



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

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

**Dydd Mawrth, 23 Medi 2008
Tuesday, 23 September 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

Mick Bates	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Eleanor Burnham) Welsh Liberal Democrats (substituting for Eleanor Burnham)
Alun Davies	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig (yn dirprwyo ar ran Andrew R.T. Davies) Welsh Conservatives (substituting for Andrew R.T. Davies)
David Lloyd	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Joyce Watson	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 8.46 a.m.
The meeting began at 8.46 a.m.

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

[1] **David Lloyd:** Croesawaf bawb ar ddechrau tymor newydd i gyfarfod cyntaf Pwyllgor Is-ddeddfwriaeth y Cynulliad. Croesawaf fy nghyd-Aelodau, y swyddogion a'r lluoedd sy'n ymgynnull yn yr oriel gyhoeddus. [*Chwerthin.*]

David Lloyd: I welcome you all at the beginning of this new term to the first meeting of the Assembly's Subordinate Legislation Committee. I welcome my fellow Members, officials and the hoards gathering in the public gallery. [*Laughter.*]

[2] Os bydd argyfwng, bydd y tywyswyr yn eich arwain at yr allanfa agosaf. Gellir defnyddio'r clustffonau i gael cyfieithiad ar y pryd ac i addasu lefel y sain; gall y tywyswyr ddangos i'r cyhoedd sut i ddefnyddio'r clustffonau. Mae cyfieithiad ar y pryd o Gymraeg i Saesneg ar gael ar sianel 1, a gellir clywed cyfraniadau yn yr iaith wreiddiol ar sianel 0. Rhaid diffodd ffonau symudol yn llwyr.

Should there be an emergency, the ushers will lead you to the nearest exit. Headsets are available for interpretation and amplification; the ushers can explain to the public how the headsets work. Interpretation from Welsh to English is available on channel 1, and contributions in the original language can be heard on channel 0. All mobile phones must be switched off completely.

[3] Yr ydym wedi derbyn ymddiheuriad We have received apologies from Andrew

oddi wrth Andrew R.T. Davies; bydd Mark Isherwood yn dirprwyo ar ei ran. Yr ydym hefyd wedi derbyn ymddiheuriad oddi wrth Eleanor Burnham; bydd Mick Bates yn dirprwyo ar ei rhan hi. Croeso yn ôl i chi, Mick, fel cyn-Gadeirydd y pwyllgor hwn.

R.T. Davies; Mark Isherwood will be substituting on his behalf. We have also received apologies from Eleanor Burnham; Mick Bates will be substituting on her behalf. Welcome back, Mick, as a former Chair of this committee.

[4] **Mick Bates:** Thank you. I have happy memories of this committee.

8.47 a.m.

Offerynnau ac Offerynnau Drafft na fydd y Cynulliad yn cael ei Wahodd i Roi Sylw Arbennig Iddynt o dan Reol Sefydlog Rhif 15.2. ac Offerynnau Drafft sy'n Agored i gael eu Cymeradwyo yn unol â Phenderfyniad gan y Cynulliad (Y Weithdrefn Gadarnhaol)

Instruments and Draft Instruments in Respect of which the Assembly is Not Invited to Pay Special Attention under Standing Order No. 15.2 and Draft Instruments Subject to Approval Pursuant to a Resolution of the Assembly (Affirmative Procedure)

[5] **David Lloyd:** Mae Joanest wedi bod yn craffu ar SLC183, Gorchymyn Twbercwlosis (Profi a Phwerau Mynediad) (Cymru) 2008. A oes gennych unrhyw beth i'w ychwanegu at yr adroddiad sydd gerbron, Joanest?

David Lloyd: Joanest has been looking at SLC183, the Tuberculosis (Testing and Powers of Entry) (Wales) Order 2008. Do you have anything to add to the report that is before us, Joanest?

[6] **Ms Jackson:** Nac oes.

Ms Jackson: No.

[7] **David Lloyd:** Diolch. A yw pawb yn hapus â hynny? Gwelaf eich bod.

David Lloyd: Thank you. Is everyone content with that? I see that you are.

