



**Cynulliad Cenedlaethol Cymru
(Cofnod y Trafodion)**

**The National Assembly for Wales
(The Record of Proceedings)**

**Dydd Mercher, 21 Mehefin 2005
Tuesday, 21 June 2005**

Cynnwys
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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi yn y Siambr.
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.

*Cyfarfu'r Cynulliad am 2 p.m. gyda'r Llywydd yn y Gadair.
The Assembly met at 2 p.m. with the Presiding Officer in the Chair.*

Cwestiynau i'r Prif Weinidog Questions to the First Minister

Gwasanaethau y Tu Allan i Oriau Out-of-hours Services

Q1 Jenny Randerson: Will the First Minister make a statement on out-of-hours services? OAQ0618(FM)

C1 Jenny Randerson: A wnaiff y Prif Weinidog ddatganiad ar wasanaethau y tu allan i oriau? OAQ0618(FM)

The First Minister (Rhodri Morgan): Out-of-hours services across all parts of Wales are now improving after a problematic start in certain local health board areas. The Welsh Assembly Government undertakes performance monitoring against the agreed quality standards

Y Prif Weinidog (Rhodri Morgan): Mae'r gwasanaethau y tu allan i oriau yn gwella ym mhob rhan o Gymru ar ôl cyfnod cychwynnol anodd yn ardaloedd rhai byrddau iechyd lleol. Mae Llywodraeth Cynulliad Cymru'n monitro perfformiad yn ôl y safonau ansawdd y cytunwyd arnynt.

Jenny Randerson: First Minister, will you acknowledge that, as you imply, there have been real problems with out-of-hours services, not least in Cardiff? At the Health and Social Services Scrutiny Sub-committee meeting last week, your Minister for Health and Social Services acknowledged that deteriorating ambulance response times in more than 40 per cent of LHB areas were due, at least in part, to ambulance queues outside accident and emergency departments, as staff fail to keep pace with the rapidly escalating demand for ambulance and accident and emergency services. Will you acknowledge that the lack of trust in out-of-hours services is having a knock-on effect on both accident and emergency and ambulance services, and that urgent action, not just monitoring, is required from your Government to deal with the problem?

Jenny Randerson: Brif Weinidog, a wnewch gydnabod, fel y gwnaethoch led-awgrymu, fod problemau sylweddol wedi bod ynghylch gwasanaethau y tu allan i oriau, a hynny yng Nghaerdydd yn anad unman? Yng nghyfarfod Is-bwyllgor Craffu'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yr wythnos diwethaf, cydnabu eich Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol fod y dirywiad yn amseroedd ymateb yr ambiwlansiau mewn mwy na 40 y cant o ardaloedd y BILlau yn ganlyniad, yn rhannol o leiaf, i'r ffaith bod ambiwlansiau'n aros eu tro y tu allan i adrannau damweiniau ac achosion brys, wrth i'r staff fethu ag ateb y galw cynyddol am wasanaethau ambiwlans a damweiniau ac achosion brys. A wnewch gydnabod bod y diffyg ffydd mewn gwasanaethau y tu allan i oriau yn cael effaith gynyddol ar wasanaethau damweiniau ac achosion brys ac ambiwlansiau, a bod angen i'ch Llywodraeth gymryd camau brys, ac nid monitro'n unig, er mwyn delio â'r problem?

The First Minister: As I said, I accept that the initial period was problematic in several areas of Wales, most notably Cardiff. Obviously there is a knock-on effect. If the out-of-hours service is not settling down well, that affects the accident and emergency department. If the accident and emergency department cannot find enough beds for

Y Prif Weinidog: Fel y dywedais, derbyniaf fod y cyfnod cychwynnol wedi bod yn anodd mewn sawl ardal yng Nghymru, ac yng Nghaerdydd yn enwedig. Mae'n amlwg bod effaith gynyddol. Os nad yw'r gwasanaeth y tu allan i oriau yn dod i drefn yn iawn, mae hynny'n effeithio ar yr adran ddamweiniau ac achosion brys. Os na all yr adran

people to move into straight away, that will delay ambulances, preventing them from transferring their patients into the care of the hospital and meeting the next ambulance call. There is no question about any of that at all.

Regarding what has happened since the worst of this period, which was around Christmas, January and February, I will ask Brian to write to you. He will have given an up-to-date report to the Health and Social Services Scrutiny Sub-committee, with which I am not familiar. I will ensure that it is available to all Assembly Members.

Rhodri Glyn Thomas: A dderbyniwch fod angen i gleifion yn ardal Caerdydd gael sicrwydd y bydd y gwasanaeth y tu hwnt i oriau yn cynnig ystod o wasanaethau iddynt a ddarperir gan bobl sy'n gymwys i wneud hynny? A dderbyniwch hefyd nad yw cael gwasanaeth sydd wedi'i arolygu gan feddyg teulu yn ddigonol? Beth yw'ch ymateb i sylw un meddyg teulu yn ardal Caerdydd fod y gwasanaeth yn beryglus ac, o bosibl, yn fygythiad i fywyd?

Y Prif Weinidog: Yr wyf yn cofio'r sylw hwnnw a wnaed gan feddyg teulu yng Nghaerdydd rai misoedd yn ôl. Fodd bynnag, nid wyf yn siŵr a oes tystiolaeth sy'n dangos bod y sefyllfa yn parhau i fod yn beryglus neu yn fygythiad i fywyd cleifion. Yr hyn sy'n bwysig yw y dylai llythyr Brian, wrth ateb y cwestiwn cynharach, ddelio gyda'r pwyntiau hyn. Deallwn fod pethau wedi dechrau gwella yn awr ar ôl y cyfnod anodd hwnnw tua'r Nadolig ym misoedd cynnar y gwasanaeth newydd.

Jonathan Morgan: In response to Jenny Randerson, you referred to the knock-on effect that this problem has on ambulance staff and turnaround time. The average turnaround time in Wales for ambulance staff to get into the accident and emergency department with the patient and then to be able to leave is more than 24 minutes; the Government's target is 15 minutes. The problem that this creates is that ambulance staff are not back on the road responding to those vital calls. Do you therefore agree with Cardiff and Vale NHS Trust that it does not

ddamweiniau ac achosion brys ddod o hyd i ddigon o welyau i bobl gael mynd iddynt ar unwaith, bydd hynny'n peri oedi i ambiwlansiau, gan na allant drosglwyddo eu cleifion i ofal yr ysbyty ac ateb yr alwad nesaf. Nid oes amheuaeth am hynny o gwbl.

Ynghylch yr hyn sydd wedi digwydd ers yr adeg waethaf yn y cyfnod hwn, sef o gwmpas y Nadolig, mis Ionawr a mis Chwefror, gofynnaf i Brian ysgrifennu atoch. Bydd wedi rhoi adroddiad diweddar i'r Is-bwyllgor Craffu ar Iechyd a Gwasanaethau Cymdeithasol, nad wyf yn gyfarwydd ag ef. Sicrhaf y bydd ar gael i holl Aelodau'r Cynulliad.

Rhodri Glyn Thomas: Do you accept that patients in the Cardiff area need assurance that out-of-hours services will offer them a range of services that will be provided by people who are properly qualified? Do you also accept that having a service that is merely supervised by a general practitioner simply will not suffice? What is your response to the comment of one GP in the Cardiff area that the service is dangerous and potentially life-threatening?

The First Minister: I remember that comment, which was made by a GP in Cardiff some months ago. However, I am not sure whether there is any evidence that the situation remains grave or life-threatening for patients. What is important is that Brian's letter, in responding to the earlier question, should deal with all these points. We understand that matters have now improved since that difficult spell around Christmas time, in the early months of the new service.

Jonathan Morgan: Wrth ymateb i Jenny Randerson, cyfeiriasoch at yr effaith gynyddol a gaiff y broblem hon ar staff ambiwlansiau a'r amser a gymerant i fod yn barod ar gyfer yr alwad nesaf. Ar gyfartaledd, cymer fwy na 24 munud i staff ambiwlansiau yng Nghymru fynd i'r adran ddamweiniau ac achosion brys gyda'r claf ac wedyn mynd oddi yno; targed y Llywodraeth yw 15 munud. Y broblem a geir yn sgîl hyn yw na fydd staff ambiwlansiau yn ôl ar yr heol ac yn ymateb i'r galwadau hollbwysig hynny. A gytunwch, felly, ag Ymddiriedolaeth GIG

have enough consultants working at the accident and emergency department in Cardiff? In an accident and emergency department of a similar size and in an acute hospital of a similar size in England, a great deal more consultants would be working in those departments.

The First Minister: That was the most astonishing of the conclusions of my fairly frequent visits to the accident and emergency department at the Heath hospital during the period from Christmas to March. The staffing quotient there was probably less than half that of a comparable accident and emergency department in a big city hospital in England dealing with that level of demand. I was told that that issue was being addressed. One or two urgent appointments were being made, and the rest of that shortfall was expected to be addressed as quickly as possible. However, you are right.

The Presiding Officer: Question 2, OAQ0598(FM), has been withdrawn.

Strategaeth Drafnidiaeth Llywodraeth Cynulliad Cymru The Welsh Assembly Government's Transport Strategy

Q3 Leighton Andrews: Will the First Minister make a statement on the Welsh Assembly Government's transport strategy? OAQ0615(FM)

The First Minister: Andrew Davies, Minister for Economic Development and Transport, set out our updated transport plans when he announced the outcome of his transport review last December. The £8 billion, 15-year transport programme is designed to increase the speed of delivery on transport, to support the development of the Welsh economy and to help to spread prosperity across the whole of Wales.

Leighton Andrews: The Porth-Rhondda Fach relief road, the construction of which was started by the Minister for Economic Development and Transport two weeks ago is, at £80 million, the largest local-authority-led scheme in the United Kingdom. Do you

Caerdydd a'r Fro nad oes ganddi ddigon o ymgynghorwyr yn gweithio yn yr adran ddamweiniau ac achosion brys yng Nghaerdydd? Mewn adran ddamweiniau ac achosion brys o faint tebyg ac mewn ysbyty aciwt o faint tebyg yn Lloegr, byddai llawer iawn mwy o ymgynghorwyr yn gweithio yn yr adrannau hynny.

Y Prif Weinidog: Hwnnw oedd y casgliad mwyaf syfrdanol y deuthum iddo ar ôl ymweld yn eithaf aml â'r adran ddamweiniau ac achosion brys yn ysbyty'r Mynydd Bychan yn ystod y cyfnod rhwng y Nadolig a mis Mawrth. Mae'n debyg bod y cyniferydd staffio yn y fan honno'n llai na hanner yr hyn ydyw mewn adran ddamweiniau ac achosion brys debyg yn un o'r ysbytai yn ninasoedd mawr Lloegr sy'n delio â galw o'r fath. Dywedwyd wrthyf fod y mater hwnnw'n derbyn sylw. Yr oedd un neu ddau'n cael eu penodi ar frys, ac yr oedd disgwyl y byddai gweddill y diffyg hwnnw'n cael sylw cyn gynted ag y byddai modd. Fodd bynnag, yr ydych yn iawn.

Y Llywydd: Tynnwyd cwestiwn 2, OAQ0598(FM), yn ôl.

C3 Leighton Andrews: A wnaiff y Prif Weinidog ddatganiad ar strategaeth drafnidiaeth Llywodraeth Cynulliad Cymru? OAQ0615(FM)

Y Prif Weinidog: Cyflwynodd Andrew Davies, y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth, ein cynlluniau trafndiaeth diweddaraf pan gyhoeddodd ganlyniad ei adolygiad o drafnidiaeth fis Rhagfyr diwethaf. Amcan y rhaglen drafnidiaeth 15 mlynedd hon, sy'n werth £8 biliwn, yw mynd â'r maen i'r wal yn gynt ym maes trafndiaeth, hybu datblygiad economi Cymru a helpu i ledaenu ffyniant drwy Gymru.

Leighton Andrews: Ffordd liniaru'r Porth-Rhondda Fach, y dechreuwyd y gwaith o'i hadeiladu gan y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth bythefnos yn ôl, yw'r cynllun mwyaf a wneir gan awdurdod lleol yn y Deyrnas Unedig, ac yntau'n costio

agree that it will be a major benefit for my constituents in Porth and the Rhondda Fach and that it will enable businesses to get their goods more easily to market and enable people to commute more easily to their jobs?

The First Minister: You are right to point to the sheer size of the Porth distributor road scheme at well over £80 million. It is not the longer scheme, but it is the most expensive. The reason for that is where it sits, right at the confluence of the Rhondda Fach and Rhondda Fawr, and because of the large number of bridges and structures it involves. It is not the only scheme that runs into millions of pounds. The Newport southern distributor road was a very large scheme at around £30 million or £40 million. The two phases of the Port Talbot scheme probably amounts to about £40 million. Although they are carried out by local authorities, many of the transport grant schemes receive massive grant aid running into millions of pounds to achieve the objectives, not just in one area such as Rhondda and Porth where there is a blockage, but elsewhere in Wales where there are blockages.

Alun Ffred Jones: Fel un sy'n teithio gormod ar yr A487 rhwng Caerdydd a'r Gogledd, ac o gofio bod Caerdydd bellach yn cynnwys nifer o sefydliadau cenedlaethol, pryd y bydd eich Llywodraeth yn cyhoeddi amserlen ar gyfer cynllun cynhwysfawr i wella'r ffordd allweddol hon sy'n clymu'r De a'r Gogledd?

Y Prif Weinidog: Mae Caerdydd yn brifddinas ac yn cynnwys y sefydliadau cenedlaethol pwysicaf, er taw dim ond 11 y cant o boblogaeth Cymru sy'n byw yn y ddinas. Yn sgîl fy ateb i Leighton Andrews, mae'n bwysig ein bod ni'n derbyn bod miliynau o bunnoedd wedi'u gwario ar yr A470, sef y brif heol o'r De i'r Gogledd. Mae hyn yn cynnwys y gwaith a wnaed ar y ffordd rhwng Dolwyddelan a Phont-yr-Afanc, a gostiodd £17.5 miliwn ac sydd wedi'i hagar.

Lisa Francis: It would appear from your first

£80 miliwn. A ydych yn cytuno y bydd o fudd mawr i'm hetholwyr yn y Porth a Rhondda Fach ac y bydd yn galluogi busnesau i ddanfôn eu nwyddau i'r farchnad yn haws ac yn galluogi pobl i gymudo'n haws i'w gwaith?

Y Prif Weinidog: Mae'n briodol ichi gyfeirio at faint anferth cynllun ffordd ddsbarthu'r Porth, gan ei fod yn costio ymhell dros £80 miliwn. Nid hwnnw yw'r cynllun hwyaf, ond ef yw'r drutaf. Y rheswm dros hynny yw ei leoliad, yn union wrth gymer Rhondda Fach a Rhondda Fawr, a nifer fawr y pontydd a'r adeiladweithiau sy'n gysylltiedig. Nid hwnnw yw'r unig gynllun sy'n costio miliynau o bunnoedd. Yr oedd cynllun ffordd ddsbarthu ddeheuol Casnewydd yn gynllun mawr iawn gan ei fod yn costio tua £30 miliwn neu £40 miliwn. Mae'n debyg bod dwy ran y cynllun ym Mhort Talbot yn costio cyfanswm o tua £40 miliwn. Er mai awdurdodau lleol sy'n eu rhoi ar waith, mae llawer o gynlluniau'r grant trafniadaeth yn cael cymorth grant anferth, sy'n filiynau o bunnoedd, er mwyn cyflawni'r amcanion, nid yn unig mewn un ardal fel Rhondda a'r Porth lle y mae rhwystr, ond mewn rhannau eraill o Gymru lle y ceir rhwystrau.

Alun Ffred Jones: As someone who travels far too often on the A487 between Cardiff and north Wales, and given that Cardiff is now home to many national institutions, when will your Government announce a timetable for a major scheme to improve this all-important route between north and south Wales?

The First Minister: Cardiff is the capital city and, as such, home to the most important national institutions, even though only 11 per cent of the Welsh population resides in the city. Following my response to Leighton Andrews, it is important that we acknowledge the millions of pounds spent on improvements to the A470, which is the main route between north and south Wales. This includes the work carried out on the section of the road between Dolwyddelan and Pont-yr-Afanc, which cost £17.5 million and has opened.

Lisa Francis: Ymddengys yn ôl eich ateb

answer to Leighton Andrews that very little of the money that you mentioned will be going to mid and west Wales. At a recent meeting of the Economic Development and Transport Committee in Newtown, a number of manufacturers from the area suggested that the lack of a decent road infrastructure more than anything else hindered their development. Is it not time that you revisited the amount of money spent on transport in mid and west Wales?

The First Minister: I think that you are showing symptoms of backbench AM paranoia—just because I did not mention schemes in mid Wales, there cannot be any. As you have asked, I will give you the details of schemes in mid and west Wales. The Nash Fingerpost to Bangeston road improvement scheme on the A477 is underway, at a cost of £3.77 million, and completion is due in the autumn. A much larger scheme is the Ceredigion link road, with stage 1 alone costing £28.7 million. [*Interruption.*]

The question was about mid and west Wales. I answer the questions that I am asked, not supposed questions from the next-door neighbour of the Member asking the original question.

The Presiding Officer: Order. The First Minister need take no notice of interruptions, even when they are made by Alun Cairns.

The First Minister: The Ceredigion link road scheme at a cost of £28.7 million is a very big scheme that serves mid and west Wales. Also, I think that the high-quality access road from Synod Inn to Carmarthen will be extremely popular throughout the Cardigan bay area.

Mick Bates: Transport is the source of about one fifth of all carbon emissions in Wales. When will the Assembly Government set an example by having decent, clean transport between Cathays Park and Cardiff bay instead of the current shuttle bus that runs on diesel? The Government should offer a contract that says, 'Look, the Assembly Government is leading the way with clean transport'. When will you do something

cyntaf i Leighton Andrews mai ychydig iawn o'r arian y cyfeiriasoch ato a aiff i'r Canolbarth a'r Gorllewin. Mewn cyfarfod o'r Pwyllgor Datblygu Economaidd a Thrafnidiaeth yn y Drenewydd yn ddiweddar, awgrymodd nifer o'r gweithgynhyrchwyr yn yr ardal mai diffyg seilwaith ffyrdd derbynol oedd y rhwystr mwyaf i'w datblygiad. Onid yw'n bryd ichi ailystyried swm yr arian a gaiff ei wario ar drafndiaeth yn y Canolbarth a'r Gorllewin?

Y Prif Weinidog: Credaf eich bod yn amlygu symptomau paranoia meincwyr cefn y Cynulliad—am na chyfeiriais at gynlluniau yn y Canolbarth, mae'n rhaid nad oes dim un. Gan eich bod wedi gofyn, rhoddaf ichi fanylion y cynlluniau yn y Canolbarth a'r Gorllewin. Mae cynllun gwella'r ffordd o Nash Fingerpost i Bangeston ar yr A477 yn mynd rhagddo, ar gost o £3.77 miliwn, ac mae i fod i gael ei gwblhau yn yr hydref. Cynllun mwy o lawer yw ffordd gyswllt Ceredigion, y mae'r rhan gyntaf ohono'n unig yn costio £28.7 miliwn. [*Torri ar draws.*]

Cwestiwn am y Canolbarth a'r Gorllewin ydoedd. Byddaf yn ateb y cwestiynau a ofynnir i mi, nid cwestiynau tybiedig gan yr un sydd nesaf at yr Aelod sy'n gofyn y cwestiwn gwreiddiol.

Y Llywydd: Trefn. Nid oes angen i'r Prif Weinidog gymryd dim sylw o ymyriadau, hyd yn oed rhai gan Alun Cairns.

Y Prif Weinidog: Mae cynllun ffordd gyswllt Ceredigion, ac yntau'n costio £28.7 miliwn, yn gynllun mawr iawn sy'n gwasanaethu'r Canolbarth a'r Gorllewin. Hefyd, credaf y bydd y ffordd fynediad ragorol o'r Post Mawr i Gaerfyrddin yn dra phoblogaidd drwy ardal bae Ceredigion.

Mick Bates: Trafnidiaeth yw ffynhonnell tua un rhan o bump o'r holl ollyngiadau carbon yng Nghymru. Pa bryd y gwnaiff Llywodraeth y Cynulliad osod esiampl drwy gael cludiant glân a derbynol rhwng Parc Cathays a bae Caerdydd yn lle'r bws gwennol presennol sy'n rhedeg ar ddiesel? Dylai'r Llywodraeth gynnig contract sy'n datgan, 'Edrychwch, mae Llywodraeth y Cynulliad yn arwain y ffordd gyda

about this?

thrafnidiaeth lân'. Pa bryd y gwnewch rywbeth am hyn?

The First Minister: I would contest your view that diesel invariably represents dirty transport. Badly maintained diesel vehicles, as we have seen with some ancient school buses, can be classed as dirty transport, as we all know from travelling behind the odd wheezing lorry that is usually carrying gravel up a steep hill. You know from the black smoke that it is belching onto your car that it does not have a clean diesel engine. However, many diesel engines now available in modern cars and lorries are very efficient and very clean.

Y Prif Weinidog: Anghytunwn â'ch barn bod y defnydd o ddiesel yn golygu cludiant brwnt ym mhob achos. Gellir ystyried rhai cerbydau diesel sydd heb eu cadw'n dda, fel y gwelsom yn achos rhai bysiau ysgol hen iawn, yn gludiant brwnt, fel yr ydym oll yn gwybod ar ôl dilyn ambell lorri wichlyd sydd fel arfer yn cludo graean i fyny rhiw serth. Gwyddoch oddi wrth y mwg du sy'n chwythu i mewn i'ch car nad oes ganddi fotor diesel glân. Fodd bynnag, mae llawer o fotorau diesel sydd ar gael yn awr mewn ceir a lorïau modern yn effeithlon iawn ac yn lân iawn.

Ymosodiadau ar Staff Ysbytai Attacks on Hospital Staff

Q4 Sandy Mewies: Does the Welsh Assembly Government have a strategy to prevent attacks on hospital staff? OAQ0619(FM)

C4 Sandy Mewies: A oes gan Lywodraeth Cynulliad Cymru strategaeth i atal ymosodiadau ar staff ysbytai? OAQ0619(FM)

The First Minister: In 2002, the Welsh Assembly Government issued guidance entitled 'Stopping Violence Against Staff Working in the NHS' to NHS trusts and the primary care sector, which recommended that they adopt a zero-tolerance approach to patients, relatives and members of the public who use violence towards staff.

Y Prif Weinidog: Yn 2002, rhoddodd Llywodraeth Cynulliad Cymru ganllawiau o'r enw 'Atal Trais yn erbyn Staff sy'n Gweithio yn y GIG' i ymddiriedolaethau GIG a'r sector gofal sylfaenol, a oedd yn argymhell na ddylent oddef dim trais o gwbl dan ddwylo cleifion, perthnasau ac aelodau o'r cyhoedd sy'n ymosod ar y staff.

Sandy Mewies: From what you are saying, First Minister, I am sure that you agree that it is outrageous that more than 50 per cent of nurses in Wales have suffered harassment, bullying and physical abuse at some time during their careers. Nurses deserve better than to routinely face violence at work. What more can we do to ensure that the NHS trusts and clinical environments in Wales are free from bullying, harassment and physical abuse?

Sandy Mewies: Yn ôl yr hyn a ddywedasoch, Brif Weinidog, yr wyf yn siŵr y cytunwch ei bod yn warthus bod mwy na 50 y cant o'r nyrsys yng Nghymru wedi dioddef aflonyddu, bwlio a chamdriniaeth gorfforol ar ryw adeg yn ystod eu gyrfa. Mae nyrsys yn haeddu gwell na gorfod wynebu trais yn aml yn y gweithle. Beth yn rhagor y gallwn ei wneud i sicrhau bod ymddiriedolaethau GIG ac amgylcheddau clinigol yng Nghymru'n rhydd oddi wrth fwlio, aflonyddu a chamdriniaeth gorfforol?

2.10 p.m.

The First Minister: I agree that 50 per cent is an absolutely shocking percentage of nurses who have experienced violence. You asked what more we are doing, and you might be aware of the new scheme that has

Y Prif Weinidog: Cytunaf ei bod yn gwbl warthus bod 50 y cant o nyrsys wedi profi trais. Gofynasoch beth yn rhagor yr ydym yn ei wneud, ac efallai y gwyddoch am y cynllun newydd a roddwyd ar waith yn

been set up in England. In some ways it is not as good as the one that we already have in Wales, namely the all-Wales violence and aggression training passport and information scheme, but it has one thing that we do not have in Wales, and we will subcontract this from the new England body, the Counter Fraud and Security Management Service. We are asking it to undertake for us that part of the Welsh anti-violence passport scheme that we do not have, namely legal representation of victims in civil claims and providing a database of repeat offenders in this regard.

Glyn Davies: We all share the concerns that Sandy Mewies and you have about attacks on nurses. They are unacceptable. Some hospitals in England are so concerned about the problem that nurses are being trained as special constables, I believe. Have you had any discussions with the Royal College of Nursing or similar bodies about introducing such radical steps in Wales?

The First Minister: As I mentioned earlier, we were in on this earlier than England was, but its new scheme has one element that we do not have, which we will now ask that England specialist health authority to provide for us. We already have the all-Wales violence and aggression training passport and information scheme, which is more advanced than what England has except in two respects—the representation of victims in civil claims and the database for repeat offenders. We are asking this new English special health authority, the Counter Fraud and Security Management Service, to provide that service on a contract basis for us.

David Lloyd: A oes bwriad i gael gwasanaeth arbenigol i oruchwylio diogelwch staff mewn ysbytai yng Nghymru?

Y Prif Weinidog: Credaf fod ein system bresennol, gyda'r ddau eithriad yr wyf wedi sôn amdanynt, yn well na'r system newydd yn Lloegr. Os cawn dystiolaeth yn y dyfodol nad yw ein system yn gryfach, fel yr wyf yn honni, yn ôl y dystiolaeth sydd gennym, byddai modd inni ailedrych ar y sefyllfa.

Lloegr. Ar rai ystyron, nid yw cystal â'r un sydd gennym yng Nghymru eisoes, sef y cynllun pasbort a gwybodaeth am hyfforddiant ynghylch trais ac ymosod i Gymru gyfan, ond mae ynddo un peth nad ydyw gennym yng Nghymru, a byddwn yn cael hyn dan is-gontract gan y corff newydd ar gyfer Lloegr, sef y Gwasanaeth Rheoli Gwrth-dwyll a Diogelwch. Yr ydym yn gofyn iddo ymgymryd ar ein rhan â'r agwedd honno ar gynllun pasbort gwrth-drais Cymru nad ydyw gennym ni, sef cynrychiolaeth gyfreithiol i ddiodefswyr mewn hawliadau sifil a darparu cronfa ddata o aildroseddwy'r mewn cysylltiad â hynny.

Glyn Davies: Mae'r pryderon sydd gan Sandy Mewies a chithau am ymosodiadau ar nyrsys yn bryderon i bawb ohonom. Maent yn annerbyniol. Mae rhai ysbytai yn Lloegr mor bryderus am y broblem fel bod nyrsys yn cael eu hyfforddi fel cwnstabiliaid rhan-amser, yr wyf yn credu. A gawsoch unrhyw drafodaethau â Choleg Brenhinol y Nyrsys neu gyrff tebyg ynghylch cyflwyno camau radical o'r fath yng Nghymru?

Y Prif Weinidog: Fel y dywedais yn gynharach, dechreuasom ar hyn yn gynharach na Lloegr, ond mae un elfen yn ei chynllun hi nad ydyw gennym ni, a gofynnwn yn awr i'r awdurdod iechyd arbenigol hwnnw yn Lloegr ei darparu i ni. Mae'r cynllun pasbort a gwybodaeth am hyfforddiant ynghylch trais ac ymosod i Gymru gyfan gennym eisoes, ac mae hwnnw'n fwy datblygedig na'r hyn sydd gan Loegr heblaw am ddau beth—cynrychioli diodefswyr mewn hawliadau sifil a'r gronfa ddata ar aildroseddwy'r. Yr ydym yn gofyn i'r awdurdod iechyd arbennig hwn yn Lloegr, y Gwasanaeth Rheoli Gwrth-dwyll a Diogelwch, ddarparu'r gwasanaeth hwnnw dan gontract ar ein rhan.

David Lloyd: Is there any intention of getting a specialist service to oversee the safety of staff in hospitals in Wales?

The First Minister: I think that our present system, with the two exceptions that I have mentioned, is better than the new system in England. If we have evidence in the future that our system is not stronger, as I have claimed, based on the evidence that I have, we can look again at the situation.

Llywyddiaeth y DU dros yr Undeb Ewropeaidd
The UK's Presidency of the European Union

C5 Elin Jones: Pa fewnbwn a gaiff Llywodraeth Cynulliad Cymru wrth bennu'r blaenoriaethau ar gyfer llywyddiaeth y DU dros yr Undeb Ewropeaidd? OAQ0596(FM)

Q5 Elin Jones: What input will the Welsh Assembly Government have in setting the priorities for the UK's presidency of the European Union? OAQ0596(FM)

Y Prif Weinidog: Yr ydym yn rhan o broses cynllunio llywyddiaeth y DU ar lefel weinidogol ac ar lefel swyddogion hefyd. Bwriedir cyhoeddi rhaglen lawn mewn Papur Gwyn gan Lywodraeth y DU yr wythnos nesaf.

The First Minister: We are part of the process of planning the UK presidency at both ministerial and official level. The full programme is scheduled for publication in a UK Government White Paper next week.

Elin Jones: Gan fod Tony Blair, ddiwedd yr wythnos diwethaf, wedi methu sicrhau £3 biliwn o arian Ewropeaidd i Gymru dros y 15 mlynedd nesaf oherwydd ei *grandstanding* ar yr ad-daliad i'r Trysorlys, a ydych yn barod i fynnu, ar ran y Cynulliad Cenedlaethol, ei fod yn rhoi ymrwymiad i ddigolledu gorllewin Cymru a'r Cymoedd am yr arian hwnnw dros y 15 mlynedd nesaf?

Elin Jones: Since Tony Blair, at the end of last week, failed to secure £3 billion in European money for Wales over the next 15 years because of his grandstanding on the rebate to the Treasury, are you willing to insist, on behalf of the National Assembly, that he makes a commitment to reimburse the west Wales and the Valleys for that money over the next 15 years?

Y Prif Weinidog: Yr wyf yn credu bod eich mathemateg, o ran y £3 biliwn, ychydig yn wallus, felly efallai y dylech egluro o ble y daw'r ffigur hwnnw. O ran *grandstanding*, credaf fod yn rhaid i chi dderbyn, Elin, taw Arlywydd Ffrainc ddechreuodd y *grandstanding* drwy ei ymosodiad ar yr ad-daliad i'r DU. Mae Tony Blair wedi dweud ei fod yn fodlon rhoi'r ad-daliad ar y bwrdd, ar yr amod bod yr Arlywydd Chirac ac eraill yn fodlon rhoi'r ganran o gyllideb yr UE a aiff i amaethyddiaeth ar y bwrdd hefyd. Wedyn, byddai modd inni symud blaenoriaethau yr UE i'r oes fodern.

The First Minister: I think that your mathematics, in terms of the £3 billion, are somewhat incorrect, and so perhaps you should try to clarify from where that figure comes. In terms of grandstanding, I think that you have to accept, Elin, that the President of France began the grandstanding in his attack on the rebate to the UK. Tony Blair has said that he is willing to put the rebate on the table, so long as President Chirac and others are willing to put the percentage of the EU budget that goes on agriculture on the table also. We could then bring the EU's priorities into the modern age.

William Graham: I assume, First Minister, that in your discussions with the Prime Minister, you will encourage him to ensure that the rebate obtained by Mrs Thatcher is maintained.

William Graham: Brif Weinidog, cymeraf y byddwch, yn eich trafodaethau â'r Prif Weinidog, yn ei annog i sicrhau y cedwir yr ad-daliad a gafodd Mrs Thatcher.

The First Minister: The rebate is extremely important, because it is equivalent to 1p on or off income tax. That is not an unsubstantial amount. Tony Blair has said, quite rightly, that we have the rebate because the EU's budget is so heavily skewed in the direction of agriculture that France gets a huge chunk of it. Britain gets a relatively small chunk,

Y Prif Weinidog: Mae'r ad-daliad yn bwysig dros ben, gan ei fod yn cyfateb i 1c ar dreth incwm. Nid swm pitw yw hwnnw. Mae Tony Blair wedi dweud, yn gwbl briodol, ein bod yn cael yr ad-daliad am fod cyllideb yr UE wedi'i gogwyddo gymaint i gyfeiriad amaethyddiaeth fel bod Ffrainc yn cael darn mawr iawn ohoni. Mae Prydain yn cael darn

because it has a relatively small agricultural industry. The overall issue is that if you managed to redo the budget so that a smaller proportion went to agriculture, Britain would have less need of the rebate, because there would not be an excessive contribution to agriculture. So, if you can do both, and put the rebate on the table and put the common agricultural policy on the table, then you can modernise the EU's budget priorities in line with the needs of the twenty-first century.

Arweinydd yr Wrthblaid (Ieuan Wyn Jones): Cyn i ni drafod y cronfeydd strwythurol, yr wyf yn sicr y byddech am gymryd y cyfle hwn i groesawu cytundeb hanesyddol heddiw ar ffioedd dysgu i fyfyrwyr a chytuno ei fod yn ddiwrnod da i fyfyrwyr a fydd yn dilyn cyrsiau ym mhrifysgolion a sefydliadau addysg uwch Cymru.

Ar y pwysau a roddasoch ar Tony Blair i geisio datrys sefyllfa cyllideb yr Undeb Ewropeaidd, ac er mwyn cael gweld pa mor effeithiol oedd eich trafodaethau gydag ef, a fyddech yn fodlon rhyddhau yn gyhoeddus unrhyw llythyrau yr ydych wedi eu hysgrifennu ato ar gronfeydd strwythurol?

Y Prif Weinidog: Yn gyntaf, ar gytundeb arweinyddion y tair gwrthblaid a minnau—y mae angen ei gadarnhau mewn datganiad cyn gynted â phosibl—credaf fod pob un ohonom yn croesawu'r ffaith bod y cwmwl o ansicrwydd a oedd uwchben y sector addysg uwch yng Nghymru ac uwchben myfyrwyr o ran gwybod lle dylent astudio yn y blynyddoedd nesaf yn dechrau gwasgaru. Os gallwn waredu'r cwmwl o ansicrwydd, byddwn wedi cyflawni rhywbeth o les mawr i Gymru.

Ar eich ail bwynt, yr wyf yn hapus i ryddhau llythyrau, ond nid dim ond siarad gyda Tony Blair yn uniongyrchol a wnaaf, gan mai drwy'r Cabinet a'r Ysgrifennydd Gwladol y mae sicrhau bod y Cabinet yn ymwybodol o'n amcanion. Dyna'r sianeli priodol er mwyn gwneud hynny. Fel y mae'n digwydd, cefais gyfle i wneud yr un pwynt i Brif Ysgrifennydd y Trysorlys, Des Browne, sy'n aelod o'r Cabinet, bore ddoe.

cymharol fach, am fod ei diwydiant amaethyddol yn gymharol fach. Yr hyn sydd dan sylw'n gyffredinol yw pe llwyddid i ailwampio'r gyllideb fel yr âi cyfran lai at amaethyddiaeth, na fyddai ar Brydain gymaint o angen ad-daliad, gan na fyddai cyfraniad gormodol i amaethyddiaeth. Felly, os gellir gwneud y ddau beth, a rhoi'r ad-daliad ar y bwrdd a'r polisi amaethyddol cyffredin ar y bwrdd, gellir moderneiddio blaenoriaethau cyllideb yr UE yn unol ag anghenion yr unfed ganrif ar hugain.

Leader of the Opposition (Ieuan Wyn Jones): Before we discuss the structural funds, I am sure that you would like to take the opportunity to welcome today's historic agreement on tuition fees for students and to agree that it is a good day for students who will study courses in universities and higher education institutions in Wales.

On the pressure that you have brought to bear on Tony Blair to find a solution to the EU budget situation, and to see how effective your discussions have been with him, are you willing to release publicly any letters that you have written to him on structural funds?

The First Minister: First, on the agreement of the three opposition leaders and myself—which we need to confirm in a statement as soon as possible—I think that we all welcome the fact that the cloud of uncertainty that was hanging over the higher education sector and students in terms of knowing where they should study in the next few years is beginning to disperse. If we can eliminate the cloud of uncertainty, then we will have achieved something of great benefit to Wales.

On your second point, I am happy to release letters, but it is not only to Tony Blair that I talk about this, because it is through the Cabinet and Secretary of State that we ensure that the Cabinet is aware of our intentions. Those are the proper channels for doing so. As it happens, I had an opportunity to make the same point to the Chief Secretary to the Treasury, Des Browne, who is a member of the Cabinet, yesterday morning.

Ieuan Wyn Jones: Croesawaf hynny a byddai'n dda cael gweld copïau o'r llythyrau hynny'n fuan. Fodd bynnag, ar fater arall, yr ydych wedi dweud dro ar ôl tro mai un o fanteision cael Llywodraeth Lafur yn y Cynulliad ac yn San Steffan yw eich bod yn gallu delifro i Gymru. Y broblem fawr gyda'r trafodaethau ar Amcan 1 yw nad ydynt wedi delifro i Gymru. Yr wyf yn siŵr y byddech wedi dweud wrth Tony Blair pa mor bwysig oedd setliad ar y gyllideb, ac felly cronfeydd strwythurol, i Gymru, ac y byddai Cymru wedi elwa'n sylweddol ar hynny. Onid ydych yn credu, felly, fod y berthynas honedig hon wedi torri i lawr yn llwyr yn yr achos hwn?

Y Prif Weinidog: Dim o gwbl. Os nad yw Amcan 1 yn gweithio, fel y mae Plaid Cymru yn honni, ni fyddai problem mewn gohirio setliad o'r gyllideb oherwydd byddai gorllewin Cymru a'r Cymoedd yn parhau â chynnyrch mewnwladol crynswth y pen o lai na 75 y cant cyfartaledd yr UE yn 2003-04. Os ydych yn derbyn bod Amcan 1 yn gweithio a bod CMC y pen gorllewin Cymru a'r Cymoedd yn codi, mae risg ei fod wedi cynyddu'n uwch na 75 y cant yn 2003. Po gyflymaf y cawn y setliad, mwyaf tebygol yw hi y bydd Cymru yn elwa, fel y dywedais wrth y Prif Weinidog a'r Cabinet. Fodd bynnag, nid ydym yn gallu cael setliad cynnar am unrhyw bris, heblaw bod Tony Blair wedi bargeinio i ffwrdd yr ad-daliad, sy'n werth 1c ar y dreth incwm.

2.20 p.m.

Ieuan Wyn Jones: What concerns me, First Minister, about this debate is where Wales figures on the UK Government's agenda. It is clear that the failure to reach an agreement at Brussels meant that Wales was off the agenda; there were other issues that were far higher on Tony Blair's agenda than the issue of Objective 1 funding for Wales. Let us get away from the idea that it is us saying that Objective 1 is not working, because it is the figures that tell us that Objective 1 is not working. You know very well that were it not for the fact that there were 10 new entrants coming from eastern Europe, we would qualify comfortably for the second round of Objective 1. On that measure, we have not done as well as you claim. It is the fact that

Ieuan Wyn Jones: I welcome that and it would be nice to see copies of those letters soon. However, on another matter, you have said time and again that one of the advantages of having a Labour Government in the Assembly and in Westminster is that you can deliver for Wales. The big problem with the discussions on Objective 1 is that they have not delivered for Wales. I am sure that you would have told Tony Blair how important a settlement on the budget, and therefore structural funds, was to Wales, and that Wales would have benefited significantly from that. Do you agree, therefore, that this alleged relationship has broken down completely in this case?

The First Minister: Not at all. If Objective 1 is not working, as Plaid Cymru claims, there would be no problem in deferring the budget settlement because west Wales and the Valleys would continue to have a GDP per capita of less than 75 per cent of the European average in 2003-04. If you accept that Objective 1 is working and that the GDP per capita of west Wales and the Valleys is rising, there is a risk that it has increased to over 75 per cent in 2003. The earlier that we get the settlement, the more likely it is that Wales will benefit, as I said to the Prime Minister and the Cabinet. However, we cannot have an early settlement at any price, without Tony Blair having bargained away the rebate, which is worth 1p on income tax.

Ieuan Wyn Jones: Yr hyn sy'n peri pryder i mi, Brif Weinidog, ynghylch y ddadl hon yw ym mha le y mae Cymru ar agenda Llywodraeth y DU. Mae'n amlwg bod y methiant i gyrraedd cytundeb ym Mrwsel yn golygu bod Cymru oddi ar yr agenda; roedd materion eraill a oedd yn llawer uwch ar agenda Tony Blair na mater arian Amcan 1 i Gymru. Gadewch inni symud i ffwrdd oddi wrth y syniad mai ni sy'n dweud nad yw Amcan 1 yn gweithio, oherwydd y ffigurau sy'n dweud wrthym nad yw Amcan 1 yn gweithio. Gwyddoch yn iawn, oni bai am y ffaith bod 10 newydd-ddyfodiad yn dod o ddwyrain Ewrop, y byddem yn gymwys yn hawdd ar gyfer ail gylch Amcan 1. Yn ôl y mesur hwnnw, nid ydym wedi gwneud cystal

10 countries have come in that pushes us marginally over the 75 per cent. Whenever there is to be a resolution, will you press for Wales to be pushed up the agenda of the UK Government, so that, if a resolution can be reached within the UK presidency, Tony Blair understands that if Wales loses out, he has lost out for Wales?

