2010/2169 (C. 108)
Section 6 ( <i>remainder</i> )	1 October 2010	2010/2169 (C. 108)
Sections 7 to 10	1 October 2010	2010/2169 (C. 108)

Adran 11 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Adran 11 ( <i>o ran Cymru yn unig</i> )	1 Tachwedd 2011	2011/2204 (C. 80)
Adran 12	1 Tachwedd 2011	2011/2204 (C. 80)
Adran 13	1 Hydref 2010	2010/2169 (C. 108)
Adran 14	6 Ebrill 2011	2011/694 (C. 25)
Adran 15 ( <i>yn rhannol</i> )	18 Ionawr 2011	2011/95 (C. 4)
Adran 15 ( <i>y gweddill, o ran Cymru yn unig</i> )	6 Ebrill 2011	2011/694 (C. 25)
Adran 16	1 Hydref 2010	2010/2169 (C. 108)
Adran 17 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)
Adran 17 ( <i>y gweddill</i> )	1 Ebrill 2011	2011/694 (C. 25)
Adran 18 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Adran 18 ( <i>o ran Cymru yn unig</i> )	1 Tachwedd 2011	2011/2204 (C. 80)
Adran 19	6 Ebrill 2011	2011/694 (C. 25)
Adran 20	1 Hydref 2010	2010/2169 (C. 108)
Adran 21	6 Ebrill 2011	2011/694 (C. 25)
Adran 22 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)
Adran 22 ( <i>y gweddill</i> )	1 Ebrill 2011	2011/694 (C. 25)
Adran 23	1 Ebrill 2011	2011/694 (C. 25)
Adran 24	1 Hydref 2010	2010/2169 (C. 108)
Adran 25	1 Ebrill 2011	2011/694 (C. 25)
Adran 26	1 Hydref 2010	2010/2169 (C. 108)

Section 11 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Section 11 ( <i>in relation to Wales only</i> )	1 November 2011	2011/2204 (C. 80)
Section 12	1 November 2011	2011/2204 (C. 80)
Section 13	1 October 2010	2010/2169 (C. 108)
Section 14	6 April 2011	2011/694 (C. 25)
Section 15 ( <i>partially</i> )	18 January 2011	2011/95 (C. 4)
Section 15 ( <i>remainder, in relation to Wales only</i> )	6 April 2011	2011/694 (C. 25)
Section 16	1 October 2010	2010/2169 (C. 108)
Section 17 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)
Section 17 ( <i>remainder</i> )	1 April 2011	2011/694 (C. 25)
Section 18 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Section 18 ( <i>in relation to Wales only</i> )	1 November 2011	2011/2204 (C. 80)
Section 19	6 April 2011	2011/694 (C. 25)
Section 20	1 October 2010	2010/2169 (C. 108)
Section 21	6 April 2011	2011/694 (C. 25)
Section 22 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)
Section 22 ( <i>remainder</i> )	1 April 2011	2011/694 (C. 25)
Section 23	1 April 2011	2011/694 (C. 25)
Section 24	1 October 2010	2010/2169 (C. 108)
Section 25	1 April 2011	2011/694 (C. 25)
Section 26	1 October 2010	2010/2169 (C. 108)

Adran 27	1 Hydref 2011	2011/2204 (C. 80)
Adrannau 28 a 29	1 Hydref 2010	2010/2169 (C. 108)
Adran 30 (yn rhannol)	6 Ebrill 2011	2011/694 (C. 25)
Adran 30 (y gweddill)	1 Awst 2012	2012/2000 (C.79)
Adran 31 (yn rhannol)	1 Hydref 2010	2010/2169 (C. 108)
	1 Ebrill 2011	2011/694 (C. 25)
	6 Ebrill 2011	2011/694 (C. 25)
	19 Gorffennaf 2011	2011/1770 (C. 7)
	1 Hydref 2011	2011/2204 (C. 80)
	6 Ebrill 2012	2012/879 (C. 25)
Adran 33 (yn rhannol)	1 Hydref 2011	2011/2204 (C. 80)
Adran 34 (yn rhannol)	1 Hydref 2010	2010/2169 (C. 108)
	1 Ebrill 2011	2011/694 (C. 25)
Adran 35 (yn rhannol)	1 Hydref 2010	2010/2169 (C. 108)
Adran 36 (yn rhannol)	1 Medi 2010	2010/2169 (C. 108)
Adran 36 (y gweddill)	1 Hydref 2010	2010/2169 (C. 108)
Adran 37	6 Ebrill 2011	2011/694 (C. 25)
Adrannau 38 a 39 (yn rhannol)	18 Ionawr 2011	2011/95 (C. 4)
Adrannau 38 a 39 (y gweddill)	1 Rhagfyr 2011	2011/2856 (C. 101)
Adrannau 40 ac 41	1 Hydref 2010	2010/2169 (C. 108)
Adrannau 42 a 43 (yn rhannol)	1 Hydref 2010	2010/2169 (C. 108)
Adran 44	1 Hydref 2011	2011/2204 (C. 80)

