



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 25 Ebrill 2013
Tabled on 25 April 2013

Bil Llywodraeth Leol (Democratiaeth) (Cymru)
Local Government (Democracy) (Wales) Bill

Rhodri Glyn Thomas

9

Supported by/Gyda chefnogaeth: Peter Black

Section 4, page 3, after line 3, insert—

‘(4) At least one member of the Commission must be a person able to speak the Welsh language.’.

Adran 4, tudalen 3, ar ôl llinell 3, mewnosoder—

‘(4) Rhaid i o leiaf un aelod o’r Comisiwn fod yn rhywun sy’n gallu siarad Cymraeg.’.

Rhodri Glyn Thomas

10

Supported by/Gyda chefnogaeth: Peter Black

Section 29, page 12, line 30, leave out ‘area’ at the first place where it appears and insert ‘division’.

Adran 29, tudalen 12, llinell 32, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'adran'.

Rhodri Glyn Thomas 11

Supported by/Gyda chefnogaeth: Peter Black

Section 29, page 12, line 32, leave out 'area' at the first place where it appears and insert 'division'.

Adran 29, tudalen 12, llinell 34, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'adran'.

Rhodri Glyn Thomas 12

Supported by/Gyda chefnogaeth: Peter Black

Section 29, page 12, line 34, leave out 'area' at the first place where it appears and insert 'division'.

Adran 29, tudalen 12, llinell 36, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'adran'.

Rhodri Glyn Thomas 13

Supported by/Gyda chefnogaeth: Peter Black

Section 50, page 27, line 6, leave out 'direct' and insert ', by order, require'.

Adran 50, tudalen 27, llinell 6, hepgorer 'gyfarwyddo'r Comisiwn i' a mewnosoder ', drwy orchymyn, ei gwneud yn ofynnol i'r Comisiwn'.

Rhodri Glyn Thomas

14

Supported by/Gyda chefnogaeth: Peter Black

Section 50, page 27, line 11, leave out 'A direction' and insert 'An order'.

Adran 50, tudalen 27, llinell 11, hepgorer 'gyfarwyddyd' a mewnosoder 'orchymyn'.

Rhodri Glyn Thomas

15

Supported by/Gyda chefnogaeth: Peter Black

Section 50, page 27, line 21, leave out 'a direction' and insert 'an order'.

Adran 50, tudalen 27, llinell 22, hepgorer 'cyfarwyddyd' a mewnosoder 'gorchymyn'.

Rhodri Glyn Thomas

16

Supported by/Gyda chefnogaeth: Peter Black

Section 50, page 27, line 32, leave out subsection (6).

Adran 50, tudalen 27, llinell 33, hepgorer is-adran (6).

Rhodri Glyn Thomas

17

Supported by/Gyda chefnogaeth: Peter Black

To insert a new section—

[] Reporting of meetings

While a meeting (including committee meetings) of a principal council or community council is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report. '

I fewnosod adran newydd—

[] Cofnodi cyfarfodydd

Tra bod cyfarfod (gan gynnwys cyfarfodydd pwyllgor) prif gyngor neu gyngor cymuned yn agored i'r cyhoedd, bydd unrhyw berson sy'n dod i'r cyfarfod at ddiben cofnodi'r trafodion yn cael cynnig cyfleusterau rhesymol, i'r graddau y bo hynny'n ymarferol, i gymryd ei gofnodion.'

Rhodri Glyn Thomas

18

Supported by/Gyda chefnogaeth: Peter Black

To insert a new section—

[] Salaries of senior officers

After section 144 of the 2011 Measure (relevant authorities, members etc.) insert—

“144A Salaries of senior officers

- (1) For the financial year beginning 1 April 2014 and for each following year, the Panel must, for each relevant authority, recommend a maximum amount to be paid to any senior officer of that authority by way of salary, pension contribution or other remuneration.
- (2) In entering into any contracts for the employment of senior officers, or determining any pay awards to senior officers, a relevant authority must have regard to the recommendation of the Panel.”

I fewnosod adran newydd—

[] Cyflogau uwch-swyddogion

Ar ôl adran 144 o Fesur 2011 (awdurdodau perthnasol, aelodau etc.) mewnosoder—

“144A Cyflogau uwch-swyddogion

- (1) Ar gyfer y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2014 ac ar gyfer pob blwyddyn ariannol ddilynol, rhaid i'r Panel, ar gyfer pob awdurdod perthnasol, argymhell yr uchafswm y caiff unrhyw uwch-swyddog o'r awdurdod hwnnw ei dalu drwy gyflog, cyfraniad pensiwn neu dâl arall.