The First Minister: You have to accept this, Ieuan, and be realistic about these things. If the 25 countries of the EU were within a hair's breadth of an agreement, then Tony Blair would have been able to take into account the fact that an early settlement would be of benefit to Wales, provided that there is not that much of a gap between Britain and France, or between Britain and other countries. As it was, the gap was a mile wide, and there is no way that taking into account the interests of Wales could have caused Tony Blair to say, 'Well, I want to go for the big reform agenda, and Chirac will force me to give up the rebate, but I still want to settle on this occasion, at any price, because I have to deliver the programme that this will deliver for Wales's Objective 1 areas'. That is completely unrealistic.

You should look at the figures again, Ieuan, as I do not think that you have the details right. A fact that everyone anticipates—including, as far as I can tell, yourselves—is that when the 2003 figures for regional GDP per head become available, they will push west Wales and the Valleys above the 75 per cent. If that happens, we will no longer qualify for Objective 1. That improvement from 74 per cent to 75.5 per cent, which everyone expects to see in the next regional GDP figures for 2003, is the reason why we will not qualify. The problem is that we will be too rich to qualify. You, somehow, have to argue an impossibility, which is that Objective 1 is not working for west Wales, and, therefore, we will qualify anyway, as there will not be an improvement. If there is an improvement, then Objective 1 is working, and you have to stop saying that Objective 1 is not working. If Objective 1 is not working, it does not matter whether or not they settle the deal at this budget conference, at the next, or the one after that. It is because it is working that there is a problem. You have to

ag yr honnwch. Y ffaith bod 10 o wledydd wedi dod i mewn sy'n ein gwthio fymryn dros y 75 y cant. Pryd bynnag y bwriedir gwneud penderfyniad, a wnewch bwysu am i Gymru gael ei gwthio i fyny agenda Llywodraeth y DU, fel bod Tony Blair yn deall, os gellir dod i benderfyniad o fewn llywyddiaeth y DU, y bydd wedi colli ar ran Cymru os bydd Cymru'n colli?

Y Prif Weinidog: Rhaid ichi dderbyn hyn, Ieuan, a bod yn realistig ynghylch y pethau hyn. Pe bai 25 gwlad yr Undeb Ewropeaidd o fewn trwch blewyn i gytuno, yna byddai Tony Blair wedi gallu ystyried y ffaith y byddai setliad buan o fudd i Gymru, ar yr amod nad oes cymaint â hynny o fwllch rhwng Prydain a Ffrainc, neu rhwng Prydain a gwledydd eraill. Fel yr oedd hi, yr oedd y bwlch yn filltir o led, ac nid oes dim siawns y gallasai ystyried buddiannau Cymru achosi i Tony Blair ddweud, 'Wel, mae arnaf eisiau mynd am agenda'r diwygio mawr, a bydd Chirac yn fy ngorfodi i ildio'r ad-daliad, ond yr wyf yn dal i fod eisiau setlo ar yr achlysur hwn, ar unrhyw bris, oherwydd y mae'n rhaid imi sicrhau'r rhaglen y bydd hyn yn ei sicrhau ar gyfer ardaloedd Amcan 1 Cymru'. Mae hynny'n gwbl afrealistig.

Dylech edrych ar y ffigurau eto, Ieuan, gan nad wyf yn meddwl bod y manylion yn gywir gennyh. Ffaith y mae pawb yn ei rhagweld—gan eich cynnwys chi, hyd y gallaf weld—yw pan geir ffigurau Cynnyrch Mewnwladol Crynswth y pen am 2003 fesul rhanbarth, y byddant yn gwthio gorllewin Cymru a'r Cymoedd i fyny dros y 75 y cant. Os digwydd hynny, ni fyddwn yn gymwys mwyach ar gyfer Amcan 1. Y gwelliant hwnnw o 74 y cant i 75.5 y cant, y mae pawb yn disgwyl ei weld yn y ffigurau CMC rhanbarthol nesaf am 2003, yw'r rheswm pam na fyddwn yn gymwys. Y broblem yw y byddwn yn rhy gyfoethog i fod yn gymwys. Rhaid i chi, rywsut, ddadlau pwynt amhosibl, sef nad yw Amcan 1 yn gweithio i'r Gorllewin, ac felly, y byddwn yn gymwys beth bynnag, gan na fydd gwelliant. Os oes gwelliant, yna mae Amcan 1 yn gweithio, a rhaid ichi roi'r gorau i ddweud nad yw Amcan 1 yn gweithio. Os nad yw Amcan 1 yn gweithio, nid oes ots a fyddant yn setlo'r fargen hon yn y gynhadledd gyllidebol hon, yn y nesaf, neu'r un wedi hynny ai peidio. Y

accept that, otherwise you are simply flying in the face of the facts.

The Leader of the Welsh Liberal Democrat Group (Michael German): That is an interesting analysis of the problem for Wales. Do you read it as you have just put it, which is that, by November, we will have the new figures, which, if what you say is accurate, will put us above that 75 per cent threshold? The deal on the budget, which would give us that as of right, would have to be concluded before then. With the UK as the president of the European Union, it will be impossible for the UK to negotiate a better deal for itself on the one hand, while trying to say that it wants a lesser deal for itself in terms of money on the other. Will you resolve for us where you see that debate going?

The First Minister: We discussed this with Des Browne, and the view of the UK Government is that we are not disqualified as the United Kingdom for trying to push for a settlement just because we are a party to a dispute. It has been a golden rule in the past that you cannot settle matters during the presidency of a country that is one of the prime parties involved in the dispute. However, the UK Government says that we can. We will have to see who is right about that.

You are right that, if the deal is done before the next Eurostat figures come out, which we assume will be in December—there are still disputes going on between the statisticians, but let us assume that that is true—that would, as far as I am aware, still have the impact of the automatic entitlement if you are below 75 per cent of GDP per head. That issue could be resolved during the British presidency; I think that it is unlikely, but the UK Government thinks that it is possible.

Finally, in respect of the issue of how important it is to get what you call the big settlement of the really big issues, mainly the whole shape of the EU budget and where it will lead Europe in the twenty-first century, is it right to have 40 per cent of the expenditure going to the CAP and only 5 per

ffaith ei fod yn gweithio sy'n peri'r broblem. Rhaid ichi dderbyn hynny, neu fel arall yr ydych yn mynd yn groes i'r ffeithiau.

Arweinydd Grŵp Democratiaid Rhyddfrydol Cymru (Michael German): Dyna ddadansoddiad diddorol o'r broblem i Gymru. A ydych yn deall y sefyllfa fel yr ydych newydd ei chyflwyno, sef y bydd y ffigurau newydd gennym erbyn Tachwedd, a fydd, os yw'r hyn a ddywedwch yn gywir, yn ein rhoi uwchben y trothwy 75 y cant hwnnw? Byddai'n rhaid cwblhau'r fargen ar y gyllideb, a fyddai'n rhoi hynny inni fel hawl, cyn hynny. Gyda'r DU yn llywydd yr Undeb Ewropeaidd, bydd yn amhosibl i'r DU negodi gwell bargaen iddi'i hun ar y naill law, gan geisio dweud bod arni eisiau llai o fargen iddi'i hun yn nhermau arian ar y llall. A wnewch ddweud wrthym i ble y gwelwch y ddadl honno'n mynd?

Y Prif Weinidog: Bu inni drafod hyn gyda Des Browne, a barn Llywodraeth y DU yw nad ydym wedi'n hanghymhwyso fel y Deyrnas Unedig rhag ceisio gwthio am setliad am y rheswm ein bod yn gyfranogwr mewn anghydfod. Mae wedi bod yn rheol aur yn y gorffennol na ellir setlo materion yn ystod llywyddiaeth gwlad sy'n un o'r prif gyfranogwyr yn yr anghydfod. Fodd bynnag, dywed Llywodraeth y DU y gallwn. Bydd yn rhaid inni weld pwy sy'n iawn ynghylch hynny.

Yr ydych yn iawn, os gwneir y fargen cyn i ffigurau nesaf Eurostat ddod allan, sef ym mis Rhagfyr, yr ydym yn cymryd—ceir dadlau o hyd rhwng yr ystadegwyr, ond gadewch inni dybio bod hynny'n wir—byddai hynny, hyd y gwn i, yn dal i gael effaith yr hawl awtomatig os ydych dan 75 y cant o'r CMC y pen. Gellid datrys y mater hwnnw yn ystod llywyddiaeth Prydain; mae'n annhebygol yn fy marn i, ond mae Llywodraeth y DU yn meddwl ei bod yn bosibl.

Yn olaf, o ran pa mor bwysig ydyw cael yr hyn a alwch yn setliad mawr ar y materion gwirioneddol fawr, sef yn bennaf holl siâp cyllideb yr UE a i ble y gwnaiff arwain Ewrop yn yr unfed ganrif ar hugain, a ydyw'n iawn bod 40 y cant o'r gwariant yn mynd i'r Polisi Amaethyddol Cyffredin a dim

cent or 10 per cent going to research and development, innovation, technology and skills? I think that there is overwhelming support in Wales for saying, 'No, you must go for the big picture and see what you can do to resolve the big budget reform issue as quickly as possible'.

Michael German: It is now perfectly clear that you believe, as the UK Government believes, that the CAP should be reduced. I understand that CAP pillar 2 would be the one affected, not pillar 1, which is the current single farm payment scheme. Pillar 2 is about rural development, supporting the economies of rural areas, and sustaining local businesses and the educational opportunity in rural areas in Wales. Is that your expectation of where the reductions in the CAP should be made? Is that the UK Government's line?

The First Minister: I have already told you that I do not agree with the UK Government line that this can be settled during the UK presidency, but I hope that that is right. If there is to be a big reorganisation of the whole structure of the EU budget, looking at the CAP in particular, much will depend on what happens in the German elections in September and whether the UK Government is right in its expectations of a much greater level of support from an incoming Christian Democratic Union Government led by Angela Merkel. If it is right about that—about which I also have doubts—the Government thinks that it can move this whole agenda ahead.

In respect of the distinction between pillars 1 and 2, I do not think that it has reached that level of detail yet.

Michael German: To conclude on that, do you agree that if pillar 2 were to be affected, it would have a severe effect upon the budget of the National Assembly for Wales, because the economic, social and environmental wellbeing of our countryside, for which this money is designed, would be under threat? We would have to either replace that funding or see good ideas and projects going away.

The First Minister: You are quite right that

ond 5 y cant neu 10 y cant yn mynd i ymchwil a datblygu, arloesi, technoleg a sgiliau? Credaf fod cefnogaeth lethol yng Nghymru dros ddweud, 'Na, rhaid ichi fynd am y darlun mawr a gweld beth y gallwch ei wneud i ddatrys mater y diwygiad mawr i'r gyllideb cyn gyflymed ag y bo modd'.

Michael German: Erbyn hyn mae'n berffaith glir eich bod yn credu, fel y cred Llywodraeth y DU, y dylid lleihau'r PAC. Deallaf mai piler 2 y PAC fyddai'r un yr effeithid arno, nid piler 1, sef cynllun cyfredol y taliad sengl. Mae a wnelo piler 2 â datblygu cefn gwlad, cefnogi economïau ardaloedd gwledig, a chynnal busnesau lleol a'r cyfle i gael addysg mewn ardaloedd gwledig yng Nghymru. Ai dyna lle y byddech yn disgwyl y dylid cwtogi'r PAC? Ai dyna agwedd Llywodraeth y DU?

Y Prif Weinidog: Yr wyf eisoes wedi dweud wrthyfch nad wyf yn cytuno ag agwedd Llywodraeth y DU y gellir setlo hyn yn ystod llywyddiaeth y DU, ond gobeithiaf fod hynny'n iawn. Os bydd ad-drefnu mawr ar holl strwythur cyllideb yr UE, gan edrych ar y PAC yn arbennig, bydd llawer yn dibynnu ar beth fydd yn digwydd yn etholiadau'r Almaen ym mis Medi ac a yw Llywodraeth y DU yn iawn wrth ddisgwyl lefel lawer yn uwch o gefnogaeth gan Lywodraeth yr Undeb Democraidd Cristnogol a ddaw i mewn o dan arweinyddiaeth Angela Merkel. Os yw'r Llywodraeth yn iawn ynglŷn â hynny—ac mae gennyf finnau fy amheuo—mae'n credu y gall symud yr holl agenda hon yn ei blaen.

O ran gwahaniaethu rhwng pileri 1 a 2, ni chredaf ei fod wedi cyrraedd y lefel honno o fanylder eto.

Michael German: I gloi ar hynny, a ydych yn cytuno ped effeithid ar biler 2, y câi hynny effaith ddifrifol ar gyllideb Cynulliad Cenedlaethol Cymru, oherwydd y byddai lles economaidd, cymdeithasol ac amgylcheddol ein cefn gwlad, y bwriadwyd yr arian hwn ar ei gyfer, dan fygythiad? Byddai'n rhaid inni naill ai gael arian i gymryd lle'r arian hwnnw neu weld prosiectau a syniadau da'n mynd i ddifancoll.

Y Prif Weinidog: Yr ydych yn llygad eich

rural development plans are an absolute key part of diversification of the economy in rural areas, giving farmers an opportunity to go in directions that are not strictly related to agricultural production. That is an important part of the future for all of the rural areas of Europe under any sensible reform proposals.

lle bod cynlluniau datblygu gwledig yn rhan gwbl allweddol o arallgyfeirio'r economi mewn ardaloedd gwledig, gan roi cyfle i ffermwyr fynd i gyfeiriadau nad oes a wnelont â chynhyrchu amaethyddol, a bod yn fanwl gywir. Mae hynny'n rhan bwysig o'r dyfodol i holl ardaloedd gwledig Ewrop dan unrhyw gynigion diwygio synhwyrol.

Rhaglen Ddeddfwriaethol Llywodraeth y DU The UK Government's Legislative Programme

C6 Ieuan Wyn Jones: A wnaiff y Prif Weinidog ddatganiad ar raglen ddeddfwriaethol Llywodraeth y DU o ran ei heffaith ar Gymru? OAQ0600(FM)

Q6 Ieuan Wyn Jones: Will the First Minister make a statement on the UK Government's legislative programme as it affects Wales? OAQ0600(FM)

Y Prif Weinidog: Mae rhaglen ddeddfwriaethol Llywodraeth y DU, fel y mae'n effeithio ar Gymru, yn defnyddio'r syniad o ddeddfwriaeth ar raddfa fframwaith, fel a nodwyd yn y Papur Gwyn 'Trefn Lywodraethu Well i Gymru'. Mae'r Mesur ar iechyd y cyhoedd, a gyhoeddwyd ddoe gan yr Adran Iechyd yn Llundain, yn ei gwneud yn hollol glir mai drwy ddeddfwriaeth ar raddfa fframwaith y bydd gennym y grym i wneud penderfyniadau drosom ein hunain. Yng Nghymru, bydd hyn yn rhan o'r Mesur newydd.

The First Minister: The UK Government's legislative programme, as it affects Wales, uses the idea of framework legislation as was set out in the White Paper 'Better Governance for Wales'. The Bill on public health, published yesterday by the Department of Health, makes it entirely clear that we will have the powers to make our own decisions through framework legislation. For us in Wales, that will be part of the new Bill.

Ieuan Wyn Jones: Gan droi at y Papur Gwyn, Brif Weinidog, gwelaf ei fod yn ceisio dweud, os oes consensws yng Nghymru o blaid symud i bwerau deddfu llawn yn yr un modd â Senedd yr Alban, y byddai angen refferendwm. Nid yw'r Papur Gwyn yn sôn am amserlen ar gyfer refferendwm, er eich bod chi a Peter Hain yn dweud nad ydych yn rhagweld hynny'n digwydd yn fuan. Serch hynny, yr unig beth a ddywed yw y cynhelir refferendwm pan fo consensws o blaid hynny.

Ieuan Wyn Jones: If I can refer you to the White Paper, First Minister, as I understand it, the paper tries to say that if there is consensus in Wales in favour of moving towards full legislative powers along the same lines as in Scotland, a referendum would need to be held. The White Paper does not give any timetable for a referendum, although Peter Hain and you have said that you do not see that happening in the near future. However, all that it says is that there will be a referendum when consensus is achieved in favour of that.

Yr hyn sydd o bryder i mi, Brif Weinidog, yw'r ffaith gwbl annemocrataidd sy'n y Papur Gwyn y byddai rhaid cael mwyafrif o ddwy ran o dair yn y Cynulliad a mwyafrif syml yn y Senedd cyn y gellid cynnal refferendwm. Yn y lle cyntaf, pam mae hwnnw'n fater i'r Senedd o gwbl? Onid mater i bobl Cymru mewn etholiad yw hynny? Os yw plaid a gaiff ei hethol i lywodraethu ar ôl 2007 yn galw am

I am concerned, First Minister, about the completely undemocratic requirement in the White Paper for a two-thirds majority in the Assembly and a simple majority in Parliament before you could move to a referendum. First, why is this an issue for Parliament at all? Is it not a matter for the people of Wales through an election? If a party elected to govern after 2007 calls for a referendum, is that not what the trigger

refferendwm, onid hynny ddylai fod yn sbardun? Onid mwyafrif syml yn y Cynulliad y dylid ei gael?

should be? Should it not be a case of having a simple majority in the Assembly?

2.30 p.m.

Y Prif Weinidog: Credaf ei bod yn werth nodi nad oes angen Deddf arall ar ôl y Ddeddf fydd yn dilyn y Papur Gwyn er mwyn cael sbardun i alw am refferendwm. Bydd un Ddeddf, a bydd galwad wedyn am refferendwm unrhyw bryd yn y dyfodol pan geir consensws. Ni yn y Cynulliad sy'n dal y thermometr; ni fydd yn gorfod cymryd tymheredd pobl Cymru o ran y cwestiwn hollbwysig hwn. Rhaid inni fesur y consensws ynghylch rhyw fath o syniadaeth o ran democratiaeth—y gofyniadau, y galwadau ac yn y blaen. Wedyn yr ydych yn symud ymlaen i gael mwyafrif mewn pleidlais, ond bydd mwyafrif o un yn ddigonol yn Nhŷ'r Cyffredin. Felly, dyma osod giât inni neidio drosti yng Nghymru, wrth inni orfod cael consensws o ddwy ran o dair o blaid yn y Cynulliad. Ni chredaf fod hynny'n afresymol, yn enwedig o ystyried nad oes eisiau Deddf arall.

The First Minister: I think that it is worth pointing out that we would not need another Act after the Act that will come in the wake of this White Paper in order to trigger the call for a referendum. There will be one Act, and then a referendum will be called at any time in the future when consensus is achieved. We in the Assembly are holding the thermometer in that we have to take the temperature of the people of Wales on this vital question. We have to measure the consensus about some kind of ideology regarding democracy—the requirements, the demands and so on. It is then that you move on to get a majority vote, though a majority of one will suffice in the House of Commons. Therefore, this is a hurdle for us to clear in Wales in getting a consensus of two thirds in favour in the Assembly. I do not think that unreasonable, considering that another Act is not required.

The Leader of the Welsh Conservatives (Nick Bourne): On the same point, I can understand the sensitivity of the First Minister, when he is vulnerable to votes that he may narrowly lose. I wonder, however, where this two-thirds figure has come from, unless it is an admission that Labour expects not to be in a majority again after the next Assembly elections, but still wants to be in a position to block a possible referendum. I can find no other possible explanation. Indeed, this entrenched provision is pretty unique in Britain, and if there are other examples of this, perhaps the First Minister could tell us what they are.

Arweinydd Ceidwadwyr Cymru (Nick Bourne): Ar yr un pwynt, gallaf ddeall sensitifrwydd y Prif Weinidog, ac yntau'n poeni am bleidleisiau y gallai eu colli o ychydig. Fodd bynnag, o ble tybed y mae'r ffigur hwn o ddwy ran o dair wedi dod, oni bai mai adefiad yw bod Llafur yn disgwyl na fydd yn fwyafrif eto ar ôl etholiadau nesaf y Cynulliad, ond ei bod yn dal eisiau bod mewn sefyllfa i atal refferendwm posibl. Ni allaf ganfod dim esboniad arall posibl. Yn wir, mae'r ddarpariaeth haearnaidd hon yn bur unigryw ym Mhrydain, ac os oes enghreifftiau eraill o hyn, efallai y gallai'r Prif Weinidog ddweud wrthym beth ydynt.

The First Minister: I cannot instantly comb through all the existing legislation on trigger mechanisms for referenda, but the important thing that you are forgetting, Nick, is that there is no requirement for a further Bill. It is simply that the Assembly will make a determination under the provisions of the Bill, which will follow on from this White Paper, once it becomes an Act, at any time that the Assembly chooses. If the Assembly believes sincerely that the people of Wales

Y Prif Weinidog: Ni allaf ar amrantiad fynd gyda chrib fân drwy'r holl ddeddfwriaeth bresennol ar fecanweithiau sbarduno refferenda, ond y peth pwysig yr ydych yn ei anghofio, Nick, yw nad oes gofyniad am Fesur pellach. Yn syml, bydd y Cynulliad yn gwneud penderfyniad o dan ddarpariaethau'r Mesur, a fydd yn dilyn o'r Papur Gwyn hwn, unwaith y daw'n Ddeddf, ar unrhyw adeg a ddewisir gan y Cynulliad. Os yw'r Cynulliad yn credu'n ddiffuant fod pobl Cymru yn galw

are calling for primary powers, subject to a referendum, I do not think that a two-thirds majority in favour is unreasonable, and I am not sure of your objection to it. We have a big responsibility as the ones holding that thermometer in saying that we believe that a consensus exists. It should not be a bare majority; it should have quite a wide range of support across the Assembly to trigger the call for a referendum, given that there is no requirement for any further Bill.

Nick Bourne: I accept and understand perfectly well that there is no requirement for another Bill; that is why I put the question. This provision will be included in the forthcoming Bill. To come back to the point, I would be surprised to learn of any other type of legislation with this two-thirds majority condition. It will not be required in Westminster, and so it seems to treat us at a different level—a lower level, I would say. Saying that we have to get a two-thirds majority here while they have to get only a simple majority there was not talked of before the election. Why has this condition now been put in, unless it is because the Labour Party believes itself to be vulnerable to defeat post the next elections—even more than it is now—and it wants to be in a position to block this referendum?

The First Minister: Absolutely not. You are forgetting again, Nick, that it was not your party that brought about devolution in the first place, and it is not your party that is bringing in a measure to strengthen devolution now. Therefore, I think that it is important that we all remember who delivered, and who is now proposing to strengthen, devolution. We are very happy to say that it was us who tried first in 1979 and failed. We tried again in the 1997 referendum and succeeded, following a narrow victory. We are now strengthening devolution further.

The reason for the difference between a two-thirds majority here and a bare majority of one in the House of Commons is simple: there are only 40 Welsh MPs out of a total of 660 Members of Parliament. A bare majority there is obviously far more sensible than a two-thirds majority.

am bwerau deddfwriaethol, yn amodol ar refferendwm, ni chredaf fod mwyafrif o ddwy ran o dair o blaid yn afresymol, ac nid wyf yn siŵr beth yw eich gwrthwynebiad iddo. Mae gennym gyfrifoldeb mawr fel y rhai sy'n dal y thermometr wrth ddweud ein bod yn credu bod consensws. Ni ddylai fod yn fwyafrif syml; dylai fod ag ystod bur eang o gefnogaeth ar draws y Cynulliad i sbarduno'r alwad am refferendwm, o ystyried nad oes gofyn am Fesur pellach

Nick Bourne: Yr wyf yn derbyn ac yn deall yn berffaith nad oes gofyn am Fesur arall, a dyna pam y gofynnais y cwestiwn. Caiff y ddarpariaeth hon ei chynnwys yn y Mesur sydd ar fin dod gerbron. A dod yn ôl at y pwynt, byddwn yn synnu o glywed am unrhyw fath arall o ddeddfwriaeth sydd â'r amod hwn fod yn rhaid wrth fwyafrif o ddwy ran o dair. Ni fydd yn ofynnol yn San Steffan, felly mae fel pe bai yn ein trin ni ar lefel wahanol—lefel is, byddwn yn dweud. Ni fu sôn cyn yr etholiad am fynnu ein bod yn cael mwyafrif o ddwy ran o dair yma tra nad oes rhaid iddynt hwy gael ond mwyafrif syml. Pam mae'r amod hwn wedi cael ei gynnwys yn awr, oni bai mai'r rheswm yw bod y Blaid Lafur yn credu y bydd perygl iddi gael ei threchu ar ôl yr etholiadau nesaf—yn fwy felly nag ar hyn o bryd—a'i bod am fod mewn sefyllfa lle y gall atal y refferendwm hwn?

Y Prif Weinidog: Nage yn bendant. Yr ydych yn anghofio eto, Nick, mai nid eich plaid chi a sefydlodd ddatganoli yn y lle cyntaf, ac nad eich plaid chi sy'n dod â mesur gerbron i gryfhau datganoli yn awr. Felly, credaf ei bod yn bwysig bod pawb ohonom yn cofio pwy a gyflwynodd, a phwy sy'n awr yn cynnig cryfhau, datganoli. Yr ydym yn falch o ddweud mai ni roddodd gynnig ar hynny gyntaf yn 1979 a methu. Rhoddasom gynnig arni eto yn refferendwm 1997 a llwyddo, ar ôl buddugoliaeth fain iawn. Yn awr yr ydym yn cryfhau datganoli ymhellach.

Mae'r rheswm am y gwahaniaeth rhwng mwyafrif o ddwy ran o dair yma a mwyafrif syml yn Nhŷ'r Cyffredin yn syml: nid oes ond 40 o ASau o Gymru o blith cyfanswm o 660 o Aelodau Seneddol. Mae mwyafrif syml yn amlwg yn llawer mwy synhwyrol yno na mwyafrif o ddwy ran o dair.

Nick Bourne: To come back on that, your point ignores how the Westminster Parliament operates. Everyone there is conscious of the concerns of the whole of the United Kingdom. It is not simply a question of Welsh MPs, Labour and otherwise, voting on this issue; all MPs are involved. We promised a referendum in our manifesto; all parties united on the need for a referendum to move the matter on. What I do not understand, however, and all opposition parties seem united on this, is why we must have this two-thirds majority mechanism here. I have not been able to find a precedent for it anywhere in the British constitution—I challenge you to find one. The only way in which this could be justified is as a narrow party device so that Labour can block a referendum, should it wish to do so, in the next Assembly.

Nick Bourne: A dod yn ôl ar hynny, mae eich pwynt yn anwybyddu sut y mae Senedd San Steffan yn gweithredu. Mae pawb yno yn ymwybodol o bryderon y Deyrnas Unedig yn ei chyfanrwydd. Nid mater syml o ASau o Gymru, Llafur neu fel arall, yn pleidleisio ar y mater hwn ydyw; mae'r holl ASau yn cymryd rhan. Addawyd refferendwm gennym yn ein maniffesto; unodd pob plaid ar yr angen am refferendwm i symud y mater yn ei flaen. Yr hyn nad ydwyf yn ei ddeall, fodd bynnag, ac mae'r gwrthbleidiau i'w gweld yn unedig ar hyn, yw pam mae'n rhaid inni gael y mecanwaith hwn o fwyafrif o ddwy ran o dair yma. Nid wyf wedi gallu dod o hyd i gynsail iddo yn unman yng nghyfansoddiad Prydain—yr wyf yn eich herio i ganfod un. Yr unig ffordd y gellir cyfiawnhau hyn yw fel dyfais bleidiol gul fel y gall Llafur atal refferendwm, pe bai'n dymuno gwneud hynny, yn y Cynulliad nesaf.

The First Minister: Absolutely not; it is simply a way of measuring consensus. We have the responsibility of measuring whether there is sufficient consensus across Wales for a referendum; we must say that the people demand that we move to a referendum as set out in the previous Bill. I do not think that that is at all unreasonable; it is very sensible.

Y Prif Weinidog: Nage yn bendant; nid yw'n ddim ond ffordd syml o fesur consensws. Mae gennym gyfrifoldeb i fesur a oes consensws digonol ar draws Cymru o blaid refferendwm; rhaid inni ddweud bod y bobl yn mynnu ein bod yn symud at refferendwm fel a nodwyd yn y Mesur blaenorol. Ni chredaf fod hynny yn afresymol o gwbl; mae'n synhwyrol iawn.

Peter Black: With regard to the older person's commissioner, there is concern that this commissioner is going to be put in place without any powers over pensions and benefits, as part of the Queen's Speech. Will the new powers that are available to the Assembly in the White Paper enable us to expand that role in the future?

Peter Black: O ran y comisiynydd i bobl hŷn, mae pryder bod y comisiynydd hwn yn mynd i gael ei sefydlu heb ddim pwerau dros bensiynau a budd-daliadau, fel rhan o Araith y Frenhines. A fydd y pwerau newydd sydd ar gael i'r Cynulliad yn y Papur Gwyn yn ein galluogi i ehangu'r rôl honno yn y dyfodol?

The First Minister: I am not aware of that on pensions and benefits.

Y Prif Weinidog: Nid wyf yn ymwybodol o hynny ar bensiynau a budd-daliadau.

Cyrff Cynrychioliadol ar gyfer Teithwyr Rheilffyrdd Cymru The Representative Bodies for Welsh Rail Passengers

Q7 Mark Isherwood: Will the First Minister make a statement on the representative bodies for Welsh rail passengers? OAQ0616(FM)

C7 Mark Isherwood: A wnaiff y Prif Weinidog ddatganiad ar y cyrff cynrychioliadol ar gyfer teithwyr rheilffyrdd Cymru? OAQ0616(FM)

The First Minister: Under the Railways Act 2005, the current regional rail passenger

Y Prif Weinidog: O dan Ddeddf Rheilffyrdd 2005, mae'r pwyllgorau teithwyr rheilffordd

committees are being replaced with a central rail passengers' council, to which we will appoint one person. The Transport (Wales) Bill includes provision that would allow the Assembly to establish by Order a public transport users' committee, covering rail and other public transport services.

Mark Isherwood: The current Rail Passengers' Committee Wales provides the official independent voice of rail passengers in Wales. How will its replacement by an all-British rail passenger council, with just one member from Wales, widen the voice for Welsh rail passengers when their representation is being cut at the key representative level?

The First Minister: It is not necessarily being cut at all. Although one statutory Welsh person is appointed by the Assembly, any person from Wales can apply to be on the central rail passengers' council. You chose to ignore the second part of my answer that, as regards all public transport users in Wales—namely bus and rail, and, presumably, air—there will be a new public transport users' committee for Wales, which will cover the specific Welsh requirements of public transport users, including rail public transport users.

Owen John Thomas: A public transport users' committee for Wales will be welcome. However, what is your policy for developing a modern rail service between Caerdybi and Caerdydd, and when will it be implemented?

The First Minister: We have supported additional trains on that service for some five years. We are a long way away from the stage where we have a complete new line coming down through the middle of Wales, if that is what you propose, or some other new track. Therefore, depending on demand, we can use this device. However, we have to find the need for it to be met, so that we are not subsidising empty trains, but full trains coming from Holyhead to Cardiff in whatever numbers are required.

rhanbarthol presennol yn cael eu disodli gan gyngor canolog teithwyr rheilffordd, y byddwn ni'n penodi un person iddo. Mae Mesur Trafnidiaeth (Cymru) yn cynnwys darpariaeth a fyddai'n caniatáu i'r Cynulliad sefydlu pwyllgor defnyddwyr trafndiaeth gyhoeddus, yn cwmpasu'r rheilffyrdd a gwasanaethau trafndiaeth gyhoeddus eraill, drwy Orchymyn.

Mark Isherwood: Pwyllgor Teithwyr Rheilffordd presennol Cymru yw llais annibynnol swyddogol teithwyr rheilffordd yng Nghymru. Sut y bydd ei ddisodli â chyngor teithwyr rheilffordd i Brydain gyfan, gyda dim ond un aelod o Gymru, yn ehangu'r llais dros deithwyr rheilffordd Cymru pan fydd eu cynrychiolaeth yn cael ei thorri ar y lefel gynrychioliadol allweddol?

Y Prif Weinidog: Nid yw o reidrwydd yn cael ei thorri o gwbl. Er bod un person statudol o Gymru yn cael ei benodi gan y Cynulliad, gall unrhyw un o Gymru ymgeisio i fod ar gyngor canolog y teithwyr rheilffordd. Yr ydych wedi dewis anwybyddu ail ran fy ateb sef, ynglŷn â holl ddefnyddwyr trafndiaeth gyhoeddus yng Nghymru—hynny yw y bysiau a'r rheilffyrdd, ac, mae'n debyg, hedfan—y bydd pwyllgor newydd dros Gymru i ddefnyddwyr trafndiaeth gyhoeddus, a fydd yn ymdrin â gofynion penodol defnyddwyr trafndiaeth gyhoeddus yng Nghymru, gan gynnwys defnyddwyr trafndiaeth gyhoeddus ar y rheilffyrdd.

Owen John Thomas: Bydd pwyllgor defnyddwyr trafndiaeth gyhoeddus dros Gymru yn cael ei groesawu. Fodd bynnag, beth yw eich polisi i ddatblygu gwasanaeth rheilffordd modern rhwng Caerdybi a Chaerdydd, a phryd y caiff ei weithredu?

Y Prif Weinidog: Yr ydym wedi cefnogi trenau ychwanegol ar y gwasanaeth hwnnw ers rhyw bum mlynedd. Yr ydym ymhell o sefyllfa lle y mae gennym lein gwbl newydd yn dod i lawr drwy ganol Cymru, os mai hynny yr ydych yn ei awgrymu, neu ryw drac newydd arall. Felly, yn dibynnu ar y galw, gallwn ddefnyddio'r ddyfais hon. Fodd bynnag, rhaid inni ganfod yr angen er mwyn iddo gael ei ddiwallu, fel nad ydym yn noddi trenau gwag, ond trenau llawn yn dod o Gaerdybi i Gaerdydd ym mha niferoedd

bynag sy'n ofynnol.

Carl Sargeant: Do you agree with me and the rail passengers' committee, as it currently stands, that integrated transport is the future for Wales? Do you agree that Arriva Trains running an integrated ticket, where people can use the train and the bus for events such as the eisteddfod, is a good idea? That could also be implemented for structures of getting to work of a morning or an evening from places in Ann Jones's constituency to places in my constituency in Flintshire.

Carl Sargeant: A ydych yn cytuno â mi a'r pwyllgor teithwyr rheilffordd, fel y mae'n sefyll ar hyn o bryd, mai trafndiaeth integredig yw'r dyfodol i Gymru? A ydych yn cytuno bod Trenau Arriva Trains yn cynnig tocyn integredig, lle y gall pobl ddefnyddio'r trê'n a'r bws ar gyfer digwyddiadau fel yr eisteddfod, yn syniad da? Gellid gweithredu hynny hefyd ar gyfer strwythurau i fynd i'r gwaith yn y bore neu gyda'r nos o leoedd yn etholaeth Ann Jones i leoedd yn fy etholaeth i yn sir y Fflint.

The First Minister: That is a delightful idea—and vice versa. Arriva Trains has bus and rail services; it should therefore be possible, even if a different company runs the rail and bus services, to have through-ticketing, which we want to encourage. The advantage of the Transport (Wales) Bill is that it gives us much more of a hold and much more leverage over the provision of integrated public transport in Wales.

Y Prif Weinidog: Mae hynny'n syniad bendigedig—ac i'r gwrthwyneb. Mae gan Drenau Arriva Trains wasanaethau bws a thrên, a dylai fod yn bosibl felly, hyd yn oed os oes cwmni gwahanol yn rhedeg y gwasanaethau trê'n a bws, cael tocynnau trwodd ac yr ydym am annog hynny. Mantais Mesur Trafndiaeth (Cymru) yw ei fod yn rhoi llawer mwy o afael a dylanwad inni dros ddarparu trafndiaeth gyhoeddus integredig yng Nghymru.

Cynlluniau Atal Llifogydd Flood Defence Schemes

Q8 Denise Idris Jones: Will the First Minister make a statement about measures to improve flood defence schemes in Wales? OAQ0606(FM)

C8 Denise Idris Jones: A wnaiff y Prif Weinidog ddatganiad ar fesurau i wella cynlluniau atal llifogydd yng Nghymru? OAQ0606(FM)

The First Minister: We are currently implementing new flood risk management arrangements in Wales, enabling an improved response to the increased flood risk posed by climate change. We have also increased funding for flood and coastal defence, which, for the current financial year, is over £30 million.

Y Prif Weinidog: Ar hyn o bryd yr ydym yn rhoi trefniadau newydd i reoli perygl llifogydd ar waith yng Nghymru, a fydd yn fodd i ymateb yn well i'r cynnydd yn y perygl o lifogydd a achosir gan newid yn yr hinsawdd. Yr ydym hefyd wedi cynyddu'r cyllid ar gyfer amddiffynfeydd rhag llifogydd ac amddiffynfeydd arfordirol ac, yn y flwyddyn ariannol gyfredol, mae dros £30 miliwn.

Denise Idris Jones: I welcome the £12.5 million allocated for flood defence plans across Wales, which was partially secured with Objective 1 funding. Given the devastating effect of flooding, and the prospect of flooding, not just emotionally but economically, do you agree that greater certainty and confidence in flood defences is vital to the future of the economy of north

Denise Idris Jones: Yr wyf yn croesawu'r £12.5 miliwn a ddyrannwyd i gynlluniau atal llifogydd ar draws Cymru, a sicrhawyd yn rhannol drwy arian Amcan 1. O ystyried effaith ddinistriol llifogydd, a'r tebygrwydd o gael llifogydd, nid dim ond yn emosiynol ond yn economaidd, a ydych yn cytuno bod mwy o sicrwydd a ffydd mewn amddiffynfeydd rhag llifogydd yn hanfodol i ddyfodol

Wales, especially in the Conwy valley?

economi gogledd Cymru, yn arbennig yn nyffryn Conwy?

The First Minister: The £12.5 million is for the whole of Wales. You are right to refer to Objective 1 money being part of that—it is £5 million from Objective 1, £5 million from our internal resources, and £2.5 million from local authorities. However, the other big change is that the six local flood defence committees in Wales are being abolished and their roles are being transferred to the existing regional flood defence committee, which is a cross-border committee. Then, as of next year, a new statutory committee, to be known as flood risk management Wales, will be established to operate on the basis of Wales's political boundary.

Y Prif Weinidog: Mae'r £12.5 miliwn i Gymru gyfan. Yr ydych yn iawn wrth ddweud bod arian Amcan 1 yn rhan o hynny—mae'n £5 miliwn o Amcan 1, £5 miliwn o'n hadnoddau mewnol ni, a £2.5 miliwn oddi wrth yr awdurdodau lleol. Fodd bynnag, y newid mawr arall yw bod y chwe phwyllgor atal llifogydd lleol yng Nghymru yn cael eu dileu a'u swyddogaethau yn cael eu trosglwyddo i'r pwyllgor atal llifogydd rhanbarthol presennol, sy'n bwyllgor trawsffiniol. Yna, o'r flwyddyn nesaf ymlaen, bydd pwyllgor statudol newydd, a gaiff ei alw'n bwyllgor rheoli perygl llifogydd Cymru, yn cael ei sefydlu i weithredu ar sail ffiniau gwleidyddol Cymru.

2.40 p.m.

Gwenda Thomas: Do you agree that the commitment made by Carwyn Jones during the launch of the Environment Agency's umbrella project at the Pontardawe leisure centre recently was excellent news for my constituency, and that the funding of flood defence schemes at Pontardawe, Glynneath, Resolven and Aberdulais will greatly benefit these communities and others in Wales?

Gwenda Thomas: A ydych yn cytuno bod yr ymrwymiad a wnaethpwyd gan Carwyn Jones yn ystod lansiad prosiect ymbarél Asiantaeth yr Amgylchedd yng nghanolfan hamdden Pontardawe yn ddiweddar yn newyddion rhagorol i'm hetholaeth i, ac y bydd ariannu cynlluniau atal llifogydd ym Mhontardawe, Glyn-nedd, Resolven ac Aberdulais o fudd mawr i'r cymunedau hyn ac eraill yng Nghymru?

The First Minister: Indeed. It is not only the Conwy valley and north Wales that are at risk from flooding; areas of the Valleys of south Wales are equally at risk. I am told that, according to the data, 170,000 houses and business premises in Wales are at risk from flooding, and the asset value of those homes and businesses is some £8 billion. However, we must be clear that we are moving from the traditional concept of hard-engineered flood defences to more soft-engineered flood-risk management, because you cannot always fight against nature without causing even worse problems.

Y Prif Weinidog: Yn sicr. Nid dim ond dyffryn Conwy a gogledd Cymru sy'n wynebu perygl llifogydd; mae ardaloedd o'r Cymoedd yn ne Cymru yn wynebu'r un risg. Dywedir wrthyf, yn ôl y data, fod 170,000 o dai ac eiddo busnes yng Nghymru yn wynebu perygl llifogydd, a bod gwerth y cartrefi a'r busnesau hynny fel asedau yn rhyw £8 biliwn. Fodd bynnag, rhaid inni fod yn glir ein bod yn symud oddi wrth y cysyniad traddodiadol o amddiffynfeydd rhag llifogydd sy'n dibynnu ar beirianeg galed i reoli perygl llifogydd at beirianeg feddalach, oherwydd ni allwch ymladd yn erbyn natur bob amser heb achosi problemau gwaeth fyth.