Section 27	1 October 2011	2011/2204 (C. 80)
Sections 28 and 29	1 October 2010	2010/2169 (C. 108)
Section 30 (partially)	6 April 2011	2011/694 (C. 25)
Section 30 (remainder)	1 August 2012	2012/2000 (C.79)
Section 31 (partially)	1 October 2010	2010/2169 (C. 108)
	1 April 2011	2011/694 (C. 25)
	6 April 2011	2011/694 (C. 25)
	19 July 2011	2011/1770 (C. 7)
	1 October 2011	2011/2204 (C. 80)
	6 April 2012	2012/879 (C. 25)
Section 33 (partially)	1 October 2011	2011/2204 (C. 80)
Section 34 (partially)	1 October 2010	2010/2169 (C. 108)
	1 April 2011	2011/694 (C. 25)
Section 35 (partially)	1 October 2010	2010/2169 (C. 108)
Section 36 (partially)	1 September 2010	2010/2169 (C. 108)
Section 36 (remainder)	1 October 2010	2010/2169 (C. 108)
Section 37	6 April 2011	2011/694 (C. 25)
Sections 38 and 39 (partially)	18 January 2011	2011/95 (C.4)
Sections 38 and 39 (remainder)	1 December 2011	2011/2856 (C. 101)
Sections 40 and 41	1 October 2010	2010/2169 (C. 108)
Sections 42 and 43 (partially)	1 October 2010	2010/2169 (C. 108)
Section 44	1 October 2011	2011/2204 (C. 80)

Adran 45 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)
Adrannau 46 a 47	1 Hydref 2010	2010/2169 (C. 108)
<i>Yn Atodlen 1—</i>		
Paragraffau 15 ac 16 ( <i>yn rhannol</i> )	6 Ebrill 2011	2011/694 (C. 25)
Paragraff 17	6 Ebrill 2011	2011/694 (C. 25)
Atodlen 1 ( <i>y gweddill</i> )	1 Awst 2012	2012/2000 (C.79)
<i>Yn Atodlen 2—</i>		
Paragraffau 1 i 24 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraffau 1 i 24 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraff 25	1 Hydref 2010	2010/2169 (C. 108)
Paragraffau 26 a 27	6 Ebrill 2012	2012/879 (C. 25)
Paragraff 28	1 Hydref 2010	2010/2169 (C. 108)
Paragraffau 29 a 30 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraffau 29 a 30 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraffau 31, 32(1) i (3) a (5) i (7), 33 a 34	6 Ebrill 2012	2012/879 (C. 25)
Paragraffau 35 ac 36 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraffau 35 ac 36 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraff 37	6 Ebrill 2011	2011/694 (C. 25)
Paragraffau 38 a 39 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraffau 38 a 39 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)

Section 45 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)
Sections 46 and 47	1 October 2010	2010/2169 (C. 108)
<i>In Schedule 1—</i>		
Paragraphs 15 and 16 ( <i>partially</i> )	6 April 2011	2011/694 (C. 25)
Paragraph 17	6 April 2011	2011/694 (C. 25)
Schedule 1 ( <i>remainder</i> )	1 August 2012	2012/2000 (C.79)
<i>In Schedule 2—</i>		
Paragraphs 1 to 24 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraphs 1 to 24 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)
Paragraph 25	1 October 2010	2010/2169 (C. 108)
Paragraphs 26 and 27	6 April 2012	2012/879 (C. 25)
Paragraph 28	1 October 2010	2010/2169 (C. 108)
Paragraphs 29 and 30 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraphs 29 and 30 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)
Paragraphs 31, 32(1) to (3) and (5) to (7), 33 and 34	6 April 2012	2012/879 (C. 25)
Paragraphs 35 and 36 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraphs 35 and 36 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)
Paragraph 37	6 April 2011	2011/694 (C. 25)
Paragraphs 38 and 39 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraphs 38 and 39 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)