[8] Symudwn ymlaen at yr offerynnau sy'n agored i gael eu dirymu yn unol â phenderfyniad gan y Cynulliad, sef y weithdrefn negyddol. Y cyntaf yw SLC181, Rheoliadau Bwydydd Anifeiliaid (Cymru) (Diwygio) 2008. Pwy sydd am ddelio â hwn?

We now move on to the instruments subject to annulment pursuant to a resolution of the Assembly, namely the negative procedure. The first is SLC181, the Feeding Stuffs (Wales) (Amendment) Regulations 2008. Who wants to deal with this?

[9] **Ms Jackson:** Nid oes gennyf unrhyw beth i'w ychwanegu.

Ms Jackson: I do not have anything to add.

[10] **David Lloyd:** A oes unrhyw sylw cyn i ni basio hwn? Gwelaf fod pawb yn hapus.

David Lloyd: Are there any comments before we pass this? I see that everyone is content.

[11] Mae Gwyn wedi bod yn craffu ar SLC184, Rheoliadau Cyfrannau Cyllideb Ysgolion (Dibenion Rhagnodedig a Diwygiadau Canlyniadol) (Cymru) 2008. Mae hefyd wedi bod yn craffu ar SLC185, Gorchymyn Cynlluniau Iaith Gymraeg (Cyrff Cyhoeddus) 2008, ac SLC186, Gorchymyn Dynodi Gorfodi Sifil ar Dramgwyddau

Gwyn has been scrutinising SLC184, the School Budget Shares (Prescribed Purposes and Consequential Amendments) (Wales) Regulations 2008. He has also been scrutinising SLC185, the Welsh Language Schemes (Public Bodies) Order 2008, and SLC186, the Civil Enforcement of Parking Contraventions (City and County of

Parcio (Dinas a Sir Abertawe) 2008. Gwyn, a oes gennyh unrhyw beth i'w ychwanegu at yr hyn sydd o'n blaenau?

Swansea) Designation Order 2008. Gwyn, do you have anything to add to what is before us?

[12] **Mr Griffiths:** Nid oes gennyf ond rhyw sylw byr ynglŷn â'r Gorchymyn parcio. Mae hwn yn dilyn patrwm o drosglwyddo cyfrifoldebau i awdurdodau lleol ond, yn dilyn newid yn y ddeddfwriaeth gynradd, mae'r Gorchymyn hwn dipyn yn fyrrach na'r rhai y buom yn craffu arnynt yn y gorffennol. Dyma'r cyntaf o dan y broses newydd.

Mr Griffiths: I have only a brief comment to make about the parking Order. This follows a pattern of transferring responsibilities to local authorities but, following a change in the primary legislation, this Order is much shorter than the ones that we have scrutinised in the past. This is the first one under the new system.

[13] **David Lloyd:** Diolch. A oes unrhyw sylw? Gwelaf fod pawb yn hapus.

David Lloyd: Thank you. Does anyone wish to comment? I see that everyone is content.

[14] Mae Joanest wedi bod yn craffu ar SLC187 ac SLC188. SLC187 yw'r Gorchymyn Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (Amrywio Atodlen 5) (Cymru) 2008 ac SLC188 yw Rheoliadau Deintyddiaeth Breifat (Cymru) 2008.

Joanest has been scrutinising SLC187 and SLC188. SLC187 is the Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008 and SLC188 is the Private Dentistry (Wales) Regulations 2008.

8.50 a.m.

[15] Ar y rheoliadau ar ddeintyddiaeth breifat, yr ydym wedi derbyn llythyr yn gofyn amryw o gwestiynau a bydd Joanest mewn sefyllfa i'w hateb ac i gysuro a chynghori Cymdeithas Ddeintyddol Prydain. Fodd bynnag, yn gyntaf, Joanest, a hoffech ddweud unrhyw beth ynghylch SLC187, Gorchymyn Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (Amrywio Atodlen 5) (Cymru) 2008?

On the regulations on private dentistry, we have all received a letter asking many questions, which Joanest will be in a position to answer, providing assurance and advice to the British Dental Association. However, Joanest, would you first like to say anything about SLC187, the Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008?

[16] **Ms Jackson:** Mae hwnnw'n iawn.