Laura Anne Jones: You have announced that £12.5 million will be allocated to flood defence schemes. I was brought up near the river Usk in Monmouthshire, which was one area that was affected by a major flood in

Laura Anne Jones: Yr ydych wedi cyhoeddi y bydd £12.5 miliwn yn cael ei ddyrannu i gynlluniau atal llifogydd. Fe'm maged gerllaw afon Wysg yn sir Fynwy, un ardal yr effeithiwyd arni gan lifogydd mawr yn 2002.

2002. Will you assure me that, while Objective 1 areas receive this aid, non-Objective 1 areas will not be forgotten, as river bank defences in Monmouthshire must not be neglected?

The First Minister: I believe that that is the case, and if I am wrong, I will ensure that Carwyn Jones writes to you on that point. However, I mentioned that we have a £30 million budget this year, so it is not all about this new pot of £12.5 million.

Eleanor Burnham: I have been to quite a few of the existing flood defence meetings, and it seems that the day-to-day management and cleaning and clearing is just as important, namely revenue funding, though that appears to be much more difficult to secure than capital funding. How will you help with this issue, and also with the issue of isolated, individual properties—which are just as important—for example, in the lower Dee valley, as well as in Trefriw and the Conwy valley?

The First Minister: I visited some of those isolated properties during the floods on the river Dee and the near-catastrophic bursting of the banks at Bangor-on-Dee, which never quite happened—it was within three or four inches of happening, but fortunately it did not—in 2000, as I remember. What is important is that we do not micro-manage this process; it is managed by specialists such as the Environment Agency. Where the agency has a contract with a local authority, it is local authorities that ensure that the culverts are not blocked, which is an important part of revenue funding. However, I emphasise again that there is a shift in philosophy here on how best to do this, which means accepting that, from time to time, it is better to accept the flood than to try to engineer against all eventualities in this area. Hard-engineered solutions are no longer thought to work as well as soft-engineered flood management.

Brynle Williams: I am pleased to hear about this £12.5 million figure, but I am concerned that we have recently spent a large chunk of

A wnewch roi sicrwydd imi, tra bo ardaloedd Amcan 1 yn cael y cymorth hwn, na fydd ardaloedd y tu allan i ddalgylch Amcan 1 yn cael eu anghofio, oherwydd rhaid peidio ag esgeuluso amddiffynfeydd glannau'r afonydd yn sir Fynwy?

Y Prif Weinidog: Credaf fod hynny'n digwydd, ac os wyf yn anghywir, byddaf yn sicrhau bod Carwyn Jones yn ysgrifennu atoch ar y pwynt hwnnw. Fodd bynnag, soniais fod gennym gyllideb o £30 miliwn eleni, felly nid am y swm newydd hwn o £12.5 miliwn yn unig yr ydym yn sôn.

Eleanor Burnham: Yr wyf wedi bod mewn cryn nifer o'r cyfarfodydd atal llifogydd presennol, ac mae'n ymddangos bod rheolaeth o ddydd i ddydd a glanhau a chlirio yr un mor bwysig, sef cyllid refeniw, er ei bod yn ymddangos ei bod yn llawer anos sicrhau hwnnw na chyllid cyfalaf. Sut y gwnewch helpu gyda'r mater hwn, a hefyd gyda mater eiddo unigol, ar eu pennau eu hunain—sydd llawn cyn bwysiced—er enghraifft, yn rhan isaf dyffryn Dyfrdwy, yn oystal ag yn Nhrefriw a dyffryn Conwy?

Y Prif Weinidog: Ymwelais â rhai o'r lleoedd hynny yn ystod y llifogydd ar afon Dyfrdwy a'r torri catastroffig bron ar y glannau ym Mangor Is-coed, na ddigwyddodd yn y diwedd o ryw fymryn—yr oedd o fewn tair neu bedair modfedd i ddigwydd, ond yn ffodus ni wnaeth—yn 2000, yn ôl y cof sydd gennyf. Yr hyn sy'n bwysig yw nad ydym yn micro-reoli'r broses hon; caiff ei rheoli gan arbenigwyr megis Asiantaeth yr Amgylchedd. Lle y bo gan yr asiantaeth gontract gydag awdurdod lleol, yr awdurdodau lleol sy'n sicrhau nad yw cylfatiau wedi blocio, sy'n rhan bwysig o gyllid refeniw. Fodd bynnag, pwysleisiaf eto fod newid yn yr athroniaeth o ran y ffordd orau o wneud hyn, sy'n golygu derbyn, o bryd i'w gilydd, ei bod yn well derbyn llifogydd na cheisio darparu rhag pob posibilrwydd yn y maes hwn. Ni chredir erbyn hyn fod atebion sy'n dibynnu ar beirianeg galed yn gweithio cystal â rheoli llifogydd drwy beirianeg feddalach.

Brynle Williams: Yr wyf yn falch o glywed am y ffigur hwn o £12.5 miliwn, ond yr wyf yn pryderu ein bod yn ddiweddar wedi

money in north Wales on flood alleviation—and justifiably so. However,

gwario celc helaeth o arian yng ngogledd Cymru ar liniaru llifogydd—a hynny gyda chyfiawnhad. Fodd bynnag,

‘this will be to the detriment of other flood schemes in north Wales because of the dramatic overspend’.

bydd hyn yn andwyol i gynlluniau atal llifogydd eraill yng ngogledd Cymru oherwydd y gorwario dramatig.

Will you give me your word today that you will look into this dramatic overspend now, as it has detracted funds from other schemes?

A wnewch roi eich gair imi heddiw y byddwch yn ymchwilio i'r gorwario dramatig hwn yn awr, gan ei fod wedi tynnu arian oddi wrth gynlluniau eraill?

The First Minister: The overspend to which you refer is probably that which you have raised with me previously, namely the Ruthin scheme, for which Denbighshire County Council is responsible. My recollection was that our engineers and accountants were to look at it carefully to see whether it was justifiable to ask for 85 per cent of the overspend, as well as the original estimate. So far, we have had to accept that it was justifiable, because of the unpredictable, unforeseeable elements that caused the floods. On the question of whether that in itself will cause underfunding of other schemes, it will not, as far as I am aware, following the new allocations that we have made. The sum of £30 million should cover it, and to clarify the point that perhaps I did not make clear enough in answer to Eleanor Burnham's question, we have never previously funded revenue work by the Environment Agency, though we are doing that now. We are therefore covering not just capital works, but also revenue costings.

Y Prif Weinidog: Y gorwario yr ydych yn cyfeirio ato mae'n debyg yw'r mater yr ydych wedi ei godi gyda mi cyn hyn, sef cynllun Rhuthun, y mae Cyngor Sir Ddinbych yn gyfrifol amdano. Yn ôl a gofiau yr oedd ein peirianwyr a'n cyfrifwyr i fod i edrych arno'n ofalus i weld a oedd cyfiawnhad dros ofyn am 85 y cant o'r gorwariant, yn ogystal â'r amcangyfrif gwreiddiol. Hyd yma, yr ydym wedi gorfod derbyn bod cyfiawnhad, oherwydd yr elfennau annisgwyl, na ellid bod wedi eu rhagweld, a achosodd y llifogydd. O ran y cwestiwn pa un a fydd hynny ynddo ei hun yn achosi tangyllido ar gynlluniau eraill, na fydd, hyd y gwn, yn sgîl y dyraniadau newydd yr ydym wedi eu gwneud. Dylai'r swm o £30 miliwn fod yn ddigonol, ac i egluro'r pwynt na wneuthum yn ddigon clir efallai wrth ateb cwestiwn Eleanor Burnham, nid ydym erioed o'r blaen wedi darparu cyllid refeniw ar gyfer gwaith Asiantaeth yr Amgylchedd, er ein bod yn gwneud hynny yn awr. Felly yr ydym yn darparu nid yn unig ar gyfer y gwaith cyfalaf, ond hefyd y costiau refeniw.

Uno'r Cyrff Cyhoeddus a Noddir gan y Cynulliad Merger of Assembly Sponsored Public Bodies

Q9 Kirsty Williams: Will the First Minister make a statement on managing the merger with Assembly Government departments of Education and Learning Wales, the Welsh Development Agency and the Wales Tourist Board? OAQ0614(FM)

C9 Kirsty Williams: A wnaiff y Prif Weinidog ddatganiad ar reoli'r uno rhwng Dysgu ac Addysgu Cymru, Awdurdod Datblygu Cymru a Bwrdd Croeso Cymru ag adrannau Llywodraeth y Cynulliad? OAQ0614(FM)

The First Minister: The overall management of the mergers is overseen by the change board, chaired by the Permanent Secretary. Project boards have been established to manage the detailed merger

Y Prif Weinidog: Mae'r gwaith o reoli'r uno drwyddo draw yn cael ei oruchwylio gan y bwrdd newid, o dan gadeiryddiaeth yr Ysgrifennydd Parhaol. Cafodd byrddau prosiect eu sefydlu i reoli'r broses uno fanwl,

process, and the Permanent Secretary announced to staff today the structures of the new departments. I believe that full details are available on the website.

Kirsty Williams: There is a £41 million hole in the WDA pension fund. To date, the Minister for Economic Development and Transport, Andrew Davies, does not seem to have a clue what to do about it. Do you?

The First Minister: Just to make it clear, given that you now seem to be taking interest in the question of pensions, this deficit has not been created by the mergers. It existed beforehand, and would have existed had we not decided to merge. It is not something that the merger has created, and therefore not something to which you should expect Andrew Davies to somehow respond. Would you have asked that question if the mergers were not occurring? Probably not. This is getting a bit rich. All you can say is that if there is a black hole in the WDA's pension fund, then the WDA and its pension fund trustees have to do something about it.

Jeff Cuthbert: While it is understandable that much attention is being given at this time to issues of higher education, do you agree that the other two critical parts of our learning agenda, namely, vocational education and meeting the skills gap, must not be forgotten? One of the key issues of the merger, particularly of WDA and ELWa, is to ensure that proper joined-up thinking remains and continues to ensure that our vocational education and skill-gap training address those key areas.

The First Minister: I agree; the closer that you get to full employment—and we are close to it; although we are not there yet, we are much closer than we have been for 30 years to full employment—the greater the premium that you put on upgrading skills throughout the economy. That means looking for high-quality jobs in the first place, and not just entry-level jobs, but also looking for the high-level skills that you then need to fill those jobs. Upgrading skills simultaneously with jobs is the holy grail of economic development, and of lifelong learning,

a chyhoeddodd yr Ysgrifennydd Parhaol strwythurau'r adrannau newydd wrth y staff heddiw. Credaf fod y manylion llawn ar gael ar y wefan.

Kirsty Williams: Mae twll o £41 miliwn yng nghronfa bensiwn y WDA. Hyd yma nid yw'n ymddangos bod gan y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth, Andrew Davies glem beth i'w wneud amdano. A oes gennych chi?

Y Prif Weinidog: A gaf egluro, gan eich bod yn awr i'ch gweld yn ymddiddori ym mater pensiynau, nad yr uno sydd wedi peri'r diffyg hwn. Yr oedd hwnnw'n bod cyn hynny, a byddai'n bod pe na baem wedi penderfynu uno. Nid yr uno sydd wedi ei greu, ac felly ni ddylech ddisgwyl i Andrew Davies ymateb iddo rywfodd. A fyddech wedi gofyn y cwestiwn hwnnw pe na bai'r uno'n digwydd? Na fyddech yn ôl pob tebyg. Yr ydych yn cyfeiliorni. Y cwbl y medrwch ei ddweud yw os oes twll du yng nghronfa bensiwn y WDA, yna mae gofyn i'r WDA a'i ymddiriedolwyr wneud rhywbeth yn ei gylch.

Jeff Cuthbert: Er ei bod yn ddealladwy bod llawer o sylw'n cael ei roi ar hyn o bryd i faterion addysg uwch, a ydych yn cytuno na ddylid anghofio dwy ran hanfodol arall ein hagenda ddysgu, sef addysg alwedigaethol a chau'r bwloch sgiliau? Un o faterion allweddol yr uno, yn enwedig o ran y WDA ac ELWa, yw sicrhau bod meddwl mewn modd cydgysylltiedig yn dal ar waith ac y bydd yn parhau er mwyn sicrhau y bydd yr hyfforddiant sydd ar gael o ran addysg alwedigaethol a'r bwloch sgiliau'n rhoi sylw i'r meysydd allweddol hynny.

Y Prif Weinidog: Yr wyf yn cytuno; po agosaf yr awn at gyflogaeth lawn—ac yr ydym yn agos ati; er nad ydym wedi cyrraedd y nod eto, yr ydym yn nes nag yr ydym wedi bod ers 30 o flynyddoedd at gyflogaeth lawn—po fwyaf yw'r pwys a roddir ar wella sgiliau ar draws yr economi gyfan. Golyga hynny chwilio am swyddi o safon uchel yn y lle cyntaf, ac nid swyddi lefel mynediad yn unig, gan chwilio hefyd am y sgiliau uchel y mae eu hangen arnom i lenwi'r swyddi hynny. Gwella sgiliau ar yr un pryd â swyddi yw greal sanctaidd datblygu economaidd, a

training and skills.

Janet Ryder: Once ELWa becomes part of the National Assembly, one of the duties that your Minister will inherit is the ability to suggest either the opening or closing of sixth forms. The present situation is that she is the body to which appeals can be made if local government chooses to open or close a sixth form. Can you clarify who will be the appeals body once your Minister inherits that ability to open or close sixth forms?

The First Minister: We will bring forward a suitable appellate arrangement to ensure that no Minister will be the judge and jury as regards his or her own case if he or she had made a decision. Clearly, that would not be acceptable for the reasons to which you have referred.

Alun Cairns: I return the First Minister to the supplementary question that Kirsty Williams asked. He chose to ignore the point, which was that the £40 million deficit in the pensions fund was not accounted for in the strategy when he decided to wind up the WDA on the back of a cigarette packet. Otherwise, why did we have to drag that information out of the Economic Development and Transport Minister, not only in the last meeting, but several months ago? When the figure was presented on the table, because I had managed to get it from other sources, his response was, 'Well, we will see what we can do about it'. However, the reality is that this is a liability that you have to answer for because of an ill-thought out policy.

The First Minister: You say that it is a liability because of an ill-thought out policy, so you believe that, contrary to what I said to Kirsty Williams, it is the merger that has created the £41 million pension deficit.

Alun Cairns: No.

The First Minister: I am sorry Alun, but that is what you just said. The deficit was there anyway; it has not been created by the

dysgu gydol oes, hyfforddiant a sgiliau.

Janet Ryder: Unwaith y daw ELWa'n rhan o'r Cynulliad Cenedlaethol, ymhlith y dyletswyddau y bydd eich Gweinidog yn eu hetifeddu bydd y gallu i awgrymu agor neu gau unrhyw chweched dosbarth. Ar hyn o bryd dyma'r corff y mae modd apelio iddo os bydd llywodraeth leol yn dewis agor neu gau chweched dosbarth. A allwch egluro pwy fydd y corff apêl unwaith y bydd eich Gweinidog yn etifeddu'r gallu i agor neu gau unrhyw chweched dosbarth?

Y Prif Weinidog: Byddwn yn cyflwyno trefniadau apelio priodol er mwyn sicrhau na fydd yr un Gweinidog yn farnwr ac yn rheithgor ar ei achosion ef neu ei hachosion hi ei hunan pe bai wedi gwneud penderfyniad. Wrth reswm ni fyddai hynny'n dderbyniol am y rhesymau a roesoch.

Alun Cairns: Yr wyf am gyfeirio'r Prif Weinidog yn ôl at y cwestiwn atodol a ofynnodd Kirsty Williams. Dewisodd anwybyddu'r pwynt, sef na roddwyd cyfrif am y diffyg o £40 miliwn yn y gronfa bensiwn yn y strategaeth pan benderfynodd ddirwyn y WDA i ben ar gefn paced sigarêts. Onid e, pam y bu'n rhaid inni fynnu cael y wybodaeth honno gan y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth, nid yn unig yn y cyfarfod diwethaf, ond sawl mis yn ôl? Pan roddwyd y ffigur ar y bwrdd, oherwydd imi lwyddo i'w gael o ffynonellau eraill, atebodd gan ddweud, 'Wel, cawn weld beth y gallwn ei wneud ynghylch hynny'. Fodd bynnag, y gwir amdani yw bod hwn yn faich y bydd yn rhaid i chi fod yn atebol amdano oherwydd nad oes digon o feddwl wedi bod am y polisi.

Y Prif Weinidog: Yr ydych yn dweud ei fod yn faich sydd wedi codi oherwydd nad oes digon o feddwl wedi bod am y polisi, felly yr ydych yn credu, a hynny'n groes i'r hyn a ddywedais wrth Kirsty Williams, mai'r uno sydd wedi creu'r diffyg o £41 miliwn yn y pensiynau.

Alun Cairns: Nac ydwyf.

Y Prif Weinidog: Esgusodwch fi Alun, ond dyna a ddywedasoch yn awr. Yr oedd y diffyg yn bod eisoes; nid yr uno sydd wedi ei

merger. It has to be dealt with, as it would have had to have been regardless of the merger, and it will be dealt with in the normal way that pension-fund deficits in the public sector are dealt with.

greu. Bydd yn rhaid mynd i'r afael ag ef, boed uno neu beidio, ac eir i'r afael ag ef yn y modd arferol fel yr eir i'r afael â diffygion mewn cronfeydd pensiwn yn y sector cyhoeddus.

Hunan-niweidio Self-harm

Q10 David Melding: What is the Welsh Assembly Government doing to improve understanding of, and support for, those who self-harm? OAQ0622(FM)

C10 David Melding: Beth y mae Llywodraeth Cynulliad Cymru yn ei wneud i wella'r ddealltwriaeth o'r rhai sy'n hunan-niweidio a'r cymorth a roddir iddynt? OAQ0622(FM)

The First Minister: This issue has been usefully highlighted by the frank admissions of the world-famous athlete and double gold medallist, Kelly Holmes, in recent months in her autobiography. That gives some indication of how, when people are in the depths of frustration, whether it is an athlete with injuries or due to grief or whatever the trigger might be, self-harm can happen. Self-harm and policies to deal with it must be part of any comprehensive mental health strategy. The National Institute for Health and Clinical Excellence has produced comprehensive guidance on that and we expect services to follow that guidance.

Y Prif Weinidog: Tynnwyd sylw at y mater hwn mewn modd buddiol gan eiriau plaen yr athletwraig fyd-enwog a'r medalydd aur dwbl, Kelly Holmes, yn ystod y misoedd diwethaf yn ei hunangofiant. Mae hynny'n rhoi syniad inni sut y gall hunan-niwedio ddigwydd pan fo rhywun mewn trallod, boed yn athletwr sy'n dioddef anafiadau neu oherwydd profedigaeth neu am ba reswm bynnag. Rhaid sicrhau bod hunan-niweidio a pholisïau i ddelio ag ef yn rhan o unrhyw strategaeth gynhwysfawr ar gyfer iechyd meddwl. Mae'r Sefydliad Cenedlaethol dros Iechyd a Rhagoriaeth Glinigol wedi llunio canllawiau cynhwysfawr ar hyn a disgwyliwn i'r gwasanaethau ddilyn y canllawiau hynny.

David Melding: Those who self-harm are suffering from an unpleasant illness. Do you agree that when people who self-harm access accident and emergency services and primary healthcare, it is essential that the staff have the appropriate attitudes and training to cope with this very troublesome problem?

David Melding: Mae pobl sy'n eu niweidio eu hunain yn dioddef o salwch annymunol. A ydych yn cytuno pan fo pobl sy'n eu niweidio eu hunain yn defnyddio gwasanaethau damweiniau ac achosion brys a gofal iechyd sylfaenol, ei bod yn hanfodol bod gan y staff agweddau a hyfforddiant priodol i fedru ymdopi â'r broblem hynod drafferthus hon?

The First Minister: Indeed; it is also sometimes a form of attempted suicide, and there are all manner of protocols that need to be available in accident and emergency departments to overcome what can be a short-term problem, but one which, if it is not dealt with in that short term, can result in fatalities. As I said, we expect all our trusts to follow the NICE guidance.

Y Prif Weinidog: Yn wir; weithiau mae'n ffurf ar ymgais i gyflawni hunanladdiad, ac mae angen sicrhau bod pob math o brotocolau ar waith mewn adrannau damweiniau ac achosion brys i ymdrin â rhywbeth a all fod yn broblem tymor byr, ond a allai arwain at farwolaethau onid ymdrinnir â hi yn y tymor byr hwnnw. Fel y dywedais, disgwyliwn i bob un o'r ymddiriedolaethau ddilyn canllawiau NICE.

2.50 p.m.

Jocelyn Davies: You will no doubt be as concerned as I am at the tendency of some to obsessively sunbathe, despite the well-known cancer risks. Many experts are now claiming that this behaviour is highly addictive, especially in the immature. Coin-operated sun beds are attracting young customers who may become obsessed with being brown. What is the Welsh Assembly Government doing to reduce skin-cancer rates and to save these sun worshippers from themselves?

The First Minister: Climate change will make that problem worse. It is astonishing, when you visit Australia, which is such a sun-worshipping nation, to see all small children wearing cowboy hats, with their sleeves rolled down—never even rolled up to the elbows—and wearing full-length trousers at all times. Fair-skinned people and red-headed people in sunny climates are seriously at risk. The Australians developed the ‘slip, slop, slap’ health campaign, so that all children learn the importance of not getting sunburnt, because it can result in melanoma. We may have to do the same thing, if climate change hits us big time over the next half a century.

Catherine Thomas: Young people who self-harm often feel that they have no-one to turn to and nowhere to seek advice and support from. What is the Welsh Assembly Government doing to publicise the services that are available to give that support and to enable young people to have someone that they can speak to, in confidence, and to secure the support that they need?

The First Minister: That is the hardest question of all, because you cannot press services on people and, somehow, the services have to be available at just the moment that they are needed. People must have services to turn to when needed, because if they are available before they are truly needed, the advice will almost certainly be rejected—the person has to be ready to receive help. Sometimes you have to go down a long way before you are willing to come up, because until you have gone down

Jocelyn Davies: Mae'n siŵr eich bod mor bryderus ag yr wyf finnau am dueddiad rhai pobl i dorheulo'n ddi-baid, a hynny er bod y peryglon o gael canser yn ddigon hysbys. Mae llawer o arbenigwyr yn dweud yn awr fod ymddygiad o'r fath yn hynod gaethiwus, yn enwedig ymhlith yr anaeddfed. Mae gwelyau haul sy'n gweithio ar arian parod yn denu cwsmeriaid ifanc a all wirioni'n lân ar gael lliw haul. Beth y mae Llywodraeth Cynulliad Cymru'n ei wneud i leihau cyfraddau canser y croen ac i achub yr addolwyr haul hyn rhagddynt eu hunain?

Y Prif Weinidog: Bydd y newid yn yr hinsawdd yn gwneud pethau'n waeth. Mae'n anhygoel ymweld ag Awstralia, gwlad sy'n addoli'r haul, a gweld yr holl blant bach yn gwisgo hetiau cowbois, a'u llewys wedi eu rholio i lawr—byth wedi eu torchi at y penelin hyd yn oed—ac yn gwisgo trowsusau llaes bob adeg. Mae hinsawdd heulog yn beryglus iawn i bobl sydd â chroen gwelw a gwallt coch. Datblygodd yr Awstraliaid yr ymgyrch iechyd ‘slip, slop, slap’, fel y bydd pob plentyn yn dysgu ei bod yn bwysig peidio â llosgi yn yr haul, oherwydd y gall achosi melanoma. Efallai y bydd yn rhaid inni wneud yr un peth, os bydd yr hinsawdd yn newid yn ddifffwr dros yr hanner can mlynedd nesaf.

Catherine Thomas: Yn aml bydd pobl ifanc sy'n eu niweidio eu hunain yn teimlo nad oes ganddynt neb yn gefn iddynt ac nad oes unlle iddynt fynd am gyngor a chefnogaeth. Beth y mae Llywodraeth Cynulliad Cymru'n ei wneud i roi cyhoeddusrwydd i'r gwasanaethau sydd ar gael i rod-di'r gefnogaeth honno fel y bydd gan bobl ifanc rywun i siarad ag ef, yn gyfrinachol, ac i gael y gefnogaeth y mae arnynt ei hangen?

Y Prif Weinidog: Dyna'r cwestiwn anhawsaf un, achos nid oes modd gorfodi gwasanaethau ar bobl a, rhywsut, mae angen sicrhau bod y gwasanaethau ar gael ar yr union adeg y mae eu hangen. Rhaid sicrhau bod gwasanaethau ar gael i bobl pan fo eu hangen arnynt, achos os byddant ar gael cyn bod gwir angen amdanynt, yna caiff y cyngor ei wrthod yn sicr—mae'n rhaid i'r unigolyn fod yn barod i gael help. Weithiau mae'n rhaid i chi blymio'r dyfnderoedd cyn y byddwch yn fodlon dod yn ôl i fyny,

far enough you do not think that you need the services. It is much easier to accept that you need a physical-health or medical solution than to accept that you need a mental-health solution. Sometimes, that point is never reached, and suicide occurs. The question that you asked is the hardest one to answer, in this field.

oherwydd nes y byddwch wedi mynd yn ddigon isel ni fyddwch yn meddwl bod angen y gwasanaethau arnoch. Mae'n llawer haws derbyn bod angen ateb i'ch iechyd corfforol neu feddygol arnoch na derbyn bod angen ateb iechyd meddwl arnoch. Weithiau, ni fydd rhywun byth yn cyrraedd y pwynt hwnnw, a bydd hunanladdiad yn digwydd. Y cwestiwn yr ydych wedi ei ofyn yw'r un anhawsaf un i'w ateb, yn y maes hwn.

Datganiad Busnes Business Statement

The Business Minister (Jane Hutt): There are a few changes to report to this week's business statement. With your agreement, I will move a procedural motion, later this afternoon, which will seek the Assembly's agreement to suspend Standing Orders in order to debate a no-named day motion in tomorrow's Plenary on the Rees review—details of which will be circulated to Members shortly. I will therefore not be seeking to move item 6, the motion to suspend Standing Orders, on today's agenda.

Y Trefnydd (Jane Hutt): Mae rhai newidiadau i'r datganiad busnes yr wythnos hon. Gyda'ch cydsyniad, yr wyf am wneud cynnig trefniadol, yn ddiweddarach y prynhawn yma, a fydd yn ceisio cael cydsyniad y Cynulliad i roi heibio'r Rheolau Sefydlog er mwyn inni drafod cynnig heb ddyddiad trafod yn ystod y Cyfarfod Llawn yfory ar adolygiad Rees—caiff y manylion eu cylchredeg ymhlith yr Aelodau maes o law. Felly ni fyddaf yn ceisio cynnig eitem 6, y cynnig i roi heibio'r Rheolau Sefydlog, ar yr agenda heddiw.

On the next three weeks' business, the draft business statement can be found on the Chamberweb under supporting documents, with the exception of the motion to approve the Street Works (Recovery of Costs) (Wales) Regulations 2005, which will be addressed on 5 July, not 28 June.

O ran busnes y tair wythnos nesaf, mae'r datganiad busnes drafft i'w gael ar we'r Siambr dan y dogfennau ategol, ac eithrio'r cynnig i gymeradwyo Rheoliadau Gwaith Stryd (Adennill Costau) (Cymru) 2005, y rhoddir sylw iddo ar 5 Gorffennaf, ac nid ar 28 Mehefin.

Following the Business Committee meeting this morning, the Deputy Presiding Officer has determined that, under Standing Order No. 2.25, the following items of legislation need not be referred to a Subject Committee for extended consideration: the Education (Nursery Education and Early Years Development and Childcare Plans) (Amendment) (Wales) Regulations 2005, the Street Works (Records) (Wales) Regulations 2005, the Social Housing Ombudsman (Wales) Regulations 2005, the Housing Act 2004 (Commencement No. 1) (Wales) Order 2005, the Public Audit (Wales) Act 2004 (Commencement No. 3) Order 2005, the Independent Review of Determinations (Adoption) (Wales) Regulations 2005, the List of Waste (Wales) Regulations 2005, and

Yn dilyn cyfarfod y Pwyllgor Busnes y bore yma, penderfynodd y Dirprwy Lywydd, a hynny dan Reol Sefydlog Rhif 2.25, nad oes angen cyfeirio'r eitemau canlynol o ddeddfwriaeth at Bwyllgor Pwnc i'w hystyried ymhellach: Rheoliadau Addysg (Cynlluniau Addysg Feithrin a Datblygu'r Blynyddoedd Cynnar a Gofal Plant) (Diwygio) (Cymru) 2005, Rheoliadau Gwaith Stryd (Cofnodion) (Cymru) 2005, Rheoliadau'r Ombwdsman Tai Cymdeithasol (Cymru) 2005, Gorchymyn Deddf Tai 2004 (Cychwyn Rhif 1) (Cymru) 2005, Gorchymyn (Cychwyn Rhif 3) 2005 Deddf Archwilio Cyhoeddus (Cymru) 2004, Rheoliadau Adolygu Annibynnol ar Benderfyniadau (Mabwysiadu) (Cymru) 2005, Rheoliadau Rhestrau Gwastraff

the Hazardous Waste (Wales) Regulations 2005.

Y Llywydd: A oes gwrthwynebiadau i'r datganiad busnes? Gwelaf nad oes. A oes sylwadau?

Ieuan Wyn Jones: Yr wyf am gyfeirio at ddau fater. Yn gyntaf, tynnaf sylw at y ffaith y gwnaethpwyd cais am ddadl ar ganlyniad y trafodaethau Ewropeaidd ar ddyfodol y cronfeydd strwythurol. Yr wyf yn gwybod y bydd Prif Weinidog Cymru yn gwneud datganiad ar y mater hwn yfory, ond credaf ei bod yn bwysig inni gael dadl lawn arno, fel y gallwn glywed beth yn union yw ymateb Prif Weinidog Cymru a Phrif Weinidog y Deyrnas Gyfunol ar y mater hwn sy'n hollbwysig i ddyfodol ardal Amcan 1 yng Nghymru.

Gobeithiwn yn fawr, Drefnydd, y gallwch drefnu dadl ar y mater hwnnw, os nad yr wythnos nesaf, yn sicr yr wythnos wedyn.

Hefyd, pryd y byddwch yn cyflwyno cynnig i sefydlu'r pwyllgor i drafod ariannu ysgolion yn unol â phenderfyniad y Cynulliad yr wythnos diwethaf?

David Melding: The Conservative group also thinks that the future of EU funds needs to be examined as soon as possible as the knock-on effects could be quite dramatic for many of our poorest areas. Also, we feel that the long-term absences of health staff from certain NHS departments should be looked at strategically, and we would welcome a statement on this issue.

Mick Bates: I support the requests made by Plaid and the Welsh Conservatives, in that it is obvious that we need a debate on the future of European funding following the recent failure to agree a budget. The Welsh Liberal Democrats also support David Melding in his call for a statement on the long-term suspension of clinicians in the NHS. Currently, there is no information on how that process is managed, and, in view of recent events, we all need such information. There will be such instances in the future, so we need to discuss a protocol that will enable us to participate in the debate. Finally, I

(Cymru) 2005, a Rheoliadau Gwastraff Peryglus (Cymru) 2005.

The Presiding Officer: Are there any objections to the business statement? I see that there are none. Are there any comments?

Ieuan Wyn Jones: I will refer to two issues. First, I draw attention to the fact that a request was made for a debate on the outcome of the European discussions on the future of structural funds. I know that the First Minister will make a statement on this matter tomorrow, but I believe that it is important that we have a full debate on it, so that we can see exactly what the First Minister and the Prime Minister's responses are on this matter, which is all important to the future of the Objective 1 area in Wales.

We hope, Business Minister, that you can arrange a debate on that matter, if not this week, then the week after that.

Also, when will you table a motion to establish the committee to debate schools funding in line with the Assembly's decision last week?

David Melding: Mae grŵp y Ceidwadwyr hefyd o'r farn bod angen archwilio mater dyfodol y cronfeydd Ewropeaidd cyn gynted ag y bo modd oherwydd gallai'r effeithiau cynyddol posibl fod yn eithaf difrifol i lawer o'n hardaloedd tlotaf. Hefyd, yr ydym yn teimlo y dylid edrych yn strategol ar absenoldebau hirdymor rhai o'r staff ieched o rai o adrannau'r GIG, a byddem yn falch o gael datganiad ar y mater hwn.

Mick Bates: Yr wyf yn cefnogi ceisiadau Plaid a Cheidwadwyr Cymru gan ei bod yn amlwg bod angen inni gael trafodaeth ar ddyfodol y cyllid Ewropeaidd wedi'r methiant diweddar i gytuno ar gyllideb. Mae Democratiaid Rhyddfrydol Cymru hefyd yn cefnogi David Melding a'i alwad am ddatganiad ar yr ataliad hirdymor ar glinigwyr yn y GIG. Ar hyn o bryd, nid oes dim gwybodaeth ynglŷn â sut y caiff y broses honno ei rheoli, ac yng ngoleuni pethau sydd wedi digwydd yn ddiweddar, mae angen gwybodaeth o'r fath arnom. Bydd

would like to see a debate on the current Oxfam 'Rhown Derfyn ar Dlodi' campaign. We are all aware that, on 2 July at the G8 summit in Edinburgh, there will be a massive demonstration—I think that is time that the Assembly held a debate to show the people of Wales and the United Kingdom how we can help in the process. John Griffiths has previously raised this issue, and I would like you to give serious consideration to that so that we can show, here in Wales, particularly with our direction to sustainable development in clause 121 of the Government of Wales Act 1998, that we too want to join in with the immense campaign organised by Gordon Brown to reduce indebtedness in Africa.

Carl Sargeant: Minister, I would like time to be allotted for a potential debate on the unitary development plan and local development plan progression in planning policies. I raise that matter in the light of planning developments and the sudden downpour in my constituency in Flintshire this week that flooded many areas and constituents, with two inches of water dropping in less than two hours, which caused flash floods.

On top of that, Minister, perhaps a debate on the emergency services can be tabled. Sandy Mewies tabled a question today on the safety of emergency services personnel, which is an extremely important issue, and I believe that the Minister for Social Justice and Regeneration can address that issue.

Finally, the matter of accommodation for the homeless troubles many unitary authorities, and a company in my constituency, Corus Living Solutions, provides a sustainable and excellent approach to single accommodation for homeless people. I would like you to consider these requests, please.

Jane Hutt: I thank Members for their support of the business statement; that is an important indication of what will follow this afternoon, I am sure.

amgylchiadau o'r fath yn codi yn y dyfodol, ac felly mae angen inni drafod protocol a fydd yn ein galluogi i gymryd rhan yn y drafodaeth. Yn olaf hoffwn weld trafodaeth ar ymgyrch gyfredol Oxfam 'Rhown Derfyn ar Dlodi'. Gwyddom y bydd gwrthdystiad anferth ar 2 Gorffennaf yn Uwchgynhadledd yr G8 yng Nghaeredin—credaf ei bod yn bryd i'r Cynulliad gynnal dadl i ddangos i bobl Cymru a'r Deyrnas Unedig sut y gallwn ni helpu yn y broses hon. Mae John Griffiths wedi codi'r mater hwn o'r blaen, a hoffwn i chi ystyried hynny o ddifrif fel y gallwn ddangos, yma yng Nghymru, yn arbennig o gofio'r cyfarwyddyd a roddir inni o ran datblygu cynaliadwy yng nghymal 121 o Ddeddf Llywodraeth Cymru 1998, ein bod ninnau hefyd am ymuno yn yr ymgyrch enfawr hon a drefnir gan Gordon Brown i ostwng dyledion yn Affrica.

Carl Sargeant: Weinidog, hoffwn weld pennu amser ar gyfer dadl bosibl ar gynnydd cynlluniau datblygu unedol a chynlluniau datblygu lleol mewn polisiau cynllunio. Codaf y mater hwnnw yng ngoleuni datblygiadau cynllunio a'r glaw trwm disymwth yn fy etholaeth yn sir y Fflint yr wythnos hon a barodd lifogydd i lawer o ardaloedd ac etholwyr, ac a welodd ddwy fodfedd o ddŵr yn syrthio mewn llai na dwy awr, gan achosi gorlifo sydyn.

Yn ogystal â hynny, Weinidog, efallai y gellid cynnal dadl ar y gwasanaethau brys. Gofynnodd Sandy Mewies gwestiwn heddiw am ddiogelwch staff y gwasanaethau brys, sy'n fater pwysig iawn, ac yr wyf yn credu y gall y Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio roi sylw i'r mater hwnnw.

Yn olaf, mae mater llety i'r digartref yn poeni llawer o awdurdodau unedol, ac mae cwmni yn fy etholaeth i, Corus Living Solutions, yn darparu dull cynaliadwy a rhagorol o ran llety i bobl ddigartref. Hoffwn i chi ystyried y ceisiadau hyn, os gwelwch yn dda.

Jane Hutt: Diolch i'r Aelodau am eu cefnogaeth i'r datganiad busnes; mae hynny'n arwydd pwysig o'r hyn a fydd yn dilyn y prynhawn yma, yr wyf yn siŵr.

As the First Minister said, the future of the European structural funds in Wales is key to the Assembly. We will have a statement tomorrow, when there will every opportunity to raise issues with the First Minister. With regard to making time for a debate, when budget prospects become clearer, I am sure that we can consider then whether a debate would be appropriate.

With regard to the issues raised by Mick and David on the long-term suspension of NHS clinical staff and how we handle uncertainty in relation to this issue, which is a topical matter, I do not intend to schedule a statement on this. However, discussions are taking place between Assembly officials and the British Medical Association to try to devise an improved way of reducing inappropriate exclusions and resolving future suspensions. That is part of the new disciplinary procedures that are being developed for consultants in Wales. The Minister for Health and Social Services has said that he will schedule time for a statement as soon as those discussions have been concluded and the new procedure agreed.

3.00 p.m.

Mick, you raised the important issue of making space for a statement or debate on the 'Rhown Derfyn ar Dlodi' campaign. Indeed, I was just conferring with John Griffiths and saying that I hoped that I would have something up my sleeve, but time is tight in the next three weeks. However, it is clear that this is an issue that the Assembly and the people of Wales are concerned about in terms of our commitment to the developing world. This week is world refugee week, and the celebrations that took place in Cardiff bay demonstrate the keen interest that the people of Wales have in addressing these issues. I hope that we will find time and space for these issues.

Carl raised several issues for which there is not time in the schedule for the next few weeks. However, I am aware that the issues are important in relation to the unitary development plan and local development plan

Fel y dywedodd y Prif Weinidog, mae dyfodol y cronfeydd strwythurol Ewropeaidd yng Nghymru'n allweddol i'r Cynulliad. Cawn ddatganiad yfory, a bydd pob cyfle i godi materion gyda'r Prif Weinidog. O ran gwneud amser ar gyfer dadl, pan fydd y rhagolygon cyllidebol yn gliriach, yr wyf yn siŵr y gallwn ystyried bryd hynny a fyddai dadl yn briodol ai peidio.

O ran y materion a godwyd gan Mick a David ynglŷn â'r ataliad hirdymor ar staff clinigol y GIG a sut yr awn i'r afael ag ansicrwydd ar y mater hwn, sy'n fater amserol, nid wyf yn bwriadu trefnu datganiad ar hyn. Fodd bynnag, mae trafodaethau'n mynd rhagddynt rhwng swyddogion y Cynulliad a Chymdeithas Feddygol Prydain i geisio dyfeisio ffordd well o leihau gwaharddiadau amhriodol ac unioni ataliadau at y dyfodol. Mae hyn yn rhan o'r drefn ddisgyblu newydd sy'n cael ei datblygu ar gyfer meddygon ymgynghorol yng Nghymru. Dywedodd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol y bydd yn trefnu amser ar gyfer datganiad, cyn gynted ag y bydd y trafodaethau hynny wedi eu cwblhau a chytuno wedi bod ar y weithdrefn newydd.

Mick, bu ichi godi mater pwysig sef gwneud lle ar gyfer datganiad neu ddadl ar yr ymgyrch 'Rhown Derfyn ar Dlodi'. Yn wir, yr wyf newydd fod yn ymgynghori gyda John Griffiths gan ddweud fy mod yn gobeithio y gallwn drefnu rhywbeth, ond mae amser yn brin yn ystod y tair wythnos nesaf. Fodd bynnag, mae'n amlwg bod hwn yn fater y mae'r Cynulliad a phobl Cymru'n poeni yn ei gylch o ran ein hymrwymiad i'r byd sy'n datblygu. Yr wythnos hon yw wythnos ffoaduriaid y byd, ac mae'r dathliadau a gynhaliwyd ym mae Caerdydd yn dangos yr awydd cryf sydd gan bobl Cymru i roi sylw i'r materion hyn. Gobeithiaf y gallwn neilltuo amser a lle i'r materion hyn.

Cododd Carl sawl mater nad oes modd cael amser ar eu cyfer yn yr amserlen ar gyfer yr wythnosau nesaf. Fodd bynnag, yr wyf yn ymwybodol bod y materion hyn yn rhai pwysig o ran y cynllun datblygu unedol a'r

that will affect your constituency. I am particularly concerned about the emergency services issues. Many people spoke up when you talked about accommodation for homeless people and the arrangements that are affecting single homeless people across Wales, and I will raise the issue with the Minister for Social Justice and Regeneration.

cynllun datblygu lleol a fydd yn effeithio ar eich etholaeth. Yr wyf yn arbennig o bryderus ynglŷn â'r materion sy'n ymwneud â'r gwasanaethau brys. Mynegodd llawer o bobl eu barn pan oeddech yn trafod llety i bobl ddi-gartref a'r trefniadau sy'n effeithio ar bobl sengl ddi-gartref ledled Cymru, a byddaf yn codi'r mater gyda'r Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio.