Paragraffau 40, 41, 43 a 44	1 Ebrill 2011	2011/694 (C. 25)
Paragraffau 45 i 47 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraffau 45 i 47 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraff 48	1 Ebrill 2011	2011/694 (C. 25)
Paragraff 49 ( <i>o ran Lloegr yn unig</i> )	19 Gorffennaf 2011	2011/1770 (C. 7)
Paragraff 49 ( <i>o ran Cymru yn unig</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraffau 50 i 53	1 Ebrill 2011	2011/694 (C. 25)
Paragraff 54 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)
Paragraff 54 ( <i>y gweddi</i> )	6 Ebrill 2011	2011/694 (C. 25)
<i>Yn Atodlen 4—</i>		
Paragraff 1	1 Hydref 2011	2011/2204 (C. 80)
Paragraffau 2, 4, 7, 10, 12, 22, 25, 27, 30, 31, 32, 33 a 37 ( <i>yn rhannol</i> )	1 Hydref 2011	2011/2204 (C. 80)
Paragraffau 38 i 40, 42 a 43	1 Hydref 2011	2011/2204 (C. 80)
<i>Yn Atodlen 5—</i>		
Paragraffau 1 a 2	1 Ebrill 2011	2011/694 (C. 25)
Paragraff 3 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)
Paragraff 4	1 Ebrill 2011	2011/694 (C. 25)
Paragraffau 5 a 6 ( <i>yn rhannol</i> )	1 Hydref 2010	2010/2169 (C. 108)

Paragraphs 40, 41, 43 and 44	1 April 2011	2011/694 (C. 25)
Paragraphs 45 to 47 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraphs 45 to 47 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)
Paragraph 48	1 April 2011	2011/694 (C. 25)
Paragraph 49 ( <i>in relation to England only</i> )	19 July 2011	2011/1770 (C. 7)
Paragraph 49 ( <i>in relation to Wales only</i> )	1 October 2011	2011/2204 (C. 80)
Paragraphs 50 to 53	1 April 2011	2011/694 (C. 25)
Paragraph 54 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)
Paragraph 54 ( <i>remainder</i> )	6 April 2011	2011/694 (C. 25)
<i>In Schedule 4—</i>		
Paragraph 1	1 October 2011	2011/2204 (C. 80)
Paragraphs 2, 4, 7, 10, 12, 22, 25, 27, 30, 31, 32, 33 and 37 - ( <i>partially</i> )	1 October 2011	2011/2204 (C. 80)
Paragraphs 38 to 40, 42 and 43	1 October 2011	2011/2204 (C. 80)
<i>In Schedule 5—</i>		
Paragraphs 1 and 2	1 April 2011	2011/694 (C. 25)
Paragraph 3 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)
Paragraph 4	1 April 2011	2011/694 (C. 25)
Paragraphs 5 and 6 ( <i>partially</i> )	1 October 2010	2010/2169 (C. 108)



**2012 Rhif 2048 (Cy. 239) (C. 81)**

**Y DIWYDIANT DŴR, CYMRU  
A LLOEGR**

Gorchymyn Deddf Rheoli  
Llifogydd a Dŵr 2010 (Cychwyn  
Rhif 8 a Darpariaethau Trosiannol)  
2012

*Gwnaed*

*6 Awst 2012*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd iddynt—

- (a) gan adran 48(2) o Ddeddf Rheoli Llifogydd a Dŵr 2010(1), a
- (b) gan adran 49(3)(e) a (6) o'r Ddeddf honno, i'r graddau y mae adran 42 o'r Ddeddf honno yn ymwneud ag ymgymrwyr carthffosiaeth y mae eu hardaloedd yn gyfan gwbl neu'n bennaf yng Nghymru.

**Enwi**

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Rheoli Llifogydd a Dŵr 2010 (Cychwyn Rhif 8 a Darpariaethau Trosiannol) 2012.

**Darpariaeth sy'n dod i rym ar 1 Hydref 2012**

2.—(1) Mae adran 42 o Ddeddf Rheoli Llifogydd a Dŵr 2010, i'r graddau nad yw eisoes wedi ei chychwyn, yn dod i rym ar 1 Hydref 2012 mewn perthynas ag ymgymrwyr carthffosiaeth y mae eu hardaloedd yn gyfan gwbl neu'n bennaf yng Nghymru.

