

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 22 Mawrth 2017
Tabled on 22 March 2017

Bil Treth Gwarediadau Tirlenwi (Cymru) Landfill Disposals Tax (Wales) Bill

Mark Drakeford

1

Section 11, page 5, line 24, leave out ‘dead domestic pets,’ and insert ‘the remains of dead pets (and any container or material in which the remains are contained)’.

Adran 11, tudalen 5, llinell 30, hepgorer ‘anifeiliaid anwes meirw’ a mewnosoder ‘weddillion anifeiliaid anwes meirw (ac unrhyw gynhwysydd neu ddeunydd y cynhwysir y gweddillion ynddo)’.

Mark Drakeford

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Section 11, page 5, line 27, leave out ‘dead domestic pets’ and insert ‘the remains of dead pets (and any container or material in which the remains are contained)’.

Adran 11, tudalen 5, llinell 33, hepgorer ‘anifeiliaid anwes meirw’ a mewnosoder ‘weddillion anifeiliaid anwes meirw (ac unrhyw gynhwysydd neu ddeunydd y cynhwysir y gweddillion ynddo)’.

Mark Drakeford

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Section 20, page 10, line 29, leave out –

‘before the disposal is made.

- (2) The operator must do so by weighing the material on a weighbridge that meets the requirements in weights and measures legislation applicable to a weighbridge of that description.’

and insert –

‘by using a weighbridge.

- (2) The operator must ensure, for the purposes of subsection (1) –

- (a) that the material is weighed on the weighbridge before the disposal is made, and



- (b) that the weighbridge meets each requirement in weights and measures legislation that applies to the weighbridge (if any).'

Adran 20, tudalen 10, llinell 26, hepgorer –

'cyn y gwneir y gwarediad.

- (2) Rhaid i'r gweithredwr wneud hynny drwy bwysu'r deunydd ar bont bwysu sy'n bodloni gofynion deddfwriaeth pwysau a mesurau sy'n gymwys i bont bwysu o'r disgrifiad hwnnw.'

a mewnosoder –

'gan ddefnyddio pont bwysu.

- (2) Rhaid i'r gweithredwr sicrhau, at ddibenion is-adran (1) –
 - (a) bod y deunydd yn cael ei bwysu ar y bont bwysu cyn y gwneir y gwarediad, a
 - (b) bod y bont bwysu yn bodloni pob un o'r gofynion mewn deddfwriaeth pwysau a mesurau sy'n gymwys i'r bont bwysu (os oes rhai).'

Mark Drakeford

4

Section 20, page 11, line 15, leave out '(2)' and insert '(1)'.

Adran 20, tudalen 11, llinell 17, hepgorer '(2)' a mewnosoder '(1)'.

Mark Drakeford

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Section 59, page 33, line 1, leave out subsection (3) and insert –

- '() A disclosure under this section does not breach –
 - (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- () But nothing in this section authorises a disclosure which –
 - (a) contravenes the Data Protection Act 1998 (c. 29), or
 - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016 (c. 25).
- () Until the repeal of Part 1 of the Regulation of Investigatory Powers Act 2000 (c. 23) by paragraphs 45 and 54 of Schedule 10 to the Investigatory Powers Act 2016 (c. 25) is fully in force, subsection (*the second sub-section to be inserted by this amendment*)(b) has effect as if it included a reference to that Part.'

Adran 59, tudalen 33, llinell 1, hepgorer is-adran (3) a mewnosoder –

- '() Nid yw datgeliad o dan yr adran hon yn torri –
 - (a) unrhyw rwymedigaeth gyfrinachedd sy'n ddyledus gan y person sy'n gwneud y datgeliad, neu



- (b) unrhyw gyfyngiad arall ar ddatgelu gwybodaeth (sut bynnag y caiff ei osod).
- () Ond nid oes dim yn yr adran hon yn awdurdodi datgeliad –
- (a) sy'n torri Deddf Diogelu Data 1998 (p. 29), neu
- (b) a waherddir gan unrhyw un neu ragor o Rannau 1 i 7 neu Bennod 1 o Ran 9 o Ddeddf Pwerau Ymchwilio 2016 (p. 25).
- () Hyd nes y bydd diddymiad Rhan 1 o Ddeddf Rheoleiddio Pwerau Ymchwilio 2000 (p. 23) gan baragraffau 45 a 54 o Atodlen 10 i Ddeddf Pwerau Ymchwilio 2016 (p. 25) mewn grym yn llwyr, mae is-adran (*yr ail is-adran sy'n cael ei mewnosod gan yr gwelliant hwn*)(b) yn cael effaith fel pe bai'n cynnwys cyfeiriad at y Rhan honno.'

Mark Drakeford

6

Section 60, page 33, line 11, leave out 'comply with a requirement imposed by' and insert 'determine the weight of the material in a taxable disposal in accordance with'.

Adran 60, tudalen 33, llinell 12, hepgorer 'chydymffurfio â gofyniad a osodir gan' a mewnosoder 'phennu pwysau'r deunydd mewn gwarediad trethadwy yn unol ag'.

Mark Drakeford

7

Section 67, page 35, line 6, leave out '£5,000' and insert '£3,000'.

Adran 67, tudalen 35, llinell 6, hepgorer '£5,000' a mewnosoder '£3,000'.

Mark Drakeford

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Section 67, page 35, line 6, leave out –

'but this is subject to subsections (2) and (3).

- (2) A person is not liable to more than one penalty under this section in respect of the same act or omission.
- (3) No penalty is incurred in respect of a failure to keep or preserve records if WRA is satisfied that any facts that it reasonably requires to be proved, and which would have been proved by the records, are proved by other documentary evidence provided to it.
- (4) Regulations may amend or repeal subsection (2).'

and insert –

- '(2) But a person is not liable to a penalty under this section in respect of a failure to keep or preserve records if WRA is satisfied that any facts that it reasonably requires to be proved, and which would have been proved by the records, are proved by other documentary evidence provided to it.'



Adran 67, tudalen 35, llinell 6, hepgorer –

‘ond mae hyn yn ddarostyngedig i isadrannau (2) a (3).

- (2) Nid yw person yn agored i fwy nag un gosb o dan yr adran hon mewn cysylltiad â’r un weithred neu anwaith.
- (3) Nid oes cosb mewn cysylltiad â methiant i gadw cofnodion neu eu storio’n ddiogel os yw ACC wedi ei fodloni bod unrhyw ffeithiau y mae’n rhesymol ofynnol ganddo iddynt gael eu profi, ac y byddai’r cofnodion wedi eu profi, yn cael eu profi gan dystiolaeth ddogfennol arall a ddarperir iddo.
- (4) Caiff rheoliadau ddiwygio neu ddiddymu is-adran (2).’

a mewnosoder –

- ‘(2) Ond nid yw person yn agored i gosb o dan yr adran hon mewn cysylltiad â methiant i gadw cofnodion neu eu storio’n ddiogel os yw ACC wedi ei fodloni bod unrhyw ffeithiau y mae’n rhesymol ofynnol ganddo iddynt gael eu profi, ac y byddai’r cofnodion wedi eu profi, yn cael eu profi gan dystiolaeth ddogfennol arall a ddarperir iddo.’.