*Derbyniwyd y datganiad busnes.
Business statement adopted.*

Cynnig Cyfansawdd: Cymeradwyo Gorchmynion Composite Motion: Approval of Orders

The Presiding Officer: Under Standing Order No. 24.25, this motion is not subject to debate.

Y Llywydd: O dan Reol Sefydlog Rhif 24.25, ni chynhelir dadl ar y cynnig hwn.

Jane Hutt: I propose that

Jane Hutt: Cynigiad fod

the National Assembly for Wales, acting under Standing Order No. 24.25:

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol â Rheol Sefydlog Rhif 24.25:

1. a) considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 7 June 2005 on the draft Plastic Materials and Articles in Contact with Food (Amendment) (No 2) (Wales) Regulations 2005; and

1. a) yn ystyried adroddiad y Pwyllgor Deddfau a osodwyd yn y Swyddfa Gyflwyno ac a e-bostiwyd at Aelodau'r Cynulliad ar 7 Mehefin 2005 ynghylch y rheoliadau drafft, Rheoliadau Deunyddiau ac Eitemau Plastig mewn Cysylltiad â Bwyd (Diwygio) (Rhif 2) (Cymru) 2005; a

b) approves that the draft Plastic Materials and Articles in Contact with Food (Amendment) (No 2) (Wales) Regulations 2005 are made in accordance with:

b) yn cymeradwyo bod y rheoliadau drafft, Rheoliadau Deunyddiau ac Eitemau Plastig mewn Cysylltiad â Bwyd (Diwygio) (Rhif 2) (Cymru) 2005, yn cael eu gwneud yn unol ag:

i) the draft regulations laid in the Table Office on 24 May 2005; and

i) y rheoliadau drafft a osodwyd yn y Swyddfa Gyflwyno ar 24 Mai 2005; a

ii) the regulatory appraisal laid in the Table Office on 26 May 2005; and

ii) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 26 Mai 2005; a

2. a) considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 7 June 2005 on the draft Materials and Articles in Contact with Food (Wales) Regulations 2005; and

2. a) yn ystyried adroddiad y Pwyllgor Deddfau a osodwyd yn y Swyddfa Gyflwyno ac a e-bostiwyd at Aelodau'r Cynulliad ar 7 Mehefin 2005 ynghylch y rheoliadau drafft, Rheoliadau Deunyddiau ac Eitemau mewn Cysylltiad â Bwyd (Cymru) 2005; a

b) approves that the draft Materials and Articles in Contact with Food (Wales)

b) yn cymeradwyo bod y rheoliadau drafft, Rheoliadau Deunyddiau ac Eitemau mewn

- | | |
|--|--|
| <i>Regulations 2005 are made in accordance with:</i> | <i>Cysylltiad â Bwyd (Cymru) 2005, yn cael eu gwneud yn unol ag:</i> |
| <i>i) the draft regulations laid in the Table Office on 2 June 2005; and</i> | <i>i) y rheoliadau drafft a osodwyd yn y Swyddfa Gyflwyno ar 2 Mehefin 2005; a</i> |
| <i>ii) the regulatory appraisal laid in the Table Office on 2 June 2005; and</i> | <i>ii) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 2 Mehefin 2005; a</i> |
| <i>3. a) considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 7 June 2005 on the draft Education (Listed Bodies) (Wales) (Amendment) Order 2005; and</i> | <i>3. a) yn ystyried adroddiad y Pwyllgor Deddfau a osodwyd yn y Swyddfa Gyflwyno ac a e-bostiwyd at Aelodau'r Cynulliad ar 7 Mehefin 2005 ynghylch y Gorchymyn drafft Gorchymyn Addysg (Cyrff sy'n Cael eu Rhestru) (Cymru) (Diwygio) 2005; a</i> |
| <i>b) approves that the draft Education (Listed Bodies) (Wales) (Amendment) Order 2005 be made in accordance with:</i> | <i>b) yn cymeradwyo bod y Gorchymyn drafft, Gorchymyn Addysg (Cyrff sy'n Cael eu Rhestru) (Cymru) (Diwygio) 2005 yn cael ei wneud yn unol ag:</i> |
| <i>i) the draft regulations laid in the Table Office on 17 May 2005; and</i> | <i>i) y rheoliadau drafft a osodwyd yn y Swyddfa Gyflwyno ar 17 Mai 2005; a</i> |
| <i>ii) the regulatory appraisal laid in the Table Office on 17 May 2005. (NDM2486)</i> | <i>ii) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 17 Mai 2005. (NDM2486)</i> |

*Cynnig (NDM2486): O blaid 51, Ymatal 0, Yn erbyn 0.
Motion (NDM2486): For 51, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davies, Andrew
Davies, Glyn
Davies, Jocelyn
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene

Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

*Derbyniwyd y cynnig.
 Motion carried.*

Datganiad gan y Gwir Anrhydeddus Peter Hain AS, Ysgrifennydd Gwladol Cymru

Statement by the Rt Hon Peter Hain MP, Secretary of State for Wales

Ysgrifennydd Gwladol Cymru (Peter Hain): Diolch, Lywydd, a diolch i chi i gyd—mae'n bleser mawr i mi fod yma unwaith eto.

Last month's Queen's Speech contained a record number of Wales-only Bills. Who would have imagined that 10 years ago, when Wales was ruled by John Redwood? Who would have imagined then, not only an Assembly well established as a vital part of the Welsh political landscape, but that, today, we would be discussing the Government's proposals for a route-map to achieve primary law-making powers?

This year's legislative programme contains over 40 Bills, including a new Government of Wales Bill, the White Paper for which proposes a three-staged move towards full legislative powers for the Assembly. First, we have already adopted the innovative approach recommended by the Richard commission in

The Secretary of State for Wales (Peter Hain): Thank you, Presiding Officer, and thank you all—it gives me great pleasure to be here once again.

Yr oedd Araith y Frenhines y mis diwethaf yn cynnwys mwy o Fesurau yn ymwneud â Chymru'n unig nag erioed o'r blaen. Pwy fyddai wedi dychmygu hynny 10 mlynedd yn ôl, pan oedd Cymru'n cael ei llywodraethu gan John Redwood? Pwy fyddai wedi dychmygu bryd hynny, nid yn unig y byddai'r Cynulliad wedi hen ennill ei blwyf fel rhan allweddol o'r byd gwleidyddol yng Nghymru, ond y byddem heddiw'n trafod cynigion y Llywodraeth i roi map i ddangos y llwybr tuag at bwerau deddfu sylfaenol i'r Cynulliad?

Mae'r rhaglen ddeddfwriaethol eleni'n cynnwys dros 40 o Fesurau, gan gynnwys Mesur Llywodraeth Cymru newydd, y mae ei Bapur Gwyn yn cynnig datblygiad thri cham tuag at bwerau deddfu llawn i'r Cynulliad. Yn gyntaf, yr ydym eisoes wedi mabwysiadu'r dull arloesol a argymhellwyd

drafting parliamentary Bills to give the Assembly wider and more permissive powers to determine the detail of how provisions should be implemented in Wales. An excellent example of this new approach is yesterday's proposal to give the Assembly wider powers to introduce smoke-free enclosed public spaces in Wales.

Secondly, instead of Wales fighting for space in future Queen's Speeches for Westminster Bills, we propose a simpler, more streamlined process. The Assembly will bid to implement a new policy or modify an existing law. Rather than Westminster undertaking the normal lengthy process of Second Readings, committee and report stages, and Third Readings in both Houses of Parliament, from May 2007, the Assembly's bid will be determined by a straightforward vote in both houses. This is the affirmative resolution procedure under which Parliament decides Orders in Council after a debate of an hour and a half. In each case, these Orders would give the Assembly new powers to make legislation in specified areas of policy, to modify the provisions of Acts of Parliament as they affect Wales, or to make new provision.

Our proposals mean that more legislation will be made in Wales by Assembly Members. They also mean that the Assembly Government will be able to secure more effectively and more quickly the legislative tools that it needs to get on with the job of building a world-class Wales, with a globally competitive economy and high-quality public services.

The Richard commission envisaged greater powers for the Assembly from 2011. However, under the White Paper, we will grant the Assembly enhanced powers delivered under a streamlined process much earlier—in 2007. However, it may prove in the future that even these additional powers and streamlined procedures are still insufficient to address the Assembly's needs. The Government has, therefore, agreed to provide for the option of transferring primary

gan gomisiwn Richard i lunio Mesurau seneddol i roi pwerau ehangach a mwy caniatol i benderfynu ar y manylion ar gyfer gweithredu'r darpariaethau yng Nghymru. Enghraifft ardderchog o'r dull newydd hwn yw'r cynnig a roddwyd gerbron ddoe i roi pwerau ehangach i'r Cynulliad i gyflwyno manau cyhoeddus caeedig di-fwg yng Nghymru.

Yn ail, yn hytrach na bod Cymru'n gorfod brwydro am ei lle yn Areithiau'r Frenhines yn y dyfodol i sicrhau Mesurau yn San Steffan, yr ydym yn awgrymu proses symlach a haws. Bydd y Cynulliad yn gwneud cais i weithredu polisi newydd neu i addasu cyfraith sy'n bod eisoes. Yn hytrach na bod San Steffan yn ymgymryd â'r broses faith arferol o Ail Ddarlleniadau, camau'r pwyllgor a'r adroddiad, a Thrydydd Darlleniad yn nau Dŷ'r Senedd, o fis Mai 2007 ymlaen, bydd cais y Cynulliad yn cael ei benderfynu gan bleidlais syml yn y ddau dŷ. Dyma'r weithdrefn i gadarnhau cynigion a ddefnyddir gan y Senedd i benderfynu ar Orchmynion y Cyfrin Gyngor ar ôl dadl awr a hanner o hyd. Ym mhob achos, byddai'r Gorchmynion hyn yn rhoi pwerau newydd i'r Cynulliad i lunio deddfau mewn meysydd polisi penodedig, i addasu Deddfau Seneddol fel y maent yn effeithio ar Gymru, neu i wneud darpariaethau newydd.

Bydd ein cynigion yn golygu y bydd mwy o ddeddfwriaeth yn cael ei llunio yng Nghymru gan Aelodau'r Cynulliad. Maent yn golygu hefyd y bydd Llywodraeth y Cynulliad yn gallu sicrhau'r arfau deddfu sydd eu hangen arni i fwrw ymlaen yn fwy effeithiol ac yn gynt gyda'r gwaith o greu Cymru o safon fyd-eang, gydag economi sy'n gystadleuol ar lefel fyd-eang a gwasanaethau cyhoeddus o'r safon uchaf.

Yr oedd comisiwn Richard yn rhagweld mwy o bwerau i'r Cynulliad ar ôl 2011. Fodd bynnag, o dan y Papur Gwyn, byddwn yn caniatáu mwy o bwerau i'r Cynulliad o dan broses symlach yn llawer cynt na hynny—yn 2007. Fodd bynnag, mae'n bosibl y gwelwn yn y dyfodol na fydd hyd yn oed y pwerau ychwanegol hyn a'r gweithdrefnau sydd wedi eu symleiddio'n ddigon i ateb anghenion y Cynulliad. Mae'r Llywodraeth, felly, wedi cytuno i roi'r opsiwn i drosglwyddo pwerau

legislative powers over all devolved fields directly to the Assembly.

Granting primary powers to Wales clearly would be a fundamental change to the Welsh devolution settlement. That is why the White Paper provides for primary powers only after a referendum has triggered them. The Government has no current plans for such a referendum. However, in order to avoid the necessity of a third Government of Wales Bill, we propose to legislate for this now. At any time in the future, a referendum could be triggered by a two-thirds majority vote in the Assembly and endorsement by Parliament. So let us be clear: contrary to the publicly expressed expectations of Labour's opponents and critics, some of whom are here today, primary powers will be on the statute book by late autumn next year. That is Labour delivering for Wales and Labour delivering for devolution, as Labour, and only Labour, always has.

This is a White Paper beating to the pulse of Welsh public opinion. By contrast—*[Interruption.]*

The Presiding Officer: Order. I will not have a disorderly house here, as they have in some places. I will call the leader of the opposition in good time to ask questions on the statement.

Peter Hain: By contrast, those who, for their own political reasons, are demanding a referendum now, are completely out of step with Welsh public opinion. As one who has long favoured primary powers, and who is responsible for including them in this White Paper, I tell you frankly that there would not be a chance of winning such a referendum soon. Imagine what a defeat would do to the devolution cause—just imagine that. Remember how close the vote was in 1997, when there was the kind of wide cross-party consensus that is absent now. Remember too that after the massive defeat in 1979, it took 20 years to move the devolution process forward and get the Assembly established.

deddfu sylfaenol ar draws yr holl feysydd datganoledig yn uniongyrchol i'r Cynulliad.

Byddai caniatáu pwerau sylfaenol i Gymru'n amlwg yn newid sylfaenol i'r setliad datganoli yng Nghymru. Dyna pam nad yw'r Papur Gwyn yn caniatáu pwerau sylfaenol tan ar ôl i refferendwm gael ei sbarduno ganddynt. Nid oes gan y Llywodraeth gynlluniau ar hyn o bryd ar gyfer refferendwm o'r fath. Fodd bynnag, er mwyn osgoi'r angen am drydydd Mesur Llywodraeth Cymru, yr ydym yn cynnig deddfu ar gyfer hyn yn awr. Ar unrhyw adeg yn y dyfodol, gallai refferendwm gael ei sbarduno gan fwyafrif o ddwy ran o dair mewn pleidlais yn y Cynulliad a chyda chymeradwyaeth y Senedd. Gadewch inni fod yn bendant ynglŷn â hyn: yn groes i'r disgwyliadau a fynegwyd yn gyhoeddus gan wrthwynebwyr a beirniaid y Blaid Lafur, ac mae rhai ohonynt yma heddiw, bydd pwerau sylfaenol ar y llyfr statud erbyn diwedd yr hydref y flwyddyn nesaf. Dyna beth yw Llafur yn gweithio dros Gymru a Llafur yn gweithio dros ddatganoli, fel y mae Llafur, a Llafur yn unig, wedi bod yn gwneud erioed.

Mae hwn yn Bapur Gwyn sy'n taro'r un cywair â'r farn gyhoeddus yng Nghymru. Mewn cyferbyniad—*[Torri ar draws.]*

Y Llywydd: Trefn. Nid wyf am ganiatáu tŷ afreolus yma, fel sydd ganddynt mewn rhai manau. Byddaf yn galw ar arweinydd yr wrthblaid mewn da bryd i ofyn cwestiynau ar y datganiad.

Peter Hain: Mewn cyferbyniad â hynny, mae'r rhai sydd, am eu rhesymau gwleidyddol eu hunain, yn mynnu cael refferendwm yn awr, yn mynd yn gwbl groes i'r farn gyhoeddus yng Nghymru. Fel un sydd ers tro wedi bod o blaid pwerau sylfaenol, ac sy'n gyfrifol am eu cynnwys yn y Papur Gwyn hwn, yr wyf yn dweud wrthyf yn blwmp ac yn blaen na fyddai dim gobaith o ennill refferendwm o'r fath yn fuan. Dychmygwch yr hyn y byddai colli refferendwm yn ei olygu i achos datganoli—dychmygwch hynny. Cofiwch mor agos oedd y bleidlais yn 1997, pan gafwyd y math o gonsensws trawsbleidiol eang sydd ei eisiau yn awr. Cofiwch hefyd ei bod, ar ôl y golled enfawr yn 1979, wedi cymryd 20 mlynedd i

symud ymlaen gyda'r broses ddatganoli a sefydlu'r Cynulliad.

We will also legislate, again in line with the Richard commission, to ensure a clear separation between the Assembly's executive and legislative branches, ending the current corporate structure that has bred confusion about who is actually responsible for decisions. We will end what is widely accepted as the abuse in the Assembly's election system that enables losers to become winners. For losing candidates to become Assembly Members, and set themselves up as rivals to Assembly Members by whom they were defeated, devalues the integrity of the Assembly's electoral system in the public's eyes. Therefore, we intend to prevent the situation occurring in the future. Candidates will have a choice to stand either in constituencies or on lists, but not both. *[Interruption.]*

The Presiding Officer: Order. I have asked Members to listen in an orderly way. This is hardly news; it was in the Labour Party manifesto, as far as I remember. Let us listen to the Secretary of State's statement, and there will then be an opportunity for all opposition leaders to question him.

Peter Hain: Presiding Officer, I am grateful that you read the Labour Party's election manifesto—and good reading it is too.

The Government of Wales Bill will be introduced late this year or early next year, coming into effect in time for the May 2007 elections. In addition, the Queen's Speech contains an unprecedented legislative programme for Wales. The trailblazing Bill for a commissioner for older people, the Welsh clauses on public smoking in the Health Improvement and Protection Bill, and the new transport powers show the Assembly taking forward its policy agenda in Wales and working in partnership with this Government to achieve it.

Although the general election was less than seven weeks ago, there are two Wales-only Bills well on their way—the Commissioner

Byddwn yn deddfu hefyd, eto yn unol â chomisiwn Richard, i sicrhau bod gwahaniad clir rhwng canghennau gweithredol a deddfwriaethol y Cynulliad, gan roi diwedd ar y strwythur corfforaethol presennol sydd wedi achosi dryswch ynglŷn â phwy mewn gwirionedd sy'n gyfrifol am wneud penderfyniadau. Byddwn yn rhoi terfyn ar yr hyn sy'n cael ei weld gan lawer fel camddefnydd o system etholiadol y Cynulliad lle y caniateir i rai sydd wedi colli fod yn fuddugol. Mae caniatáu i ymgeiswyr sydd wedi colli fod yn Aelodau o'r Cynulliad, a bod yn wrthwynebwyr i Aelodau o'r Cynulliad a oedd wedi eu trechu, yn tanseilio hygredd system etholiadol y Cynulliad yng ngolwg y cyhoedd. Yr ydym, felly, yn bwriadu atal sefyllfa o'r fath rhag codi yn y dyfodol. Caiff ymgeiswyr ddewis sefyll un ai yn yr etholaethau neu ar y rhestrau, ond nid yn y ddau. *[Torri ar draws.]*

Y Llywydd: Trefn. Yr wyf wedi gofyn i Aelodau wrando'n dawel. Nid yw hyn yn newyddion; yr oedd ym maniffesto'r Blaid Lafur, hyd y cofiaf. Gadewch inni wrando ar ddatganiad yr Ysgrifennydd Gwladol, ac wedyn bydd cyfle i arweinwyr y gwrthbleidiau ei holi.

Peter Hain: Lywydd, yr wyf yn falch eich bod yn darllen maniffesto etholiad y Blaid Lafur—ac mae'n ddeunydd darllen da hefyd

Caiff Mesur Llywodraeth Cymru ei gyflwyno ddiwedd y flwyddyn eleni neu'n gynnar y flwyddyn nesaf, gan ddod i rym erbyn yr etholiadau ym Mai 2007. Hefyd, mae Araith y Frenhines yn cynnwys rhaglen ddeddfwriaethol ddigyffelyb i Gymru. Mae'r Mesur arloesol ar gyfer comisiynydd pobl hŷn, y cymalau Cymreig ar ysmegu cyhoeddus yn y Mesur Gwella a Gwarchod Iechyd, a'r pwerau trafniadaeth newydd yn dangos sut y mae'r Cynulliad yn symud ymlaen gyda'i agenda bolisi yng Nghymru ac yn gweithio mewn partneriaeth gyda'r Llywodraeth hon i gyflawni hynny.

Er bod llai na saith wythnos wedi mynd heibio ers yr etholiad cyffredinol, mae dau Fesur sy'n berthnasol i Gymru'n unig eisoes

for Older People (Wales) Bill and the Transport (Wales) Bill—having already had their Second Readings. We will be publishing the draft Tourism Accommodation Registration (Wales) Bill this session for pre-legislative scrutiny. On top of all this, there could be around 18 Bills in this legislative session that will contain specific Welsh provisions, or be of particular relevance to Wales. Therefore, half the Bills before Parliament will grant powers to the Assembly, making for our busiest Welsh legislative programme ever, and allowing the Assembly to drive forward its own reform programme, tailored to the needs of Wales.

ar eu taith—Mesur Comisiynydd Pobl Hŷn (Cymru) a'r Mesur Trafnidiaeth (Cymru)—a hwythau eisoes wedi derbyn Ail Ddarllenriad. Byddwn yn cyhoeddi'r Mesur Cofrestru Llety Ymwelwyr (Cymru) yn ystod y sesiwn hon ar gyfer craffu cyn y broses ddeddfu. Yn ychwanegol at hyn, gall y sesiwn ddeddfwriaethol hon gynnwys oddeutu 18 Mesur a fydd yn cynnwys darpariaethau sy'n benodol i Gymru, neu a fydd o bwys arbennig i Gymru. Felly, bydd hanner y Mesurau sydd gerbron y Senedd yn caniatáu pwerau i'r Cynulliad, sy'n golygu mai hon yw ein rhaglen ddeddfwriaethol brysraf erioed i Gymru, gan alluogi'r Cynulliad i fwrw ymlaen gyda'i raglen ddiwygio ei hun, sydd wedi ei llunio'n bwrpasol i ddiwallu anghenion Cymru.

3.10 p.m.

It is no wonder that Wales has been doing better, under our Labour Government, than it has for generations. It is a Wales that is well and truly part of Great Britain, just like the Welsh players on tour with the British and Irish Lions, described by Sir Clive Woodward as the 'heartbeat' of the lions. Are they not doing well? Ryan Jones was man of the match on Saturday, and Gavin Henson scored two tries today, and they are both Neath-Swansea Ospreys. Sir Clive, it is time to put them in the test team.

Nid yw'n syndod bod Cymru wedi bod yn gwneud yn well, o dan ein Llywodraeth Lafur, nag y mae wedi gwneud ers cenedlaethau. Mae'n Gymru sy'n rhan annatod o Brydain Fawr, yn union fel y chwaraewyr o Gymru sydd ar y daith gyda'r Llewod Prydeinig a Gwyddelig, a ddisgrifiwyd gan Syr Clive Woodward fel 'curiad calon' y Llewod. Onid ydynt yn gwneud yn dda? Ryan Jones oedd seren y gêm ddydd Sadwrn, a sgoriodd Gavin Henson ddau gais heddiw, ac mae'r ddau yn chwarae i Weilch Tawe-Nedd. Syr Clive, mae'n hen bryd eu rhoi yn y tîm ar gyfer y gêm brawf.

There are record levels of employment in Wales, and there is also record public spending and a buoyant economy, along with pioneering Assembly policies such as that of having a children's commissioner, free bus travel for the over-60s and disabled people, and Assembly learning grants, which, following Welsh success, has led to their being copied in England. Imagine if the Conservatives had won the election, with their reactionary plans to reverse much of this momentum, and their multi-preference referendum designed to abolish the Assembly.

Mae lefelau cyflogaeth yng Nghymru yn uwch nag erioed, ac mae gwariant cyhoeddus hefyd yn uwch nag erioed ac mae'r economi'n ffynnu, ynghyd â pholisïau blaengar y Cynulliad, megis penodi comisiynydd plant, teithio am ddim ar fysiau i bobl dros 60 oed a phobl anabl, a grantiau dysgu'r Cynulliad sydd, wedi'r llwyddiant yng Nghymru, yn cael eu hefelychu yn Lloegr. Dychmygwch pe bai'r Ceidwadwyr wedi ennill yr etholiad, gyda'u cynlluniau adweithiol i myndroi llawer o'r momentwm hwn, a'u refferendwm aml-ddewis sydd wedi ei gynllunio i ddiddymu'r Cynulliad hwn.

I am proud to have outlined to you a historic Queen's Speech for Wales. It is the first Queen's Speech of this first ever third-term

Yr wyf yn falch o fod wedi cael y cyfle i amlinellu Araith y Frenhines sy'n un hanesyddol i Gymru. Dyma'r Araith gyntaf

Labour Government. I trust that it will be endorsed by the Assembly.

Ieuan Wyn Jones: Croesawaf yr Ysgrifennydd Gwladol yma i gyflwyno ei raglen ar gyfer deddfwriaeth ar ddiwrnod hanesyddol yng Nghymru. Mae hwn yn ddiwrnod hanesyddol am fod y Cynulliad Cenedlaethol, ar draws y pleidiau, wedi creu sefyllfa lle na fydd yn rhaid i fyfyrwyr Cymru dalu ffioedd dysgu ychwanegol o 2007 ymlaen. Gofynnaf i'r Ysgrifennydd Gwladol groesawu hynny fel datganoli yn gweithio ar ran pobl Cymru ac fel prawf bod pob plaid yn y Cynulliad yn gallu gwneud i ddatganoli weithio ac nad yw hynny'n ddibynnol ar y Blaid Lafur yn unig.

Tynnaf sylw yr Ysgrifennydd Gwladol at y Papur Gwyn. Yr ydym yn croesawu yn fras y cynlluniau i hollti'r corff deddfwriaethol oddi wrth y Llywodraeth a'r broses a ddaw yn sgîl hynny. Fodd bynnag, yr ydym yn gwrthwynebu yn llwyr y cynnig sbeitlyd na fydd yn caniatáu i Aelodau sefyll i'w hethol ar y rhestr ac mewn etholaethau. Yr oeddwn yn teimlo'n rhyfedd iawn wrth wrando ar yr unig 'amen' a gafwyd o ochr yr Aelodau Llafur, a hynny pan gyhoeddwyd y cynnig hwnnw yn eich datganiad. Yr oedd lleisiau'r Aelodau Llafur i'w clywed yn glir ar yr adeg honno, ond yr oeddent yn ddistaw yn ystod y rhan fwyaf o'ch araith, sy'n dangos mai rhywbeth mewnol i'r Blaid Lafur yw hyn a rhywbeth nad yw'n effeithio ar bobl Cymru.

Symudaf ymlaen i'r pwerau ychwanegol yr ydych yn eu harfaethu ar gyfer y Cynulliad a chynnwys y Papur Gwyn. Mae gwahaniaeth rhyngom ni o ran y broses yr ydych wedi'i hamlinellu. Yn naturiol, yr ydym yn derbyn bod Gorchmynion yn y Cyfrin Gyngor yn debyg o hwyluso'r broses ddeddfu, a derbyniwn fod hynny'n golygu y gallai'r Llywodraeth yn Llundain, o dan amgylchiadau arbennig, mewn theori, ganiatáu i'r Cynulliad ddeddfu ar faterion nad ydym yn deddfu arnynt ar hyn o bryd, ond y broblem yw y bydd gan San Steffan fetu ar y Gorchmynion hynny bob amser. Tra bo'n bosibl ichi ragweld sefyllfa lle mae Llywodraethau o'r un blaid yn llywodraethu yng Nghaerdydd ac yn Llundain a'r Gorchmynion hyn yn llwyddo, beth fydd yn

gan y Frenhines yn y trydydd tymor cyntaf erioed i Lywodraeth Lafur. Hyderaf y caiff ei chymeradwyo gan y Cynulliad.

Ieuan Wyn Jones: I welcome the Secretary of State here to present his programme for legislation on a historic day in Wales. This is a historic day because the National Assembly has delivered, across the parties, a situation whereby students in Wales will not have to pay top-up tuition fees from 2007. I ask the Secretary of State to welcome that as devolution working on behalf of the people of Wales and as proof that every party in the Assembly can make devolution work and that it is not dependent on the Labour Party alone.

I draw the Secretary of State's attention to the White Paper. We broadly welcome the plans to split the legislative body from the Government and the process that that will entail. However, we totally oppose the spiteful proposal that will not allow Members to stand for election on the list and in the constituencies. I felt quite strange listening to the one and only 'amen' that came from the Labour Members' side when that was announced in your statement. Labour Members' voices were heard loudly at that point but were muted during most of your speech, which shows that this is internal to the Labour Party and does not impact on the people of Wales.

I move on to the additional powers that you propose for the Assembly and the contents of the White Paper. There is a difference between us on the process that you have outlined. Naturally, we accept that Orders in Council are likely to facilitate the legislative process and we accept that that means that, under particular circumstances, in theory, the London Government could allow the Assembly to legislate on matters that we do not currently legislate upon, but the problem is that Westminster will always have a veto on those Orders. While it is possible to anticipate a situation whereby you have Governments of the same colour governing in Cardiff and in London and these Orders being successful, what will happen when you have Governments of different colours? Will

digwydd pan fo gennych Lywodraethau o liwiau gwahanol? Oni fydd sefyllfa felly, gyda gwahaniaeth athronyddol a gwleidyddol dwfn rhwng dwy blaid, yn arwain at broblemau cyfansoddiadol dwys? Ni fydd y Llywodraeth yn Llundain am weld y Cynulliad yn gwneud pethau sy'n groes i'w pholisïau hi.

Once we have looked at the first stage, as you described it, there is a route-map to having primary law-making powers. The consensus view on those powers was addressed by the Richard commission. The Secretary of State has made much play of the fact that there is no consensus in Wales in favour of primary law-making powers. There is consensus, and it is called the Richard commission, because all political parties and people of no parties were represented on the commission. It took evidence for 18 months, and spent £1 million of public money, and it came to the unanimous conclusion that there should be primary law-making powers by 2011. I have heard the Secretary of State say that we might not get this mythical consensus that he talks about until 2015. I suspect that that is the date by which most Welsh Labour MPs will have retired, or will have lost their seats as colleagues behind me in the Chamber are suggesting, which will enable us to move to the trigger.

I wish to refer to the arm lock that you have put on that process, and these hurdles that have been introduced. It is not for the Secretary of State or the Labour Party to judge whether there is consensus; it is a matter for the people of Wales to judge. Is the best way to do so not to commit this decision to the people of Wales sooner rather than later? The Secretary of State and the First Minister believe that Wales should have primary law-making powers; it seems to us that the only missing consensus is that of Welsh Labour MPs in Westminster. They have forced through this undemocratic hurdle that you have included regarding having a two-thirds majority in favour before we can move to a referendum.

How can it be right for the United Kingdom to go to war on a one-vote majority in

not such a situation, with severe philosophical and political differences between two parties, lead to serious constitutional problems? The Government in London will not want the Assembly to do things that are contrary to its policies.

Unwaith y byddwn wedi edrych ar y cam cyntaf, fel yr ydych yn ei ddisgrifio, bydd gennym fap llwybr yn arwain at bwerau deddfu sylfaenol. Rhoddwyd sylw i'r consensws barn ynghylch y pwerau hynny gan gomisiwn Richard. Mae'r Ysgrifennydd Gwladol wedi gwneud yn fawr o'r ffaith nad oes consensws yng Nghymru o blaid pwerau deddfu sylfaenol. Ond mae consensws, a'i enw yw comisiwn Richard, oherwydd yr oedd yr holl bleidiau gwleidyddol a'r bobl amhleidiol wedi eu cynrychioli ar y comisiwn hwnnw. Bu'n derbyn tystiolaeth am 18 mis, a gwariodd £1 miliwn o arian cyhoeddus, cyn dod i'r casgliad unfrydol y dylai fod gennym bwerau deddfu sylfaenol erbyn 2011. Yr wyf wedi clywed yr Ysgrifennydd Gwladol yn dweud na fyddwn yn cael y consensws chwedlonol hwn y mae'n siarad amdano tan 2015. Tybiaf y bydd y rhan fwyaf o ASau Llafur Cymru wedi ymddeol erbyn hynny, neu wedi colli eu seddi fel y mae fy nghyd-Aelodau yn y Siambr y tu ôl imi yn awgrymu, a bydd hynny'n ein galluogi i symud at y sbardun.

Hoffwn gyfeirio at y wasgod gaeth yr ydych wedi ei rhoi ar y broses honno, a'r clwydi hyn a godwyd o'n blaenau. Nid mater i'r Ysgrifennydd Gwladol na'r Blaid Lafur yw barnu a oes consensws; mater i bobl Cymru yw barnu. Ai'r ffordd orau o wneud hynny yw peidio â rhoi'r penderfyniad hwn yn nwylo pobl Cymru yn hwyr yn hytrach nag yn hwyrach? Mae'r Ysgrifennydd Gwladol a Phrif Weinidog Cymru yn credu y dylai fod gan Gymru bwerau deddfu sylfaenol; ymddengys i ni mai'r unig consensws sydd ei eisiau yw'r un ymhlith ASau Llafur Cymru yn San Steffan. Maent wedi ein gorfodi i neidio dros y glwyd annemocrataidd hon o orfod cael mwyafrif o ddwy ran o dair o blaid cyn y gallwn symud at refferendwm.

Sut y gall fod yn iawn i'r Deyrnas Unedig fynd i ryfel ar fwyafrif o un bleidlais yn San

Westminster when a two-thirds majority is required in the Assembly to be able to hold a referendum to consult the people of Wales? Does he not regard that as being undemocratic? Does he not think that the decision regarding law-making powers is not in the gift of one party, but in the gift of the people of Wales? Why can they not be consulted sooner rather than later?

Peter Hain: Thank you for your general welcome for the White Paper. As Secretary of State for Wales, it was me who ensured that primary powers were included in the paper, and will be included in the Bill. I get the impression that Ieuan rather feels that the rug has been pulled from under Plaid Cymru's feet. All the speculation in the *Western Mail*, which of course is the Bible of truth on such matters, stated that we would not do this. Well, we have, and we will, and that is that.

You said that the proposals to ensure that candidates cannot stand in both categories of the electoral system were 'spiteful'. In that case, why do you think that the Electoral Reform Society, in its evidence to the Richard commission, which you constantly quoted, opposed the system? It stated that

'a system in which candidates can lose elections but nevertheless win seats undermines respect for the electoral process'.

It also stated that

'if defeated candidates are perceived to enter the Assembly through a back door, it can damage public confidence in the system',

and that

'there is also concern that list members can "cherry pick" issues, deciding to focus their activities on those issues most likely to raise their profile or create problems for their constituency opponents. There have been accusations that list members have concentrated their energies in constituencies in their regions where there are future prospects of winning constituency seats. If the Welsh Assembly were to acquire greater powers, it must be anticipated that the

Steffan ond eto mae angen mwyafrif o ddwy ran o dair yn y Cynulliad i gynnal refferendwm i ymgynghori â phobl Cymru? Onid yw'n gweld bod hynny'n annemocrataidd? Onid yw'n ystyried nad mater i un blaid yw'r penderfyniad ar bwerau deddfu, ond mater i bobl Cymru? Pam na ellir ymgynghori â hwy yn hwyr yn hytrach nag yn hwyrach?

Peter Hain: Diolch ichi am eich croeso cyffredinol i'r Papur Gwyn. Fel Ysgrifennydd Gwladol Cymru, myfi a sicrhodd fod pwerau deddfu wedi eu cynnwys yn y papur, ac y cynhwysir hwy yn y Mesur. Yr wyf yn cael yr argraff bod Ieuan yn teimlo braidd bod y carped wedi cael ei dynnu o dan draed Plaid Cymru. Yr oedd yr holl ddyfalu yn y *Western Mail* sydd, wrth gwrs, yn Efengyl ar faterion o'r fath, yn dweud na fyddem yn gwneud hyn. Wel, fe wnaethom, ac fe wnawn, a dyna ddiwedd arni.

Dywedasoch fod y cynigion i sicrhau na all ymgeiswyr sefyll yn nau gategori'r system etholiadol yn 'sbeitlyd'. Os felly, pam y tybiwch fod y Gymdeithas Diwygio Etholiadol, yn ei thystiolaeth i gomisiwn Richard, yr ydych mor hoff o'i ddyfynnu'n barhaus, yn erbyn y system? Dywedodd fod

system lle y gall ymgeiswyr gollu etholiadau ond er hynny ennill seddi yn tanseilio parch at y broses etholiadol.

Dywedodd hefyd

os rhoddir yr argraff bod ymgeiswyr sy'n colli yn mynd i mewn i'r Cynulliad drwy'r drws cefn, gall fod yn andwyol i hyder y cyhoedd yn y system,

ac

mae pryder hefyd bod aelodau rhestr yn gallu "dewis a dethol" materion, gan benderfynu canolbwyntio eu gweithgareddau ar y materion sydd fwyaf tebygol o godi eu proffil neu o greu problemau i'w gwrthwynebwyd etholaethol. Cafwyd cyhuddiadau bod aelodau rhestr wedi canolbwyntio eu hegni mewn etholaethau yn eu hardaloedd lle y mae ganddynt obaith yn y dyfodol o ennill seddi etholaethol. Pe bai'r Cynulliad Cenedlaethol yn ennill mwy o bwerau, rhaid tybio y

tensions between list and constituency AMs will increase.'

This was not said by a Labour Party Secretary of State or a Labour Party Member, but by the Electoral Reform Society, which is a non-party body.

I will give you some other quotes by the Presiding Officer of the Scottish Parliament, who said that

'quite the most distasteful and irritating part of my job as Presiding Officer was dealing with complaints against list Members' behaviour from constituency MSPs, Westminster MPs and local authorities...I could not understand at first why we had such problems, until it dawned on me that what some were determined to do was misuse their position to run a permanent four-year campaign as candidate for a particular constituency. In most Parliaments you do not have Members sitting in the same chamber or in committees who are going to be election opponents, and it does not make for a good working atmosphere.'

3.20 p.m.

Those are not the words of a Labour Party apparatchik, but of the former Presiding Officer of the Scottish Parliament. I could make many such arguments, including referring to the minority votes that many list Members achieved in constituency sessions but who, defying that electoral verdict, turned up in the Assembly. I do not think that that is 'spiteful'; it is democratic to ensure that candidates should choose how to stand.

On Ieuan Wyn Jones's question about Parliament having a veto on Orders in Council, Parliament currently has a veto on Bills—Wales-only Bills and other Bills, of course. There is much more scope for Westminster to disrupt Wales-only legislation under the existing procedures, a point that the First Minister has made before, than there would be for a simple Order in Council, which could go through in an hour and a half.

You asked what right I had to judge the fact

byddai'r tensiynau rhwng ACau rhestr ac etholaethol yn cynyddu.

Nid Ysgrifennydd Gwladol Llafur nac Aelod o'r Blaid Lafur a ddywedodd hyn ond y Gymdeithas Diwygio Etholiadol, sy'n gorff amhleidiol.

Rhoddaf rai dyfyniadau eraill ichi gan Lywydd Senedd yr Alban, a ddywedodd

un o'r pethau mwyaf annifyr a diflas am fy swydd fel Llywydd oedd delio â chwynion yn erbyn ymddygiad Aelodau rhestr gan ASau yr Alban, ASau San Steffan ac awdurdodau lleol...ni allwn ddeall i ddechrau pam yr oedd problemau o'r fath yn codi, hyd nes y gwawriodd arnaf fod rhai pobl yn benderfynol o gamddefnyddio eu sefyllfa i gynnal ymgyrch pedair blynedd barhaol fel ymgeisydd am etholaeth neilltuol. Yn y rhan fwyaf o Seneddau nid yw Aelodau sy'n mynd i fod yn wrthwynebwyr etholiadol yn eistedd yn yr un siambr, neu ar yr un pwyllgorau, ac nid yw'n creu awyrgylch gweithio iach.

Nid geiriau un o garedigion y Blaid Lafur yw'r rhain, ond geiriau cyn Lywydd Senedd yr Alban. Gallwn gynnig sawl dadl o'r fath, gan gynnwys cyfeirio at y pleidleisiau lleiafrifol a enillodd nifer o Aelodau'r rhestr mewn sesiynau etholaethol, ond, yn groes i'r bleidlais, a ddaeth drwy ddrws y Cynulliad. Nid wyf yn meddwl bod hynny'n 'sbeitlyd'; mae'n ddemocrataidd sicrhau y dylai ymgeiswyr gael dewis sut i sefyll.

Ynghylch cwestiwn Ieuan Wyn Jones am y Senedd yn cael bwrw pleidlais fetu ar Orchmynion y Cyfrin Gyngor, mae gan y Senedd ar hyn o bryd fetu ar Fesurau—Mesurau Cymru'n unig a Mesurau eraill, wrth gwrs. Mae llawer mwy o sgôp i San Steffan darfu ar ddeddfwriaeth Cymru'n unig o dan y trefniadau presennol, pwynt y mae Prif Weinidog Cymru wedi'i wneud o'r blaen, nag a fyddai ar gyfer Gorchymyn syml yn y Cyfrin Gyngor, a allai fynd drwodd mewn awr a hanner.

Yr ydych wedi gofyn pa hawl a oedd gennyf i

that there was no consensus—as I argue is the case—for a referendum on primary legislative powers, and why we do not simply follow the Richard commission's recommendations and the consensus on that. Whatever the Richard commission reported to the Assembly, I have a duty to represent a Government that won an election mandate and has the consensus of Wales behind it, with by far the majority vote in Wales—much bigger, in multiple terms, than the share of the vote of any of our rival parties, including Plaid Cymru. The Labour Party is closer to the consensus of the people in Wales than any other party or independent commission. I say that in all seriousness. I understand and respect Ieuan's point, but do you not think, and do not Labour's opponents acknowledge, that to hold a referendum prematurely when there is palpably no cross-party consensus—as is currently the case, because Welsh Labour would not support an early referendum—would risk defeat? What would we achieve then? Ieuan jeers and gestures, as do other Plaid Cymru Members, but I remind him that I organised the 1997 referendum campaign and a very close shave it was too. When we go for a referendum on primary powers, as we will in future, then we must do so with cross-party support in the interests of Wales and in the national interests of the Welsh people.