Ms Jackson: That is fine.

[17] **David Lloyd:** Awn ymlaen at SLC188, Rheoliadau Deintyddiaeth Breifat (Cymru) 2008. A allwch olrhain y cefndir a cheisio ateb rhai o gwestiynau'r gymdeithas?

David Lloyd: We will move on to SLC188, the Private Dentistry (Wales) Regulations 2008. Could you give us some background information and try to answer some of the association's questions?

[18] **Ms Jackson:** You will all have received a note or letter from the director of the British Dental Association Wales, Stuart Geddes, who raises a few points, mainly relating to registration. I have taken the liberty of making some inquiries with the drafting lawyers of the Welsh Assembly Government. The drafting lawyers stated that, as these regulations modify the Care Standards Act 2000 and apply part II of that Act to private dentists, those dentists who undertake dental services other than under an NHS contract have to be registered as an establishment under the Care Standards Act 2000.

[19] As to registration, the person must be registered before he or she can operate an establishment under the Care Standards Act 2000. Failure to register before operating an establishment would leave them open to be prosecuted for an offence under the Act, therefore

registration must be undertaken before any work is carried out under the Care Standards Act.

[20] Issues are raised concerning those dentists who were not required to be registered immediately. That is, if they were not required to be registered now, do they have to be? Was there a period of grace for them? Basically, if they can continue to work after 1 January 2009, they must register, but they can work for six months or until their registration process is complete.

[21] Mr Geddes also raised issues about an appeals mechanism. This might not be dealt with on the face of the regulations, but, as I said, the regulations modify the Care Standards Act 2000, and therefore the existing provision set out in the Care Standards Act will apply to appeals under the registration for private dentistry establishments.

[22] We have also had a brief note from the Government concerning consultation. In the original draft, the regulations were subject to a 12-week consultation. The revised regulations, which have been made, are said to take into account comments made by Mr Geddes on behalf of the BDA. I am also informed that the Government intends to send a full response to Mr Geddes's letter.

[23] Technically, the regulations are fine.

[24] **David Lloyd:** Diolch, Joanest. Credaf ichi ateb pob un o'r pwyntiau y mae Stuart Geddes o Gymdeithas Ddeintyddol Prydain wedi'u rhoi ger ein bron. A ydych yn hapus eich bod wedi'u hateb yn llawn? Gwelaf eich bod. O ran y rheoliadau eu hunain, maent hefyd yn gymwys. A oes unrhyw sylw neu gwestiwn?

David Lloyd: Thank you, Joanest. I think that you have addressed all the points that Stuart Geddes of the British Dental Association brought to our attention. Are you happy that they have been fully addressed? I see that you are. Are there any comments or questions?

[25] **Mick Bates:** I may have missed it, but one of the questions was about an appeals mechanism. Did you address that issue?

[26] **Ms Jackson:** Yes, I did. If a person wants to appeal against a refusal to register, there are provisions set out in the Care Standards Act 2000 as to how such an appeal would be dealt with.

[27] **David Lloyd:** Gwelaf ein bod yn bod yn hapus i basio'r rheoliadau hynny hefyd. Mae Gwyn wedi bod yn craffu ar SLC191, Gorchymyn y Gwasanaethau Tân ac Achub (Fframwaith Cenedlaethol) (Cymru) 2008. Gwyn, a oes unrhyw beth i'w adrodd? Gwelaf nad oes. Mae Joanest wedi bod yn hynod brysur, gan iddi hefyd fod yn craffu ar SLC193, Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) (Diwygio) (Cymru) 2008, SLC194, Rheoliadau Gwasanaeth Iechyd Gwladol (Ffioedd Ymwelwyr Tramor) (Diwygio) (Cymru) 2008, SLC195, Gorchymyn Grantiau Cyfleusterau i'r Anabl (Uchafsymiau a Dibenion Ychwanegol) (Cymru) 2008 ac hefyd SLC196, Rheoliadau Grantiau Adnewyddu Tai (Diwygio) (Cymru)

David Lloyd: I see that we are content to pass those regulations also. Gwyn has been scrutinising SLC191, the Fire and Rescue Services (National Framework) (Wales) Order 2008. Gwyn, is there anything to report? I see that there is not. Joanest has been extremely busy, because she has also been scrutinising SLC193, the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2008, SLC194, the National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2008, SLC195, the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (Wales) Order 2008 and also SLC196, the Housing Renewal Grants (Amendment) (Wales) Regulations 2008. Do you have any

2008. A oes gennych unrhyw sylw ychwanegol i'r gwaith papur sydd o'n blaenau, Joanest? additional comments to the paperwork before us, Joanest?