- (2) Wrth lunio unrhyw gontractau ar gyfer cyflogi uwch swyddogion, neu ddod i benderfyniad ynghylch unrhyw godiadau cyflog i uwchswyddogion, rhaid i awdurdod perthnasol roi sylw i argymhellion y Panel.”.

Rhodri Glyn Thomas

19

Supported by/Gyda chefnogaeth: Peter Black

To insert a new section—

‘Local Authority Elections

[] Single transferable vote

In each electoral division in which there is a contested election, a poll shall be held at which each person entitled to vote as an elector may vote by marking on the ballot paper—

- (a) the voter’s first preference from among the candidates to be councillor, and
- (b) if there are three or more candidates and the voter wishes to express a further preference for one or more of those candidates, the voter’s second and, if the voter wishes, subsequent preferences from among those candidates.’.

I fewnosod adran newydd—

‘Etholiadau Awdurdod Lleol

[] Pleidlais sengl drosglwyddadwy

Ym mhob adran etholiadol lle bydd etholiad a ymleddir, rhaid cynnal pleidlais lle caiff pob person sydd â’r hawl i bleidleisio fel etholwr bleidleisio drwy nodi ar y papur pleidleisio—

- (a) dewis cyntaf y pleidleisiwr o blith yr ymgeiswyr i fod yn gynghorydd, a
- (b) os oes tri neu fwy o ymgeiswyr a bod y pleidleisiwr am nodi dewis pellach dros un neu fwy o’r ymgeiswyr hynny, ail ddewis y pleidleisiwr ac, os yw’r pleidleisiwr yn dymuno, dewisiadau pellach o blith yr ymgeiswyr hynny.’.

Rhodri Glyn Thomas

20

Supported by/Gyda chefnogaeth: Peter Black

To insert a new section—

[] Power to make further provision about local authority elections

- (1) The Welsh Ministers must by order make provision as to—
 - (a) the conduct of elections of councillors,
 - (b) the questioning of such an election and the consequences of irregularities.
- (2) Such an order must, in particular—
 - (a) specify the manner in which the number of votes which will secure the return of a candidate as a councillor is to be calculated,
 - (b) provide for any candidate with a number of votes which equals or exceeds the number so calculated to be deemed to be elected as a councillor,
 - (c) make provision as to circumstances in which one or more of the candidates is to be excluded from the election on the basis of the number of votes then credited to those candidates,
 - (d) make provision as to the transfer of ballot papers from candidates deemed to be elected as councillors or excluded from the election,
 - (e) specify the value, or the method for calculating the value, to be given to a vote on a transferred ballot paper.
- (3) Such an order may, in particular—
 - (a) make provision about the limitation of the election expenses of candidates,
 - (b) apply, with or without modifications or exceptions, any provision made by or under any enactment.
- (4) Provision made by such an order by virtue of subsection (1)(b) must include provision applying Part III of the Representation of the People Act 1983 (c. 2) (“the 1983 Act”) (with such modifications or exceptions as the order may specify).
- (5) The return of a councillor may be questioned only under Part III of the 1983 Act as applied by an order under subsection (1).’.