Briefly, Ieuan also asked about the necessity for a two-thirds majority vote in favour in the Assembly compared with the majority vote on going to war, for example, in Westminster. I understand his point, but, if I were still Secretary of State for Wales at that time, to argue against the opponents of the case for primary legislative powers, who are thickly populated on the opposition benches in particular, I would want to be sure that I had a clear consensus in the Assembly—a cross-party consensus and not a narrow vote. That is the reason; it is a genuine attempt to provide momentum for and lend credibility to such a situation.

Nick Bourne: I welcome the Secretary of State here and wish him success in both his portfolios, as I am sure we all do.

farnu nad oedd consensws—sef yr hyn yr wyf yn ei ddadlau—dros gynnal refferendwm ar bwerau deddfu sylfaenol, a pham nad ydym yn fodlon dilyn argymhellion a chonsensws comisiwn Richard ar hynny. Pa adroddiad bynnag a gyflwynodd comisiwn Richard i'r Cynulliad, mae'n ddyletswydd arnaf gynrychioli'r Llywodraeth a enillodd fandad etholiadol ac sydd â chonsensws Cymru y tu ôl iddi, gyda mwyafrif y bleidlais o bell yng Nghymru—llawer mwy, o ran faint a gafwyd, na chyfran y bleidlais a enillodd unrhyw un o'r gwrthbleidiau, gan gynnwys Plaid Cymru. Mae'r Blaid Lafur yn nes at gonsensws y bobl yng Nghymru na'r un blaid arall na chomisiwn annibynnol. Dywedaf hyn yn gwbl ddifrifol. Deallaf a pharchaf bwynt Ieuan, ond oni chredwch, ac onid yw gwrthwynebwyr Llafur yn cydnabod hyn, y byddai cynnal refferendwm cyn pryd lle y mae'n glir nad oes consensws ymhlith y pleidiau—fel ar hyn o bryd, oherwydd ni fyddai Llafur Cymru o blaid refferendwm buan—yn rhoi ei lwyddiant yn y fantol? Beth a gyflawnai hynny? Mae Ieuan yn gwawdio ac yn gwneud ystumiau, fel y mae Aelodau eraill Plaid Cymru'n gwneud, ond hoffwn ei atgoffa mai myfi a drefnodd ymgyrch refferendwm 1997 ac mai cael a chael oedd hynny. Pan fyddwn yn cynnal refferendwm ar bwerau sylfaenol, fel y byddwn yn y dyfodol, rhaid inni wneud hynny gyda chefnogaeth yr holl bleidiau er budd Cymru ac er budd cenedlaethol pobl Cymru.

Yn fyr, gofynnodd Ieuan hefyd pam y mae angen pleidlais gyda mwyafrif o ddwy ran o dair o blaid yn y Cynulliad o'i gymharu â phleidlais fwyafrifol ar fynd i ryfel, er enghraifft, yn San Steffan. Deallaf ei bwynt, ond, pe bawn yn Ysgrifennydd Gwladol Cymru o hyd ar y pryd, i ddadlau yn erbyn gwrthwynebwyr yr achos dros bwerau deddfu sylfaenol, sy'n frith ar y meinciau cefn yn enwedig, byddwn am sicrhau bod gennyf gonsensws clir yn y Cynulliad—consensws trawsbleidiol ac nid pleidlais cael a chael. Dyna'r rheswm; ymgais ddiffuant ydyw i greu momentwm i sefyllfa o'r fath a rhoi hgyredd iddi.

Nick Bourne: Estynnaf goeso i'r Ysgrifennydd Gwladol a dymunaf bob llwyddiant iddo gyda'i ddau bortffolio, fel yr wyf yn siŵr yr ydym i gyd yn gwneud.

In the White Paper, which he has not touched on specifically in his statement today, he refers to the transfer of powers and says that it has worked successfully. I wonder whether, in his response, he could update us on what point we have reached in relation to large energy projects of 50 megawatts and above. That question has taken more than three years so far to be answered. The response to every question that I have tabled is that it is still being discussed. Therefore, that has not been as successful as he seeks to suggest.

On the separation of the legislature and Executive, which we have all supported and there is no problem with that. All 60 Members are signed up to that agenda, so we certainly welcome that.

Turning to the electoral system—on which the Minister made a great play of trying to put a principled case for Labour as to why first-past-the-post Members will not also be able to stand as list Members—I would like to ask two questions. First, many of his objections about list Members will apply in the same way to list Members who had not stood for the constituencies; they will still be able to represent themselves as list Members for a region; they will still be able to cherry pick, and so on, so the Minister's argument on that particular point does not hold water.

Secondly, I would like to ask the Minister what he thinks of Mr Peter Peacock. He may not be aware of Mr Peter Peacock, but I can tell him that he is a Labour Member in the Scottish Parliament. The Minister has talked about the Scottish Parliament, and about how insidious it is that list Members there are able to represent themselves as local Members, but Mr Peacock does; he is a Labour Member who represents himself as a local Member for Moray. It is tolerated there. Why is it tolerable in Scotland, but not in Wales? Is it because, at the moment, Labour benefits from it in Scotland but not in Wales? You might like to consider the self-interest argument that there are probably some Members on your own side who may not feel quite as strongly

Yn y Papur Gwyn, ac nid yw wedi sôn yn benodol amdano yn ei ddatganiad heddiw, mae'n cyfeirio at drosglwyddo pwerau ac yn dweud ei fod wedi gweithio'n llwyddiannus. Tybed a allai, yn ei ymateb, ein diweddarau ynghylch pa bwynt yr ydym wedi'i gyrraedd gyda phrosiectau ynni mawr 50 megawat neu fwy. Mae'r cwestiwn hwnnw wedi cymryd mwy na thair blynedd hyd yma i gael ei ateb. Yr ymateb a gefais i bob cwestiwn a gyflwynais hyd yn hyn yw ei fod yn dal i gael ei drafod. Felly, ni fu'n llwyddiannus fel y mae'n ceisio ei awgrymu.

Ynglŷn â gwahanu'r corff deddfu a'r Weithrediaeth, sy'n rhywbeth yr ydym i gyd wedi'i gefnogi ac nid oes problem gyda hynny. Mae pob un o'r 60 Aelod o blaid yr agenda honno, felly yr ydym yn sicr yn croesawu hynny.

Gan droi at y system etholiadol—a chlywsom y Gweinidog yn gwneud ymdrech fawr i geisio pledio achos egwyddorol Llafur ynghylch pam na fydd Aelodau cyntaf i'r felin hefyd yn gallu sefyll fel Aelodau rhestr—hoffwn ofyn dau gwestiwn. Yn gyntaf, bydd nifer o'i wrthwynebiadau ynghylch Aelodau rhestr yn berthnasol yn yr un modd i Aelodau rhestr sydd heb sefyll dros yr etholaethau; byddant yn dal i fod yn gallu cyflwyno eu hunain fel Aelodau rhestr dros ranbarth; byddant yn dal i fod yn gallu dewis a dethol, ac yn y blaen, felly nid yw dadl y Gweinidog ar y pwynt arbennig hwnnw yn dal dŵr.

Yn ail, hoffwn ofyn i'r Gweinidog beth yw ei farn am Mr Peter Peacock. Efallai nad yw'n ymwybodol o Mr Peter Peacock, ond gallaf ddweud wrtho ei fod yn Aelod Seneddol Llafur yn yr Alban. Mae'r Gweinidog wedi siarad am Senedd yr Alban, ac ynghylch pa mor llechwraidd yw'r ffaith bod Aelodau rhestr yno yn gallu cyflwyno eu hunain fel Aelodau lleol, ond mae Mr Peacock yn gwneud hynny; mae'n Aelod Llafur sy'n cyflwyno ei hun fel Aelod lleol dros Moray. Mae'n cael ei oddef yno. Pam ei oddef yn yr Alban, ond nid yng Nghymru? Ai oherwydd bod Llafur, ar y funud, yn elwa ar hyn yn yr Alban ond nid yng Nghymru? Efallai yr hoffech ystyried y ddadl o safbwynt hunan-fudd fod rhai Aelodau ar eich ochr chi o fan

about this as you seem to from another place, because they will be getting their P45s next time around. Dare I say, without embarrassing them, that some of the more talented Members of your party may well suffer because of this proposal.

I move to the third part of the White Paper, relating to the growth of powers, if I can put it that way. We support the broad general framework for legislation and the way in which it is done at the moment—with immediate effect, as I understand it. That was in our manifesto for the last Assembly elections, so we could scarcely do other than welcome that; that is sensible. However, the next stage appears to me to be a dog's dinner. There is no guarantee that you, as Secretary of State, or your successor, will agree to any proposal coming from this place. It is still crumbs from the table. There is no guarantee, as is true of the current system with legislation in the queue. How is it different, apart from being on specific and not wholesale areas?

On the third stage, you say, somewhat disingenuously, that you are putting legislative powers in statute from autumn next year. This is true in a sense, but we know very well, because I heard you say so to the House of Commons, that you do not anticipate this happening until 2015. Let us, therefore, have the whole picture at the earliest opportunity. As you believe in legislative powers—as do I—why do you not trust the people of Wales on a referendum now? Why are you not prepared to go out and make the case to the Welsh people? You say that the consensus is not there, but that is not what the opinion polls are saying. How is it that you have a divine telephone line to the Welsh people, and others, including opinion pollsters, do not?

I would be interested to know why you think that there is no consensus at the moment. We believe, as a party, that there needs to be a referendum now with a series of options because opinions differ; they differ in my party—I am candid about that—and they differ in yours. We know that some Welsh MPs are not fully signed up to the agenda of

arall nad ydynt efallai yn teimlo mor gryf am hyn ag yr ydych chi, oherwydd byddant yn derbyn eu P45 y tro nesaf. Mentraf ddweud, heb greu embaras iddynt, y bydd rhai o'r Aelodau mwyaf dawnus yn eich plaid efallai'n dioddef o ganlyniad i'r cynnig hwn.

Symudaf at drydedd ran y Papur Gwyn, yng nghyswllt twf pwerau, os gallaf gyfeirio ato felly. Cefnogwn y fframwaith eang cyffredinol ar gyfer deddfwriaeth a'r modd y gwneir hynny ar hyn o bryd—gan ddod i rym ar unwaith, fel y deallaf. Yr oedd hynny yn ein maniffesto ar gyfer etholiad diwethaf y Cynulliad, felly prin y gallwn wneud dim ond ei groesawu; mae'n gwneud synnwyr. Er hynny, ymddengys i mi fod y cam nesaf yn dipyn o siop siafins. Nid oes dim sicrwydd y byddwch chi, fel Ysgrifennydd Gwladol, na'ch olynnydd ychwaith, yn cytuno ag unrhyw un o'r cynigion a ddaw o'r fan hon. Briwsion o'r bwrdd a gawn o hyd. Nid oes dim sicrwydd, fel sy'n wir am y system bresennol gyda deddfwriaeth yn y ciw. Sut y mae hyn yn wahanol, ar wahân i'r ffaith ei fod yn cyfeirio at feysydd penodol yn hytrach na meysydd eang?

Ar y trydydd cam, dywedwch yn eithaf ffuantus y byddwch yn cyflwyno pwerau deddfu statudol o'r hydref y flwyddyn nesaf. Mae hyn yn wir mewn ffordd, ond gwyddom yn bur dda, oherwydd fe'ch clywais yn dweud hynny yn Nhŷ'r Cyffredin, nad ydych yn disgwyl i hyn ddigwydd tan 2015. Felly, gadewch inni gael y darlun llawn cyn gynted â phosibl. Gan eich bod yn credu mewn pwerau deddfu—fel yr wyf finnau—pam nad ydych yn ymddiried ym mhobl Cymru i gynnal refferendwm yn awr? Pam nad ydych yn barod i fynd allan a phledio'r achos i bobl Cymru? Yr ydych yn dweud nad oes consensws, ond nid hynny a ddywed y polau piniwn. Sut y mae gennych ryw gyswllt ffôn dwyfol â phobl Cymru nad yw gan neb arall, gan gynnwys y polau piniwn?

Byddai gennyf ddiddordeb mewn cael gwybod pam y tybiwch nad oes consensws ar hyn o bryd. Credwn, fel plaid, fod angen cynnal refferendwm yn awr gyda chyfres o opsiynau gan fod barn pobl yn wahanol; maent yn wahanol yn fy mhlaid i—dywedaf hynny'n gwbl onest—ac yn wahanol yn eich un chi. Gwyddom nad yw rhai o ASau

full legislative powers; some for perfectly valid reasons, others perhaps because they fear the consequent reduction of Welsh MPs. One of the reasons that Labour is not keen on this referendum and wants it put off until the distant future is that it will certainly affect its majority at Westminster. Could we have a little candour on the general referendum issue?

I also read the Labour manifesto, and, like the Presiding Officer, I love a great mystery. I thought that this was something to be enjoyed, but there was nothing in it about the 66 per cent. Where has that suddenly come from? There is no precedent in the British constitution of requiring this sort of threshold for any legislation. It has always operated on the basis of a majority, whether in the Scottish Parliament, the National Assembly for Wales or at Westminster. This is only being done to try to keep Labour there as a blocking mechanism. It is a minority party now, but it will probably be an even smaller minority party after the next Assembly elections. Is that not what is behind this?

Finally—and I realise that your statement was probably prepared before today's developments—you talk of the great successes of the Assembly, but you should add to that that all four parties have signed up to an agreement today to stop top-up fees from happening in Wales. I hope that lesson will be followed in Westminster. You talk about lessons being sent to Westminster from this place, and this is an important lesson that could be learned at Westminster.

3.30 p.m.

I pay tribute to the First Minister, who has recognised the minority status of his own Government in coming to the talks in a constructive way so that we now have that four-party agreement. Will the Secretary of State welcome that development today?

Cymru o blaid cael pwerau deddfu llawn; rhai am resymau cwbl ddilys, eraill efallai am eu bod ofn gweld llai o ASau Cymru o ganlyniad. Un o'r rhesymau pam nad yw Llafur yn awyddus i gynnal refferendwm ac eisiau ei gohirio tan y dyfodol pell yw y byddai'n sicr yn effeithio ar ei mwyafrif yn San Steffan. A gawn ychydig o onestrwydd ar fater y refferendwm yn gyffredinol?

Darllenais innau fanifesto Llafur hefyd ac, fel y Llywydd, yr wyf wrth fy modd gyda dirgelwch da. Yr oeddwn yn credu bod hyn yn rhywbeth i'w fwynhau, ond nid oedd dim byd ynddo am y 66 y cant. O ba le y daeth y ffigur hwn? Nid oes dim cynsail yng nghyfansoddiad Prydain fod angen y math hwn o drothwy ar gyfer unrhyw ddeddfwriaeth. Mae o hyd wedi gweithredu ar sail mwyafrif, p'un ai yn Senedd yr Alban, Cynulliad Cenedlaethol Cymru neu yn San Steffan. Yr unig reswm y gwneir hyn yw i geisio cadw Llafur yno fel mecanwaith rhwystro. Plaid leiafrifol ydyw bellach, ond mae'n debyg y bydd yn blaid leiafrifol lai fyth ar ôl etholiad nesaf y Cynulliad. Onid hynny sydd y tu ôl i hyn?

Yn olaf—a sylweddolaf fod eich datganiad wedi'i baratoi mae'n debyg cyn y datblygiadau heddiw—yr ydych yn sôn am lwyddiannau mawr y Cynulliad, ond dylech fod wedi ychwanegu bod y pedair plaid heddiw wedi cefnogi cytundeb i atal codi ffioedd atodol yng Nghymru. Gobeithio y bydd y wers honno'n cael ei dilyn yn San Steffan. Yr ydych yn sôn am wersi'n cael eu hanfon i San Steffan oddi yma, ac mae hon yn wers bwysig y gallai San Steffan ei dysgu.

Yr wyf yn talu teyrnged i'r Prif Weinidog, sydd wedi cydnabod statws lleiafrifol ei Lywodraeth ei hun drwy ymuno â'r trafodaethau mewn ffordd adeiladol fel bod gennym yn awr y cytundeb hwn rhwng y pedair plaid. A wnaiff yr Ysgrifennydd Gwladol groesawu'r datblygiad hwn heddiw?

Peter Hain: I welcome the development, not least because it provides certainty to Welsh students and stability for Welsh universities. The stability of funding for Welsh universities that would have been in question had there not been an agreement. Therefore, of course I welcome it.

Peter Hain: Yr wyf yn croesawu'r datblygiad, yn anad dim, oherwydd ei fod yn rhoi sicrwydd i fyfyrwyr Cymru a sefydlogrwydd i brifysgolion Cymru. Y sefydlogrwydd o ran arian i brifysgolion Cymru a fyddai wedi bod yn y fantol pe na baem wedi cael cytundeb. Felly, yr wyf wrth gwrs yn ei groesawu.

I remind Nick Bourne and all opposition Members that it was I, as Secretary of State, who provided through primary legislation, and the transfer of functions Order, for that power over student fees to be devolved to the Assembly. I proposed it, with Jane Davidson, the Minister for Education and Lifelong Learning, who made a bid for it. You have now made your decision. That is what devolution is about.

Hoffwn atgoffa Nick Bourne a holl Aelodau'r gwrthbleidiau mai myfi, fel yr Ysgrifennydd Gwladol, a ddarparodd drwy ddeddfwriaeth sylfaenol, a'r Gorchymyn trosglwyddo swyddogaethau, ar gyfer datganoli'r pŵer dros ffioedd myfyrwyr i'r Cynulliad. Cynigiwyd hyn gennyf fi, gyda Jane Davidson, y Gweinidog dros Addysg a Dysgu Gydol Oes, a wnaeth gais amdano. Yr ydych wedi gwneud eich penderfyniad yn awr. Dyna beth yw datganoli.

You asked about energy consents. A tripartite working group, with Department of Trade and Industry, Wales Office and National Assembly for Wales officials, is still considering the implications of the proposal for the transfer of powers over energy consents, and will produce a report as quickly as possible. We need to balance the obvious desire of the Assembly to be in charge of this area with the UK's energy needs and Wales's contribution to that, and to be certain, in view of the strategic and security of supply issues involved in energy policy, that we have a sensible outcome.

Holasoch ynglŷn â chaniatadau ynni. Mae gweithgor teiran, sy'n cynnwys swyddogion o'r Adran Masnach a Diwydiant, Swyddfa Cymru a Chynulliad Cenedlaethol Cymru, yn dal i ystyried goblygiadau'r cynnig ar gyfer trosglwyddo pwerau dros ganiatadau ynni, a bydd yn cynhyrchu adroddiad cyn gynted ag y bo modd. Mae angen inni sicrhau cydbwysedd rhwng awydd amlwg y Cynulliad i fod yn gyfrifol am y maes hwn ac anghenion ynni'r DU a chyfraniad Cymru tuag at hyn. Mae angen inni hefyd fod yn sicr, o ran yr agweddau strategol a'r agweddau'n ymwneud â diogelwch y cyflenwad sy'n rhan o bolisi ynni, ein bod yn cael canlyniad sy'n gwneud synnwyr.

There have also been other recent transfer of functions Orders, for the transfer of powers over fire services, CAF/CASS and animal health to the Assembly.

Cafwyd Gorchymynion trosglwyddo swyddogaethau eraill yn ddiweddar hefyd, ar gyfer trosglwyddo pwerau dros wasanaethau tân, CAF/CASS ac iechyd anifeiliaid i'r Cynulliad.

On the question of the election list system, why is Nick Bourne so sensitive about this? It is curious. The main bile directed at the White Paper from the Conservatives and other opposition politicians is on this point. Why does he not follow the advice of the former Conservative Secretary of State for Wales, Lord Crickhowell, who said in the House of Lords last week:

Ar fater y system rhestr, pam mae Nick Bourne mor sensitif ynglŷn â hyn? Mae'n beth od. Mae'r chwerwder mwyaf a fynegwyd mewn perthynas â'r Papur Gwyn gan y Ceidwadwyr ac aelodau o'r gwrthbleidiau eraill yn ymwneud â'r pwynt hwn. Pam na fyddai'n dilyn cyngor y cyn Ysgrifennydd Gwladol Ceidwadol dros Gymru, Arglwydd Crughywel, a ddywedodd yn Nhŷ'r Arglwyddi yr wythnos diwethaf fod:

'The present arrangements are pretty indefensible'?

I think that Nick might follow the advice of one of his distinguished Conservative colleagues. How can he justify to the electorate of Brecon and Radnorshire, having polled only 29.9 per cent of the vote there, his now seeking, as a regional list Member, to represent them? How can he possibly justify that when he was kicked out by the voters of Brecon and Radnorshire? I could mention others. The Assembly Member for Caerphilly polled only 10.1 per cent of the vote. [*Interruption.*] Llywydd, let me correct that point—

The Presiding Officer: Order. The Secretary of State is replying to the statement.

Peter Hain: Laura Anne Jones polled 10.1 per cent of the vote in Caerphilly. Owen John Thomas polled 8.7 per cent of the vote in Cardiff Central. Eleanor Burnham polled only 7.9 per cent of the vote in Clwyd West. Mike German polled only 14 per cent of the vote in Torfaen. If I were a list Member, having had those miserable electoral performances in constituencies, I would be ashamed to come here seeking to defend that system.

In respect of what Nick Bourne said about crumbs from the table on powers, that is pretty rich coming from a Conservative, when the Conservatives' policy towards Wales was to deny Wales the ability to determine its own future year after year, decade after decade. He asks why we would not proceed or were not recommending to proceed with a referendum before 2011. It is possible that there might be a two-thirds majority vote in the Assembly before 2011. I do not recommend that, because I think that we should allow four years for the new system to bed down and to see how the streamlined enhanced Order-making powers are settling down and see whether there is a persuasive case at the end of that experience for moving on sooner. By the way, I never mentioned 2015 as a particular date. I have never said that it was necessarily that date. I said that it could occur in the next Assembly between 2011 and 2015. It could occur after

y trefniadau presennol yn rhai digon anodd eu cyfiawnhau?

Credaf y gallai Nick ddilyn cyngor un o'i gyfeillion adnabyddus yn y blaid Geidwadol. Sut y mae'n gallu cyfiawnhau wrth etholwyr Brycheiniog a Maesyfed, ar ôl ennill 29.9 y cant yn unig o'r bleidlais yno, ei fod yn awr yn ceisio eu cynrychioli, fel Aelod rhestr ranbarthol? Sut ar wyneb y ddaear y gall gyfiawnhau hyn ac yntau wedi ei wrthod gan etholwyr Brycheiniog a Maesyfed? Gallwn gyfeirio at eraill. Dim ond 10.1 y cant o'r bleidlais a gafodd yr Aelod o'r Cynulliad dros Gaerffili. [*Torri ar draws.*] Lywydd, gadewch imi gywiro'r pwynt hwnnw—

Y Llywydd: Trefn. Mae'r Ysgrifennydd Gwladol yn ymateb i'r datganiad.

Peter Hain: Enillodd Laura Anne Jones 10.1 y cant o'r bleidlais yng Nghaerffili. Enillodd Owen John Thomas 8.7 y cant o'r bleidlais yng Nghanol Caerdydd. Dim ond 7.9 y cant o'r bleidlais a gafodd Eleanor Burnham yng Ngorllewin Clwyd. Dim ond 14 y cant o'r bleidlais a gafodd Mike German yn Nhorfaen. Pe bawn i'n Aelod rhestr, wedi cael y perfformiadau etholiadol truenus hyn mewn etholaeth, byddai gennyf gywilydd dod yma i geisio amddiffyn y system.

O ran yr hyn a ddywedodd Nick Bourne ynglŷn â briwsion oddi ar y bwrdd wrth sôn am bwerau, mae'n un da'n siarad ac yntau'n aelod o'r blaid Geidwadol a oedd â pholisi tuag at Gymru a oedd yn gwarafun iddi'r gallu i benderfynu ynglŷn â'i dyfodol ei hun flwyddyn ar ôl blwyddyn, ddegawd ar ôl degawd. Mae'n gofyn pam na fyddem yn bwrw ymlaen neu pam nad oeddem yn argymhell bwrw ymlaen â refferendwm cyn 2011. Mae'n bosibl y byddai mwyafrif o ddwy ran o dair mewn pleidlais yn y Cynulliad cyn 2011. Nid wyf yn argymhell hynny, oherwydd credaf y dylem ganiatáu pedair blynedd i'r system newydd gael ei thraed dani a gweld sut y mae'r pwerau gwneud Gorchmynion symlach, gwell yn setlo a gweld a oes dadl gref ar ôl y profiad hwn dros symud ymlaen yn gynt. Gyda llaw, nid wyf erioed wedi crybwyll 2015 fel dyddiad penodol. Nid wyf erioed wedi dweud mai dyna'r dyddiad o reidrwydd. Dywedais y

that. If there is a two-thirds majority vote in the Assembly before that, it is a matter for the Assembly. However, I caution you to be careful about triggering a referendum before everyone is confident that there is cross-party support for it. I would also like to know where the Welsh Conservative Party would stand in that referendum, since Nick seems to favour more powers. The Shadow Secretary of State for Wales, Bill Wiggin, opposes the Assembly and wants to see it abolished; he is offering a multi-preference referendum, which is the Conservatives' way of seeking to invite the people of Wales to abolish the Assembly.

Nick asked about opinion polls. I remember the polls days before the September 1997 referendum; they are burned into my heart. They showed a very clear majority for the 'yes' vote. What happened on the day? It was a very narrow squeak. We have to be very careful about reading too much into opinion polls taken well in advance in a completely different situation. When I look around the world, at France and Holland in recent times, at the referendum held in the north-east of England last year, I see that governments currently have a habit of risking losing referenda. I do not think that it would be good for the Assembly to trigger a referendum prematurely.

Finally, on the points that Nick raised questioning whether Welsh Labour MPs are supportive of this policy, all Welsh Labour MPs, including those who have traditionally been quite sceptical about devolution, defended and supported the policy last week in the House of Commons. The whole Welsh Labour Party is united behind this policy. That may be terribly frustrating for Nick, Plaid Cymru, the Liberal Democrats, and their allies in the media, but that is how we are going to proceed.

On the question of the numbers of Welsh MPs of all parties, because we are not transferring, even under the primary powers option, functions outside the existing

gallai ddigwydd yn y Cynulliad nesaf rhwng 2011 a 2015. Gallai ddigwydd ar ôl hynny. Os oes pleidlais â mwyafrif o ddwy ran o dair yn y Cynulliad cyn hynny, mae'n fater i'r Cynulliad. Fodd bynnag, byddwn yn eich cymell i gymryd gofal a pheidio â mynd am refferendwm cyn bod pawb yn hyderus bod cefnogaeth drawsbleidiol iddi. Hoffwn wybod hefyd lle y byddai Plaid Geidwadol Cymru yn sefyll yn y refferendwm hon, gan ei bod yn ymddangos bod Nick yn cefnogi rhagor o bwerau. Mae Ysgrifennydd Gwladol yr Wrthblaid dros Gymru, Bill Wiggin, yn gwrthwynebu'r Cynulliad ac eisiau ei weld yn cael ei ddiddymu; mae'n cynnig refferendwm amlddewis, sef ffordd y Ceidwadwyr o geisio gwahodd pobl Cymru i ddiddymu'r Cynulliad.

Holodd Nick ynglŷn â pholau piniwn. Cofiaf y polau ddiwrnodau cyn refferendwm Medi 1997; maent wedi eu hargraffu ar fy nghalon. Dangosent fwyafrif amlwg iawn i'r bleidlais 'ie'. Beth a ddigwyddodd y diwrnod hwnnw? Cael a chael fu hi. Rhaid inni fod yn ofalus iawn nad ydym yn dibynnu'n ormodol ar bolau piniwn a gynhelir gryn dipyn ymlaen llaw mewn sefyllfaoedd hollol wahanol. Pan edrychaf o amgylch y byd, ar Ffrainc a'r Iseldiroedd yn ddiweddar, ar y refferendwm a gynhaliwyd yng ngogledd-ddwyrain Lloegr y llynedd, gwelaf fod llywodraethau'n tueddu i gollu referenda yn ddiweddar. Nid wyf yn credu y byddai'n beth da i'r Cynulliad gynnal refferendwm yn rhy gynnar.

Yn olaf, o ran y pwyntiau a gododd Nick ynglŷn ag a yw Aelodau Seneddol Llafur Cymru'n cefnogi'r polisi hwn, amddiffynnwyd a chefnogwyd y polisi yn Nhŷ'r Cyffredin yr wythnos diwethaf gan bob AS Llafur Cymreig, gan gynnwys y rhai sydd wedi bod braidd yn amheus o ddatganoli yn y gorffennol. Mae'r Blaid Lafur Gymreig yn gwbl unedig ar y polisi hwn. Efallai fod hyn yn rhwystredig iawn i Nick, i Blaid Cymru, y Democratiaid Rhyddfrydol, a'u cyfeillion yn y cyfryngau, ond dyma sut yr ydym am fynd yn ein blaenau.

Ynghylch mater nifer yr Aelodau Seneddol Cymreig o bob plaid, oherwydd nid ydym yn trosglwyddo, hyd yn oed dan y dewis pwerau sylfaenol, swyddogaethau sydd y tu allan i'r

devolved settlement, I do not think that there is any case for reducing their number, as there has been in Scotland. The criminal justice system, policing and other matters will still be reserved to Westminster, so I do not think that we should go down that road.

Michael German: I welcome the Secretary of State for Wales here, on what, I suppose, will be his last visit to this Chamber. I say that, of course, because the next time that you will be with us, we will not be in this room—just in case you were thinking that I knew something that you did not. [*Laughter.*] You look a bit worried, but I was merely making the point that it will be your last time visit here.

You present this route-map to us, but I would say to you that the Richard commission was set up precisely to try to establish clarity as to what this Assembly could and should do, and what should be done in Whitehall and Westminster. It is against that background of clarity that I judge your route-map, and I find that it contains more kinks and turns than the back page of an Automobile Association atlas of B roads. It presents a convoluted approach to primary legislative powers, which I think, from what you said here last year, you believe is the end point at which we should arrive.

I will come to the timetabling later, as I find the second step in your solution—13.2 provisions and then the Orders in Council, and then primary powers—quite ingenious. It is on that particular area that I want to question you. If it were to be a temporary solution, then I think that it may well be a very good one. It seems to me that the key issue that you have to answer relates to paragraphs 3.17 and 3.18 of the White Paper, about the breadth of the Orders that we will recommend to the House of Commons and the House of Lords for acceptance. You give three examples in the White Paper of narrow and broader depth. If, for example, the National Assembly were to request of you, through an Order in Council, the power to legislate in the area of local government

setliad datganoledig presennol, nid wyf yn credu bod dadl o blaid lleihau eu nifer, fel sydd wedi digwydd yn yr Alban. Bydd y system cyfiawnder troseddol, cadw'r heddwch a materion eraill yn dal i fod wedi eu neilltuo i San Steffan, felly ni chredaf y dylem ddilyn y trywydd hwnnw.

Michael German: Croesawaf Ysgrifennydd Gwladol Cymru yma, ac yntau, mae'n debyg, yn ymweld â'r Siambr hon am y tro olaf. Yr wyf yn dweud hyn, wrth gwrs, oherwydd y tro nesaf y byddwch gyda ni, ni fyddwn yn yr ystafell hon—rhag ofn eich bod yn meddwl fy mod yn gwybod rhywbeth nad oeddech chi'n ei wybod. [*Chwerthin.*] Yr ydych yn edrych braidd yn bryderus, ond y cyfan yr oeddwn yn ei ddweud oedd mai hwn fydd y tro olaf ichi fod yma.

Yr ydych yn cyflwyno'r map hwn i ddangos y llwybr inni, ond byddwn yn dweud wrthyfch fod comisiwn Richard wedi ei sefydlu yn benodol er mwyn ceisio sicrhau eglurder ynglŷn â beth y gallai ac y dylai'r Cynulliad hwn ei wneud, a beth a ddylai gael ei wneud gan y Llywodraeth yn Llundain ac yn San Steffan. Ar sail y cefndir hwn o eglurder yr wyf yn barnu eich map i ddangos y llwybr, a gwelaf ei fod yn cynnwys mwy o gorneli a throadau na thudalen gefn atlas o ffyrdd B gan y Gymdeithas Foduro. Mae'n cyflwyno dull cymhleth o ymdrin â phwerau deddfu sylfaenol, sef y man y dylem ei gyrraedd, yr wyf yn tybio, yn ôl yr hyn a ddywedasoeh yma y llynedd.

Deuaf at yr amserlen yn nes ymlaen, gan fy mod yn gweld yr ail gam yn eich ateb—darpariaethau 13.2 ac yna'r Gorchmynion yn y Cyfrin Gyngor, ac yna'r pwerau sylfaenol—yn ddyfeisgar iawn. Ynghylch y mater penodol hwnnw yr wyf am ofyn cwestiynau ichi. Pe bai'n mynd i fod yn ateb dros dro, yna mae'n ddigon posibl y byddai'n un da iawn. Ymddengys i mi fod y prif gwestiwn y mae'n rhaid ichi ei ateb yn ymwneud â pharagraffau 3.17 a 3.18 o'r Papur Gwyn, ynglŷn ag ehangder y Gorchmynion y byddwn yn argymhell bod Tŷ'r Cyffredin a Thŷ'r Arglwyddi yn eu derbyn. Yr ydych yn rhoi tair enghraifft yn y Papur Gwyn o gwmpas cyfyng ac ehangach. Pe bai'r Cynulliad Cenedlaethol, er enghraifft, yn gofyn ichi, drwy Orchymyn yn

finance, do you think that that is the sort of Order that you would present to the House of Commons and recommend for approval? It would be a broad Order, which would give those of us who believe in changing from a council tax system to a local income tax an opportunity to argue that case here. If we won the case, we could then legislate for that in the National Assembly. Do you think that if we asked for the power over elections to local authorities in Wales that we could have it? In other words, are the powers that you are proposing through your Orders in Council as broad and substantial as the Orders that we believe that we could have under primary legislation?

y Cyfrin Gyngor, am y pŵer i ddeddfu ym maes cyllid llywodraeth leol, a ydych yn credu mai dyna'r math o Orchymyn y byddech yn ei gyflwyno i Dŷ'r Cyffredin ac yn argymhell ei gymeradwyo? Byddai'n Orchymyn eang, a fyddai'n rhoi cyfle i'r rhai ohonom sy'n credu mewn newid o system treth gyngor i dreth incwm leol ddadlau o blaid hynny yma. Pe baem yn ennill y ddadl, galleb basio deddfwriaeth ar gyfer hynny wedyn yn y Cynulliad Cenedlaethol. A ydych yn credu pe baem yn gofyn am y pŵer dros etholiadau i awdurdodau lleol yng Nghymru y galleb ei gael? Mewn geiriau eraill, a yw'r pwerau yr ydych yn eu cynnig drwy eich Gorchmynion yn y Cyfrin Gyngor mor eang a sylweddol â'r Gorchmynion yr ydym yn credu y galleb eu cael dan ddeddfwriaeth sylfaenol?

3.40 p.m.

If we are to make new provision, they must be relatively broad. You say in your White Paper that the powers that we would have would be as broad as Parliament would wear; that is a paraphrase of the words in your White Paper. It is important that you tell us today what breadth of powers, in your view, you would accept. At the next Assembly elections, I think that you will see the political parties here putting forward their position on the legislative powers that they want. That will be voted on by the people of Wales, and views held by a majority of Assembly Members could then be put to you in Parliament. Would that then present a difficulty for Parliament, in that something that has been voted on by the people of Wales, which are clearly manifesto commitments, could then be turned down by you? That is the veto issue that I would like you to try to deal with.

Os ydym am wneud darpariaeth newydd, rhaid iddynt fod yn gymharol eang. Yr ydych yn dweud yn eich Papur Gwyn y byddai'r pwerau a fyddai gennym mor eang ag y byddai'r Senedd yn eu derbyn; mae hynny'n aralleiriad o'r geiriau yn eich Papur Gwyn. Mae'n bwysig eich bod yn dweud wrthym heddiw pa bwerau eang, yn eich barn chi, y byddech yn eu derbyn. Yn etholiadau nesaf y Cynulliad, tybiaf y byddwch yn gweld y pleidiau gwleidyddol yma yn cyflwyno eu barn ynglŷn â'r pwerau deddfwriaethol y mae arnynt eu heisiau. Bydd pobl Cymru'n pleidleisio ar hynny, a gallai'r safbwyntiau sydd gan fwyafrif o Aelodau'r Cynulliad gael eu rhoi ger eich bron chi wedyn yn y Senedd. A fyddai hynny wedyn yn peri anhawster i'r Senedd, oherwydd y byddai modd i rywbeth y mae pobl Cymru wedi pleidleisio arno, sy'n amlwg yn ymrwymadau maniffesto, gael ei wrthod wedyn gennych chi? Dyma'r cwestiwn ynglŷn â feto y byddwn yn hoffi ichi geisio delio ag ef.

If it works as I hope it does, and leads to huge areas of transfer of powers—and I suspect that that is what is in your mind; I hope that it is—by the time that we reach 2011, which was the date by which the Richard commission proposed a full legislative transfer, we will have a jigsaw of powers, with pieces missing. The next stage then—full legislative powers—would only put those

Os bydd yn gweithio fel yr wyf yn gobeithio y bydd, ac yn arwain at drosglwyddo pwerau mewn llawer iawn o feysydd—ac yr wyf yn tybio mai hynny sydd gennych mewn golwg; yr wyf yn gobeithio mai dyna sydd gennych—erbyn inni gyrraedd 2011, sef y dyddiad a gynigiwyd gan gomisiwn Richard ar gyfer trosglwyddo deddfu llawn, bydd gennym jig-so o bwerau, gyda darnau ar goll.

missing pieces in place. Surely a referendum would not be required to fill in the missing gaps when we will have gone maybe more than half way, perhaps even three quarters of the way, to full legislative powers in that period. By the way, I must correct you as you took my name in vain in the House of Commons in taking my colleague to task about our position on referenda; we have never sought a referendum on full law-making powers. However, if a referendum were to come along, whether on the Peter Hain wagon train or someone else's, we would not shy away from it, and we would fight it with relish, because we believe that it is to be won. However, and I have said this frequently, we think that there is a strong case for a referendum, and we would argue strongly in favour of a referendum, if we were to move to a more substantial change such as tax-varying powers, like the Scottish Parliament has. However, the key question remains: if the jigsaw is only to be filled in at the end of 2007 to 2011, why do you need a referendum?

On the voting system, I will not engage in the banter that colleagues have started with you. However, the Richard commission took evidence from all those who had concerns about this matter, and it recommended the single transferable vote as a way forward. Incidentally, when anyone has a look at any electoral system, that is always the recommendation that they come up with. This is a system that Labour established in the first place—it was certainly not our choice. We fight elections on the basis of a system that, as you know, because you led the referendum campaign, you put in place for us. Is not a Government that can get 50 per cent of the seats in this Chamber on 37 per cent or 38 per cent of the vote a good example of a loser becoming a majority? That seems to me to be the more apparent loser in the Welsh dimension, and the people of Wales have lost out by the votes that they cast.

I now turn to Standing Orders. I know that you have received representations from the First Minister, who said in his statement that

Byddai'r cam nesaf wedyn—pwerau deddfu llawn—yn rhoi'r darnau hyn sydd ar goll yn eu lle. Go brin y byddai angen refferendwm er mwyn llenwi'r bylchau a ninnau wedi mynd dros hanner y ffordd, hyd yn oed dri chwarter y ffordd efallai, tuag at bwerau deddfu llawn yn ystod y cyfnod hwn. Gyda llaw, rhaid imi eich cywiro gan eich bod wedi defnyddio fy enw'n ofer yn Nhŷ'r Cyffredin wrth alw fy nghyfaill i gyfrif ynglŷn â'n safbwynt ar refferenda; nid ydym erioed wedi gofyn am refferendwm ar bwerau deddfu llawn. Fodd bynnag, pe bai refferendwm yn cael ei chynnal, pa un ai ar argymhelliad Peter Hain neu unrhyw un arall, ni fyddem yn cefnu arni, a byddem yn ei hymladd yn frwd, gan ein bod yn credu y gellir ei hennill. Fodd bynnag, ac yr wyf wedi dweud hyn yn aml, yr ydym yn credu bod dadl gref dros refferendwm, a byddem yn dadlau'n gryf o blaid refferendwm, pe baem yn symud tuag at newid mwy sylweddol megis pwerau amrywio trethi, fel sydd gan Senedd yr Alban. Fodd bynnag, erys y cwestiwn mawr: os na fydd y jig-so'n cael ei gwblhau hyd ddiwedd 2007 i 2011, pam mae arnoch angen refferendwm?

O ran y system bleidleisio, nid wyf am ymuno yn y cellwair a ddechreuwyd gan fy nghyd-Aelodau. Fodd bynnag, cymerodd comisiwn Richard dystiolaeth gan bob un a oedd â phryderon ynglŷn â'r mater hwn, ac argymhellodd y bleidlais sengl drosglwyddadwy fel ffordd ymlaen. Gyda llaw, pan fo unrhyw un yn edrych ar unrhyw system etholiadol, hynny yw'r argymhelliad a wneir bob tro. System a sefydlwyd gan Lafur yn y lle cyntaf yw hon—yn sicr nid hon oedd ein dewis ni. Yr ydym yn ymladd etholiadau ar sail system a sefydlwyd ar ein cyfer gennych chi, fel y gwyddoch, gan mai chi a arweiniodd ymgyrch y refferendwm. Onid yw Llywodraeth a all gael 50 y cant o'r seddau yn y Siambr hon ar sail 37 y cant neu 38 y cant o'r bleidlais yn enghraifft dda o gollwr yn dod yn fwyafri? Ymddengys i mi mai dyma'r collwr mwyaf amlwg yn y dimensiwn Cymreig, a bod pobl Cymru ar eu colled oherwydd y pleidleisiau a fwriwyd ganddynt.