[28] **Ms Jackson:** Nid oes gennyf sylw i'w wneud. **Ms Jackson:** I do not have any comments to make.

[29] **David Lloyd:** A oes unrhyw gwestiwn? Gwelaf fod pawb yn hapus i basio'r rheoliadau. **David Lloyd:** Are there any questions? I see that everyone is content to pass the regulations.

8.55 a.m.

Offerynnau y Bydd y Cynulliad yn Cael ei Wahodd i Dalu Sylw Arbennig iddynt o dan Reol Sefydlog Rhif 15.2—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—Instruments Subject to Annulment Pursuant to a Resolution of the Assembly (Negative Procedure)

[30] **David Lloyd:** Mae gennym SLC182, Gorchymyn Rhwydi Pysgota Perdys (Cymru) 2008, SLC190, Rheoliadau Llaeth Ysgol (Cymru) 2008 ac SLC192, Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Diwygio) (Cymru) 2008. A oes unrhyw sylw arnynt? **David Lloyd:** We have SLC182, the Shrimp Fishing Nets (Wales) Order 2008, SLC190, the School Milk (Wales) Regulations 2008 and SLC192, the Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2008. Are there any comments?

[31] **Ms Jackson:** None of the reporting points identified in respect of these instruments are anything dreadful. They are mainly very minor drafting points. For example, in SLC182, on shrimp fishing nets, 'or' has been used instead of 'of'. The Government has indicated that it accepts this and it will amend the Order as soon as possible—in any event, before the end of 2008. With regard to the school milk regulations, there are, again, fairly minor drafting errors. One is a technical point—there is reference to the wrong provision when defining key stage 2—and the other is that the word 'qualifying' was missed out before 'educational establishments'. Again, the Government has indicated that it accepts the reporting points and intends to correct the regulations within the next three months. On the final instrument, the Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2008, the Government has set out in its response that it intends to correct these points—which it agrees—one by way of a correction slip, which we consider to be acceptable, and the other by way of an amendment to the regulations when it is required to make further regulations to the principal regulations in the coming months. So, we consider the response to be acceptable.

[32] **David Lloyd:** Diolch, Joanest. Felly, mae angen mân ddiwygiadau, ac mae'r Llywodraeth wedi cytuno gwneud y rheiny. Yr ydym yn fodlon derbyn hynny. A oes unrhyw sylwadau neu gwestiynau? Gwelaf nad oes. A yw pawb yn hapus i'w pasio? Gwelaf eich bod. **David Lloyd:** Thank you, Joanest. Therefore, minor amendments are required, and the Government has agreed to make those. We are prepared to accept that. Are there any comments or questions? I see that there are none. Is everyone content to pass them? I see that you are.

8.58 a.m.

Unrhyw Fater Arall Any Other Business

[33] **David Lloyd:** Mae gennyf un mater i'w godi, sef ymchwiliad y pwyllgor i'r gwaith o graffu ar is-ddeddfwriaeth a phwerau dirprwyedig. Byddwch yn cofio inni drafod eisoes y sgôp sydd i ehangu gwaith y pwyllgor hwn yn sgîl y pwerau newydd sydd gennym o dan Ddeddf Llywodraeth Cymru 2006. Yr ydym eisoes wedi cytuno ymchwilio i ehangder y gwaith y gallwn ei gynnig. Byddwn yn ystyried beth yn union y gallwn ei wneud o ran craffu ar yr hyn a ddaw o Ewrop a San Steffan ac ar unrhyw ofod ym maes polisi. Felly, gall cylch gorchwyl y pwyllgor hwn fod yn eithaf eang. I'r perwyl hwnnw yr ydym yn cynnal yr ymchwiliad hwn.

