

STD03-11-99

Dyddiad: Dydd Iau 10 Chwefror

Amser: 2pm - 3.0pm

Lleoliad: Ystafell Bwyllgora 1, Adeilad Cynulliad Cenedlaethol Cymru

ATODIAD I REOL SEFYDLOG 4 - PARAGRAFF 6 - NAWDD ARIANNOL

Diben

1. Yn ystod cyfarfod diwethaf y pwyllgor Safonau gofynnodd aelodau am gyfarwyddyd ar gymhwyso paragraff 6 o'r Atodiad i Reol Sefydlog 4. Mae hyn yn gofyn am gofrestru "nawdd ariannol" mewn perthynas â threuliau etholiad ac fel Aelod o'r Cynulliad. Yn yr achos cyntaf mae cofrestru'n ofynnol pan fydd y "nawdd" dros 25% o dreuliau etholiadol ymgeisydd.
2. Y mater penodol a godwyd oedd a oedd talu treuliau etholiadol i'r blaid wleidyddol gofrestredig yr oed dyr Aelod yn perthyn iddi yn gyfystyr â nawdd.

Cyngor

3. Y cyngor cyfreithiol a gawsom oedd nad oedd angen cofrestru nawdd gan bleidiau gwleidyddol ond mae nawdd gan Undebau Llafur yn cael ei gofrestru a dylai barhau i gael ei gofrestru. Ailadroddir prif bwyntiau'r cyngor isod:

"Since all present Members of the Assembly have been elected as official candidates of a registered political party it would be otiose for them to be required to register the fact that they had received financial support from that party in seeking election. Indeed the general presumption nowadays is, in practice, that it is the party in whose name the candidate stands which is primarily responsible for bearing the financial burden of the election campaign. To describe such support as "sponsorship" would be somewhat odd. The candidate and the registered party in whose name the Member was elected and to whose political group in the Assembly the Member belongs are so closely identified that it would be artificial to describe financial support for the Member by the party as "sponsorship". That term implies some external support of a kind which could be seen as likely to influence Members in their approach to issues before the Assembly over and above the principles of the party to which they belong.

....the reference to sponsorship in the Annex must be interpreted so as to exclude financial support by the registered political party in whose name the Member stood for election. Such support need not be registered.

For the sake of clarity I should add that financial support by a trade union should be regarded as within paragraph 6 and should be registered (provided of course it exceeds 25% of election expenses) even where the trade union is affiliated to the political party in question. Although where such support is given there is a very close link between the union and the registered political party nevertheless there is not the same identity between the candidate and the source of the support as in the case of the party itself. The public are not automatically aware of the existence and extent of that support as they are in the case of support by the party itself.

Having examined the register of interests of Members of the Assembly I am encouraged to see that the approach which I have advised above to be the correct one appears in practice to have been followed by Members, thereby underlining the fact that the interpretation of "financial sponsorship" which I have set out accords with common sense."

4. O fwrw bod y Pwyllgor yn fodlon, distyllir y cyfarwyddyd hwn yn nodyn cyfarwyddyd ar gyfer yr Aelodau ac fe'i cylchredir yn ddi-oed.

Yr Ysgrifenyddiaeth