Trof yn awr at Reolau Sefydlog. Gwn eich bod wedi cael sylwadau gan y Prif Weinidog, a ddywedodd yn ei ddatganiad y dylai'r

the Standing Orders for our new Assembly, post-2007, should be written by the National Assembly, with a backstop position for the Secretary of State for Wales in case we had missed something that was important in the bigger field of UK legislation. Do you agree with the First Minister that the job of writing the Standing Orders should be done here?

Finally, I believe that the direction in which we need to move forward is that which the Richard commission laid out, towards full legislative powers by 2011. I understand now, from your response, that the reason why you have not been able to move towards that direction at that speed and clarity is because there was no consensus in the Labour Party, as you have said today. However, it was ever thus. There have always been severe divisions in the Labour Party about devolution, and we have always managed to overcome them somehow. With strong leadership, I believe that you could overcome that division inside your own party.

Peter Hain: It is actually worse than that, Mike. I do not believe in moving to a referendum early; it is not a question of fashioning a consensus within Welsh Labour. I do not believe that we would win a referendum early. That is my judgment. I happen to hold the position of Secretary of State for Wales; you may take a different view—

Owen John Thomas: And Northern Ireland.

Peter Hain: And Northern Ireland, as I am proud to do, and I think that you should be as well. If you take a different view, that is fine. Let me explain how I came to this position. It was clear to me that if you introduced a Bill in Westminster that proposed primary powers for the Assembly, as I am proud to be doing, without a referendum to endorse it, you would get an amendment moved, if not in the House of Commons—though probably—then certainly in the House of Lords, and you would be on the wrong side of the argument. I have already been there in respect of the European constitution, and I do not intend to revisit that territory. That is how I came to the view, as did Rhodri Morgan, that we had

Rheolau Sefydlog ar gyfer ein Cynulliad newydd, ôl-2007, gael eu hysgrifennu gan y Cynulliad Cenedlaethol, gyda chyfle i Ysgrifennydd Gwladol Cymru gael cyfrannu rhag ofn ein bod wedi methu rhywbeth a oedd yn bwysig ym maes ehangach deddfwriaeth y DU. A ydych yn cytuno â'r Prif Weinidog y dylai'r gwaith o ysgrifennu'r Rheolau Sefydlog gael ei wneud yma?

Yn olaf, credaf mai'r cyfeiriad y mae angen inni anelu tuag ato yw'r cyfeiriad a amlinellwyd yng nghomisiwn Richard, sef anelu at bwerau deddfu llawn erbyn 2011. Deallaf yn awr, yn ôl eich ymateb, mai'r rheswm pam nad ydych wedi gallu mynd i'r cyfeiriad hwnnw mor fuan ac mor eglur ag a nodwyd yw oherwydd nad oedd consensws yn y Blaid Lafur, fel yr ydych wedi dweud heddiw. Fodd bynnag, felly y mae wedi bod erioed. Mae rhaniadau difrifol wedi bod yn y Blaid Lafur drwy'r adeg, o ran datganoli, ac yr ydym rywsut wedi llwyddo i'w goresgyn drwy'r amser. Gydag arweiniad cryf, credaf y gallech oresgyn y rhaniad hwnnw o fewn eich plaid eich hun.

Peter Hain: Mae'n waeth na hynny mewn gwirionedd, Mike. Nid wyf yn credu mewn symud at refferendwm yn gynnar; nid cwestiwn o lunio consensws o fewn y Blaid Lafur Gymreig ydyw. Ni chredaf y byddem yn ennill refferendwm yn gynnar. Dyna fy marn i. Yr wyf yn digwydd dal swydd Ysgrifennydd Gwladol Cymru; efallai fod gennych chi farn wahanol—

Owen John Thomas: A Gogledd Iwerddon.

Peter Hain: A Gogledd Iwerddon; yr wyf yn falch o hynny, ac yr wyf yn meddwl y dylech chithau fod hefyd. Os oes gennych chi farn wahanol, popeth yn iawn. Gadewch imi esbonio sut y deuthum at y safbwynt hwn. Yr oedd yn glir i mi pe cyflwynid Mesur yn San Steffan a gynigiai bwerau sylfaenol i'r Cynulliad, fel yr wyf yn falch o wneud, heb refferendwm i roi sêl bendith arno, y cynigid gwelliant, os nad yn Nhŷ'r Cyffredin—er bod hynny'n debygol—yna'n sicr yn Nhŷ'r Arglwyddi, a byddech ar yr ochr anghywir i'r ddadl. Yr wyf eisoes wedi bod yno yng nghyswllt cyfansoddiad Ewrop, ac ni fwriadaf fynd yno eto. Dyna sut y deuthum at y farn, fel y daeth Rhodri Morgan, fod yn

to make progress for the Assembly in terms of the streamlined powers and procedures that you were kind enough to describe as ingenious, and I will come back to that point. That is the starting point. If you have to have a referendum on primary powers, and I understand your arguments about why there should not be one, you would not get a Bill through Westminster without that lock on it. It is not a question of just maintaining unity in Welsh Labour, although that is obviously important to me; it is about maintaining unity around that Bill. Once you start there, how can we make progress in the meantime? That is why we have come up with this ingenious proposal, as you described it.

You asked fairly about the breadth of the Order, and I would have to take advice on the local government finance matter. However, I will give you an indication of the type of Bills that could have been enacted by the Assembly under the Order in Council provision that previously required primary legislation: the Children's Commissioner for Wales Act 2001; the Care Standards Act 2000; the Countryside and Rights of Way Act 2000; the Learning and Skills Act 2000; the Local Government Act 2000; and the Education Act 2002. There are a whole series of Acts there that previously required primary legislation but which would now only require an Order in Council. These include the two that are currently before Westminster, namely the Commissioner for Older People (Wales) Bill and the Transport (Wales) Bill. The kind of Bills that could not have been enacted by the Assembly under an Order in Council provision, to help your point, would be the Children Act 2004, because it required a transfer of functions, and the Bill on the Children and Family Court Advisory Service, which is in the reserved functions. That is why you would require primary legislation there. The Fire and Rescue Services Act 2004 and the Railways Act 2005 could not have been enacted by the Assembly either, because functions in these areas were not devolved. That would also apply in the future to a St David's Day bank holiday Bill, which would need primary legislation, but there would be considerable scope for doing a great deal under that Bill.

rhaid inni gamu ymlaen dros y Cynulliad yn nhermau'r pwerau a'r gweithdrefnau symlach y buoch mor garedig â'u galw'n ddyfeisgar, a deuaf yn ôl at y pwynt hwnnw. Dyna'r man cychwyn. Os oes rhaid cael refferendwm ar bwerau sylfaenol, a deallaf eich dadleuon ynghylch pam na ddylid cael un, ni lwyddech i gael Mesur drwy San Steffan heb y clo hwnnw arno. Nid cwestiwn o gynnal undod yn y Blaid Lafur Gymreig yn unig ydyw, er bod hynny'n amlwg yn bwysig i mi; ond cwestiwn o gynnal undod o gwmpas y Mesur hwnnw. Wedi ichi ddechrau yno, sut y gallwn gamu ymlaen yn y cyfamser? Dyna pam yr ydym wedi cyflwyno'r cynnig dyfeisgar hwn, fel y'i disgrifiwyd gennyh.

Holasoch yn deg ynghylch ehangder y Gorchymyn, a byddai'n rhaid imi gael cyngor ar fater cyllid llywodraeth leol. Fodd bynnag, rhoddaf amcan ichi o'r math o Fesurau y gallesid eu rhoi mewn grym gan y Cynulliad dan ddarpariaeth y Gorchymyn yn y Cyfrin Gyngor, a oedd angen deddfwriaeth sylfaenol o'r blaen: Deddf Comisiynydd Plant Cymru 2001; Deddf Safonau Gofal 2000; Deddf Cefn Gwlad a Hawliau Tramwy 2000; Deddf Dysgu a Sgiliau 2000; Deddf Llywodraeth Leol 2000; a Deddf Addysg 2000. Dyna res o Ddeddfau a oedd gynt yn galw am ddeddfwriaeth sylfaenol, ond na fyddai angen ond Gorchymyn yn y Cyfrin Gyngor i'w cyhoeddi bellach. Mae'r rhain yn cynnwys y ddwy sydd ger bron San Steffan ar hyn o bryd, sef Mesur Comisiynydd Pobl Hŷn (Cymru) a'r Mesur Trafnidiaeth (Cymru). Y math o Fesurau na allasai'r Cynulliad eu cyhoeddi dan ddarpariaeth Gorchymyn yn y Cyfrin Gyngor, i helpu eich pwynt, fyddai Deddf Plant 2004, oherwydd ei bod yn galw am drosglwyddo swyddogaethau, a'r Mesur ar y Gwasanaeth Cyngori Llys i Blant a Theuluoedd, sy'n y swyddogaethau nas datganolwyd. Dyna pam y byddai angen deddfwriaeth sylfaenol yn y fan honno. Ni allasai'r Cynulliad gyhoeddi Deddf Gwasanaethau Tân ac Achub 2004 na Deddf Rheilffyrdd 2005 ychwaith, oherwydd nad oedd swyddogaethau yn y meysydd hyn wedi'u datganoli. Byddai hynny'n wir yn y dyfodol am Fesur gŵyl banc Gŵyl Ddewi, y byddai angen deddfwriaeth sylfaenol ar ei gyfer, ond byddai cryn le i wneud llawer iawn o dan y Mesur hwnnw.

You then made the point about having made progress over a number of years under the Order in Council provision, you would then have a jigsaw of powers with a few pieces missing. That was a very interesting way of expressing it. That would be the position. There would be a case out of experience, as it were, on evidential facts, as to why there was a case for moving to a referendum and triggering the primary powers that the Assembly favours and that you and I favour. I find it curious however, that you, as Liberal Democrats, are opposed to consulting the people on this. If you are as confident as you appear to be that there is a consensus for primary powers for the Assembly, then you should be in favour of a referendum. It is not just a question of a consensus within the Labour Party—although, as a majority party in Wales, that is obviously important—it is a question of whether there is a consensus in Wales. It is my judgment that there is not at present, but that, in the future, we will have an ability to find out.

On the question of why we did not just transport the policies of the Richard commission, I remind you that there are already a number of issues, to which I have referred, on which we have followed Richard's recommendations. Lord Richard, in the House of Lords, welcomed this White Paper. Admittedly, he gave it a B+, which, in my experience as a university student, sounds like a first-class degree, or near enough to it.

Ieuan Wyn Jones: An upper second.

3.50 p.m.

Peter Hain: An upper second then, but that is not a bad degree. That verdict from Lord Richard is proof of the fact that, as Mike and all the other opposition leaders know, this is widely supported across the political spectrum as a sensible way forward.

Finally, I will deal with the question of the election system. I will not go into all the detail that I did previously. I will remind him of quotes from Lord Livsey and Lord Carlile, his predecessors as Liberal leaders in Wales, who described the current system

Yna gwnaethoch bwynt y byddai gennych, ar ôl cymryd camau dros nifer o flynyddoedd dan ddarpariaeth y Gorchymyn yn y Cyfrin Gyngor, jig-so o bwerau gydag ychydig ddarnau ar goll. Roedd hynny'n ddull diddorol iawn o'i fynegi. Dyna fyddai'r sefyllfa. Byddai dadl ar sail profiad, fel petai, ar ffeithiau tystiolaethol, o ran pam y byddai dadl dros symud at refferendwm a sbarduno'r pwerau sylfaenol y mae'r Cynulliad yn eu ffafrio ac yr ydych chi a mi yn eu ffafrio. Mae'n rhyfedd i mi, serch hynny, eich bod chi, fel Democratiaid Rhyddfrydol, yn gwrthwynebu ymgynghori â'r bobl ynglŷn â hyn. Os ydych mor hyderus ag yr ymddengys eich bod fod consensws o blaid pwerau sylfaenol i'r Cynulliad, yna dylech fod o blaid refferendwm. Nid cwestiwn o gonsensws o fewn y Blaid Lafur yn unig yw hyn—er, a hithau'n blaid fwyafrifol yng Nghymru, fod hynny'n amlwg yn bwysig—mae'n gwestiwn pa un a oes consensws yng Nghymru. Fy marn i yw nad oes ar hyn o bryd, ond y byddwn yn gallu gweld a oes ai peidio yn y dyfodol.

Ynghylch y cwestiwn pam na wnaethom fynd ati i drawsgludo polisiau comisiwn Richard, fe'ch atgoffaf fod sawl mater eisoes, yr wyf wedi cyfeirio atynt, lle'r ydym wedi dilyn argymhellion Richard. Croesawodd yr Arglwydd Richard y Papur Gwyn hwn yn Nhŷ'r Arglwyddi. Rhaid cyfaddef mai B+ a roddodd iddo, sydd, yn fy mhrofiad i fel myfyriwr prifysgol, yn swnio fel gradd dosbarth cyntaf, neu'n ddigon agos ati.

Ieuan Wyn Jones: Gradd dau un.

Peter Hain: Gradd dau un felly, ond nid gradd wael yw honno. Mae'r dyfarniad hwnnw gan yr Arglwydd Richard yn brawf o'r ffaith bod cefnogaeth eang i hyn ar draws y sbectrwm gwleidyddol fel ffordd synhwyrol ymlaen, fel y gŵyr Mike a holl arweinwyr eraill y gwrthbleidiau.

Yn olaf, deliaf â chwestiwn y system etholiadol. Nid af ati i fanylu fel y gwneuthum o'r blaen. Fe'i hatgoffaf am ddyfyniadau gan yr Arglwydd Livsey a'r Arglwydd Carlile, ei ragflaenwyr fel arweinwyr y Rhyddfrydwyr yng Nghymru, a

respectively as 'a duff system' and as 'absurd'. They agree with me that it needs reform, and I would have thought that, on reflection, you would agree with me as well.

On the issue of the single transferable voting system recommended by Richard, the big flaw is that—I have believed in proportional representation systems of that kind for a long time, since my days as a Young Liberal over 30 years ago—you break the link of accountability between a Member and the electorate. Voters can no longer vote the Member in or out; that is the real problem with that system. I do not favour it, and neither does the Government nor Welsh Labour.

On the issue of Standing Orders, you asked whether they will be drafted here. I am willing to discuss this, as I have said to the First Minister, in order to find a way forward. All that I have done in the White Paper is use the same formula as was used in the Government of Wales Act 1998. That is where I propose to rest, but I am open to discussion and good argument if it comes my way.

Gwenda Thomas: Have you had an opportunity to look at the suggestions arising from the Arburthnot commission in Scotland that in order to clear up confusion about the role of the regional vote, voters could only cast one vote that would be used to elect both their constituency and regional members? In light of the confusion felt by many people in Wales, do you agree that this proposal is worth examining, so that people would know exactly who and what they are voting for?

Peter Hain: It is an interesting question, and I think that we should look at that. If the case is made to me that we ought to pursue that, then I would want to see it. We share the same constituency, of which you are a distinguished representative, and I know from our experience that there is confusion. I know that that issue has been raised with the Arburthnot commission, and, obviously, we will have to consider it. That is an example, as is the issue of Standing Orders, of how the

ddisgrifiodd y system gyfredol, y naill fel 'system dda i ddim' a'r llall fel system 'hurt'. Maent yn cytuno â mi fod angen ei diwygio, a byddwn wedi tybio y byddech chithau, erbyn meddwl, yn cytuno â mi hefyd.

Ynghylch system y bleidlais sengl drosglwyddadwy a argymhellir gan Richard, y gwendid mawr yw—yr wyf wedi credu mewn systemau cynrychiolaeth gyfrannol o'r math hwnnw ers amser maith, ers fy nyddiau fel Rhyddfrydwr Ifanc dros 30 mlynedd yn ôl—eich bod yn torri dolen atebolrwydd rhwng Aelod a'r etholwyr. Ni all pleidleiswyr bleidleisio i gael yr Aelod i mewn nac allan mwyach, dyna'r wir broblem gyda'r system honno. Nid wyf o'i phlaidd, ac nid yw'r Llywodraeth na Llafur Cymru o'i phlaidd ychwaith.

Ynghylch cwestiwn Rheolau Sefydlog, gofynasoch a gânt eu drafftio yma. Yr wyf yn fodlon trafod hyn, fel y dywedais wrth y Prif Weinidog, er mwyn canfod ffordd ymlaen. Y cwbl yr wyf wedi'i wneud yn y Papur Gwyn yw defnyddio'r un fformiwla ag a ddefnyddiwyd yn Neddf Llywodraeth Cymru 1998. Dyna ble y bwriadaf ddod i ben, ond yr wyf yn agored i drafodaeth a dadl dda os cyflwynir un imi.

Gwenda Thomas: A ydych wedi cael cyfle i edrych ar yr awgrymiadau sy'n codi o gomisiwn Arburthnot yn yr Alban, sef er mwyn clirio dryswch ynglŷn â rôl y bleidlais ranbarthol, na allai pleidleiswyr fwrw ond un bleidlais a ddefnyddid i ethol eu haelodau etholaethol a rhanbarthol ill dau? Yn wyneb y dryswch a deimlir gan lawer o bobl yng Nghymru, a gytunwch ei bod yn werth edrych ar y cynnig hwn, fel y byddai pobl yn gwybod pwy a beth yn union y maent yn pleidleisio drosto?

Peter Hain: Mae'n gwestiwn diddorol, ac yr wyf yn credu y dylem edrych ar hynny. Os gwneir dadl i mi y dylem fynd ar ôl hynny, yna byddai arnaf eisiau ei weld. Yr ydym ni'n rhannu'r un etholaeth, yr ydych chi'n gynrychiolydd disglair drosti, a gwn o'n profiad ni fod dryswch. Gwn fod y mater hwnnw wedi'i godi gyda chomisiwn Arburthnot, ac, yn amlwg, bydd yn rhaid inni ei ystyried. Dyna enghraifft, fel cwestiwn y Rheolau Sefydlog, o'r modd nad yw

fundamental political architecture of this White Paper and the Bill to follow is not up for negotiation because it follows the election endorsement of our manifesto mandate. However, on matters like this, and on the detail of it, I am happy to examine good arguments, and that may be one of them.

Lisa Francis: If the present electoral system in the Assembly is indefensible, as you have suggested today, why did you, as Under-secretary of State for Wales, fail to make known your disapproval of the system when it was brought in?

Peter Hain: I favoured bringing it in because I wanted to see an Assembly that was broader in composition and more representative of Wales, particularly at the beginning of devolution, than would have been the case under a first-past-the-post system. That is why I favoured it. However, what I had not anticipated, and I do not think that anyone did, was the degree of abuse of the system that has occurred. That is what has brought it into disrepute, and those are not just my words, but those of the former Presiding Officer of the Scottish Parliament, the Electoral Reform Society, a distinguished former Conservative Secretary of State, Liberal peers, and many others. That is the reason.

Dai Lloyd: In an Assembly vote, most Members agreed with the need for a 500-metre buffer zone between open-cast mines and residents' houses. What powers are there now to prevent my constituents in Neath from suffering the ravages of the East Pit's opencast extension in Cwmllynfell?

Peter Hain: There we have it—that is precisely the point that I was illustrating. How can you talk about your constituents in Neath when no-one from Neath elected you? The people of Neath who voted in the Assembly election elected Gwenda Thomas—she is an outstanding representative—and, in the Westminster election, they elected me. So, I do not take your advice on opencast mining in seeking to represent the views of the village of Cwmllynfell, which I am proud to represent. You do not represent it and, therefore, I do

pensaernïaeth wleidyddol sylfaenol y Papur Gwyn hwn a'r Mesur i'w ddilyn ddim yn fater i'w negodi gan ei fod yn dilyn cadarnhad yr etholiad o fandad ein maniffesto. Fodd bynnag, o ran materion fel hyn, ac o ran y manylion, yr wyf yn fodlon edrych ar ddadleuon da, a gallai hynny fod yn un ohonynt.

Lisa Francis: Os nad oes modd amddiffyn y system etholiadol bresennol yn y Cynulliad, fel yr ydych wedi awgrymu heddiw, pam na wnaethoch chi, fel Is-Ysgrifennydd Gwladol Cymru, leisio'ch anghymeradwyaeth o'r system pan gafodd ei chyflwyno?

Peter Hain: Yr oeddwn o blaid ei chyflwyno oherwydd yr oedd arnaf eisiau gweld Cynulliad a oedd yn ehangach o ran cyfansoddiad ac yn fwy cynrychioliadol o Gymru, yn enwedig ar ddechrau datganoli, nag a fyddai wedi digwydd dan system cyntaf i'r felin. Dyna pam yr oeddwn o'i phlaid. Fodd bynnag, yr hyn nad oeddwn wedi'i ragweld, ac nid wyf yn meddwl bod neb wedi'i ragweld, oedd faint o gamddefnydd sydd wedi digwydd. Dyna sydd wedi dwyn anfri arni, ac nid fy ngeiriau i yn unig yw'r rheini, ond geiriau cyn-Lywydd Senedd yr Alban, y Gymdeithas Diwygio Etholiadol, cyn Ysgrifennydd Gwladol Ceidwadol o fri, arglwyddi Rhyddfrydol, a llawer o rai eraill. Dyna'r rheswm.

Dai Lloyd: Mewn pleidlais yn y Cynulliad, cytunodd y rhan fwyaf o'r Aelodau fod angen clustogfa 500 metr rhwng gweithfeydd glo brig a thai trigolion. Pa bwerau sydd ar gael bellach i arbed fy etholwyr yng Nghastell-nedd rhag dioddef anrhaith estyniad gwaith brig y Pwll Dwyreiniol yng Nghwmllynfell?

Peter Hain: Dyna ni—dyna'r union bwynt yr oeddwn yn ei wneud. Sut y gallwch sôn am eich etholwyr yng Nghastell-nedd pan na wnaeth neb yng Nghastell-nedd eich ethol? Gwenda Thomas a etholwyd gan bobl Castell-nedd a bleidleisiodd yn etholiad y Cynulliad—mae hi'n gynrychiolydd disglair—ac, yn etholiad San Steffan, etholasant fi. Felly, ni chymeraf eich cyngor ar gloddio brig wrth ichi geisio cynrychioli barn pentref Cwmllynfell, yr wyf fi'n falch o'i gynrychioli. Nid ydych chi'n ei gynrychioli, ac felly nid wyf yn cymryd eich

not take your views seriously in that respect. If you wanted to ask me a different type of question in a different context, I would be happy to answer it.

The Presiding Officer: Thank you, Secretary of State, for replying to the statement. We may hear from you later, if you catch my eye, as we say.

barn o ddifrif yn y cyswllt hwnnw. Pe baech yn dymuno gofyn math gwahanol o gwestiwn imi mewn cyd-destun gwahanol, byddwn yn fodlon ei ateb.

Y Llywydd: Diolch, Ysgrifennydd Gwladol, am ateb y datganiad. Efallai y clywn oddi wrthyhch yn ddiweddarach, os daliwch fy llygad, fel y byddwn yn dweud.

Pwynt o Drefn Point of Order

Jenny Randerson: Point of order. I think that we need a ruling from you, Presiding Officer, as to whether Dai Lloyd represents the area in question, because it is my understanding that you have always regarded us all as equally representative of our various constituencies and regions.

The Presiding Officer: I was afraid that this was coming. This is not Scotland. I have ruled on at least five occasions that, until the law changes, all Assembly Members represent their constituencies equally although they are elected by different means.

Jenny Randerson: Pwynt o drefn. Credaf fod angen inni gael dyfarniad gennych, Lywydd, ynghylch a ydyw Dai Lloyd yn cynrychioli'r ardal dan sylw, oherwydd fy nealltwriaeth i yw eich bod bob amser wedi ystyried pob un ohonom yn gynrychiolwyr cydradd ein hamryfal etholaethau a rhanbarthau.

Y Llywydd: Yr oedd arnaf ofn bod hyn yn dod. Nid yr Alban yw'r fan hon. Yr wyf wedi dyfarnu ar o leiaf bum achlysur fod pob Aelod Cynulliad yn cynrychioli eu hetholaethau'n gydradd, hyd nes y newidir y gyfraith, er eu bod yn cael eu hethol drwy wahanol ffyrdd.

Araith y Frenhines The Queen's Speech

Y Llywydd: Yr wyf wedi dethol gwelliant 1 yn enw Jane Hutt, gwelliannau 2, 3, 4 a 5 yn enw David Melding, gwelliannau 6, 7 a 8 yn enw Kirsty Williams a gwelliannau 9 a 10 yn enw Jocelyn Davies.

The First Minister: I propose that

the National Assembly for Wales:

1. notes the content of the UK Government's legislative programme for the period May 2005 to October/November 2006;

2. welcomes the inclusion in the programme of three Wales-only Bills, with a fourth to be produced in draft for pre-legislative scrutiny;

3. notes that the following proposed Bills are

The Presiding Officer: I have selected amendment 1 in the name of Jane Hutt, amendments 2, 3, 4 and 5 in the name of David Melding, amendments 6, 7 and 8 in the name of Kirsty Williams and amendments 9 and 10 in the name of Jocelyn Davies.

Y Prif Weinidog: Cynigiau fod

Cynulliad Cenedlaethol Cymru:

1. yn nodi cynnwys rhaglen ddeddfwriaethol Llywodraeth y DU ar gyfer y cyfnod Mai 2005 i Hydref/Tachwedd 2006;

2. yn croesawu cynnwys tri Mesur ar gyfer Cymru'n unig yn y rhaglen, a phedwerydd Mesur yn cael ei gynhyrchu ar ffurf ddrafft ar gyfer craffu arno cyn deddfu;

3. yn nodi bod y Mesurau arfaethedig a

- of particular relevance to the Assembly's responsibilities:*
- ganlyn yn arbennig o berthnasol i gyfrifoldebau'r Cynulliad:*
- (a) *the Commissioner for Older People (Wales) Bill (Health and Social Services Committee);* (a) *y Mesur Comisiynydd Pobl Hŷn (Cymru) (Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);*
- (b) *the Transport (Wales) Bill (Economic Development and Transport Committee);* (b) *Mesur Trafnidiaeth (Cymru) (Pwyllgor Datblygu Economaidd a Thrafnidiaeth);*
- (c) *the Health Improvement and Protection Bill (Health and Social Services Committee);* (c) *Mesur Gwella a Gwarchod Iechyd (y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);*
- (d) *the Mental Health Bill (Health and Social Services Committee);* (d) *Mesur Iechyd Meddwl (Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);*
- (e) *the Children and Adoption Bill (Social Justice and Regeneration Committee);* (e) *Mesur Plant a Mabwysiadu (Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio);*
- (f) *the Work and Families: Child Care Bill (Education and Lifelong Learning Committee);* (f) *Mesur Gwaith a Theuluoedd: Gofal Plant (Y Pwyllgor Addysg a Dysgu Gydol Oes);*
- (g) *the NHS Redress Bill (Health and Social Services Committee);* (g) *Mesur Iawndal y GIG (Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);*
- (h) *the Equality Bill (Equality of Opportunity Committee);* (h) *Mesur Cydraddoldeb (Pwyllgor Cyfle Cyfartal);*
- (i) *the Charities Bill (Social Justice and Regeneration Committee);* (i) *Mesur Elusennau (Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio);*
- (j) *the Education and Skills Bill (Education and Lifelong Learning Committee);* (j) *Mesur Addysg a Sgiliau (Y Pwyllgor Addysg a Dysgu Gydol Oes);*
- (k) *the Tourism Accommodation (Wales) Bill (Economic Development and Transport Committee);* (k) *Mesur Llety Twristiaeth (Cymru) (Pwyllgor Datblygu Economaidd a Thrafnidiaeth);*
- (l) *the Road Safety Bill (Economic Development and Transport Committee);* (l) *Mesur Diogelwch y Ffyrdd (Pwyllgor Datblygu Economaidd a Thrafnidiaeth);*
- (m) *the Natural Environment and Rural Communities Bill (Environment Planning and Countryside Committee);* (m) *Mesur yr Amgylchedd Naturiol a Chymunedau Gwledig (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);*
- (n) *the Animal Welfare Bill (Environment Planning and Countryside Committee);* (n) *Mesur Lles Anifeiliaid (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);*
- (o) *the Common Land Bill (Environment Planning and Countryside Committee);* (o) *Mesur Tir Comin (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);*
- (p) *the Marine Bill (Environment Planning* (p) *y Mesur Morol (Pwyllgor yr Amgylchedd,*

and Countryside Committee);

Cynllunio a Chefn Gwlad);

(q) the National Lottery Bill (Culture, Welsh Language and Sport Committee);

(q) Mesur y Loteri Genedlaethol (Pwyllgor Diwylliant, y Gymraeg a Chwaraeon);

(r) the Better Regulation Bill (Economic Development and Transport Bill); and

(r) Mesur Rheoleiddio Gwell (Pwyllgor Datblygu Economaidd a Thrafnidiaeth); a

4. remits the above Bills to the relevant committees for such consideration as they consider appropriate, and requests each committee to report to the Assembly as soon as may be;

4. yn cynnwys y Mesurau uchod yng nghylchoedd gwaith y pwyllgorau perthnasol er mwyn iddynt eu hystyried fel sy'n briodol yn eu barn hwy, ac yn gofyn i bob pwyllgor gyflwyno adroddiad gerbron y Cynulliad cyn gynted ag sy'n bosibl;

5. notes that it is the Welsh Assembly Government's intention, subsequent to the publication of the forthcoming White Paper, to bring forward proposals before the Assembly to establish an advisory committee under Standing Order No. 8.1 to co-ordinate the National Assembly for Wales's response to that White Paper within the deadline for comments. (NDM2487)

5. yn nodi mai bwriad Llywodraeth Cynulliad Cymru, ar ôl cyhoeddi'r Papur Gwyn sydd ar fin cael ei gyhoeddi, yw cyflwyno cynigion gerbron y Cynulliad i sefydlu pwyllgor ymgynghorol dan Reol Sefydlog Rhif 8.1 i gydlynu ymateb Cynulliad Cenedlaethol Cymru i'r Papur Gwyn hwnnw cyn pen y dyddiad cau ar gyfer cyflwyno sylwadau. (NDM2487)

I propose amendment 1 in the name of Jane Hutt. In paragraph 3 (e) after 'Social Justice and Regeneration Committee' insert:

Cynigiau welliant 1 yn enw Jane Hutt. Ym mharagraff 3 (e) ar ôl 'Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio' rhoi:

and Health and Social Services Committee.

a'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol.

Due to the general election, it is a little over six months since our last debate on the Queen's Speech. At that time, I was able to point to the clear evidence of the fruitful relationship between the United Kingdom Government and the Welsh Assembly Government. Since then, we have achieved even more progress than many thought possible. There are now four Welsh Bills in this May's Queen's Speech—that is probably more than the number of Welsh players that there will be in the Lions test team on Saturday, I fear, although I hope that Sir Clive will prove me wrong, otherwise we will have to cancel that freedom of the Assembly ceremony that we were planning.

Oherwydd yr etholiad cyffredinol, aeth ychydig dros chwe mis heibio ers ein dadl ddiwethaf ar Araith y Frenhines. Bryd hynny, yr oeddwn yn gallu pwyntio at y dystiolaeth glir o'r berthynas ffrwythlon rhwng Llywodraeth y Deyrnas Unedig a Llywodraeth Cynulliad Cymru. Ers hynny, yr ydym wedi cyflawni hyd yn oed mwy o gynnydd nag a oedd yn bosibl ym marn llawer. Mae pedwar Mesur Cymreig yn awr yn Araith y Frenhines y mis Mai—mae'n debyg bod hynny'n fwy na nifer y chwaraewyr o Gymru a fydd yn nhîm prawf y Llewod ddydd Sadwrn, mae arnaf ofn, er fy mod yn gobeithio y gwnaiff Syr Clive fy mhrofi'n anghywir, neu bydd yn rhaid inni ganslo seremoni rhyddid y Cynulliad oedd ar y gweill gennym.

Before going on to what will probably be the main focus of this debate, I will take stock of what has happened to the legislative proposals that we discussed in December.

Cyn mynd ymlaen at yr hyn a fydd, mae'n debyg, yn brif ganolbwynt y ddadl hon, ystyriaf yr hyn sydd wedi digwydd i'r cynigion deddfwriaethol a drafodwyd

The Public Services Ombudsman (Wales) Bill is now an Act of Parliament; it went through in the wash-up session just before the election. The Transport (Wales) Bill was not so lucky, but, having received thorough pre-legislative scrutiny, it is back in the House of Commons and has had its Second Reading. The Commissioner for Older People (Wales) Bill—a world-first in terms of legislation—has already had its Second Reading in the House of Lords. Also, the Tourism Accommodation Registration (Wales) Bill is due to be produced in draft form.

A year ago, that would have been enough of a tally in itself to demonstrate that the devolution settlement is going from strength to strength. That is why I am bemused by David Melding's amendment 2, whereby he wants us to regret the failure to secure more Wales-only Bills, remembering that when his party was in power, there were only three Wales-only Bills in 18 years, whereas we have three Bills and a draft Bill in one year. I am not sure what kind of progression would be enough for him. We have to reject that amendment, and the same goes for amendment 3 regarding making St David's Day a public holiday. Although that is a perennial favourite, and widely wished for, it will clearly not come about because it is not a devolved subject and the UK Government is not in favour of it.

I hope that Kirsty Williams will accept that amendment 6 on the Commissioner for Older People (Wales) Bill has already, in effect, been rejected during the debate that took place on that Bill in the Assembly last Wednesday. Clearly, if we rejected it then, we should also reject it this time. The reason for rejecting it then was that the Bill will allow the commissioner the ability to make representations to the Assembly on any matter, including non-devolved issues. The Assembly, in turn, has powers to make representations to the UK Government on any issue that affects people in Wales.

A long list of other Bills with Welsh interest follows. Some of these have been

gennym ym mis Rhagfyr. Mae'r Mesur Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) bellach yn Ddeddf Seneddol; aeth drwodd yn y sesiwn cau pen y mwddwl ychydig cyn yr etholiad. Nid oedd y Mesur Trafnidiaeth (Cymru) mor ffodus, ond, wedi craffu trylwyr arno cyn deddfu, mae yn ei ôl yn Nhŷ'r Cyffredin ac wedi cael ei Ail Ddarlleniad. Mae'r Mesur Comisiynydd Pobl Hŷn (Cymru)—y ddeddfwriaeth gyntaf o'i math yn y byd—eisoës wedi cael ei Ail Ddarlleniad yn Nhŷ'r Arglwyddi. Hefyd, mae'r Mesur Cofrestru Llety Twristiaeth (Cymru) ar fin cael ei gynhyrchu ar ffurddrafft.

Flwyddyn yn ôl, buasai hynny'n ddigon o gyfanswm ynddo'i hun i ddangos bod setliad datganoli'n mynd o nerth i nerth. Dyna pam yr wyf yn synnu at welliant 2 gan David Melding, lle y mae'n gofyn inni resynu at y methiant i sicrhau mwy o Fesurau i Gymru'n unig, o gofio pan oedd ei blaid ef mewn grym, mai dim ond tri Mesur i Gymru'n unig a gafwyd mewn 18 mlynedd, tra ydym ni wedi cael tri Mesur a Mesur drafft mewn un flwyddyn. Nid wyf yn siŵr pa fath o gynnydd a fyddai'n ddigon iddo ef. Rhaid inni wrthod y gwelliant hwnnw, ac mae'r un peth yn wir am welliant 3 ynglŷn â gwneud Dydd Gŵyl Ddewi'n ŵyl gyhoeddus. Er bod hwnnw'n hen ffefryn, a bod llawer yn dymuno ei weld, yn amlwg ni wnaiff ddigwydd gan nad yw'n bwnc datganoledig ac nid yw Llywodraeth y DU o'i blaid.

Gobeithio y gwnaiff Kirsty Williams dderbyn bod gwelliant 6 ar Fesur Comisiynydd Pobl Hŷn (Cymru) eisoës, i bob pwrpas, wedi'i wrthod yn ystod y ddadl a gafwyd ar y Mesur hwnnw yn y Cynulliad ddydd Mercher diwethaf. Yn amlwg, os bu inni ei wrthod bryd hynny, dylem ei wrthod y tro yma hefyd. Y rheswm dros ei wrthod bryd hynny oedd y bydd y Mesur yn caniatáu i'r comisiynydd y gallu i gyflwyno sylwadau i'r Cynulliad ar unrhyw fater, gan gynnwys materion nas datganolwyd. Mae gan y Cynulliad, yn ei dro, bwerau i gyflwyno sylwadau i Lywodraeth y DU ynghylch unrhyw fater sy'n effeithio ar bobl yng Nghymru.

Mae rhestr faith o Fesurau eraill sydd o ddiddordeb i Gymru yn dilyn. Mae rhai o'r

reintroduced and are being remitted to subject committees again, in case any further consideration is needed. That will be up to the subject committees. Other Bills are at very early stages of development, but can be remitted to subject committees when they emerge. All this shows that the UK Government is continuing to work effectively in partnership with us across a wide range of topics, from children and adoption to the use of common land. On children and adoption, amendment 1 is simply to recognise that since the Bill falls neatly in two parts—court access and inter-country adoption—it is sensible to remit the Bill to two separate subject committees.

rhain wedi'u hailgyflwyno ac yn cael eu cynnwys yng nghylchoedd gwaith y pwyllgorau pwnc eto, rhag ofn bod angen rhyw ystyriaeth bellach. Mater i'r pwyllgorau pwnc fydd hynny. Mae Mesurau eraill ar ganol camau cynnar iawn yn eu datblygiad, ond gellir eu cynnwys yng nghylchoedd gwaith pwyllgorau pwnc pan ymddangosant. Mae hyn oll yn dangos bod Llywodraeth y DU yn parhau i weithio'n effeithiol mewn partneriaeth â ni dros amrediad eang o bynciau, o blant a mabwysiadu i ddefnydd tir comin. Ynghylch plant a mabwysiadu, diben syml gwelliant 1 yw cydnabod, gan fod y Mesur yn ymrannu'n daclus yn ddwy ran—mynediad i'r llysoedd a mabwysiadu rhwng gwledydd—ei bod yn synhwyrol cynnwys y Mesur yng nghylchoedd gwaith dau bwyllgor pwnc gwahanol.

I will deal now with David Melding's amendment 5 relating to the Mental Health Bill. This Bill is still some way from introduction, David. There has been extensive consultation, including views expressed by the Assembly, on the pre-legislative draft, as I think you know. We do not yet know how the proposals will be improved as a result of this, but I ask you to withdraw your amendment, as I think it premature. If you do not accept that, I am afraid that I will have to recommend rejecting it.

Deliaf yn awr â gwelliant 5 gan David Melding yn ymwneud â'r Mesur Iechyd Meddwl. Mae gan y Mesur hwn gryn dipyn i fynd o hyd cyn cael ei gyflwyno, David. Ymgynghorwyd yn helaeth, gan gynnwys ystyried sylwadau a fynegwyd gan y Cynulliad, ar y drafft cyn-ddeddfwriaethol, fel y credaf eich bod yn gwybod. Ni wyddom eto sut y caiff y cynigion eu gwella o ganlyniad i hyn, ond gofynnaf ichi dynnu eich gwelliant yn ei ôl, oherwydd credaf ei fod yn gynamserol. Oni dderbyniwch hyn, mae arnaf ofn y bydd yn rhaid imi argymhell ei wrthod.

4.00 p.m.

I now turn to the most significant legislative proposal, as it affects the Assembly's ability to deliver for Wales right across the board. We were elected on a manifesto commitment to enhance the Assembly's legislative powers, to bring the corporate status of the Assembly to an end, and to prevent candidates from standing on the list and in a constituency simultaneously—and that is what the proposals, set out in the White Paper, deliver. There has been an all-round welcome for the proposal to bring about the legal separation of the Assembly and the Welsh Assembly Government; I was pleased to hear the cross-party support for that today, as it is intended to achieve clearer accountability, scrutiny and better use of our resources.

Trof yn awr at y cynnig deddfwriaethol pwysicaf, oherwydd ei fod yn effeithio ar allu'r Cynulliad i gyflawni dros Gymru drwyddo draw. Cawsom ein hethol ar ymrwymiad yn y manifesto i wella pwerau deddfwriaethol y Cynulliad, dwyn statws corfforaeth y Cynulliad i ben, a rhwystro ymgeiswyr rhag sefyll ar y rhestr ac mewn etholaeth ar yr un pryd—a dyna beth y mae'r cynigion, a geir yn y Papur Gwyn, yn ei gyflawni. Cafwyd croeso cyffredinol i'r cynnig i wahanu'n gyfreithiol y Cynulliad a Llywodraeth Cynulliad Cymru; yr oeddwn yn falch o glywed y gefnogaeth drawsbleidiol i hynny heddiw, oherwydd y bwriad yw sicrhau atebolrwydd cliriach, craffu a defnyddio ein hadnoddau yn well.

There was a much more mixed reaction to the proposed changes to the electoral arrangements, however. To be honest, all that I have heard—even from representatives of other parties outside the Chamber—has been along the same lines as the Secretary of State was able to quote from, namely that there is support for this proposal as it does not deny anyone the right to stand; it simply stops people from hedging their bets by standing in two sections at the same time. That was a manifesto commitment, and the contents of the White Paper should be no surprise in this regard. People do not understand how candidates who are defeated at the ballot box can emerge as Assembly Members, and we need greater clarity for voters to prevent the devaluation of the democratic process.