(2) Ond mae erthygl 2(1) yn ddarostyngedig i erthygl 3.

**Darpariaethau Trosiannol**

3.—(1) Yn yr erthygl hon—

mae i "adeilad" ("*building*") yr ystyr a roddir i "building" yn rheoliad 3(1) o Reoliadau 2010;

(1) 2010 p.29.

**2012 No. 2048 (W. 239) (C. 81)**

**WATER INDUSTRY,  
ENGLAND AND WALES**

The Flood and Water Management  
Act 2010 (Commencement No.8  
and Transitional Provisions) Order  
2012

*Made*

*6 August 2012*

The Welsh Minister make the following Order in exercise of the powers conferred on them—

- (a) by section 48(2) of the Flood and Water Management Act 2010(1), and
- (b) by section 49(3)(e) and (6) of that Act, so far as section 42 of that Act relates to sewerage undertakers whose areas are wholly or mainly in Wales.

**Title**

1. The title of this Order is the Flood and Water Management Act 2010 (Commencement No.8 and Transitional Provisions) Order 2012.

**Provision coming into force on 1 October 2012**

2.—(1) Section 42 of the Flood and Water Management Act 2010, to the extent not already commenced, comes into force on 1 October 2012 in relation to sewerage undertakers whose areas are wholly or mainly in Wales.

(2) But article 2(1) is subject to article 3.

**Transitional Provisions**

3.—(1) In this article—

"the 1984 Act" ("*Deddf 1984*") means the Building Act 1984(2);

(1) 2010 c.29.

(2) 1984 c.55.

mae i "awdurdod lleol" yr ystyr a roddir i "*local authority*" yn adran 126 o Ddeddf 1984;

mae i "carthffos" yr ystyr a roddir i "*sewer*" yn adran 219(1) o Ddeddf 1991;

ystyr "Deddf 1984" ("*the 1984 Act*") yw Deddf Adeiladu 1984(1);

ystyr "Deddf 1991" ("*the 1991 Act*") yw Deddf y Diwydiant Dŵr 1991(2);

mae i "draen ochrol" yr ystyr a roddir i "*lateral drain*" yn adran 219(1) o Ddeddf 1991;

mae i "gwaith adeiladu" yr ystyr a roddir i "*building work*" yn rheoliad 3(1) o Reoliadau 2010;

ystyr "hysbysiad adeiladu" ("*building notice*") yw hysbysiad a roddir o dan reoliadau 12(2)(a) a 13 o Reoliadau 2010;

ystyr "hysbysiad corff cyhoeddus" ("*public body's notice*") yw hysbysiad a roddir o dan adran 54 o Ddeddf 1984;

ystyr "hysbysiad cychwynnol" ("*initial notice*") yw hysbysiad a roddir o dan adran 47 o Ddeddf 1984;

ystyr "hysbysiad diwygio" ("*amendment notice*") yw hysbysiad a roddir o dan adran 51A o Ddeddf 1984;

ystyr "planiau llawn" ("*full plans*") yw planiau sydd wedi eu hadneuo gydag awdurdod lleol at ddibenion adran 16 o Ddeddf 1984 ac yn unol â rheoliadau 12(2)(b) a 14 o Reoliadau 2010;

ystyr "Rheoliadau 2010" ("*the 2010 Regulations*") yw Rheoliadau Adeiladu 2010(3);

ystyr "tystysgrif planiau" ("*plans certificate*") yw dystysgrif a roddir o dan adran 50 o Ddeddf 1984.

(2) Pan fo carthffos neu ddraen ochrol yn gysylltiedig â gwaith adeiladu—

(a) pan fo hysbysiad adeiladu, hysbysiad cychwynnol, dystysgrif planiau, hysbysiad diwygio neu hysbysiad corff cyhoeddus wedi ei roi i awdurdod lleol neu pan fo planiau llawn wedi eu hadneuo gydag awdurdod lleol, a hynny cyn 1 Hydref 2012; a

(b) pan fo'r gwaith wedi ei ddechrau cyn 1 Hydref 2013,

yna mae adran 106B(4) o Ddeddf 1991 yn gymwys fel pe bai'r cyfeiriad yn adran 106B(4)(a) o Ddeddf 1991 at "standards published by the Minister" a'r cyfeiriad yn adran 106B(4)(b) o Ddeddf 1991 at "those standards" yn gyfeiriadau at yr hysbysiad, y dystysgrif neu'r planiau sy'n berthnasol.