David Lloyd: I have one matter to raise, namely the committee's inquiry into the scrutiny of subordinate legislation and delegated powers. You will recall that we have discussed the possibility of extending this committee's work under the new powers given to us by the Government of Wales Act 2006. We have already agreed to undertake an inquiry to identify the amount of work that we can offer. We will look at what exactly we can do to scrutinise legislation from Europe and Westminster and any gaps in policy areas. Therefore, this committee's terms of reference could be fairly broad. That is why we are undertaking this inquiry.

[34] Buom yn ymgynghori'n gyhoeddus a chawsom adroddiadau ysgrifenedig y byddant yn cael eu cylchredeg. Cafwyd atebion a sylwadau diddorol iawn am rôl y pwyllgor hwn yn y dyfodol, ac am sut i ymdopi ag ehangder y pwerau newydd a, thrwy'r rheiny, ehangder y gwaith.

We held a public consultation and we have received written reports, which will be circulated. There are some very interesting answers and comments about the role of this committee in the future and the best way for it to cope with the breadth of its new powers and, through that, the breadth of its work.

9.00 a.m.

[35] Mae'n deg i ni ddiolch i bawb sydd wedi ymateb a chyflwyno sylwadau i'r pwyllgor. Mae'r ymatebion ysgrifenedig eisoes wedi'u dosbarthu yn eich plith ac maent hefyd wedi'u cyhoeddi ar wefan y pwyllgor.

It would be fair to express our thanks to everyone who has responded and submitted comments to the committee. The written responses have already been circulated to you and published on the committee's website.

[36] Felly, gan ein bod wedi cael yr atebion ysgrifenedig, y cam nesaf yw cymryd tystiolaeth ar lafar. Bydd hynny'n dechrau brynhawn Llun nesaf, fel a gytunwyd y tymor diwethaf. Bydd hyn yn golygu tri phrynhawn dydd Llun, gyda'r cyfarfodydd yn cael eu cynnal bob yn ail ddydd Llun, yn sylfaenol. Cynhelir y cyfarfod cyntaf ddydd Llun, 29 Medi rhwng 2 p.m. a 4.30 p.m. yn yr ystafell hon. Y sawl a fydd yn rhoi tystiolaeth lafar gerbron y pwyllgor yn ystod y cyfarfod cyntaf fydd Keith Bush, sef prif gynghorydd cyfreithiol Gwasanaeth Seneddol y Cynulliad, a David Lambert a Marie Navarro o Ysgol y Gyfraith, Caerdydd. Bydd y tri thyst yn rhoi tystiolaeth ar beth yn union y mae'n gymwys i'r pwyllgor hwn ei wneud o

Therefore, as we have received the written responses, the next step is to take oral evidence, which will commence next Monday afternoon, as agreed last term. This will mean three Monday afternoons, with the meetings being held every other Monday, in essence. The first meeting will be held in this room on Monday, 29 September from 2 p.m. to 4.30 p.m.. During the first meeting, oral evidence will be given by Keith Bush, the Assembly Parliamentary Service's chief legal adviser, and David Lambert and Marie Navarro from Cardiff Law School. The three witnesses will give evidence on what exactly this committee has competence over under the new powers, and on how we could tackle the workload that arises as a result of that.

dan y pwerau newydd, a sut yr ydym am ymdrin â'r baich gwaith sydd ynghlwm wrth hynny.

[37] Felly, cynhelir cyfarfod nesaf y pwyllgor hwn brynhawn Llun nesaf am 2 p.m. i gymryd tystiolaeth. A oes unrhyw gwestiynau? A yw pawb yn hapus gyda'r broses?

Therefore, the next meeting of this committee will be held at 2 p.m. next Monday, to take evidence. Are there any questions? Is everyone content with the process?

[38] **Joyce Watson:** I am a little concerned about meeting on Monday afternoons. It was always the case—and still is—that Monday is seen as a day for constituency business. We are now starting to eat into those constituency days, and, at some stage, we may end up with none. So, I want to place on record my concerns about that, because constituency days are as important as anything else that we do here in the Assembly, and anything that prevents us from going to our constituencies and meeting people, where we can be seen outside the Assembly, concerns me.

