



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Is-ddeddfwriaeth
The Subordinate Legislation Committee**

**Dydd Mawrth, 5 Chwefror 2008
Tuesday, 5 February 2008**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee. In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Eleanor Burnham	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Alun Davies	Llafur Labour
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Paul Davies	Ceidwadwyr Cymreig Welsh Conservatives
David Lloyd	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Sandy Mewies	Llafur Labour
Janet Ryder	Plaid Cymru The Party of Wales
Karen Sinclair	Llafur Labour

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Anna Daniel	Clerc Clerk
Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Joanest Jackson	Cynghorydd Cyfreithiol Cynorthwyol Assistant Legal Adviser
Olga Lewis	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 8.15 a.m.
The meeting began at 8.15 a.m.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **David Lloyd:** Croeso i gyfarfod Pwyllgor Is-ddeddfwriaeth y Cynulliad. Croesawaf fy nghyd-Aelodau, y swyddogion a'r cyhoedd, pan gyrrhaeddant. Os bydd argyfwng, bydd y tywyswyr yn eich arwain at yr allanfa agosaf. Gellir defnyddio'r clustffonau i glywed y cyfieithiad ar y pryd ac i addasu lefel y sain, a gall y tywyswyr ddangos i'r cyhoedd sut i'w defnyddio.

David Lloyd: Welcome to the meeting of the Subordinate Legislation Committee. I welcome my fellow Members, officials and those in the public gallery, when they arrive. If there is an emergency, the ushers will lead you to the nearest exit. The headphones can be used to hear the simultaneous translation and to modify the sound levels, and the ushers can show the public how to use them.

[2] Rhaid diffodd ffonau symudol yn llwyr. Mae cyfieithiad ar y pryd o'r Gymraeg i'r Saesneg ar gael ar sianel 1 a gellir clywed cyfraniadau yn yr iaith wreiddiol ar sianel 0.

Mobile phones must be switched off completely. A simultaneous translation from Welsh to English is available on channel 1 and contributions can be heard in their

original language on channel 0.

[3] Nid ydym wedi cael unrhyw We have received no apologies.
ymddiheuriadau.

8.15 a.m.

**Offerynnau ac Offerynnau Drafft na fydd y Cynulliad yn cael ei Wahodd i Dalu
Sylw Arbennig iddynt o dan Reol Sefydlog Rhif 15.2, ac
Offerynnau sy'n Agored i gael eu Dirymu yn Unol â Phenderfyniad gan y
Cynulliad (y Weithdrefn Negyddol)
Instruments and Draft Instruments in respect of which the Assembly is not
Invited to Pay Special Attention under Standing Order No. 15.2, and
Instruments Subject to Annulment Pursuant to a Resolution of the Assembly
(the Negative Procedure)**

[4] **David Lloyd:** Mae Joanest wedi bod yn craffu ar SLC103, Rheoliadau Llaeth Cyddwys a Llaeth Sych (Cymru) (Diwygio) 2008 ac SLC104, Rheoliadau Ychwanegion Bwyd Amrywiol a Melysyddion mewn Bwyd (Diwygio) (Cymru) 2008. Joanest, a hoffech ychwanegu unrhyw beth at yr adroddiadau sydd ger ein bron?

David Lloyd: Joanest has been scrutinising SLC103, the Condensed Milk and Dried Milk (Wales) (Amendment) Regulations 2008 and SLC104, the Miscellaneous Food Additives and the Sweeteners in Food (Amendment) (Wales) Regulations 2008. Joanest, would you like to add anything to the reports before us?

[5] **Ms Jackson:** Nid oes gennyf ddim i'w ychwanegu at yr adroddiadau.

Ms Jackson: I have nothing to add to the reports.

[6] **David Lloyd:** Dyna ni. Gwelaf fod pawb yn hapus. Rhyfeddol.

David Lloyd: There we go. I see that everyone is content. Wonderful.

8.16 a.m.

**Offerynnau y bydd y Cynulliad yn cael ei Wahodd i Dalu Sylw Arbennig iddynt
o dan Reol Sefydlog Rhif 15.2, ac
Offerynnau sy'n Agored i gael eu Dirymu yn Unol â Phenderfyniad gan y
Cynulliad (y Weithdrefn Negyddol)
Instruments in Respect of which the Assembly is Invited to Pay Special Attention
under Standing Order No. 15.2, and
Instruments Subject to Annulment Pursuant to a Resolution of the Assembly
(Negative Procedure)**

[7] **David Lloyd:** Mae Gwyn wedi bod yn craffu ar SLC101, Rheoliadau Gwaith Stryd (Cosbau Penodedig) (Cymru) 2008 ac SLC102, Rheoliadau Gwaith Stryd (Cofrestrau, Hysbysiadau, Cyfarwyddiadau a Dynodiadau) (Cymru) 2008. Gwyn, a oes gennych unrhyw beth i'w ychwanegu at yr adroddiadau sydd ger ein bron?

