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OFFERYNNAU STATUDOL CYMRU

2026 Rhif 18

Gorchymyn Afancod (Cymru) 2026

Gwnaed	*2 Chwefror 2026*
Yn dod i rym	*4 Mawrth 2026*

WELSH STATUTORY INSTRUMENTS

2026 No. 18

The Beavers (Wales) Order 2026

Made	*2 February 2026*
Coming into force	*4 March 2026*

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2026 Rhif 18

BYWYD GWYLLT, CYMRU

Gorchymyn Afancod (Cymru) 2026

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio Atodlen 9 i Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 ("Deddf 1981") ac Atodlen 2 i Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017 ("Rheoliadau 2017").

Mae erthygl 2 yn mewnosod yr Afanc Ewrasiaidd yn Rhan 1A (anifeiliaid brodorol) o Atodlen 9 i Ddeddf 1981 ac yn hepgor yr Afanc Ewrasiaidd o Ran 1B (anifeiliaid nad ydynt fel arfer yn bresennol mwyach) o'r Atodlen honno.

Mae erthygl 3 yn mewnosod yr Afanc Ewrasiaidd yn Atodlen 2 i Reoliadau 2017, sy'n rhestru Rhywogaethau a Warchodir gan Ewrop o anifeiliaid.

Mae erthygl 4 yn dirymu Gorchymyn Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (Amrywio Atodlen 9) (Cymru) 2015, a fewnosododd yr Afanc Ewrasiaidd yn Rhan 1B o Atodlen 9 i Ddeddf 1981.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

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Gorchymyn Afancod (Cymru) 2026

Gwnaed	*2 Chwefror 2026*
Yn dod i rym	*4 Mawrth 2026*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer y pwerau a roddir gan adran 22(5)(a) o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981(**1**) ("Deddf 1981") a rheoliad 143(1) o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017(**2**) ("Rheoliadau 2017").

At ddibenion adran 26(4)(a) o Ddeddf 1981, mae Gweinidogion Cymru yn ystyried nad yw'r Gorchymyn hwn yn effeithio ar unrhyw awdurdod lleol.

Yn unol ag adran 26(4)(a) a (b) o Ddeddf 1981, mae Gweinidogion Cymru wedi—

(a) rhoi cyfle i unrhyw berson arall yr effeithir arno i gyflwyno gwrthwynebiadau neu sylwadau mewn cysylltiad â phwnc y Gorchymyn hwn, a

(b) ymgynghori â Cyfoeth Naturiol Cymru, sef y corff cynghori(**3**) y mae Gweinidogion Cymru yn ei ystyried orau i gynghori ynghylch a ddylid gwneud y Gorchymyn hwn.

At ddibenion rheoliad 143(1) o Reoliadau 2017, mae Gweinidogion Cymru wedi eu bodloni bod gwasgariad naturiol y rhywogaeth a ychwanegir at Atodlen 2 i'r Rheoliadau hynny gan y Gorchymyn hwn yn cynnwys ardal ym Mhrydain Fawr.

Enwi, dod i rym, a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Afancod (Cymru) 2026 a daw i rym ar 4 Mawrth 2026.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(**1**) 1981 p. 69. Trosglwyddwyd swyddogaethau perthnasol yr Ysgrifennydd Gwladol o dan y Ddeddf hon, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac fe'u trosglwyddwyd wedi hynny i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi. Diwygiwyd Rhannau 1A ac 1B o Atodlen 9 i Ddeddf 1981 gan O.S. 2022/858 o ran Lloegr yn unig, a diwygiwyd Rhan 1B hefyd gan O.S. 2015/1180 (Cy. 78); mae diwygiadau eraill i Atodlen 9 i Ddeddf 1981 ond nid yw'r un ohonynt yn berthnasol.

(**2**) O.S. 2017/1012, a ddiwygiwyd gan O.S. 2019/579 ac O.S. 2022/858, sy'n gymwys o ran Lloegr yn unig; mae offerynnau diwygio eraill, ond nid yw'r un ohonynt yn berthnasol. Gweler y diffiniad o "the appropriate authority" yn rheoliad 3(1).

(**3**) Gweler y diffiniad o "advisory body" yn adran 23(3) o Ddeddf 1981.

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Diwygio Deddf Bywyd Gwyllt a Chefn Gwlad 1981

2.—(1) Mae Atodlen 9 (anifeiliaid a phlanhigion y mae adran 14 yn gymwys iddynt) i Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 wedi ei diwygio fel a ganlyn.

(2) Yn Rhan 1A (anifeiliaid brodorol), o flaen y cofnod ar gyfer "Capercaillie" mewnosoder—

"Beaver, Eurasian	Castor fiber".