"the 1991 Act" ("*Deddf 1991*") means the Water Industry Act 1991(1);

"the 2010 Regulations" ("*Rheoliadau 2010*") means the Building Regulations 2010(2);

"amendment notice" ("*hysbysiad diwygio*") means a notice given under section 51A of the 1984 Act;

"building" ("*adeilad*") has the meaning given in regulation 3(1) of the 2010 Regulations;

"building notice" ("*hysbysiad adeiladu*") means a notice given under regulations 12(2)(a) and 13 of the 2010 Regulations;

"building work" ("*gwaith adeiladu*") has the meaning given in regulation 3(1) of the 2010 Regulations;

"full plans" ("*planiau llawn*") means plans deposited with a local authority for the purposes of section 16 of the 1984 Act in accordance with regulations 12(2)(b) and 14 of the 2010 Regulations;

"initial notice" ("*hysbysiad cychwynnol*") means a notice given under section 47 of the 1984 Act;

"lateral drain" ("*draen ochrol*") has the meaning given in section 219(1) of the 1991 Act;

"local authority" ("*awdurdod lleol*") has the meaning in section 126 of the 1984 Act;

"plans certificate" ("*tystysgrif planiau*") means a certificate given under section 50 of the 1984 Act;

"public body's notice" ("*hysbysiad corff cyhoeddus*") means a notice given under section 54 of the 1984 Act;

"sewer" ("*carthffos*") has the meaning given in section 219(1) of the 1991 Act.

(2) Where a sewer or lateral drain is connected with building work where—

(a) before 1 October 2012 a building notice, an initial notice, a plans certificate, an amendment notice or a public body's notice has been given to, or full plans deposited with, a local authority, and

(b) the work is started before 1 October 2013,

then section 106B(4) of the 1991 Act applies as if the reference in section 106B(4)(a) of the 1991 Act to the "standards published by the Minister" and the reference in section 106B(4)(b) of the 1991 Act to "those standards" were references to the relevant notice, certificate or plans.

(1) 1984 p.55.

(2) 1991 p.56.

(3) O.S. 2010/2214.

(1) 1991 c.56.

(2) S.I. 2010/2214.



(3) Nid yw adran 106B(4) o Ddeddf 1991 yn gymwys i garthffos na draen ochrol sy'n gysylltiedig yn unig ag adeiladau neu estyniadau mewn perthynas â'r gwaith y caniateir ei ddechrau heb y gofyniad o dan Reoliadau 2010 i hysbysiad adeiladu, hysbysiad cychwynnol, tystysgrif planiau, hysbysiad diwygio neu hysbysiad corff cyhoeddus gael ei roi i awdurdod lleol, neu i blaniau llawn gael eu hadneuo gydag awdurdod lleol.

(4) Nid yw erthygl 3(3) yn gymwys ar ôl 1 Hydref 2013 ac eithrio i garthffos neu ddraen ochrol sy'n gysylltiedig ag adeiladau neu estyniadau y mae gwaith wedi dechrau ar eu cyfer cyn y dyddiad hwnnw.

(3) Section 106B(4) of the 1991 Act does not apply to a sewer or lateral drain that is connected exclusively with buildings or extensions in relation to work which may be started without the requirement under the 2010 Regulations for a building notice, an initial notice, a plans certificate, an amendment notice or a public body's notice to be given to a local authority, or full plans to be deposited with a local authority.

(4) Article 3(3) does not apply after 1 October 2013 except to a sewer or lateral drain which is connected with buildings or extensions for which work has started before that date.

*John Griffiths*

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy, un o Weinidogion Cymru

Minister for Environment and Sustainable Development, one of the Welsh Ministers

6 Awst 2012

6 August 2012

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OFFERYNNAU STATUDOL  
CYMRU

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**2012 Rhif 2048 (Cy. 239) (C. 81)**

**Y DIWYDIANT DŴR, CYMRU  
A LLOEGR**

Gorchymyn Deddf Rheoli  
Llifogydd a Dŵr 2010 (Cychwyn  
Rhif 8 a Darpariaethau Trosiannol)  
2012

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WELSH STATUTORY  
INSTRUMENTS

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**2012 No. 2048 (W. 239) (C. 81)**

**WATER INDUSTRY,  
ENGLAND AND WALES**

The Flood and Water Management  
Act 2010 (Commencement No.8  
and Transitional Provisions) Order  
2012