OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2018 Rhif 1302 (Cy. 256)

NEWID YN YR HINSAWDD, CYMRU

Rheoliadau Newid yn yr Hinsawdd (Hedfan Rhyngwladol a Morgludiant Rhyngwladol) (Cymru) 2018

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn darparu fformiwla ar gyfer canfod pa allyriadau nwyon tŷ gwydr o hedfan rhyngwladol a morgludiant rhyngwladol sydd i'w hystyried yn allyriadau Cymru at ddibenion adran 34(2) o Ddeddf yr Amgylchedd (Cymru) 2016.

Diben Rhan 2 o Ddeddf yr Amgylchedd (Cymru) 2016 yw ei gwneud yn ofynnol i Weinidogion Cymru gyrraedd targedau ar gyfer lleihau allyriadau nwyon tŷ gwydr o Gymru. Mae adran 34(2) o'r Ddeddf yn darparu mai allyriadau Cymru yw'r rheini a allyrrir o ffynonellau yng Nghymru a'r rheini a allyrrir o hedfan rhyngwladol neu forgludiant rhyngwladol sydd wedi eu cynnwys fel allyriadau Cymru yn rhinwedd rheoliadau a wnaed o dan adran 35 o'r Ddeddf.

Yn unol ag adran 49 o'r Ddeddf, mae Gweinidogion Cymru wedi cael cyngor gan y corff cynghori, ac wedi ystyried y cyngor a gafwyd, cyn gosod rheoliadau drafft.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

2018 No. 1302 (W. 256)

CLIMATE CHANGE, WALES

The Climate Change (International Aviation and International Shipping) (Wales) Regulations 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide a formula for determining what emissions of greenhouse gases from international aviation and international shipping are to be regarded as Welsh emissions for the purposes of section 34(2) of the Environment (Wales) Act 2016.

The purpose of Part 2 of the Environment (Wales) Act 2016 is to require the Welsh Ministers to meet targets for reducing emissions of greenhouse gases from Wales. Section 34(2) of the Act provides that Welsh emissions are those that are emitted from sources in Wales and those from international aviation or international shipping that are included as Welsh emissions by virtue of regulations made under section 35 of the Act.

In accordance with section 49 of the Act, the Welsh Ministers have obtained and taken into account the advice of the advisory body before laying draft regulations.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2018 Rhif 1302 (Cy. 256)

NEWID YN YR HINSAWDD, CYMRU

Rheoliadau Newid yn yr Hinsawdd (Hedfan Rhyngwladol a Morgludiant Rhyngwladol) (Cymru) 2018

Gwnaed	*5 Rhagfyr 2018*
Yn dod i rym	*6 Rhagfyr 2018*

Gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad yn unol ag adran 48(3) o Ddeddf yr Amgylchedd (Cymru) 2016(**1**).

Cyn i'r drafft gael ei osod, cafodd Gweinidogion Cymru gyngor gan y Pwyllgor ar Newid Hinsawdd, ac fe wnaethant ystyried y cyngor a gafwyd, yn unol ag adran 49(1) o'r Ddeddf.

Yn unol â hynny, mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 35 o Ddeddf yr Amgylchedd (Cymru) 2016, yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Newid yn yr Hinsawdd (Hedfan Rhyngwladol a Morgludiant Rhyngwladol) (Cymru) 2018.

(2) Daw'r Rheoliadau hyn i rym drannoeth y diwrnod y'u gwneir.

(**1**) 2016 dccc 3.

WELSH STATUTORY INSTRUMENTS

2018 No. 1302 (W. 256)

CLIMATE CHANGE, WALES

The Climate Change (International Aviation and International Shipping) (Wales) Regulations 2018

Made	*5 December 2018*
Coming into force	*6 December 2018*

A draft of this instrument was laid before and approved by a resolution of the National Assembly for Wales in accordance with section 48(3) of the Environment (Wales) Act 2016(**1**).

Before the draft was laid the Welsh Ministers obtained and took into account the advice of the Committee on Climate Change, in accordance with section 49(1) of the Act.

Accordingly, the Welsh Ministers, in exercise of the powers conferred by section 35 of the Environment (Wales) Act 2016, make the following Regulations:

Title and commencement

1.—(1) The title of these Regulations is the Climate Change (International Aviation and International Shipping) (Wales) Regulations 2018.

(2) These Regulations come into force on the day after the day on which they are made.

(**1**) 2016 anaw 3.

Dehongli

2. Yn y Rheoliadau hyn —

ystyr "y Ddeddf" ("*the Act*") yw Deddf yr Amgylchedd (Cymru) 2016; ac

ystyr "rhestr nwyon tŷ gwydr y DU" ("*UK greenhouse gas inventory*") yw adroddiad blynyddol y DU i Gynhadledd y Partïon a gyflwynir o dan erthyglau 4 a 12 o Gonfensiwn Fframwaith y Cenhedloedd Unedig ar Newid yn yr Hinsawdd a lofnodwyd yn Efrog Newydd ar 9 Mai 1992.

Allyriadau o hedfan rhyngwladol sydd i'w priodoli i Gymru

3. Rhaid i Weinidogion Cymru gymhwyso Atodlen 1 i gyfrifo pa allyriadau nwyon tŷ gwydr o hedfan rhyngwladol sy'n allyriadau Cymru at ddibenion adran 34(2) o'r Ddeddf ar gyfer —

(a) y flwyddyn sy'n flwyddyn waelodlin ar gyfer y nwy hwnnw, a

(b) pob blwyddyn galendr rhwng 2016-2050.