Cafwyd ymateb llawer mwy cymysg i'r newidiadau arfaethedig i'r trefniadau etholiadol, fodd bynnag. A bod yn onest, mae'r cyfan yr wyf wedi ei glywed—hyd yn oed oddi wrth gynrychiolwyr y pleidiau eraill y tu allan i'r Siambr—wedi bod i'r un perwyl â'r hyn yr oedd yr Ysgrifennydd Gwladol yn gallu cyfeirio ato, sef bod cefnogaeth i'r cynnig hwn oherwydd nad yw'n amddifadu neb o'r hawl i sefyll; y cyfan a wna yw rhwystro pobl rhag betio bob ffordd a sefyll mewn dwy adran ar yr un pryd. Yr oedd hynny'n ymrwymiad yn y maniffesto, ac ni ddylai cynnwys y Papur Gwyn beri syndod yn y cyswllt hwn. Nid yw pobl yn deall sut y gall ymgeiswyr a drechir yn y blwch pleidleisio ymddangos fel Aelodau'r Cynulliad, a rhaid inni gael mwy o eglurder i'r pleidleiswyr rhag dibrisio'r broses ddemocrataidd.

David Melding's amendment 4 suggests that there should be a guaranteed referendum on primary legislative powers for the Assembly. However, there would be no point in holding such a referendum without cross-party support for a move to primary legislative powers, which is the reason why I recommend the rejection of amendment 10 in the name of Jocelyn Davies.

Mae gwelliant 4 David Melding yn awgrymu y dylid gwarantu refferendwm ar bwerau deddfwriaethol sylfaenol i'r Cynulliad. Fodd bynnag, ni fyddai dim diben cynnal refferendwm o'r fath heb gefnogaeth draws-bleidiol i symudiad at bwerau deddfwriaethol sylfaenol; dyna pam yr wyf yn argymhell gwrthod gwelliant 10 yn enw Jocelyn Davies.

Mae'r Papur Gwyn yn ei gwneud yn glir y bydd y Mesur a ddaw yn ei sgîl yn galluogi cynnal refferendwm pan fo cefnogaeth i gael un. O ran cael pwerau deddfu cynradd, mae'r papur yn agor y ffordd i hynny hefyd, ond heb fod angen Deddf arall ar ôl honno sy'n y Papur Gwyn. Dyna pam y mae'n rhaid cymeradwyo gwrthod gwelliannau David a Kirsty ynghylch y mater hwn. Barn yr Ysgrifennydd Gwladol a minnau yw ei bod yn fwy synhwyrol gadael pwerau cryfach y trydydd Cynulliad i ymsefydlogi a chael eu defnyddio cyn meddwl am refferendwm. Yr ydym yn cropian yn eithaf cyflym yn barod, ond mae eisiau dysgu'r broses yn llawn cyn ceisio cerdded. Hynny yw, wrth siarad am ddysgu'r broses o ddefnyddio'r pwerau gwell a fydd gennym, yr wyf yn siarad am swyddogion, ein cyfreithwyr, gweision sifil, ac Aelodau'r meinciau blaen a'r meinciau cefn. Dyna'r hyn yr wyf yn ei feddwl, a dyna ddadl Ivor Richard hefyd yn ei araithe gefnogol yn Nhŷ'r Arglwyddi'r wythnos diwethaf. Rhaid inni ddysgu'r ffordd o

The White Paper makes clear that the Bill that will ensue will enable a referendum to be held when there is consensus to hold one. With regard to having primary legislative powers, the paper opens the way for that too, but without the need for another Act after that which follows the White Paper. That is why I must recommend that David and Kirsty's amendments with regard to that matter be rejected. My opinion, and that of the Secretary of State, is that it makes more sense to let the stronger powers of the third Assembly bed down and be exercised before thinking of a referendum. We are walking pretty quickly already, but we need to learn the process thoroughly before we try to run. That is, in talking about our learning the process of using the enhanced powers that we will have, I am talking about our officials, our lawyers, civil servants, and frontbench and backbench Members. That is what I mean, and that was Ivor Richard's argument too in his supportive speech in the House of Lords last week. We have to learn how to use

dddefnyddio'r pwerau gwell cyn meddwl am symud yn ein blaenau.

the enhanced powers before we can think of moving forward.

Hefyd, rhaid cofio'r hyn yr oedd Ivor Richard yn ei gefnogi. Er nad yw'r cynigion yr un peth â'r argymhellion yng nghasgliadau comisiwn Richard, maent yn rhoi pwerau yn gynharach nag y byddai argymhellion comisiwn Richard, gan osgoi hefyd rai o'r pynciau llosg megis a fyddwn yn gorfod cynyddu nifer Aelodau'r Cynulliad, gan ostwng nifer yr Aelodau o Gymru yn Nhŷ'r Cyffredin, aildefnyddio ffiniau'r etholaethau a'r system etholiadol, a siarad am y bleidlais drosglwyddadwy sengl a'r system aelod ychwanegol, a'r pynciau hyn sy'n ddifflastod llwyr i'r cyhoedd.

Also, we must remember what Ivor Richard himself supported. Although the proposals are not identical to those contained of the Richard commission, they transfer powers earlier than recommended by the commission while avoiding some of the contentious issues such as increasing the number of Assembly Members while reducing the number of Welsh Members of Parliament in the House of Commons, reusing the electoral boundaries and the electoral system, and talking about the single transferable vote and the additional member system—all topics that the public finds completely boring.

Kirsty, you raise an interesting point in your amendment 8. It is true that, once the Assembly has these enhanced powers, there will be a need for the First Minister to set out a programme, rather than everything being based on the legislative programme at Westminster. I am not sure that it would be right to tie it to an annual address, however, but I accept the general principle of something being embedded in the next term of the Assembly.

Kirsty, codwch bwynt diddorol yng ngwelliant 8 gennyh. Mae'n wir, unwaith y bydd gan y Cynulliad y pwerau cryfach hyn, y bydd yn rhaid i Brif Weinidog Cymru gyflwyno rhaglen, yn hytrach na bod pob dim yn cael ei seilio ar raglen ddeddfwriaethol San Steffan. Nid wyf yn sicr a fyddai'n iawn ei rhoi ynghlwm wrth anerchiad blynyddol, fodd bynnag, ond derbynïaf yr egwyddor gyffredinol bod rhywbeth yn cael ei sefydlu yn ystod tymor nesaf y Cynulliad.

Finally, the motion refers to our intention to establish an ad hoc advisory committee to consider the White Paper in more depth, and a motion to establish this committee formally will be tabled shortly.

Yn olaf, cyfeiria'r cynnig at ein bwriad i sefydlu pwyllgor ymgynghorol *ad hoc* i ystyried y Papur Gwyn mewn mwy o fanylder, a bydd cynnig i sefydlu'r pwyllgor hwn yn ffurfiol yn cael ei gyflwyno yn fuan.

David Melding: I propose the following amendments in my name. Amendment 2: add as a new point at the end of the motion:

David Melding: Cynigiaf y gwelliannau canlynol yn fy enw. Gwelliant 2: ychwanegu pwynt newydd ar ddiwedd y cynnig:

regrets the failure of the Welsh Assembly Government to secure more Wales-only Bills.

yn gresynu at y ffaith bod Llywodraeth Cynulliad Cymru wedi methu â sicrhau rhagor o Fesurau ar gyfer Cymru'n unig.

I propose amendment 3. Add as a new point at the end of the motion:

Cynigiaf welliant 3. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

regrets the failure to obtain a Bill to establish St David's Day as an official public holiday in Wales.

yn gresynu at y methiant i gael Mesur i sefydlu Dydd Gŵyl Dewi fel gŵyl gyhoeddus swyddogol yng Nghymru.

I propose amendment 4. Add as a new point at the end of the motion:

Cynigiaf welliant 4. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

regrets the failure to obtain a Bill with a

yn gresynu at y methiant i gael Mesur gydag

specific commitment to a referendum on the future status of the National Assembly for Wales.

I propose amendment 5. Add as a new point at the end of the motion:

believes that people in Wales with a mental illness would be better served by a designated Mental Health (Wales) Bill.

I welcome the Secretary of State to the Assembly, and I congratulate him on breaking the world record for mentioning John Redwood the most times in our proceedings. John Redwood seems to play the same role in the Assembly's history as Mary Stuart does in the history of England. Like that Queen, he is rather misunderstood. [Laughter.] However, that is not a theme that I could profitably develop today.

On the amendments to the Government of Wales Act 1998 that will be introduced during the next few months, in a spirit of helping the Government and acknowledging the fact that it is making some progress, I want to welcome a few things. The executive/legislative split is to be welcomed; it was probably the weakest thing in the original devolution settlement. At a time when we were asking local government to move away from the corporate structure, we imposed it in Wales. It was a mistake from the start, and I am pleased to see that it will be rectified.

I also welcome the fact that the Assembly will have wider and more permissive powers for secondary legislation, which seems to make good sense. We now have more robust procedures for examining the more important items of secondary legislation, but I warn the Secretary of State and the First Minister that the key to success is effective scrutiny, which will require a change in how our procedures operate.

On the points that have caused sharp division, I will start, naturally, with the referendum. Why not call a referendum now? Why are we

ymrwymiad penodol i refferendwm ar statws Cynulliad Cenedlaethol Cymru yn y dyfodol.

Cynigiau welliant 5. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn credu y byddai pobl yng Nghymru sydd â salwch meddwl yn cael eu gwasanaethu'n well gan Fesur Iechyd Meddwl (Cymru) dynodedig.

Croesawaf yr Ysgrifennydd Gwladol i'r Cynulliad, ac fe'i llongyfarchaf am dorri record y byd am grybwyll John Redwood y nifer fwyaf o weithiau yn ein trafodion. Ymddengys fod John Redwood yn chwarae'r un rôl yn hanes y Cynulliad ag a wna Mary Stuart yn hanes Lloegr. Fel y Frenhines honno, mae'n cael ei gamddeall braidd. [Chwerthin.] Fodd bynnag, nid yw hon yn thema y gallwn ei datblygu'n fuddiol heddiw.

O safbwynt y gwelliannau i Ddeddf Llywodraeth Cymru 1998 a gyflwynir yn ystod y misoedd nesaf, er mwyn helpu'r Llywodraeth a chydabod y ffaith ei bod yn camu ymlaen ryw gymaint, hoffwn groesawu rhai pethau. Mae'r gwahaniad gweithredol/deddfwriaethol i'w groesawu; dyma yn ôl pob tebyg a oedd y peth gwannaf yn y setliad datganoli gwreiddiol. Ar adeg pan oeddem yn gofyn i lywodraeth leol symud ymaith oddi wrth y strwythur corfforaethol, bu inni osod strwythur o'r fath yng Nghymru. Yr oedd yn gangymeriad o'r dechrau, ac yr wyf yn falch o weld y bydd yn cael ei gywiro.

Croesawaf hefyd y ffaith y bydd gan y Cynulliad bwerau ehangach a mwy caniatool ar gyfer is-ddeddfwriaeth, ac mae'n ymddangos bod hyn yn gwneud synnwyr. Mae gennym yn awr weithdrefnau mwy cadarn i archwilio'r eitemau pwysicaf o is-ddeddfwriaeth, ond rhybuddiaf yr Ysgrifennydd Gwladol a Phrif Weinidog Cymru mai'r allwedd i lwyddiant yw craffu effeithiol, a bydd hyn yn gofyn am newid yn y modd y mae ein gweithdrefnau yn gweithredu.

O safbwynt y pwyntiau sydd wedi achosi rhaniad amlwg, dechreuaf, yn naturiol, gyda'r refferendwm. Pam lai cynnal refferendwm yn

afraid of the people? I was distraught to hear the Secretary of State say that he thinks that we would fail to win a referendum. That is an awful judgment on his party's Assembly Government, and it is not satisfactory to say that, some time between 2011 and 2015, we may be in a position where we are mature enough to ask the people of Wales whether we can pass our own laws such as Alderney, Jersey, Guernsey or some other continental colossus.

Leighton Andrews: At the last election, the Conservatives proposed a multiple-choice referendum on the Assembly's future. Are you now adding a new choice to that, based on the views expressed by the new Conservative Member of Parliament for Monmouth that certain powers should be repatriated back from the Assembly to Westminster?

David Melding: I only wish that I could give you an audio tape of some of the private discussions that we had in our group meetings, but, alas, that is not possible. However, I do not hold very similar views.

Devolution as it currently stands in Wales is a halfway house. The White Paper puts new windows into the halfway house, but it does not change its structure. In the light of experience, we can now make a judgment on whether the structure is robust, and we ought to get on with that work. We know why the question will not be put to the people of Wales: it is because they will say 'yes' to primary powers and there will be a consequential cut in the number of Members of Parliament. That would badly affect the Labour Party, which suffered badly in the general election, and did not secure a majority of votes in England. It is an ominous warning that itself will have consequences for devolution.

I will pass lightly over the bizarre proposal to trigger a referendum with a two-thirds majority vote in favour in the Assembly, but a simple majority in Parliament. It seems to be slightly contradictory.

I also warn the Government that the proposal to expand Orders in Council could be a way

awr? Pam y mae arnom ofn y bobl? Yr oedd yn peri loes imi glywed yr Ysgrifennydd Gwladol yn dweud ei fod yn credu na fyddem yn ennill refferendwm. Mae hyn yn feirniadaeth ddifrifol ar Lywodraeth ei blaid yn y Cynulliad, ac nid yw'n foddhaol dweud y byddwn o bosibl, ryw bryd rhwng 2011 a 2015, mewn sefyllfa pan fyddwn yn ddigon aeddfed i ofyn i bobl Cymru a gawn basio ein deddfau ein hunain, fel Alderney, Jersey, Guernsey neu ryw golosws cyfandirol arall.

Leighton Andrews: Yn yr etholiad diwethaf, cynigiodd y Ceidwadwyr refferendwm amlddewis ar ddyfodol y Cynulliad. A ydych yn awr yn ychwanegu dewis newydd at hynny, yn seiliedig ar y safbwyntiau a fynegwyd gan yr Aelod Seneddol Ceidwadol newydd dros Fynwy y dylai pwerau penodol gael eu dychwelyd oddi wrth y Cynulliad i San Steffan?

David Melding: Mae'n drueni na allwn roi ichi dâp o rai o'r trafodaethau preifat a gawsom yn ein cyfarfodydd grŵp, ond, ysywaeth, nid yw hynny'n bosibl. Serch hynny, nid yw fy safbwyntiau i'n debyg iawn.

Tŷ hanner ffordd yw datganoli fel mae ar hyn o bryd yng Nghymru. Rhydd y Papur Gwyn ffenestri newydd yn y tŷ hanner ffordd, ond nid yw'n newid ei adeiladwaith. Yng ngoleuni profiad, gallwn bellach ddyfarnu a yw'r adeiladwaith yn gadarn, a dylem fwrw ymlaen â'r gwaith hwnnw. Gwyddom paham na roddir y cwestiwn gerbron pobl Cymru: oherwydd y byddant yn dweud 'ie' wrth bwerau sylfaenol a byddai gostyngiad yn sgîl hynny yn nifer yr Aelodau Seneddol. Byddai hynny'n cael effaith ddifrifol ar y Blaid Lafur, a ddioddefodd yn arw yn yr etholiad cyffredinol, ac ni sicraodd fwyafrif y pleidleisiau yn Lloegr. Mae'n rhybudd bygythiol a fydd ynddo'i hun yn cael effaith ar ddatganoli.

Ni roddaf ormod o sylw i'r cynnig rhyfeddol i sbarduno refferendwm gyda phleidlais fwyafrifol o ddwy ran o dair o blaid yn y Cynulliad, ond mwyafrif syml yn y Senedd. Mae'n ymddangos yn anghyson braidd.

Rhybuddiaf y Llywodraeth hefyd y gallai'r cynnig i ehangu Gorchmynion y Cyfrin

of introducing primary legislation in all but name, which would be dishonest. At that point, we would need a referendum, and I refer the Secretary of State to Rhodri Morgan's remarks in his statement last week on the White Paper. He said

'Under these proposals a Conservative Secretary of State could say, "Okay, I do not agree with the proposals, but, then again, I do not have to defend them because this is a matter for the Assembly to deal with". We would then agree that it would be a matter for the Assembly to take through, and, therefore, there would be a far greater chance of legislation being introduced by us'.

If these proposals for Orders in Council just make the parliamentary end of the procedure a rubber stamp, you should say so, because that is a disgraceful position. If we have primary powers here in all but name, we should be brave enough to tell the people of Wales that that is what is happening, and we should ask them to vote on whether they want the Assembly to proceed and exercise those powers.

4.10 p.m.

The situation with regional Members is simply disgraceful in terms of the Labour Party's proposals. If the Assembly's system needs radical reform, why not in London? Why not in Scotland? Indeed, why not in the Federal Republic of Germany? Under this system, Herr Kohl would never have been allowed to stand in his Rhineland home town, where he often lost, and then get elected on the list. What a meagre, pathetic vision, to chase down this road and condemn the system that you introduced, instead of adopting a more reasonable response by, perhaps, negotiating a protocol, which would have been fair. There are some difficulties with the present system—[*Interruption.*]

I have always acknowledged that, so you do not have to 'Ah, ah' me.

There are parts of the Queen's Speech that

Gyngor fod yn ffordd o gyflwyno deddfwriaeth sylfaenol ym mhob dim ond mewn enw, a byddai hynny'n anonest. Bryd hynny, byddai arnom angen refferendwm, a chyfeiriaf yr Ysgrifennydd Gwladol at sylwadau Rhodri Morgan yn ei ddatganiad yr wythnos diwethaf am y Papur Gwyn. Dywedodd

'O dan y cynigion hyn, gallai Ysgrifennydd Gwladol o'r blaidd Geidwadol ddweud, "Iawn, ni chytunaf â'r cynigion, ond, eto, nid oes rhaid imi eu hamddiffyn gan mai mater i'r Cynulliad ymdrin ag ef yw hwn". Byddem felly yn cytuno mai cyfrifoldeb y Cynulliad fyddai eu cyflwyno, ac, felly, byddai'n llawer mwy tebygol y byddai deddfwriaeth yn cael ei chyflwyno gennym ni'.

Os mai pwrpas y cynigion ynghylch Gorchmynion y Cyfrin Gyngor yw gwneud elfen seneddol y weithdrefn yn sêl bendith a dyna i gyd, dylech ddweud hynny, oherwydd y mae hynny'n safbwynt cywilyddus. Os oes gennym bwerau sylfaenol yma mewn pob dim ond enw, dylem fod yn ddigon dewr i ddweud wrth bobl Cymru mai dyna beth sy'n digwydd, a dylem ofyn iddynt bleidleisio ynghylch a ydynt am i'r Cynulliad fwrw ymlaen ac arfer y pwerau hynny.

Mae'r sefyllfa gydag Aelodau rhanbarthol yn gwbl gywilyddus o safbwynt cynigion y Blaid Lafur. Os oes ar system y Cynulliad angen ei diwygio'n radicalaidd, paham nad yn Llundain? Paham nad yn yr Alban? Yn wir, paham nad yng Ngweriniaeth Ffederal yr Almaen? Dan y system hon, ni fyddid byth wedi caniatáu i Herr Kohl sefyll yn ei dref enedigol yn y Rheindir, lle y collodd yn aml, cyn cael ei ethol ar y rhestr. Gweledigaeth dila a thruenus yn wir yw mynd ar hyd y lwybr hwn a cholffarnu'r system a gyflwynwyd gennych chi, yn hytrach na mabwysiadu ymateb mwy rhesymol drwy, o bosibl, negodi protocol, a fyddai wedi bod yn deg. Ceir rhai anawsterau gyda'r system bresennol—[*Torri ar draws.*]

Yr wyf wastad wedi cydnabod hynny, felly nid oes yn rhaid ichi ddweud 'A, a' wrthyf.

Mae rhannau o Araith y Frenhines yr ydym

we welcome. Time is running out, so I cannot go into detail. Some of the things that we think are lacking are addressed in our amendments. I particularly welcome the Commissioner for Older People (Wales) Bill. I broadly welcome the Transport (Wales) Bill, but remain concerned about the joint transport authorities that may create another layer of bureaucracy.

Overall, the Government has failed to raise its vision and look to the future to ask what is best for Wales. Instead, it is proposing a patchy comfort blanket for Labour Party supporters to protect them from the chill winds of devolution that have swept through our country.

Kirsty Williams: I propose the following amendments in the name of Kirsty Williams. Amendment 6: add as a new point at the end of the motion:

regrets that the Older People's Commissioner (Wales) Bill does not allow all non-devolved areas of policy for older people to be a matter for the commissioner for older people in Wales.

I propose amendment 7. Add as a new point at the end of the motion:

regrets the failure of the White Paper to implement in full the recommendations of the Richard commission to give the National Assembly primary law-making powers.

I propose amendment 8. Add as a new point at the end of the motion:

calls on the First Minister to deliver an annual address that sets out a strategic programme for government in Wales.

Like Father Christmas, the Secretary of State for Wales brings his bags of goodies to the National Assembly once a year, and, like all good children, we hope that somewhere in the bag will be something that we actually asked for. As is the experience of many children on Christmas morning, the bag of goodies holds a few of the things that we would like to see, but, as always, it contains plenty of lavender bath salts and unwearable

yn eu croesawu. Mae amser yn mynd yn brin, felly ni allaf fanylu. Mae rhai o'r pethau y credwn eu bod yn ddiffygiol yn cael sylw yn ein gwelliannau. Croesawaf yn arbennig Fesur Comisiynydd Pobl Hŷn (Cymru). Croesawaf yn gyffredinol y Mesur Trafnidiaeth (Cymru), ond yr wyf yn dal yn bryderus ynghylch y cyd-awdurdodau trafndiaeth a fydd o bosibl yn creu haen arall o fiwrocratiaeth.

Drwyddo draw, mae'r Llywodraeth wedi methu â chodi ei gweledigaeth ac edrych tuag at y dyfodol i ofyn beth yw'r gorau ar gyfer Cymru. Yn hytrach, mae'n cynnig blanced gysur dameidiog i gefnogwyr y Blaid Lafur i'w gwarchod rhag gwyntoedd oerllyd datganoli sydd wedi ysgubo drwy ein gwlad.

Kirsty Williams: Cynigiaf y gwelliannau canlynol yn fy enw i. Gwelliant 6: ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn gresynu at y ffaith nad yw'r Mesur Comisiynydd Pobl Hŷn (Cymru) yn caniatáu i'r holl feysydd polisi nas datganolwyd sy'n ymwneud â phobl hŷn fod yn faterion i gomisiynydd pobl hŷn Cymru.

Cynigiaf welliant 7. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn gresynu at y ffaith bod y Papur Gwyn wedi methu â rhoi argymhellion comisiwn Richard ar waith yn llawn i roi pwerau deddfu sylfaenol i'r Cynulliad Cenedlaethol.

Cynigiaf welliant 8. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn galw ar y Prif Weinidog i gyflwyno anerchiad blynyddol sy'n amlinellu rhaglen strategol ar gyfer llywodraeth yng Nghymru.

Fel Siôn Corn, daw Ysgrifennydd Gwladol Cymru â'i sacheidiau o bethau da i'r Cynulliad Cenedlaethol unwaith y flwyddyn, ac, fel pob plentyn da, gobeithiwn fod yn y sach yn rhywle rywbeth y bu inni ei ddeisyfu o ddifrif. Yr un fath â phrofiad nifer o blant ar fore Nadolig, ychydig iawn o bethau yr hoffem eu gweld sy'n y sachaid o bethau da, ond, bob amser, mae ynddo ddigonedd o bethau aroglau da a hosanau na chânt byth eu

socks.

gwisgo.

*Daeth y Dirprwy Lywydd i'r Gadair am 4.12 p.m.
The Deputy Presiding Officer took the Chair at 4.12 p.m.*

Once again, the Queen's Speech fails the people of Wales. It does not introduce a government of Wales Bill to implement the Richard commission recommendations in full and to give the tools to the Assembly that we really need. Indeed, as we have heard, what seems to have excited most interest on the Labour benches is the proposal to change the electoral system to the Chamber. The Labour Party should be reminded that it does not have a monopoly on winning constituencies. From time to time, I can become a little annoyed by activities of some of the list Members in my constituency. However, I absolutely defend the right of Nick Bourne to stand in Brecon and Radnorshire again—and lose again.

Jeff Cuthbert: You talk about implementing the Richard commission's recommendations in full. One of those, on electoral arrangements, was that we should have multi-Member constituencies. Will you explain how that will improve the link between an Assembly Member and his or her constituents, and how you see the system working practically? Do you support that?

Kirsty Williams: Indeed. If you are truly committed to overcoming some of the perceived problems with the current system, the only ways to address the problems are either to include a definition of the word 'local' in the government of Wales Bill—because otherwise nothing will prevent list Members continuing to describe themselves as local—or, as recommended by Richard, to move to a single transferable vote system. It works perfectly well in the Northern Ireland context, where people are fully aware of which representatives represent a particular area in that institution. That is something that the Secretary of State will know about very well from his other role. It works in that context, and I cannot see why it would be beyond the wit of people in Wales to understand it. Those are the only ways to solve the perceived problems that you and your party have with the divide between constituency and regional list Members.

Unwaith eto, mae Araith y Frenhines yn siomi pobl Cymru. Nid yw'n cyflwyno Mesur llywodraeth Cymru i weithredu argymhellion comisiwn Richard yn llawn a rhoi i'r Cynulliad yr arfau y mae arnom eu gwir angen. Yn wir, fel yr ydym wedi clywed, ymddengys mai'r hyn sydd wedi ysgogi mwyaf o ddiddordeb ar y meinciau Llafur yw'r cynnig i newid y system etholiadol i'r Siambr. Dylid atgoffa'r Blaid Lafur nad oes ganddi fonopoli ar ennill etholaethau. O bryd i'w gilydd, gallaf deimlo braidd yn ddig oherwydd gweithgareddau rhai o Aelodau'r rhestr yn fy etholaeth. Fodd bynnag, amddiffynaf yn llwyr hawl Nick Bourne i sefyll yn Mrycheiniog a Maesyfed eto—a cholli eto.

Jeff Cuthbert: Yr ydych yn siarad am weithredu argymhellion comisiwn Richard yn llawn. Un o'r rheini, yn ymwneud â threfniadau etholiadol, oedd y dylem gael etholaethau aml-Aelod. A wnewch esbonio sut y bydd hynny yn gwella'r cyswllt rhwng Aelod Cynulliad a'i etholwyr ef neu ei hetholwyr hi, a sut y gwelwch y system yn gweithio yn ymarferol? A gefnogwch hynny?

Kirsty Williams: Yn wir. Os ydych yn wir ymrwymedig i oresgyn rhai o'r problemau a welir gyda'r system gyfredol, yr unig ffyrdd o roi sylw i'r problemau yw un ai cynnwys diffiniad o'r gair 'lleol' ym Mesur llywodraeth Cymru—oherwydd fel arall ni fydd dim yn rhwystro Aelodau'r rhestr rhag dal i ddisgrifio'u hunain fel pobl leol—neu, fel yr argymhellwyd gan Richard, symud at system o bleidlais sengl drosglwyddadwy. Mae'n gweithio'n berffaith yng nghyd-destun Gogledd Iwerddon, lle y mae pobl yn gwbl ymwybodol o ba gynrychiolwyr sy'n cynrychioli ardal benodol yn y sefydliad hwnnw. Bydd hyn yn rhywbeth y bydd yr Ysgrifennydd Gwladol yn gyfarwydd iawn ag ef oherwydd ei rôl arall. Mae'n gweithio yn y cyd-destun hwnnw, ac ni allaf weld paham y byddai y tu hwnt i grebwyll pobl yng Nghymru ei ddeall. Dyma yw'r unig ffyrdd o ddatrys y problemau amlwg sydd gennych chi a'ch plaid gyda'r rhanriad rhwng

Aelodau etholaeth ac Aelodau rhestr ranbarthol.

The Queen's Speech is yet another opportunity missed by Labour. The Liberal Democrats would have introduced measures in this Queen's Speech that sought to create a fairer society across the UK, in which people would have their freedoms protected, and their fear of crime reduced. For this parliamentary session, our priorities would have been to scrap student top-up and tuition fees, and the unfair council tax—which has hit so many in Wales so badly. We would have introduced a citizens' pension that would be uprated in line with average earnings and that would recognise the commitment that women have made to this country, rather than penalising them, which is what happens under the current system. We would have reversed the mass means-testing of pensioners and introduced free personal care for the elderly.

We welcome the Transport (Wales) Bill, which will provide the Assembly with a coherent set of transport powers for the first time, enabling the introduction of an integrated transport policy, which everyone in the Chamber agrees that we desperately need. However, this was first asked for back in March 2003 and it is still not a reality. Our inadequate devolution settlement has led to several years being wasted in terms of creating an improved integrated transport system in Wales that serves the interests of the public.

The Liberal Democrats also welcome the Tourism Accommodation (Wales) Bill, but, again, there has been a considerable time-lag, as that was first asked for in March 2003. It is important to ensure that there are minimum standards in the provision of tourist accommodation, but the scheme should not be allowed to become a bureaucratic burden on businesses, and the devil will be in the detail.

It should not be forgotten that the Assembly Government's proposals for primary legislation for 2005 and 2006 have not been successful at all. The Welsh Language Schemes Regulator (Wales) Bill, the Housing

Mae Araith y Frenhines yn gyfle arall eto y mae Llafur wedi ei golli. Byddai'r Democratiaid Rhyddfrydol wedi cyflwyno mesurau yn Araith y Frenhines y tro hwn, mesurau a fyddai'n ceisio creu cymdeithas decach ar draws y DU, gan amddiffyn rhyddid y bobl, a lleddfu eu pryder am drosedd. Ar gyfer y sesiwn seneddol hon, ein blaenoriaethau fyddai cael gwared â ffioedd dysgu a ffioedd atodol i fyfyrwyr, a'r dreth gyngor annheg—sydd wedi taro cynifer cynddrwg yng Nghymru. Byddem wedi cyflwyno pensiwn dinasyddion y byddai ei gyfraddau yn cael eu codi yn unol â'r cyflog cyfartalog ac a fyddai'n cydnabod yr ymrwymiad y mae menywod wedi ei wneud i'r wlad hon, yn hytrach na'u cosbi, fel sy'n digwydd dan y system gyfredol. Byddem wedi gwyrddroi'r broses o gynnal prawf moddion ar bensynwyr a chyflwyno gofal personol am ddim i'r henoed.

Croesawn y Mesur Trafnidiaeth (Cymru), a fydd yn rhoi i'r Cynulliad set gydynol o bwerau trafndiaeth am y tro cyntaf, gan ei alluogi i gyflwyno polisi trafndiaeth integredig; mae'r polisi hwn yn rhywbeth y mae pawb yn y Siambr yn gytûn bod arnom ei wir angen. Fodd bynnag, gofynnwyd amdano i ddechrau ym mis Mawrth 2003 ac nid yw'n realiti byth. Mae ein setliad datganoli annigonol wedi arwain at wastraffu blynyddoedd lawer o ran creu system drafndiaeth integredig well i Gymru sy'n ateb gofynion y cyhoedd.

Mae'r Democratiaid Rhyddfrydol hefyd yn croesawu'r Mesur Llety Twristiaeth (Cymru), ond, eto, yr ydym wedi profi cryn oedi ar hyn oherwydd gofynnwyd amdano gyntaf ym Mawrth 2003. Mae'n bwysig sicrhau bod gennym safonau gofynnol ar gyfer darparu llety twristiaeth, ond ni ddylid gadael i'r cynllun fod yn faich biwrocraidaidd ar fusnesau, ac yn y manylion yn sicr y bydd y drwg.

Dylid cofio nad yw cynigion deddfwriaeth sylfaenol Llywodraeth y Cynulliad ar gyfer 2005 a 2006 wedi bod yn llwyddiannus o gwbl. Methodd y Mesur Rheoleiddio Cynlluniau Iaith Gymraeg (Cymru), Mesur

(Suspension of Right to Buy) (Wales) Bill and the Local Government (Town and Community Councils) (Wales) Bill all failed to meet the cut. We should also not forget that there have been a mere four Wales-only Acts passed by Parliament since the dawn of devolution in 1999.

In my last speech on this matter, I made the comparison that the attitude of the rugby team so beloved of the Secretary of State and the First Minister was very much the same as that in this Chamber: it did not matter that we kept losing at rugby, so long as we did it with a bit of hwyl. The point is that the Welsh rugby team's performance has vastly improved; the Secretary of State and the First Minister are still fumbling their passes and dropping the ball when it comes to Wales.

Rhodri Glyn Thomas: Cynigiaf y gwelliannau canlynol yn enw Jocelyn Davies. Gwelliant 9: ychwanegu pwynt newydd ar ddiwedd y cynnig:

mae'r Cynulliad Cenedlaethol yn galw ar Lywodraeth y DU i sicrhau bod unrhyw ddeddfwriaeth sy'n deillio o'r Papur Gwyn 'Trefn Lywodraethu Well i Gymru' yn cynnwys darpariaeth i roi argymhellion comisiwn Richard ar waith erbyn 2011.

Cynigiaf welliant 10. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

cred y Cynulliad Cenedlaethol mai'r sbardun ar gyfer cynnal unrhyw refferendwm i gael pwerau deddfu i'r Cynulliad fydd penderfyniad y Cynulliad a fydd wedi'i basio gan fwyafrif syml.

Mae'r gwelliannau hyn yn ymwneud â llywodraethu Cymru ac â'r hyn sydd wedi'i gynnig o fewn y Papur Gwyn. Mae'n ddiddorol nodi mai teitl y Papur Gwyn yw 'Trefn Lywodraethu Well i Gymru'. Yn aml, mae'r ddadl ynglŷn â phwerau ychwanegol i'r Cynulliad yn ymddangos fel dadl haniaethol ar bwerau yn unig. Fodd bynnag, y rheswm syml y mae angen pwerau ychwanegol ar Gynulliad Cenedlaethol Cymru yw er mwyn sicrhau y gallwn weithredu yn effeithiol. Os yw'r

Tai (Atal yr Hawl i Brynu) (Cymru) a Mesur Llywodraeth Leol (Cyngorau Tref a Chymuned) (Cymru) i gyd am nad oedd amser iddynt. Ni ddylem ychwaith anghofio mai dim ond pedair Deddf ar gyfer Cymru yn unig sydd wedi eu pasio gan y Senedd ers datganoli yn 1999.

Yn fy araith ddiwethaf ar y mater hwn, gwneuthum y gymhariaeth bod agwedd y tîm rygbi sydd mor agos at galon yr Ysgrifennydd Gwladol a Phrif Weinidog Cymru yn debyg iawn i'r agwedd yn y Siambr hon: nid oedd ots ein bod yn colli gêmâu'n barhaus, cyn belled â'n bod yn gwneud hynny gyda thipyn o hwyl. Y pwynt yw bod perfformiad tîm rygbi Cymru wedi gwella'n aruthrol; mae'r Ysgrifennydd Gwladol a'r Prif Weinidog yn dal i ymbalfalu am y bêl ac yn ei gollwng lle y mae Cymru yn y cwestiwn.

Rhodri Glyn Thomas: I propose the following amendments in the name of Jocelyn Davies. Amendment 9: add a new point at the end of the motion:

The National Assembly calls on the UK Government to ensure that any legislation emanating from the White Paper 'Better Governance for Wales' includes a provision to implement the recommendations of the Richard commission by 2011.

I propose amendment 10. Add a new point at the end of the motion:

The National Assembly believes that any referendum on the acquisition of law-making powers by the Assembly will be triggered by a resolution of the Assembly carried by a simple majority.

These amendments deal with the governance of Wales and with what is proposed in the White Paper. It is interesting to note that the title of the White Paper is 'Better Governance for Wales'. The debate on additional powers for the Assembly often seems to be an abstract one on powers only. However, the simple reason for the National Assembly's needing additional powers is to ensure that we can act effectively. If the Secretary of State is concerned about the outcome of a referendum on the Assembly's having

Ysgrifennydd Gwladol yn poeni am ganlyniad refferendwm ar bwerau ychwanegol i'r Cynulliad, efallai mai un o'r rhesymau am hynny yw bod Llywodraeth gwbl aneffeithiol wedi bod yn y Cynulliad am y chwe blynedd diwethaf a'i bod wedi methu â defnyddio'r pwerau sydd gan y Cynulliad ar hyn o bryd yn effeithiol ac, oherwydd hynny, mae pobl Cymru yn gweld datganoli fel methiant.

Atgoffaf yr Ysgrifennydd Gwladol o eiriau y diweddar Donald Dewar, a oedd yn Brif Weinidog Senedd yr Alban. Cyn y refferendwm yn yr Alban, dywedodd nad oedd yn ymwybodol o unrhyw Senedd yn unman yn y byd nad oedd ganddi'r pŵer sylfaenol i greu deddfwriaeth, ac eto, yng Nghymru, yr ydym wedi cael sefydliad gwleidyddol sydd i fod i lywodraethu ond nad oes ganddi'r gallu sylfaenol i greu deddfwriaeth.

Cafodd rhai ohonom y cyfle, ychydig yn ôl, i gyflwyno tystiolaeth gerbron Pwyllgor Dethol o Dŷ'r Cyffredin a Thŷ'r Arglwyddi a oedd yn ystyried yr angen am Ddeddf iechyd meddwl newydd. Credaf fod y pwyllgor wedi derbyn yr hyn yr oeddem yn ei ddweud, sef bod y sefyllfa yng Nghymru yn dra gwahanol i'r sefyllfa yn Lloegr, fod y strwythurau yng Nghymru yn wannach na'r rhai yn Lloegr, fod angen mawr am bobl broffesiynol i weithio yn y maes hwn yng Nghymru, fod gan Gymru sefyllfaoedd arbennig, megis yr angen am ddarpariaeth drwy gyfrwng y Gymraeg, a bod dadl gref, felly, y dylid cael deddfwriaeth i Gymru. Fodd bynnag, nid yw'n bosibl inni greu'r deddfwriaeth, yng Nghaerdydd, i ateb gofynion pobl sy'n dioddef o anhwylder meddwl yng Nghymru.

Un o'r pethau y mae'r Llywodraeth yng Nghaerdydd yn sôn amdano yn barhaus wrth sôn am lwyddiannau y Cynulliad yn ystod y chwe blynedd cyntaf yw sefydlu Comisiynydd Plant Cymru. Fodd bynnag, mae'r comisiynydd, Peter Clarke, wedi dweud bod ei anallu i ddelio gyda materion nad ydynt wedi'u datganoli yn golygu bod ei swyddogaeth a'i waith yn cael eu tanseilio yn llwyr. Mae hynny oherwydd diffygion y setliad cyfansoddiadol.

additional powers, one of the reasons for that might be that the Assembly has had a completely ineffective Government for the last six years, which has failed to use the powers that the Assembly currently has effectively, and, because of that, the people of Wales see devolution as having failed.

I remind the Secretary of State of the words of the late Donald Dewar, who was the First Minister of the Scottish Parliament. Prior to the referendum in Scotland, he said that he was not aware of any Parliament anywhere in the world that did not have the fundamental power to create legislation and yet, in Wales, we have a political institution that is supposed to govern but which does not have the fundamental ability to create legislation.

Some of us had the opportunity a while ago to give evidence before a Select Committee of the House of Commons and House of Lords, which was considering the need for a new mental health Act. I believe that that committee accepted what we said, namely that the situation in Wales is wholly different from the situation in England, that the structures in Wales are weaker than those in England, that there is a great need for professional people to work in this field in Wales, that there were situations that were unique to Wales, such as the need for provision through the medium of Welsh, and that, therefore, there is a strong argument that there should be legislation for Wales. However, it is not possible for us to create, in Cardiff, the legislation to meet the needs of those who suffer from mental illness in Wales.

One of the things that the Government in Cardiff constantly talks about in terms of the Assembly's successes during the first six years is the establishment of the Children's Commissioner for Wales. However, the commissioner, Peter Clarke, has said that his inability to deal with non-devolved matters means that his function and work are completely undermined. That is because of the deficiencies of the constitutional settlement.

4.20 p.m.

Yr ydym yn sôn am gael comisiynydd ar gyfer pobl hŷn yng Nghymru. Mae llawer ohonom eto i gael ein hargyhoeddi mai dyma'r ffordd orau o ateb gofynion pobl hŷn yng Nghymru. Byddai rhai ohonom yn dadlau bod llawer o bethau eraill penodol y gellid eu gwneud i gynnig gwasanaethau gwell iddynt. Er bod gan y comisiynydd yr hawl i ystyried materion nas datganolwyd ac i gyflwyno ei sylwadau i San Steffan, nid oes protocol nac unrhyw strwythur i sicrhau bod unrhyw adran neu Weinidog yn San Steffan yn ymateb yn benodol i'r hyn sydd ganddo i'w ddweud. Felly, mewn sefyllfaoedd o'r fath, gwelwn fethiannau'r drefn sydd gennym.

Dywed y Prif Weinidog wrthym drwy'r amser, gyda'r system ryfeddol hon y mae wedi llwyddo i'w chanfod, sef y system 13.2 a mwy, y gellir ychwanegu at bwerau'r Cynulliad yn llawer cynt nag y byddai argymhellion Ivor Richard wedi ei ganiatáu. Fodd bynnag, a all y Llywodraeth Lafur yng Nghaerdydd ac yn San Steffan warantu y caiff argymhellion Richard eu cyflwyno erbyn 2011, fel yr oedd Ivor Richard a'i gomisiynwyr yn ei ragweld yn yr adroddiad? Mae'n bwysig cofio bod llawer o'r comisiynwyr hynny wedi ymuno â'r trafodaethau gan gredu na ddylid cael pwerau ychwanegol, ond eu bod wedi cael eu perswadio gan y dystiolaeth a roddwyd ger eu bron. Os oes modd perswadio'r comisiynwyr hynny, pam nad oes gennych yr hyder, Ysgrifennydd Cymru, i fynd at bobl Cymru a dadlau'r achos dros argymhellion Ivor Richard, yn hytrach na chreu system a fydd yn golygu na allwn gael refferendwm oherwydd eich bod yn ofni ymateb eich Aelodau Seneddol yn Llundain?