(3) Yn Rhan 1B (anifeiliaid nad ydynt fel arfer yn bresennol mwyach), hepgorer—

"Beaver, Eurasian	Castor fiber".

Diwygio Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017

3. Yn Atodlen 2 (Rhywogaethau a Warchodir gan Ewrop o anifeiliaid) i Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017, ar ôl y cofnod ar gyfer "Bats, Typical (all species)" mewnosoder—

"Beaver, Eurasian	Castor fiber".

Dirymu Gorchymyn Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (Amrywio Atodlen 9) (Cymru) 2015

4. Mae Gorchymyn Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (Amrywio Atodlen 9) (Cymru) 2015(**4**) wedi ei ddirymu.

Huw Irranca-Davies
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig, un o Weinidogion Cymru
2 Chwefror 2026

(**4**) O.S. 2015/1180 (Cy. 78).

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WELSH STATUTORY INSTRUMENTS

2026 No. 18

WILDLIFE, WALES

The Beavers (Wales) Order 2026

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 9 to the Wildlife and Countryside Act 1981 ("the 1981 Act") and Schedule 2 to the Conservation of Habitats and Species Regulations 2017 ("the 2017 Regulations").

Article 2 inserts the Eurasian Beaver into Part 1A (native animals) of Schedule 9 to the 1981 Act and omits the Eurasian Beaver from Part 1B (animals no longer normally present) of that Schedule.

Article 3 inserts the Eurasian Beaver into Schedule 2 to the 2017 Regulations, which lists European Protected Species of animals.

Article 4 revokes the Wildlife and Countryside Act 1981 (Variation of Schedule 9) (Wales) Order 2015, which inserted the Eurasian Beaver into Part 1B of Schedule 9 to the 1981 Act.

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

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WELSH STATUTORY INSTRUMENTS

2026 No. 18

WILDLIFE, WALES

The Beavers (Wales) Order 2026

Made	*2 February 2026*
Coming into force	*4 March 2026*

The Welsh Ministers make this Order in exercise of the powers conferred by section 22(5)(a) of the Wildlife and Countryside Act 1981(**1**) ("the 1981 Act") and regulation 143(1) of the Conservation of Habitats and Species Regulations 2017(**2**) ("the 2017 Regulations").

For the purposes of section 26(4)(a) of the 1981 Act, the Welsh Ministers consider that no local authority is affected by this Order.

The Welsh Ministers have, in accordance with section 26(4)(a) and (b) of the 1981 Act—

(a) given any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order, and

(b) consulted with Natural Resources Wales, being the advisory body(**3**) which the Welsh Ministers consider is best able to advise as to whether this Order should be made.

For the purposes of regulation 143(1) of the 2017 Regulations, the Welsh Ministers are satisfied that the natural range of the species added to Schedule 2 to those Regulations by this Order includes an area in Great Britain.

(**1**) 1981 c. 69. The relevant functions of the Secretary of State under this Act, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and subsequently transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). Parts 1A and 1B of Schedule 9 to the 1981 Act were amended by S.I. 2022/858 in relation to England only, and Part 1B was also amended by S.I. 2015/1180 (W. 78); there are other amendments to Schedule 9 to the 1981 Act but none are relevant.

(**2**) S.I. 2017/1012, amended by S.I. 2019/579 and S.I. 2022/858, which applies in relation to England only; there are other amending instruments, but none are relevant. See the definition of "the appropriate authority" in regulation 3(1).

(**3**) See the definition of "advisory body" in section 23(3) of the 1981 Act.

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Title, coming into force, and application

1.—(1) The title of this Order is the Beavers (Wales) Order 2026 and it comes into force on 4 March 2026.

(2) This Order applies in relation to Wales.

Amendment of the Wildlife and Countryside Act 1981

2.—(1) Schedule 9 (animals and plants to which section 14 applies) to the Wildlife and Countryside Act 1981 is amended as follows.

(2) In Part 1A (native animals), before the entry for "Capercaillie" insert—

"Beaver, Eurasian	Castor fiber".

(3) In Part 1B (animals no longer normally present), omit—

"Beaver, Eurasian	Castor fiber".

Amendment of the Conservation of Habitats and Species Regulations 2017

3. In Schedule 2 (European Protected Species of animals) to the Conservation of Habitats and Species Regulations 2017, after the entry for "Bats, Typical (all species)" insert—

"Beaver, Eurasian	Castor fiber".

Revocation of the Wildlife and Countryside Act 1981 (Variation of Schedule 9) (Wales) Order 2015

4. The Wildlife and Countryside Act 1981 (Variation of Schedule 9) (Wales) Order 2015(**4**) is revoked.

Huw Irranca-Davies
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers
2 February 2026

(**4**) S.I. 2015/1180 (W. 78).