Allyriadau o forgludiant rhyngwladol sydd i'w priodoli i Gymru

4. Rhaid i Weinidogion Cymru gymhwyso Atodlen 2 i gyfrifo pa allyriadau nwyon tŷ gwydr o forgludiant rhyngwladol sy'n allyriadau Cymru at ddibenion adran 34(2) o'r Ddeddf ar gyfer —

(a) y flwyddyn sy'n flwyddyn waelodlin ar gyfer y nwy hwnnw; a

(b) pob blwyddyn galendr rhwng 2016-2050.

Interpretation

2. In these Regulations —

"the Act" ("*y Ddeddf*") means the Environment (Wales) Act 2016; and

"UK greenhouse gas inventory" ("*rhestr nwyon tŷ gwydr y DU*") means the UK's annual report to the Conference of the Parties submitted under articles 4 and 12 of the United Nations Framework Convention on Climate Change signed in New York on 9 May 1992.

Emissions from international aviation attributable to Wales

3. The Welsh Ministers must apply Schedule 1 to calculate what emissions of greenhouse gases from international aviation are Welsh emissions for the purposes of section 34(2) of the Act for —

(a) the year that is the baseline year for that gas, and

(b) every calendar year between 2016-2050.

Emissions from international shipping attributable to Wales

4. The Welsh Ministers must apply Schedule 2 to calculate what emissions of greenhouse gases from international shipping are Welsh emissions for the purposes of section 34(2) of the Act for —

(a) the year that is the baseline year for that gas, and

(b) every calendar year between 2016-2050.

Lesley Griffiths

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, un o Weinidogion Cymru
5 Rhagfyr 2018

Cabinet Secretary for Energy, Planning and Rural Affairs, one of the Welsh Ministers
5 December 2018

ATODLEN 1 Rheoliad 3

FFORMIWLA AR GYFER CYFRIFO ALLYRIADAU BLYNYDDOL NWYON TŶ GWYDR O HEDFAN RHYNGWLADOL

A = B x (C/D)

yn y fformiwla hon—

“A” yw allyriadau Cymru o’r nwy hwnnw;

“B” yw’r swm o nwy a allyrrir gan y Deyrnas Unedig o hedfan rhyngwladol fel yr adroddir yn Rhestr Nwyon Tŷ Gwydr y DU;

“C” yw’r tanwydd a ddefnyddir i hedfan awyrennau i gyrchfannau rhyngwladol o feysydd awyr yng Nghymru;

“D” yw’r tanwydd a ddefnyddir i hedfan awyrennau i gyrchfannau rhyngwladol o feysydd awyr yn y Deyrnas Unedig.

SCHEDULE 1 Regulation 3

FORMULA FOR CALCULATING ANNUAL EMISSIONS OF A GREENHOUSE GAS FROM INTERNATIONAL AVIATION

A = B x (C/D)

where—

“A” is Welsh emissions of that gas;

“B” is the amount of gas emitted by the United Kingdom from international aviation as reported in the UK Greenhouse Gas Inventory;

“C” is the fuel use for aircraft flights to international destinations from airports in Wales;

“D” is the fuel use for aircraft flights to international destinations from airports in the United Kingdom.

ATODLEN 2 Rheoliad 4

FFORMIWLA AR GYFER CYFRIFO ALLYRIADAU BLYNYDDOL NWYON TŶ GWYDR O FORGLUDIANT RHYNGWLADOL

F = G x (H/I)

yn y fformiwla hon—

“F” yw allyriadau Cymru o’r nwy hwnnw;

“G” yw’r swm o nwy a allyrrir gan y Deyrnas Unedig o forgludiant rhyngwladol fel yr adroddir yn Rhestr Nwyon Tŷ Gwydr y DU;

“H” yw nifer y mordeithiau ar gyfer pob porthladd yng Nghymru; ac

“I” yw nifer y mordeithiau ar gyfer pob porthladd yn y Deyrnas Unedig.

©ℍHawlfraint 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.

SCHEDULE 2 Regulation 4

FORMULA FOR CALCULATING EMISSIONS OF A GREENHOSE GAS FROM INTERNATIONAL SHIPPING IN A YEAR

F = G x (H/I)

where—

“F” is Welsh emissions of that gas;

“G” is the amount of gas emitted by the United Kingdom from international shipping as reported in the UK Greenhouse Gas Inventory;

“H” is the all ports traffic figure for Wales; and

“I” is the all ports traffic figure for the United Kingdom.

© 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.

OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2018 Rhif 1302 (Cy. 256)

2018 No. 1302 (W. 256)

NEWID YN YR HINSAWDD, CYMRU

CLIMATE CHANGE, WALES

Rheoliadau Newid yn yr Hinsawdd (Hedfan Rhyngwladol a Morgludiant Rhyngwladol) (Cymru) 2018

The Climate Change (International Aviation and International Shipping) (Wales) Regulations 2018

£4.90

W201812051005 12/2018

http://www.legislation.gov.uk/id/wsi/2018/1302

ISBN 978-0-348-20304-2

9 780348 203042