David Lloyd: Gwyn has been scrutinising SLC101, the Street Works (Fixed Penalty) (Wales) Regulations 2008 and SLC102, the Street Works (Registers, Notices, Directions and Designations) (Wales) Regulations 2008. Gwyn, do you have anything to add to the reports that are before us?

[8] **Mr Griffiths:** Oes, Gadeirydd. Fel y gwelwch, mae'r ddau yn gysylltiedig ac yn

Mr Griffiths: I do, Chair. As you can see, they are connected and both relate to street

ymwneud â gwaith stryd. Yr hiraf o'r ddau yw SLC102, y rheoliadau sy'n ymwneud â chofrestrau, hysbysiadau, cyfarwyddiadau a dynodiadau. Mae'r Llywodraeth wedi awgrymu ail-wneud y rhain fel bod yr holl ddiffygion yn cael eu cywiro'n syml yn hytrach na bod nifer o fân newidiadau i'w gwneud i'r rheoliadau. Mae hynny'n iawn. Fodd bynnag, er y cynigiwyd ail-wneud rheoliadau SLC101 ar y dechrau, yn anffodus nid oedd y cyfreithiwr a oedd wedi delio â'r mater yn y swyddfa y diwrnod hwnnw. Mae'r Llywodraeth wedi ailystyried ac wedi penderfynu gwneud rheoliadau sy'n cywiro'r un diffyg yn y rheoliadau yn hytrach nag ail-wneud y cyfan. Mae hynny'n gwbl rhesymol. Felly, nid wyf am newid fy adroddiad, ond hoffai'r Llywodraeth i mi newid ei hymateb ar y diwedd i'w gwneud yn glir y gwneir rheoliadau diwygio yn hytrach nag ail-wneud y cyfan.

works. The longer of the two is SLC102, the regulations relating to registers, notices, directions and designations. The Government has suggested making these again so that all of the deficiencies are simply corrected instead of there being a number of minor changes to make to the regulations. That is fine. However, although it was suggested at the beginning that SLC101 be made again, unfortunately, the lawyer dealing with the matter was not in the office on that day. The Government has reconsidered and has decided to make regulations that correct the one defect in the regulations rather than making them all again. That is completely reasonable. Therefore, I do not wish to change my report, but the Government wants me to alter its response at the end to make it clear that there will be amending regulations and that the entire regulations will not be remade.

[9] **Sandy Mewies:** That means that legislation will be made to correct that. The second set was more damaging than the first. Will it still meet the deadline?

[10] **Mr Griffiths:** Yes. The advantage of making legislation some months in advance is that there is time to do this sort of thing.

[11] **Sandy Mewies:** I will remind you of that. [*Laughter.*]

[12] **Eleanor Burnham:** Hoffwn gadarnhau fy mod wedi deall hynny. Mae'r Llywodraeth—neu rywun—wedi gwneud camgymeriad wrth ddrafftio'r rheoliadau. Yn lle diwygio'r cwbl, dim ond y gwall gaiff ei gywiro.

Eleanor Burnham: I want to confirm that I have understood that. The Government—or someone—has made a mistake in drafting the regulations. Instead of amending all of it, only the mistake will be corrected.

[13] **Mr Griffiths:** Bydd y Llywodraeth yn ail-wneud SLC102 yn gyfan gwbl gan fod amryw o gamgymeriadau. Yn achos SLC101, gan mai un diffyg yn unig sydd, gwneir set fer o reoliadau er mwyn cywiro'r un diffyg.

Mr Griffiths: The Government will redo SLC102 completely as there are a number of errors. In the case of SLC101, as there is only one error, a short set of regulations will be drawn up to correct that one deficiency.

[14] **Eleanor Burnham:** Diolch yn fawr iawn.

Eleanor Burnham: Thank you very much.

[15] **David Lloyd:** Gyda'r sylwadau hynny, gofynnaf a yw pawb yn hapus i basio'r rheiny. Gwelaf eich bod.

David Lloyd: With those comments, I ask whether everyone is happy to pass those. I see that you are.

8.19 a.m.

**Unrhyw Fater Arall
Any Other Business**

[16] **David Lloyd:** Nid oes gennyf **David Lloyd:** I have no other business to unrhyw fater arall i'w drafod. A oes gan discuss. Do Members have any matters to Aelodau unrhyw faterion i'w codi? Gwelaf raise? I see not. nad oes.

8.20 a.m.

**Dyddiad y Cyfarfod Nesaf
Date of the Next Meeting**

[17] **David Lloyd:** Dyddiad y cyfarfod **David Lloyd:** The date of the next meeting is nesaf yw 19 Chwefror. Diolch yn fawr am 19 February. Thank you very much for your eich presenoldeb ac am y cyfieithu. attendance and thank you for the translation.

*Daeth y cyfarfod i ben am 8.20 a.m.
The meeting ended at 8.20 a.m.*