I fewnosod adran newydd—

[] Pŵer i wneud darpariaeth bellach ynghylch etholiadau awdurdodau lleol

- (1) Rhaid i Weinidogion Cymru drwy orchymyn wneud darpariaeth ynghylch—
 - (a) trefn etholiadau cynghorwyr,
 - (b) herio etholiad o'r fath a chanlyniadau afreoleidd-dra.
- (2) Rhaid i orchymyn o'r fath, yn benodol—
 - (a) pennu sut y caiff nifer y pleidleisiau a fydd yn sicrhau bod ymgeisydd yn dychwelyd fel cynghorydd eu cyfrifo,
 - (b) darparu y bernir bod unrhyw ymgeisydd sydd â nifer o bleidleisiau sy'n hafal i'r nifer a gyfrifwyd neu'n uwch na hynny wedi cael ei ethol yn gynghorydd,
 - (c) gwneud darpariaeth ynghylch yr amgylchiadau pan fydd un neu fwy o'r ymgeiswyr yn cael eu diystyru o'r etholiad ar sail nifer y pleidleisiau a briodolwyd i'r ymgeiswyr hynny ar y pryd,
 - (d) gwneud darpariaeth am drosglwyddo papurau pleidleisio ymgeiswyr y bernir iddynt gael eu hethol yn gynghorwyr neu eu diystyru o'r etholiad,
 - (e) pennu'r gwerth, neu'r dull ar gyfer cyfrifo'r gwerth, sydd i'w roi i bleidlais ar bapur pleidleisio a drosglwyddwyd.
- (3) Caiff gorchymyn o'r fath, yn benodol—
 - (a) gwneud darpariaeth ynghylch cyfyngiad gwariant etholiadol ymgeiswyr,
 - (b) cymhwyso, gydag addasiadau neu eithriadau neu hebddynt, unrhyw ddarpariaeth a wneir gan neu o dan unrhyw ddeddfiad.
- (4) Rhaid i ddarpariaeth a wnaed drwy orchymyn o'r fath yn rhinwedd is-adran (1)(b) gynnwys darpariaeth sy'n cymhwyso Rhan III o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2) ("Deddf 1983") (gydag addasiadau neu eithriadau o'r fath a bennir gan y gorchymyn).
- (5) Dim ond o dan Ran III o Ddeddf 1983 fel y caiff ei gymhwyso drwy orchymyn o dan is-adran (1) y gellir herio bod cynghorydd wedi'i dychwelyd.'.

Rhodri Glyn Thomas

21

Supported by/Gyda chefnogaeth: Peter Black

To insert a new section—

[] Payment to returning officers

- (1) No payment may be made to officers of principal councils for acting as returning officers (or other senior officer responsible for the supervision of elections, however described) in relating to elections to principal councils or community councils beyond the remuneration payable in relation to their principal responsibilities as employees of those councils.
- (2) This provision does not apply if there is a contractual obligation on the day this section comes into force to make such payment, but no such obligation may thereafter be entered into by those councils.’.

I fewnosod adran newydd—

[1] Taliad i swyddogion canlyniadau

- (1) Ni cheir gwneud taliad i swyddogion prif gynghorau am weithredu fel swyddogion canlyniadau (neu uwch-swyddog arall sy’n gyfrifol am oruchwylio etholiadau, sut bynnag y’i disgrifir) mewn perthynas ag etholiadau i brif gynghorau neu gynghorau cymuned uwchlaw’r tâl sy’n daladwy mewn perthynas â’u prif gyfrifoldebau fel cyflogeion y cynghorau hynny.
- (2) Nid yw’r ddarpariaeth hon yn gymwys os oes rhwymedigaeth gytundebol i wneud taliad o’r fath ar y diwrnod y daw’r adran hon i rym, ond ni chaiff y cynghorau hynny gychwyn rhwymedigaeth o’r fath wedi hynny.’.

Rhodri Glyn Thomas

22

Supported by/Gyda chefnogaeth: Peter Black

Section 65, page 36, after line 10, insert—

- ‘() An order under section 50(1) may not be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the National Assembly for Wales.’.

Adran 65, tudalen 36, ar ôl llinell 11, mewnosoder—

- ‘() Ni chaniateir i orchymyn o dan adran 50(1) gael ei wneud oni fydd drafft o'r offeryn statudol sy'n ei gynnwys wedi ei roi gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo trwy benderfyniad ganddo.’.

Lesley Griffiths

23

Section 22, page 7, line 31, after ‘must’, insert—

‘—

- (a) have regard to the Commission's timetable for conducting the reviews of principal areas' electoral arrangements required by section 29(1), and'.

Adran 22, tudalen 7, llinell 33, ar ôl 'gyngor', mewnosoder—
'—

- (a) rhoi sylw i amserlen y Comisiwn ar gyfer cynnal yr adolygiadau o drefniadau etholiadol prif ardaloedd sy'n ofynnol gan adran 29(1), a'.

Lesley Griffiths

24

Section 22, page 8, line 5, leave out '15 years beginning with the date on which the principal council last published a report under section 55(2A) or, if earlier, section 57(4A) of the 1972 Act' and insert—

'10 years beginning with—

- (i) the date on which the principal council last published a report under section 55(2A) or, if earlier, section 57(4A) of the 1972 Act, or
- (ii) in the case of a principal council which has not published such a report before coming into force this section, the day on which this section comes into force'.