[39] **David Lloyd:** A oes unrhyw sylw arall?

David Lloyd: Are there any further comments?

[40] **Mark Isherwood:** I endorse that comment. I also have to travel to and from north Wales. I caught the 6.36 p.m. train last night and got to my flat at about 10 p.m.. That is a normal Monday for me. I needed to be at a meeting in north Wales for most of the day, and a number of Assembly Members, local councillors and others from both sides of the border were present. That was a typical Monday, so this new arrangement could be problematic for me.

[41] **David Lloyd:** Mae'r pwyllgor wedi cael y drafodaeth hon eisoes, rai misoedd yn ôl. Er nad yw'r sefyllfa yn ddelfrydol, rhaid clustnodi digon o amser er tegwch i'r sawl sy'n rhoi tystiolaeth inni, ac felly rhaid cael slot o ddwy awr o leiaf. Fel yr ydych wedi'i ddarganfod y bore yma, slot arferol y pwyllgor hwn yw 8.15 a.m., ond ni fyddai'n bosibl cael slot dwy awr o hyd am 8.15 a.m., a byddai dechrau am 7.15 a.m. hyd yn oed yn fwy anghyfleus, yn enwedig i'r tystion. Felly, yr ydym yn cynnig tri chyfarfod prynhawn Llun—nid yn olynol ond am yn ail—a hynny deirgwaith yn unig er mwyn inni allu cwblhau'r ymchwiliad hwn i'r gwaith o graffu.

David Lloyd: This committee has already had this discussion, a few months ago. Although it is not an ideal situation, we must allocate enough time out of fairness to those giving evidence to us, so we need at least a two-hour slot. As you have discovered this morning, the usual slot for this committee is 8.15 a.m., but it is not possible to have a two-hour slot from that time, and starting at 7.15 a.m. would be even more inconvenient, particularly for the witnesses. So, we propose three Monday afternoon meetings, not weekly but every other Monday, and that is on just three occasions so that we can complete this inquiry into scrutiny work.

[42] Derbyniaf eich sylwadau oherwydd yr ydym wedi cael y drafodaeth hon eisoes, ond nid oes ateb delfrydol i hyn. Yn y pen draw, mae'n rhaid i ni fwrw ymlaen â'r gwaith. Yr ydym wedi meddwl yn hir amdano, a dyma'r unig ateb call yr ydym wedi gallu meddwl amdano. Dim ond tair gwaith y bydd hyn yn digwydd, sef prynhawn dydd Llun nesaf, prynhawn dydd Llun ymhen pythefnos, a phrynhawn dydd Llun bythefnos ar ôl hynny.

I accept your comments, because we have had this discussion before, but there is no ideal solution to this. At the end of the day, we have to carry on with our work. We have thought long and hard about it, and this is the only reasonable solution that we could come up with. It will only happen on three occasions, namely next Monday afternoon, a fortnight next Monday afternoon, and Monday afternoon a fortnight after that.

Felly, yr ydym yn sôn am dri phrynhawn dydd Llun, a dyna ni.

Therefore, we are talking about three Monday afternoons, and that will be it.

[43] Bydd y Cwnsler Cyffredinol yn rhoi tystiolaeth ger ein bron ar un bore Mawrth. Felly bydd her i'r Cwnsler Cyffredinol gyrraedd yma erbyn 8.15 a.m.. Fodd bynnag, credaf fod tystion cyffredin, fel petai, yn teilyngu cael amser call, a'r unig amser y gallem ei gael oedd prynhawn dydd Llun. Dyna sut yr ydym wedi dod i'r casgliad hwn. Derbyniat yr hyn yr ydych wedi ei ddweud, ond yn y pen draw mae'n rhaid gwneud penderfyniad, ac mae'r penderfyniad eisoes wedi ei ddynodi. Felly, bydd y sawl ohonom a all fod yn bresennol yma brynhawn dydd Llun nesaf am 2 p.m.. A oes unrhyw sylw pellach?

