OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2025 Rhif 708 (Cy. 121)

DIOGELU'R AMGYLCHEDD, CYMRU

Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) (Diwygio) 2025

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan bwerau a roddir gan adran 140 o Ddeddf Diogelu'r Amgylchedd 1990 ac maent yn diwygio Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) 2024 ("y prif Reoliadau").

Mae'r prif Reoliadau, sy'n gymwys yng Nghymru, yn gwahardd cyflenwi fêps untro.

Mae'r diwygiad yn gwneud newidiadau i reoliad 10 o'r prif Reoliadau, sy'n ymwneud â phwerau mynediad ac archwilio, gan gynnwys chwilio am fêps untro, a chydrannau fêps untro, a'u hatafaelu. Mae'r diwygiad yn galluogi swyddog gorfodaeth i gymryd meddiant o fêp untro (neu unrhyw gydran o fêp untro) a geir ar fangre a'i gadw neu ei chadw, at ddiben cydymffurfio ag unrhyw gyfarwyddyd a roddir gan Weinidogion Cymru o dan reoliad 12 o'r prif Reoliadau. Mae rheoliad 12 o'r prif Reoliadau yn rhoi pŵer i Weinidogion Cymru i gyfarwyddo bod fêps untro penodol i'w trin fel gwastraff.

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.

2025 No. 708 (W. 121)

ENVIRONMENTAL PROTECTION, WALES

The Environmental Protection (Single-use Vapes) (Wales) (Amendment) Regulations 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers conferred by section 140 of the Environmental Protection Act 1990 and they amend the Environmental Protection (Single-use Vapes) (Wales) Regulations 2024 ("the principal Regulations").

The principal Regulations, which apply in Wales, prohibit the supply of single-use vapes.

The amendment makes changes to regulation 10 of the principal Regulations, which contains powers of entry and examination, including the search for and seizure of single-use vapes, and components of single-use vapes. The amendment enables an enforcement officer to possess and retain a single-use vape (or a component of a single-use vape) that is found on premises, for the purpose of compliance with any direction given by the Welsh Ministers under regulation 12 of the principal Regulations. Regulation 12 of the principal Regulations provides a power for the Welsh Ministers to direct that certain single-use vapes be treated as waste.

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.

2025 Rhif 708 (Cy. 121)

DIOGELU'R AMGYLCHEDD, CYMRU

Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) (Diwygio) 2025

Gwnaed	*17 Mehefin 2025*
Gosodwyd gerbron Senedd Cymru	*18 Mehefin 2025*
Yn dod i rym	*19 Mehefin 2025*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 140(1)(c) a (d), a 3(c) o Ddeddf Diogelu'r Amgylchedd 1990(**1**) ("Deddf 1990").

Mae Gweinidogion Cymru—

(a) yn ystyried ei bod yn briodol gwneud y Rheoliadau hyn at ddiben atal yr eitemau a bennir ynddynt rhag achosi llygredd amgylcheddol a niwed i iechyd anifeiliaid;

(b) wedi cyhoeddi hysbysiad yn y London Gazette a'r Western Mail, yn unol ag adran 140(6)(b)(**2**) o Ddeddf 1990, ac wedi ystyried y sylwadau a gyflwynwyd yn unol â'r hysbysiad hwnnw, fel sy'n ofynnol gan adran 140(6)(c) o Ddeddf 1990.

(**1**) 1990 p. 43. Diwygiwyd adran 140(3)(c) gan O.S. 1999/1108. Yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi, yn ddarostyngedig i eithriadau penodol nad ydynt yn berthnasol i'r Rheoliadau hyn, mae swyddogaethau'r Ysgrifennydd Gwladol o dan adran 140 yn arferadwy gan Weinidogion Cymru o ran Cymru.

(**2**) Diwygiwyd adran 140(6)(b) gan O.S. 2012/1923.

2025 No. 708 (W. 121)

ENVIRONMENTAL PROTECTION, WALES

The Environmental Protection (Single-use Vapes) (Wales) (Amendment) Regulations 2025

Made	*17 June 2025*
Laid before Senedd Cymru	*18 June 2025*
Coming into force	*19 June 2025*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 140(1)(c) and (d), and (3)(c) of the Environmental Protection Act 1990(**1**) ("the 1990 Act").

The Welsh Ministers—

(a) consider it appropriate to make these Regulations for the purpose of preventing the articles specified in them from causing pollution of the environment and harm to the health of animals;

(b) have published a notice in the London Gazette and the Western Mail, in accordance with section 140(6)(b)(**2**) of the 1990 Act, and have considered the representations made in accordance with that notice, as required by section 140(6)(c) of the 1990 Act.

(**1**) 1990 c. 43. Section 140(3)(c) was amended by S.I. 1999/1108. By virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), subject to certain exceptions that are not relevant to these Regulations, the functions of the Secretary of State under section 140 are exercisable by the Welsh Ministers in relation to Wales.

(**2**) Section 140(6)(b) was amended by S.I. 2012/1923.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) (Diwygio) 2025.

(2) Daw'r Rheoliadau hyn i rym ar 19 Mehefin 2025.

Diwygio Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) 2024

2.—(1) Mae Rheoliadau Diogelu'r Amgylchedd (Fêps Untro) (Cymru) 2024(**1**) wedi eu diwygio fel a ganlyn.

(2) Ar ôl rheoliad 10(1)(j)(iv), mewnosoder—

"(v) sicrhau ei fod yn cael ei gadw neu ei bod yn cael ei chadw at ddiben cydymffurfio ag unrhyw gyfarwyddyd a roddir gan Weinidogion Cymru o dan reoliad 12".

Title and coming into force

1.—(1) The title of these Regulations is the Environmental Protection (Single-use Vapes) (Wales) (Amendment) Regulations 2025.

(2) These Regulations come into force on 19 June 2025.

Amendment of the Environmental Protection (Single-use Vapes) (Wales) Regulations 2024

2.—(1) The Environmental Protection (Single-use Vapes) (Wales) Regulations 2024(**1**) are amended as follows.

(2) After regulation 10(1)(j)(iv), insert—

"(v) to ensure that it is retained for the purpose of compliance with any direction given by the Welsh Ministers under regulation 12".

Huw Irranca-Davies

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig, un o Weinidogion Cymru
17 Mehefin 2025

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers
17 June 2025

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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(**1**) O.S. 2024/1324 (Cy. 223).

(**1**) S.I. 2024/1324 (W. 223).

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