Adran 22, tudalen 8, llinell 7, hepgorer '15 mlynedd sy'n dechrau gyda'r dyddiad y cyhoeddodd y prif gyngor ddiwethaf adroddiad o dan adran 55(2A) neu, os cyn hynny, adran 57(4A) o Ddeddf 1972' a mewnosoder—

'10 mlynedd sy'n dechrau gyda—

- (i) y dyddiad pryd y cyhoeddwyd ddiwethaf adroddiad gan y prif gyngor o dan adran 55(2A) neu, os yw'n gynharach, adran 57(4A) o Ddeddf 1972, neu
- (ii) yn achos prif gyngor nad yw wedi cyhoeddi adroddiad o'r fath cyn y daw'r adran hon i rym, y dyddiad pryd y daw'r adran hon i rym'.

Lesley Griffiths

25

Section 22, page 8, line 8, leave out '15' and insert '10'.

Adran 22, tudalen 8, llinell 10, hepgorer '15' a mewnosoder '10'.

Lesley Griffiths

26

Section 29, page 11, line 28, leave out 'before the beginning' and insert 'in respect'.

Adran 29, tudalen 11, llinell 30, hepgorer 'cyn dechrau pob' a mewnosoder 'mewn perthynas â phob'.

Lesley Griffiths

27

Section 29, page 11, line 29, after 'prepare', insert 'and publish'.

Adran 29, tudalen 11, llinell 31, ar ôl 'paratoi', mewnosoder 'a chyhoeddi'.

Lesley Griffiths

28

Section 29, page 11, line 33, leave out 'beginning 1 May 2014 and ending on 30 April 2024' and insert 'of 10 years beginning with the day on which this section comes into force'.

Adran 29, tudalen 11, llinell 35, hepgorer 'sy'n dechrau ar 1 Mai 2014 ac sy'n gorffen ar 30 Ebrill 2024' a mewnosoder 'o 10 mlynedd sy'n dechrau gyda'r diwrnod pryd y daw'r adran hon i rym'.

Lesley Griffiths

29

Section 29, page 11, after line 34, insert—

- '() The Commission must comply with its duties in subsection (2)—
 - (a) in respect of the the first review period, as soon as possible after it begins, and
 - (b) in respect of each subsequent review period, before the period begins.'

Adran 29, tudalen 11, ar ôl llinell 36, mewnosoder—

- '() Rhaid i'r Comisiwn gydymffurfio â'i ddyletswyddau yn is-adran (2)—
 - (a) mewn perthynas â'r cyfnod adolygu cyntaf, cyn gynted ag y bo modd wedi iddo ddechrau, a
 - (b) mewn perthynas â phob cyfnod adolygu dilynol, cyn i'r cyfnod ddechrau.'

Lesley Griffiths

30

Section 29, page 12, leave out line 16.

Adran 29, tudalen 12, hepgorer llinell 18.

Lesley Griffiths

31

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 29, tudalen 12, llinell 16, hepgorer 'y canlynol' a mewnosoder 'neu gyhoeddi'.

Lesley Griffiths

32

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 29, tudalen 12, llinell 19, hepgorer 'gwneud neu gyhoeddi'.

Lesley Griffiths

33

Section 29, page 12, line 19, leave out 'council' and insert 'area'.

Adran 29, tudalen 12, llinell 21, hepgorer 'gyngor' a mewnosoder 'ardal'.

Lesley Griffiths

34

Section 34, page 16, after line 14, insert—

'() except where the review is (or is to be) conducted by it, the Commission,'.

Adran 34, tudalen 16, ar ôl llinell 15, mewnosoder—

'() ac eithrio pan fo'r adolygiad yn cael ei gynnal (neu i'w gynnal) ganddo ef, y Comisiwn,'.

Lesley Griffiths

35

Section 34, page 16, line 18, leave out 'This section' and insert 'Subsection(1)'.

Adran 34, tudalen 16, llinell 20, hepgorer 'yw'r adran hon' a mewnosoder 'yw is-adran (1)'.

Lesley Griffiths

36

Section 35, page 16, line 36, leave out ', the mandatory consultees and (where the reviewing body is a principal council) the Commission' and insert 'and the mandatory consultees'.

Adran 35, tudalen 16, llinell 38, hepgorer ', yr ymgynghoreion gorfodol a (pan fo'r corff adolygu'n brif gyngor) y Comisiwn' a mewnosoder 'a'r ymgynghoreion gorfodol'.