The Counsel General will come before us to give evidence on one Tuesday morning. Therefore, there will be a challenge for the Counsel General to get here by 8.15 a.m.. However, I believe that ordinary witnesses, as it were, deserve a reasonable slot, and the only slot that we could take up was on a Monday afternoon. That is how we have come to this conclusion. I take your comments on board, but at the end of the day we have to make a decision, and the decision has already been indicated. Therefore, those of us who are able to attend will be here next Monday afternoon at 2 p.m.. Are there any further comments?

[44] **Joyce Watson:** I believe that we are setting a precedent here. You say that it will only be three Mondays but, once people have agreed to meet in committees on a Monday, it will be difficult for other people to disagree with that principle. There is a case to be made for the people out there who want and need to see and meet us, and for those of us who need to reciprocate. I think that we are setting a precedent. We either have to decide that we can manage the time or that we need more people to manage the time. That decision has to be arrived at, and I think that this is a backward step in procedure that will have a negative impact on people out there.

[45] **David Lloyd:** Eto, yr wyf yn derbyn y sylw, ond fel yr wyf wedi dweud eisoes, bu inni geisio chwilio am slot addas arall. Bu inni ddechrau, yn naturiol, drwy weld a fyddem yn gallu cynnwys popeth cyn 9 a.m. ar ddydd Mawrth, ond nid yw hynny'n bosibl oherwydd natur yr ymchwiliad hwn—gwyddom y bydd yn fanwl ac yn hir, yn enwedig o ddarlenn rhai o'r adroddiadau sydd wedi eu dod atom. Yr ydym hefyd wedi ceisio cael slot yn ystod y Cyfarfod Llawn ar brynhawn dydd Mercher, ond nid oedd hynny ychwaith yn dderbyniol i'r Aelodau a oedd ar y pwyllgor hwn pan wnaethom y penderfyniad i fynd ymlaen. Yr oedd rhai ohonom yn teimlo bod angen diogelu prynhawn dydd Llun ac yr oeddem am fynd am brynhawn dydd Mercher yn ystod y Cyfarfod Llawn, ond nid oedd aelodau'r pwyllgor yn hoffi'r syniad hwnnw. Dyna sut yr ydym wedi landio i fyny gyda phrynhawn dydd Llun, er mor anffodus yw hynny. Fel yr wyf wedi dweud, nid yw'r sefyllfa'n ddelfrydol ond, am dri phrynhawn dydd Llun, y bwriad yw cynnal y sesiynau ymchwilio hyn, yn y fan hon, er mwyn i ni allu parhau gyda'n hymchwiliad. Yr ydym wedi derbyn y

David Lloyd: Again, I accept the comment, but as I have already said, we tried to look for another suitable slot. We started, naturally, by considering whether we could include everything before 9 a.m. on Tuesday, but that would not be possible due to the nature of this inquiry—we know that it will be detailed and long, especially having read some of the reports that have been sent to us. We also tried to get a slot during Plenary on a Wednesday afternoon, but neither was that acceptable to the Members who were on the committee when we made the decision to proceed. Some of us felt that Monday afternoon should be safeguarded and that we should go for Wednesday afternoon during Plenary, but committee members did not like that idea. That is how we have ended up with Monday afternoon, unfortunate though it is. As I have said, the situation is not ideal, but, for three Monday afternoons, the intention is to conduct these inquiry sessions here, so that we can continue with our inquiry. We have now received the written evidence. It is not possible to stop the process. Having received written evidence, we will move on to collect oral evidence, and that is what will happen

dystiolaeth ysgrifenedig yn awr. Nid yw'n next Monday afternoon.
bosibl stopio'r broses. Wedi derbyn
tystiolaeth ysgrifenedig, byddwn yn mynd
ymlaen i gasglu dystiolaeth lafar, a dyna a
fydd yn digwydd brynhawn dydd Llun nesaf.

[46] Diolch yn fawr i chi am eich Thank you very much for your attendance.
presenoldeb. Cynhelir ein cyfarfod nesaf, Our next meeting will therefore be held on
felly, brynhawn dydd Llun nesaf am 2 p.m.. Monday afternoon at 2 p.m.. I also thank the
Diolchaf hefyd am y cyfieithu. translators.

Daeth y cyfarfod i ben am 9.08 a.m.
The meeting ended at 9.08 a.m.