Lesley Griffiths

37

Section 36, page 18, after line 16, insert—

'() Where the principal council submits a report to the Commission in relation to a review under section 25, the Commission is not to be treated as a mandatory consultee for the purposes of subsection (5)(c).'

Adran 36, tudalen 18, ar ôl llinell 17, mewnosoder—

'() Pan fo prif gyngor yn cyflwyno adroddiad i'r Comisiwn mewn perthynas ag adolygiad o dan adran 25, nid yw'r Comisiwn i gael ei drin fel ymgynghorai gorfodol at ddibenion is-adran (5)(c).'

Lesley Griffiths

38

Section 43, page 22, line 13, after 'or', insert 'made by virtue of section'.

Adran 43, tudalen 22, llinell 13, ar ôl 'neu', mewnosoder 'a wneir yn rhinwedd'.

Lesley Griffiths

39

Section 43, page 22, line 14, leave out subsection (3) and insert—

- ‘() Except as provided for in subsection () and (), an order to vary or revoke provisions of the type described in subsection (2) may be made only by the persons who, or body which, made the order containing the provision to be varied or revoked (“the original order”).
- () The Welsh Ministers make make an order under this section where the original order—
- (a) was made by the Secretary of State and relates to Wales, or
 - (b) was made by the National Assembly of Wales (as constituted under the Government of Wales Act 1998).
- () A principal council may make an order under this section where the original order was made by a predecessor council which no longer exists.
- () But an order made in pursuance of subsection () may vary or revoke provision in the original order only in so far as it related to the principal council's area.’.

Adran 43, tudalen 22, llinell 15, hepgorer is-adran (3) a mewnosoder—

- ‘() Ac eithrio fel y darperir yn is-adrannau () a (), dim ond y personau neu'r corff a wnaeth y gorchymyn sy'n cynnwys y ddarpariaeth sydd i'w hamrywio neu i'w ddirymu (“y gorchymyn gwreiddiol”) a gaiff wneud gorchymyn i amrywio neu ddirymu darpariaeth o'r math a ddisgrifir yn is-adran (2).
- () Caiff Gweinidogion Cymru wneud gorchymyn o dan yr adran hon pan fo'r gorchymyn gwreiddiol—
- (a) wedi ei wneud gan Ysgrifennydd Cymru ac y bo'n ymwneud â Chymru, neu
 - (b) wedi ei wneud gan Gynulliad Cenedlaethol Cymru (fel y'i cyfansoddwyd o dan Ddeddf Llywodraeth Cymru 1998).
- () Caiff prif gyngor wneud gorchymyn o dan yr adran hon pan fo'r gorchymyn gwreiddiol wedi ei wneud gan gyngor a'i rhagflaenodd ac nad yw'n bodoli mwyach.
- () Ond dim ond i'r graddau y mae'n ymwneud ag ardal y prif gyngor y caiff gorchymyn a wneir yn unol ag is-adran () amrywio neu ddirymu darpariaeth yn y gorchymyn gwreiddiol.’.

Lesley Griffiths

40

Section 49, page 26, line 13, leave out ‘40’ and insert ‘43’.

Adran 49, tudalen 26, llinell 16, hepgorer ‘40’ a mewnosoder ‘43’.

Lesley Griffiths

41

Section 65, page 36, line 11, after 'section' at the second place where it appears, insert '45 or'.

Adran 65, tudalen 36, llinell 12, ar ôl 'adran' yn yr ail lle y mae'n ymddangos, mewnosoder '45 neu'.

Lesley Griffiths

42

Section 66, page 36, line 22, after 'borough', insert 'in Wales'.

Adran 66, tudalen 36, llinell 23, ar ôl 'sirol', mewnosoder 'yng Nghymru'.

Lesley Griffiths

43

Section 66, page 36, line 23, after 'council' at the third place where it appears, insert 'in Wales'.

Adran 66, tudalen 36, llinell 24, ar ôl 'sirol', mewnosoder 'yng Nghymru'.

Lesley Griffiths

44

Schedule 1, page 38 leave out lines 10 to 11.

Atodlen 1, tudalen 38, hepgorer llinellau 11 hyd at 12.

Lesley Griffiths

45

Schedule 3, page 42, table 2, column 2, line 24, leave out '29(10)' and insert '29(8)'.

Atodlen 3, tudalen 43, tabl 2, colofn 2, llinell 8, hepgorer '29(10)' a mewnosoder '29(8)'.