The Deputy Presiding Officer: I intend to call the Secretary of State as the penultimate speaker at 5.15 p.m.. This means that not everyone will be able to speak. However, in order to allow as many Members as possible to contribute, Members will have five minutes each from now on, and six minutes if they take interventions.

We are talking about having a commissioner for older people in Wales. Many of us are yet to be persuaded that this is the best way of meeting the needs of older people in Wales. Some of us would argue that there are many other specific things that could be done to offer them improved services. Although the commissioner has the power to consider non-devolved matters and to present his comments to Westminster, there is no protocol or structure to ensure that any department or Minister in Westminster will respond specifically to what he has to say. Therefore, in such situations, we see the failures of the current system.

The First Minister constantly tells us that with this remarkable system that he has managed to discover, namely the 13.2 plus system, additional powers could be given to the Assembly far more swiftly than Ivor Richard's recommendations would have allowed. However, can the Labour Government in Cardiff and in Westminster guarantee that the Richard commission's recommendations will be introduced by 2011, as Ivor Richard and his commissioners foresaw in the report? It is important to bear in mind that many of those commissioners went into those discussions believing that there should not be additional powers, and that they were persuaded by the evidence presented to them. If it is possible to persuade those commissioners, why do you not have the confidence, Secretary of State, to go out to the people of Wales and argue the case for Ivor Richard's recommendations, rather than creating a system that will mean that we cannot hold a referendum because you are afraid of the response of your MPs in London?

Y Dirprwy Lywydd: Bwriadaf alw ar yr Ysgrifennydd Gwladol ac ef fydd y siaradwr olaf ond un am 5.15pm. Mae hyn yn golygu na fydd pawb yn gallu siarad. Er hynny, er mwyn rhoi cyfle i gynifer o Aelodau â phosibl gyfrannu, bydd gan Aelodau bum munud yr un o hyn ymlaen, a chwe munud os derbyniant ymyriadau.

Leighton Andrews: I will focus my remarks on the White Paper principally, which is referred to in the motion. It is worth stating at the outset that the Government of Wales Act that will flow from this White Paper will place on the statute book primary powers for the National Assembly for Wales. That is a clear indication of the way in which we are moving in Wales towards having a National Assembly with primary powers. It is also worth stating that those powers will be preceded by stage one proposals that will move faster and go further than the Richard commission's first stage proposals.

Rhodri Glyn Thomas: You referred to the Richard commission, which was set up by the Assembly Government in Cardiff. Why do you think that the commission did not accept the way forward in terms of introducing primary legislative powers that you are now choosing? It sat for two years, took the evidence, listened to everyone and came to its conclusions. Why have you turned down its recommendations and decided to go in another direction, although you have not looked at that evidence?

Leighton Andrews: I heard what Lord Richard said last week in the House of Lords—I saw it on television—and he, I think, welcomed the proposals that have been outlined in the White Paper. He acknowledged that one of the proposals found a solution that went further and moved faster.

It is important that we place on the record that Labour is taking devolution forward. There has been general agreement on the proposals on the corporate status of the Assembly, and the proper distinction between the Executive and the legislature. One of the consequences of that will be that we will have committees that work without Ministers being present, and they will have a proper procedure through which Members can scrutinise Ministers. I mean no disrespect or lack of affection towards my colleagues who are Ministers when I say that one of the reasons why I enjoy sitting on the Audit Committee in the Assembly is that no Ministers sit on it. That enables us to get

Leighton Andrews: Canolbwyntiaf fy sylwadau ar y Papur Gwyn yn bennaf, sy'n cael sylw yn y cynnig. Mae'n werth dweud ar y dechrau y bydd Deddf Llywodraeth Cymru a fydd yn deillio o'r Papur Gwyn hwn yn rhoi pwerau sylfaenol statudol i Gynulliad Cenedlaethol Cymru. Mae hyn yn arwydd clir o'r ffordd yr ydym yn symud yng Nghymru tuag at gael Cynulliad Cenedlaethol â phwerau sylfaenol. Mae hefyd yn werth dweud y bydd y pwerau hynny yn cael eu rhagflaenu gan gynigion cam un a fydd yn symud yn gynt ac yn mynd ymhellach na chynigion cam cyntaf comisiwn Richard.

Rhodri Glyn Thomas: Yr ydych wedi cyfeirio at gomisiwn Richard, a sefydlwyd gan Lywodraeth y Cynulliad yng Nghaerdydd. Pam y tybiwch na wnaeth y comisiwn dderbyn y ffordd ymlaen, o ran cyflwyno pwerau deddfu sylfaenol, a ddewisir gennych chi yn awr? Bu'n eistedd am ddwy flynedd, yn derbyn tystiolaeth ac yn gwrando ar bawb, cyn dod i'w gasgliadau ei hun. Pam yr ydych wedi gwrthod ei argymhellion ac wedi penderfynu mynd i gyfeiriad arall, er nad ydych wedi edrych ar y dystiolaeth honno?

Leighton Andrews: Clywais yr hyn a ddywedodd yr Arglwydd Richard yr wythnos diwethaf yn Nhŷ'r Arglwyddi—fe'i gwelais ar y teledu—ac yr oedd ef, yr wyf yn credu, yn croesawu'r cynigion sy'n y Papur Gwyn. Yr oedd yn cydnabod bod un o'r cynigion yn dod o hyd i ateb a oedd yn mynd ymhellach ac yn symud yn gynt.

Mae'n bwysig ein bod yn cofnodi ar ddu a gwyn fod Llafur yn bwrw ymlaen â datganoli. Cafwyd cytundeb cyffredinol ar y cynigion ynghylch statws corfforaethol y Cynulliad, a'r gwahaniaeth priodol rhwng y Weithrediaeth a'r corff deddfu. Un o ganlyniadau hynny yw y bydd gennym bwyllgorau a fydd yn gweithio heb i Weinidogion fod yn bresennol, gyda gweithdrefn briodol i Aelodau fedru craffu ar Weinidogion. Ni fwriadaf unrhyw amarch na diffyg hoffter at fy nghyd-Aelodau sy'n Weinidogion pan ddywedaf mai un o'r rhesymau pam yr wyf yn mwynhau bod ar y Pwyllgor Archwilio yn y Cynulliad yw am nad oes Gweinidogion arno. Mae hyn yn ein

involved in the detail of policy, whereas elsewhere issues are sometimes debated in a more partisan manner. Others have talked about the electoral system, which was raised in the statement earlier. I want to say a word or two about the relationship between constituency and regional Members. I heard David Melding talk about the possibility of having a protocol. I would like to pick up one or two principles that exist in the Scottish Parliament, under annexe 5 of the Code of Conduct for Members of the Scottish Parliament, and how it distinguishes between the roles of regional and constituency Members. A key principle is that

‘Members of the Scottish Parliament should not misrepresent the basis on which they were elected or the area they serve.’

When it comes to dealing with individual constituents’ cases, it states that

‘It is expected that in practice, the usual point of contact for a constituent raising a specific personal or local matter will be his or her constituency MSP. In the event that a regional MSP does raise a constituency case, he or she must notify the relevant constituency MSP at the outset unless the consent of the constituent is withheld.’

When Ministers are dealing with trips to constituencies, the guidance is clear:

‘Ministers planning to visit constituencies should, as a matter of course, only notify the constituency MSP.’

Eleanor Burnham: If you are so keen on Scotland, why do we not have a proper parliament in Wales, like they have in Scotland?

Leighton Andrews: As I said, the Government of Wales Act that will flow from this White Paper will place on the statute book primary powers for the Assembly.

When dealing with local agencies, the expectation in Scotland is that the constituency Member or Members will be involved as a matter of course. When it

galluogi i fynd at fanylion y polisi, lle y mae pethau weithiau’n cael eu trafod yn eithaf pleidiol mewn mannau eraill. Mae eraill wedi siarad am y system etholiadol, a godwyd yn y datganiad yn gynharach. Hoffwn ddweud gair neu ddau am y berthynas rhwng Aelodau etholaethol a rhai rhanbarthol. Clywais David Melding yn sôn am y posibilrwydd o gael protocol. Hoffwn gyfeirio at ambell egwyddor sy’n bodoli yn Senedd yr Alban, o dan atodiad 5 Cod Ymddygiad Aelodau Seneddol yr Alban, a sut y mae’n gwahaniaethu rhwng rolau’r Aelodau rhanbarthol a’r rhai etholaethol. Un o’r prif egwyddorion yw

Ni ddylai Aelodau Seneddol yr Alban gyfleu yn anghywir y sail y cawsant eu hethol arni na’r ardal y maent yn ei gwasanaethu.

Lle y mae delio ag achosion etholwyr unigol yn y cwestiwn, mae’n dweud

Disgwylir mai’r pwynt cyswllt arferol, fel rheol, ar gyfer etholwr sy’n codi mater personol neu leol penodol, fydd ei Aelod etholaethol ef neu hi o Senedd yr Alban. Os bydd Aelod rhanbarthol o Senedd yr Alban yn codi mater etholaethol, rhaid iddo ef neu hi roi gwybod i’r Aelod etholaethol perthnasol o Senedd yr Alban ar y dechrau un oni bai nad yw’r etholwr yn caniatáu hynny.

Pan fydd Gweinidogion yn delio ag ymweliadau ag etholaethau, mae’r canllawiau yn glir:

Dylai Gweinidogion sy’n trefnu i ymweld ag etholaethau, fel mater o drefn, hysbysu’r Aelod etholaethol o Senedd yr Alban yn unig.

Eleanor Burnham: Os ydych mor frwd ynghylch yr Alban, pam nad oes gennym senedd iawn yng Nghymru, fel sydd ganddynt yn yr Alban?

Leighton Andrews: Fel y dywedais, bydd Deddf Llywodraeth Cymru a fydd yn deillio o’r Papur Gwyn yn cyflwyno pwerau sylfaenol statudol i’r Cynulliad.

Wrth ddelio ag asiantaethau lleol, y disgwyliad yn yr Alban yw y cynhwysir yr Aelod neu’r Aelodau etholaethol fel mater o drefn. Pan ddaw’n fater o ddisgrifio eu

comes to describing themselves, it is stated that:

‘regional Members and constituency Members must describe themselves accurately so as not to confuse those with whom they deal. Constituency Members should always describe themselves as “[Name] Member of the Scottish Parliament for [x] constituency.” Regional Members should always describe themselves as “[Name] Member of the Scottish Parliament for [y] region.”’

It also says that

‘Regional Members must not describe themselves as a “local” Member for—or having a particular interest in—only part of the region for which they were elected.’

Regional Members are expected to work in more than two constituencies in their region, which means that they are meant to have surgeries in more than two constituencies in their region. That is clearly written down.

Mark Isherwood: I have surgeries in every part of my region and I also point out that in Scotland, there is a greater degree of proportionality and no proposal to prevent constituency candidates from standing on regional lists. Furthermore, the Richard commission stated that in New Zealand and Germany, there was no evidence of friction between regional constituency Members once the system bedded down.

Leighton Andrews: Yes, but there are also proposals in Scotland, and other places, such as the Arbuthnott commission, to think about one vote, for example, between the elections for regional and constituency sections. Therefore, it is possible for us to look at examples elsewhere and to make our own determination as to whether or not they would be appropriate. I commend the Scottish Parliament’s code of conduct and annexe and hope that the Secretary of State will consider it when he considers the way forward in his consultation on the White Paper.

hunain, hyn sy’n cael ei ddweud:

rhaid i Aelodau rhanbarthol ac Aelodau etholaethol ddisgrifio eu hunain yn gywir fel nad oes dim dryswch ym meddyliau’r rhai sy’n cysylltu â hwy. Dylai Aelodau etholaethol bob amser ddisgrifio eu hunain fel “[Enw] Aelod Seneddol yr Alban dros etholaeth [x].” Dylai Aelodau rhanbarthol bob amser ddisgrifio eu hunain fel “[Enw] Aelod Seneddol yr Alban dros ranbarth [y].”

Mae hefyd yn dweud

Ni ddylai Aelodau rhanbarthol ddisgrifio eu hunain fel Aelod “lleol” dros—neu gyda diddordeb neilltuol mewn—rhan yn unig o’r rhanbarth y cawsant eu hethol drosto.

Disgwylir i Aelodau rhanbarthol weithio mewn mwy na dwy etholaeth yn eu rhanbarth, sy’n golygu y dylent gynnal cymorthfeydd mewn mwy na dwy etholaeth yn y rhanbarth hwnnw. Mae hynny wedi’i nodi’n glir.

Mark Isherwood: Yr wyf yn cynnal cymorthfeydd ym mhob rhan o’r rhanbarth, a dylwn hefyd ddweud bod mwy o gyfranoldeb yn bodoli yn yr Alban ac nad oes cynnig i atal ymgeiswyr etholaethol rhag ymgeisio ar restrau rhanbarthol. Yn ogystal, dywedodd comisiwn Richard nad oedd dim tystiolaeth yn Seland Newydd a’r Almaen o wrthdaro rhwng Aelodau etholaethol rhanbarthol wedi i’r system gael ei thraed dani.

Leighton Andrews: Ie, ond mae cynigion hefyd yn yr Alban, ac mewn mannau eraill, fel comisiwn Arbuthnott, i feddwl am un bleidlais, er enghraifft, rhwng yr etholiadau ar gyfer adrannau rhanbarthol ac etholaethol. Felly, mae’n bosibl inni edrych ar enghreifftiau mewn mannau eraill a dod i’n casgliad ein hunain ynghylch a fyddent yn briodol ai peidio. Cymeradwyaf god ymddygiad ac atodiad Senedd yr Alban a gobeithio y bydd yr Ysgrifennydd Gwladol yn ei ystyried pan fydd yn meddwl am y ffordd ymlaen wrth ymgynghori ar y Papur Gwyn.

Brynle Williams: I propose the following amendments in the name of David Melding. Amendment 2: add a new point at the end of the motion:

regrets the failure of the Welsh Assembly Government to secure more Wales-only Bills.

I propose amendment 3. Add a new point at the end of the motion:

regrets the failure to obtain a bill to establish St. David's Day as an official public holiday in Wales.

I propose amendment 4. Add a new point at the end of the motion:

regrets the failure to obtain a Bill with a specific commitment to a referendum on the future status of the National Assembly for Wales.

I propose amendment 5. Add a new point at the end of the motion:

believes that people in Wales with a mental illness would be better served by a designated Mental Health (Wales) Bill.

I welcome the Secretary of State for Wales. The Conservative amendments are clear, defined and logical and I urge all Members to support them. Eight long years have passed and we continue to hear warm words from our national Government. However, after this long time, I am concerned by the lack of delivery.

I could talk for hours about the problems that face the people of our country, but I will focus my contribution today on housing and rural issues. My colleagues will discuss other topics as the Queen's Speech is debated. The Conservatives support measures to increase home ownership, but, unfortunately, the national Government has overseen a barrage of new stealth taxes on property and cuts to the right to buy, which have helped no-one but the Chancellor. I, for one, would like to know what he has done with the money that he has taken through these taxes, but that is

Brynle Williams: Cynigiaf y gwelliannau canlynol yn enw David Melding. Gwelliant 2: ychwanegu pwynt newydd ar ddiwedd y cynnig:

Yn gresynu bod Llywodraeth Cynulliad Cymru wedi methu sicrhau rhagor o Fesurau ar gyfer Cymru'n unig.

Cynigiaf welliant 3. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

Yn gresynu at y methiant i gael mesur i sefydlu dydd Gŵyl Dewi Sant fel gwyliau cyhoeddus swyddogol yng Nghymru.

Cynigiaf welliant 4. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

Yn gresynu at y methiant i gael Mesur gydag ymrwymiad penodol i refferendwm ar statws Cynulliad Cenedlaethol Cymru yn y dyfodol.

Cynigiaf welliant 5. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

Yn credu y byddai pobl yng Nghymru sydd â salwch meddwl yn cael eu gwasanaethu'n well gan Fesur Iechyd Meddwl (Cymru) dynodedig.

Hoffwn estyn croeso i Ysgrifennydd Gwladol Cymru. Mae'r gwelliannau gan y Ceidwadwyr yn glir, yn bendant ac yn rhesymegol a phwysaf ar yr holl Aelodau i'w cefnogi. Mae wyth mlynedd hir wedi pasio a ninnau'n parhau i glywed geiriau cynnes gan ein Llywodraeth genedlaethol. Fodd bynnag, ar ôl yr holl amser, yr wyf yn poeni am y diffyg darpariaeth.

Gallwn siarad am oriau am y problemau sy'n wynebu pobl ein gwlad, ond canolbwyntiaf fy nghyfraniad heddiw ar faterion tai a chefn gwlad. Bydd fy nghyd-Aelodau yn codi pynciau eraill wrth drafod Araith y Frenhines. Mae'r Ceidwadwyr o blaid mesurau i gynyddu perchentyaeth, ond, yn anffodus, mae'r Llywodraeth ganolog wedi cyflwyno llwyth o drethi llechwraidd newydd ar eiddo ac wedi cwtogi ar yr hawl i brynu, na fu'n gymorth i neb ar wahân i'r Canghellor. Hoffwn i, yn bersonol, wybod beth y mae wedi'i wneud gyda'r arian y mae

another story.

wedi'i gael drwy'r trethi hyn, ond stori arall yw honno.

The Conservatives want to see more affordable housing. I am fully aware that this is a devolved matter, but this is the perfect opportunity to raise my concerns on the subject. I have stated that I would like the public and private sectors to have a key role in providing affordable homes.

Mae ar y Ceidwadwyr eisiau gweld rhagor o dai fforddiadwy. Yr wyf yn gwbl ymwybodol bod hwn yn fater datganoledig, ond mae hyn yn gyfle perffaith i godi fy mhryderon am y mater. Yr wyf wedi dweud y byddwn yn hoffi pe bai gan y sectorau cyhoeddus a phreifat rôl allweddol ym maes darparu tai fforddiadwy.

4.30 p.m.

It is essential that landowners make sites available at reasonable costs, and that local authorities are more flexible when it comes to planning, allowing schemes on land that would not get planning permission under normal circumstances.

Mae'n hollbwysig bod perchenogion tir yn darparu safleoedd am gost resymol, a bod yr awdurdodau lleol yn fwy hyblyg ynglŷn â chynllunio, gan ganiatáu cynlluniau ar dir na roddid caniatâd cynllunio ar ei gyfer fel arfer.

Under Labour, the countryside has suffered increasingly from declining access to rural services including post offices, police stations, community pharmacies, public houses—which are closing by the week in north Wales—and transport to name just a few. Rural communities have long suffered from unequal spending levels, lack of employment opportunities and the loss of revenue outside rural communities to corporate monopolies at the expense of local small-scale retail diversity.

Dan Lafur, mae cefn gwlad wedi dioddef fwyfwy am fod llai o fynediad at wasanaethau gwledig, gan gynnwys swyddfeydd post, gorsafedd heddlu, fferyllfeydd cymunedol, tafarnau—sy'n cau y naill wythnos ar ôl y llall yn y Gogledd—a thrafnidiaeth, ac enwi dim ond rhai. Mae cymunedau gwledig wedi dioddef yn hir oherwydd lefelau gwariant anghyfartal, diffyg cyfleoedd i gael swyddi a cholli refeniw o gymunedau gwledig i fonopoliâu corfforaethol ar draul siopau lleol bach ac amrywiol.

Lorraine Barrett: Do you remember a certain woman called Mrs Thatcher, who started the decline in so many of the areas that you have just outlined?

Lorraine Barrett: A ydych yn cofio rhyw fenyw o'r enw Mrs Thatcher, a ddechreuodd y dirywiad mewn cynifer o'r meysydd yr ydych newydd eu nodi?

Brynle Williams: I also remember the gentleman, Mr Blair, who is continuing with this.

Brynle Williams: Yr wyf hefyd yn cofio'r gŵr bonheddig, Mr Blair, sy'n parhau â hynny.

We welcome the principles of the Animal Welfare Bill, but remain concerned about the powers conferred on animal welfare inspectors, the legal implications and the practicalities concerning wild animals temporarily in human care. The Conservative Party would repatriate control over fisheries through negotiation in the first instance and, failing that, by domestic legislation. This would enable us to identify marine conservation areas around the coast and work

Croesawn egwyddorion y Mesur Lles Anifeiliaid, ond pryderwn o hyd ynghylch y pwerau a roddir i arolygwyr lles anifeiliaid, y goblygiadau cyfreithiol a'r agweddau ymarferol ar drafod anifeiliaid gwyllt sydd yng ngofal pobl dros dro. Byddai'r Blaid Geidwadol yn ailwladoli'r rheolaeth dros bysgodfeydd drwy negodi yn y lle cyntaf a, phe na ddigwyddai hynny, drwy ddeddfu domestig. Byddai hynny'n ein galluogi i ddynodi ardaloedd cadwraeth forol o gwmpas

with local fishermen to find local solutions.

yr arfordir ac i weithio gyda physgotwyr lleol i ddarganfod atebion lleol.

In conclusion, First Minister, I can assure you that politicians from this side of the Chamber will continue to hold the Government to account on the promises they have made to the British, and the Welsh, people.

I derfynu, Brif Weinidog, gallaf eich sicrhau y bydd gwleidyddion ar yr ochr hon i'r Siambr yn dal i alw'r Llywodraeth i gyfrif am yr addewidion y mae wedi eu gwneud i bobl Prydain, ac i bobl Cymru.

Val Lloyd: I welcome all of the Bills in the Queen's Speech that are relevant to Assembly business, but intend to speak only on the Health Improvement and Protection Bill. I am pleased to say that, last month, a majority of Assembly Members voted to endorse the recommendations of the Committee on Smoking in Public Places. The Health Improvement and Protection Bill announced in the Queen's Speech provides a vehicle for Wales to move forward and introduce smoke-free enclosed public places.

Val Lloyd: Croesawaf yr holl Fesurau sy'n Araith y Frenhines sy'n berthnasol i fusnes y Cynulliad, ond bwriadaf siarad am y Mesur Gwella a Gwarchod Iechyd yn unig. Mae'n dda gennyf ddweud bod mwyafrif o Aelodau'r Cynulliad wedi pleidleisio, y mis diwethaf, i gymeradwyo argymhellion y Pwyllgor ar Ysmygu mewn Mannau Cyhoeddus. Mae'r Mesur Gwella a Diogelu Iechyd a gyhoeddwyd yn Araith y Frenhines yn cynnig modd i Gymru symud ymlaen a chyflwyno mannau cyhoeddus caeedig lle nad oes ysmygu.

The Bill will provide an opportunity for the Assembly to carry out the recommendation contained in the committee's report, which was described by the British Medical Association as a landmark for health professionals, and a landmark for Wales. The ban will reflect the will not only of Members in this Chamber, but of the majority of the Welsh public that chooses not to smoke. Promoting a smoke-free environment is paramount and will, I hope, act as a catalyst to bring about a culture change and emulate the positive experiences and outcomes seen in other countries such as Ireland.

Bydd y Mesur yn rhoi cyfle i'r Cynulliad gyflawni'r argymhelliad a geir yn adroddiad y pwyllgor, a alwyd gan Gymdeithas Feddygol Prydain yn garreg filltir i weithwyr iechyd proffesiynol, ac yn garreg filltir i Gymru. Bydd y gwaharddiad yn adlewyrchu ewyllys Aelodau yn y Siambr hon, yn ogystal ag ewyllys y mwyafrif o'r cyhoedd yng Nghymru sy'n dewis peidio ag ysmygu. Bydd yn hollbwysig hyrwyddo amgylchedd lle nad oes ysmygu a bydd hynny, yr wyf yn gobeithio, yn fodd i beri newid mewn arferion ac i efelychu'r profiadau a'r canlyniadau cadarnhaol a welwyd mewn gwledydd eraill fel Iwerddon.

I am delighted that the Assembly chose to endorse the recommendations of the committee and limit the detrimental impact that passive smoking has on many of our constituents. I would like to take this opportunity to say how pleased I am that it is now possible for the work of the committee to be taken forward by the Health Improvement and Protection Bill.

Yr wyf wrth fy modd bod y Cynulliad wedi dewis cymeradwyo argymhellion y pwyllgor a chyfyngu ar effaith niweidiol ysmygu goddefol ar lawer o'n hetholwyr. Carwn achub ar y cyfle hwn i ddweud mor falch yr wyf fod modd hyrwyddo gwaith y pwyllgor yn awr drwy'r Mesur Gwella a Gwarchod Iechyd.

As Members have heard on many previous occasions, it is estimated that over 1,000 people die every year as a result of passive smoking. The endorsement by Members of the recommendations of the Assembly committee will go some way to reducing this

Fel y mae'r Aelodau wedi clywed ar lawer achlysur o'r blaen, amcangyfrifir bod mwy na 1,000 o bobl yn marw bob blwyddyn o ganlyniad i ysmygu goddefol. Bydd cefnogaeth yr Aelodau i argymhellion pwyllgor y Cynulliad yn cyfrannu rhywfaint

number. Further to this, the proposed restrictions will assist in the public health promotion campaign across Wales, providing education on the dangers of smoking, and supporting people to remain free from the risks of passive smoking.

I note the proposals put forward on this issue by the UK Government, and await with interest the results of the 11-week consultative process. The work already done by the Assembly all-party committee may inform that consultation.

Helen Mary Jones: My reaction to this White Paper has moved over the last week from profound disappointment, though not surprise, to increasing anger. The people of Wales have suffered many indignities at the hands of the Labour Party over the years, particularly in their roles in local government, but seldom have they been subjected to such a weak, self-serving and grubby proposal. This proposal addresses the needs of the Labour Party, not the needs of the people of Wales for good governance. It ignores the recommendations of the Richard commission, particularly those recommendations that make uncomfortable reading for Welsh Labour Members of Parliament. Frankly, it is more about keeping Welsh Labour MPs in work for as long as their terms of office are likely to last. The First Minister and the Secretary of State should be thoroughly ashamed of themselves and so should those people on the other side of this Chamber who know that this is wrong but supported the report of the Richard commission when it was published.

A proper parliament for Wales is not needed only because Wales has the right to be treated as a nation at least on a basis of equality with Scotland, but it is needed to deliver, and the examples are legion.

I will put one example before this Chamber today—something as simple as school transport, which is an issue of great concern to parents in Llanelli and across mid and west Wales, particularly to those whose children attend Welsh-medium schools and often have to travel further for their education. It is bizarre that the Assembly cannot legislate to

at leihau'r nifer hwnnw. Ymhellach i hyn, bydd y cyfyngiadau arfaethedig o gymorth yn yr ymgyrch hybu iechyd cyhoeddus ledled Cymru, sy'n addysgu ynghylch peryglon ysmegu, ac yn annog pobl i gadw oddi wrth beryglon ysmegu goddefol.

Nodaf y cynigion a roddwyd gerbron ar y mater hwn gan Lywodraeth y DU, ac arhosaf gyda diddordeb i weld canlyniad yr ymgynghoriad 11 wythnos. Dichon y bydd y gwaith a wnaethpwyd eisoes gan bwyllgor trawsbleidiol y Cynulliad yn dylanwadu ar yr ymgynghoriad hwnnw.

Helen Mary Jones: Mae fy ymateb i'r Papur Gwyn hwn wedi newid dros yr wythnos diwethaf o siom ddybryd, ond nid syndod, gan droi'n ddieter cynyddol. Mae pobl Cymru wedi dioddef llawer o sarhad gan y Blaid Lafur dros y blynyddoedd, yn enwedig yn ei rôl mewn llywodraeth leol, ond anaml y cawsant eu gorfodi i dderbyn y fath gynnig gwan ac anghynnes a hunangeisiol. Mae'r cynnig hwn yn ymdrin ag anghenion y Blaid Lafur, nid rhai pobl Cymru am lywodraethu da. Mae'n anwybyddu argymhellion comisiwn Richard, yn enwedig yr argymhellion hynny sy'n ddeunydd darllen annymunol i Aelodau Seneddol Llafur Cymru. A dweud y gwir, mae'n ymwneud yn fwy â chadw Asau Llafur Cymru mewn gwaith cyhyd ag y maent yn debygol o aros yn eu swyddi. Dylai'r Prif Weinidog a'r Ysgrifennydd Gwladol fod â chywilydd mawr ac felly hefyd y rhai ar ochr arall y Siambr a wŷr fod hyn yn anghywir ond a gefnogodd adroddiad comisiwn Richard pan gyhoeddwyd ef.

Mae angen senedd iawn i Gymru, nid yn unig am fod gan Gymru hawl i gael ei thrin yn gydradd o leiaf â'r Alban, ond am fod ei hangen i fynd â'r maen i'r wal, a cheir lluo o enghreifftiau o'r angen hwnnw.

Rhoddaf un enghraifft gerbron y Siambr hon heddiw—rhywbeth mor syml â chludiant i'r ysgol, sy'n destun pryder mawr i rieni yn Llanelli a ledled y Canolbarth a'r Gorllewin, yn enwedig y rhai y mae eu plant yn derbyn eu haddysg mewn ysgolion cyfrwng Cymraeg ac sy'n aml yn gorfod teithio'n bellach i gael eu haddysg. Mae'n rhyfeddol

ensure that children do not share seats on school buses and that they have seat belts. This is such a small matter, but we cannot do it for the people that we all represent, however we represent them. The proposals in this White Paper just do not take us far enough towards giving the powers needed. Essentially, we will still depend on the grace and favour of the Secretary of State and the Westminster Government. I think that we might have some faith in this particular Secretary of State looking with some favour on proposals that come from the Assembly, although, obviously, not all of them. However, we cannot set up a system that depends on the individuals and the political parties remaining in the same balance. That is absurd.

The First Minister has referred to these fast-track proposals as outsourcing Parliament's work. I put on record this afternoon, Deputy Presiding Officer, that, in my opinion, this Assembly is the democratic voice of the people of Wales and not a call centre. All parties in Wales compromised to accept the proposals of the Richard commission. We in Plaid Cymru—The Party of Wales advocated in our evidence going quite a lot further. We asked, for example, for tax-varying powers that would, for example, enable us to vary corporation tax, to protect the manufacturing jobs that have been haemorrhaging out of Llanelli and mid and west Wales in recent years. We asked for powers over policing and criminal justice to enable the community safety issues that plague so many of our communities to be effectively addressed. The Richard commission decided not to accept those recommendations but we were prepared to swing behind those recommendations that were finally put forward as a sensible compromise and a coherent package. Frankly, after spending £1 million, hundreds of hours of evidence taken and tonnes of paper evidence submitted, we expected all others who had engaged in that process to do that.

There is a national consensus around the need for a proper parliament, and there is evidence for this, unlike, for example, the Labour

na all y Cynulliad ddeddfu i sicrhau na fydd plant yn rhannu seddau ar fysiau ysgol a bod gwregysau diogelwch ar eu cyfer. Mae hyn yn fater mor fach, ond ni allwn wneud hynny ar ran y bobl a gynrychiolwn, ym mha fodd bynnag y'u cynrychiolwn. Nid yw'r cynigion yn y Papur Gwyn hwn yn mynd â ni'n ddigon pell tuag at gael y pwerau angenrheidiol. Yn y bôn, byddwn yn dibynnu ar ewyllys da'r Ysgrifennydd Gwladol a Llywodraeth San Steffan. Credaf y gallem ymddiried i ryw raddau yn yr Ysgrifennydd Gwladol hwn i edrych yn eithaf ffafriol ar gynigion a ddaw gan y Cynulliad, ond nid ar bob un ohonynt, wrth gwrs. Fodd bynnag, ni allwn sefydlu system sy'n dibynnu ar y disgwyliad y bydd yr un cydbwysedd yn parhau o ran yr unigolion a'r pleidiau gwleidyddol hynny. Mae hynny'n hurt.

Mae'r Prif Weinidog wedi galw'r cynigion trywydd cyflym hyn yn ddull o redeg gwaith y Senedd yn allanol. Dywedaf ar goedd y prynhawn yma, Ddirprwy Lywydd, mai llais democrataidd pobl Cymru yw'r Cynulliad hwn, yn fy marn i, ac nid canolfan alwadau. Bu i'r holl bleidiau yng Nghymru gyfaddawdu i dderbyn cynigion comisiwn Richard. Bu i ni ym Mhlaid Cymru—The Party of Wales argymhell yn ein tystiolaeth y dylid mynd ymhellach o lawer. Gofynasom, er enghraifft, am bwerau i amrywio trethi a fyddai, er enghraifft, yn ein galluogi i amrywio'r dreth gorfforaeth, i warchod y swyddi gweithgynhyrchu sydd wedi gadael Llanelli a'r Canolbarth a'r Gorllewin yn lluoedd yn y blynyddoedd diwethaf. Gofynasom am bwerau dros yr heddlu a chyfiawnder troseddol fel y gellid ymdrin yn effeithiol â'r materion sy'n ymwneud â diogelwch cymunedol sy'n plagio cynifer o'n cymunedau. Penderfynodd comisiwn Richard beidio â derbyn yr argymhellion hynny ond yr oeddem yn barod i gefnogi'r argymhellion hynny a roddwyd gerbron yn y diwedd fel cyfaddawd synhwyrol a phecon cydlynol. A dweud y gwir, ar ôl gwario £1 filiwn, a threulio cannoedd o oriau'n cymryd tystiolaeth a chyflwyno tunelli o dystiolaeth ar bapur, yr oeddem yn disgwyl i bawb arall a fu â rhan yn y broses honno wneud hynny.

Ceir consenws cenedlaethol ynghylch yr angen am senedd iawn, ac mae tystiolaeth o blaid hynny, yn wahanol, er enghraifft, i

Party's repeated assertion about confusion over the roles of list Members. I invite the First Minister and the Secretary of State to place in the Assembly library any evidence that they have that demonstrates that members of the public are confused. I am prepared to listen, because I do not like this system any more than many people do. I believe that the Richard commission is right and that we could have reasserted that link between Members who represent local areas and retain proportionality through the single transferable vote. Again, I know that this is a view shared by many on the other side of the Chamber who lack the courage to say so now.

It is time, Deputy Presiding Officer, to allow the people of Wales to decide for themselves on the comprehensive substantive proposals of the Richard commission and to kick this feeble internal Labour Party compromise into touch.

Lorraine Barrett: I was grateful that Brynle Williams started to talk about the real issues that affect the people of Wales. I think that enough people on all sides have talked about the constitutional navel-gazing this afternoon. I will focus my contribution on two specific Bills, one of which is of relevance to my constituency and the other which is relevant to me, personally.

The first is the Violent Crime Reduction Bill. I think that we all remember how it was just before 1997 and Labour's landslide. Police numbers were falling, recorded crime was double what it had been in the 1970s, detections and convictions were going down, and anti-social behaviour was a menace without restraint. Thankfully, times have changed, and Labour's historic third term is the chance for a further step change.

Helen Mary Jones: You refer to constitutional issues as navel-gazing. I will give you an example of where that is not the case. Your Minister for Social Justice and Regeneration said in the Chamber last week that she thinks that we need police powers devolved so that we can deliver effectively

haeriadau aml y Blaid Lafur am ddryswch ynghylch rolau Aelodau rhestr. Gwahoddaf y Prif Weinidog a'r Ysgrifennydd Gwladol i osod yn llyfrgell y Cynulliad unrhyw dystiolaeth sydd ganddynt sy'n dangos bod aelodau o'r cyhoedd mewn penbleth. Yr wyf yn barod i wrando, gan nad wyf yn hoffi'r system hon mwy nag y mae llawer o rai eraill. Credaf fod comisiwn Richard yn iawn ac y gallem fod wedi ailddatgan y cysylltiad hwnnw rhwng Aelodau sy'n cynrychioli ardaloedd lleol ac wedi cadw cyfranoleb drwy'r bleidlais sengl drosglwyddadwy. Unwaith eto, gwn fod llawer sydd â'r un farn ar ochr arall y Siambr nad ydynt yn ddigon dewr i ddweud hynny'n awr.

Ddirprwy Lywydd, mae'n bryd gadael i bobl Cymru benderfynu drostynt eu hunain ar gynigion sylweddol cynhwysfawr comisiwn Richard a bwrw o'r neilltu y cyfaddawd mewnol pitw hwn o eiddo'r Blaid Lafur.

Lorraine Barrett: Yr oeddwn yn ddiolchgar bod Brynle Williams wedi dechrau sôn am y materion sy'n effeithio ar bobl Cymru mewn gwirionedd. Credaf fod digon ar bob ochr wedi sôn am fogailsyllu cyfansoddiadol y prynhawn yma. Canolbwyntiaf yn fy nghyfraniad ar ddau Fesur yn benodol, y mae un ohonynt yn berthnasol i'm hetholaeth a'r llall yn berthnasol i mi'n bersonol.

Y cyntaf yw'r Mesur Lleihau Troseddau Treisgar. Credaf ein bod oll yn cofio sut yr oedd cyn 1997 a buddugoliaeth ysgubol Llafur. Yr oedd niferoedd yr heddlu'n gostwng, yr oedd nifer y troseddau a gofnodid gymaint ddwywaith â'r hyn ydoedd yn y 1970au, yr oedd nifer y troseddwyr a gâi eu dal a'u cael yn euog yn gostwng, ac yr oedd ymddygiad gwrthgymdeithasol yn fygythiad a oedd heb ei ffrwyno. Diolch byth, mae'r byd wedi newid, ac mae trydydd tymor hanesyddol Llafur yn gyfle i sicrhau newid sylweddol pellach.

Helen Mary Jones: Dywedwch mai bogailsyllu yw sôn am faterion cyfansoddiadol. Rhoddaf enghraifft i chi o achos lle nad yw hynny'n wir. Dywedodd eich Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio yn y Siambr yr wythnos diwethaf ei bod o'r farn bod angen

on the agendas that you are talking about. So, this is not navel-gazing, but talking about delivery.

4.40 p.m.

Lorraine Barrett: I think that it has seemed like a bit of navel-gazing to me this afternoon, as it seems to have been the only issue discussed, but I do not deny that it is important that we have these powers.

Last Friday, along with Alun Michael, the Member of Parliament for Cardiff South and Penarth, I met residents of Rhymney, whose lives are made a misery by anti-social behaviour. In Penarth, we have regular incidents of such behaviour in various parks in the town. These incidents are related to one issue—alcohol. This is why the Violent Crime Reduction Bill will be welcomed by my constituents. Not only will the Bill address the issues of tougher laws on the sale of replica firearms and raise the minimum age for knife purchases from 16 to 18, but, more importantly, it will give the police new powers to impose immediate 24-hour bans on pubs that persistently sell alcohol to under-18s. I would like to ask whether there is any opportunity to extend those powers to include pub landlords who continue to sell alcohol to those who have obviously had enough. New alcohol-disorder zones will ensure that licensed premises will contribute to the cost of dealing with alcohol-related disorder until things improve. This is something that Jonathan Morgan raised in his short debate, and it was something that I mentioned in terms of wanting to see pubs and clubs contribute to the bill that we all have to pay

Eleanor Burnham: How does this lie in tandem with extended opening hours? Do you not think that that is also a huge problem?

Lorraine Barrett: As someone who does not drink, I do not have a particular interest in the number of hours in which you are able to

datganoli pwerau dros yr heddlu fel y gallwn gyflawni'r agendâu y soniwech amdanynt yn effeithiol. Felly, nid bogaisyllu yw hyn, ond sôn am y modd i fynd â'r maen i'r wal.

Lorraine Barrett: Credaf ei fod wedi ymddangos braidd yn debyg i fogaisyllu y prynhawn yma, gan ei bod yn ymddangos mai hwnnw yw'r unig fater a drafodwyd, ond nid wyf yn gwadu nad yw'n bwysig inni gael y pwerau hynny.

Ddydd Gwener diwethaf, yng nghwmni Alun Michael, yr Aelod Seneddol dros Dde Caerdydd a Phenarth, cyfarfûm â rhai o drigolion Rhymni, y mae ymddygiad gwrthgymdeithasol yn peri gofid mawr iddynt. Ym Mhenarth, ceir achosion o ymddygiad o'r fath yn aml mewn gwahanol barciau yn y dref. Mae'r digwyddiadau hyn yn gysylltiedig ag un mater—alcohol. Dyna pam y croesewir y Mesur Lleihau Troseddau Treisgar gan fy etholwyr. Bydd y Mesur nid yn unig yn ymdrin â materion sy'n ymwneud â deddfau llymach ar werthu drylliau sy'n gopiâu a chodi'r oedran isaf ar gyfer prynu cyllyll o 16 i 18, ond, yn bwysicach na hynny, bydd yn rhoi pwerau newydd i'r heddlu gael gosod gwaharddiadau 24 awr ar unwaith ar dafarnau sy'n gwerthu alcohol yn barhaus i rai sydd dan 18 oed. Carwn ofyn a oes cyfle i ymestyn y pwerau hynny i gynnwys landlordiaid tafarnau sy'n dal i werthu alcohol i rai y mae'n amlwg eu bod wedi cael digon. Bydd parthau anhrefn alcohol newydd yn sicrhau y bydd adeiladau trwyddedig yn cyfrannu at y gost o ddelio ag anhrefn sy'n gysylltiedig ag alcohol hyd nes y ceir gwelliant. Mae hyn yn rhywbeth a gododd Jonathan Morgan yn ei ddadl fer, ac yr oedd yn rhywbeth y soniais amdano o ran dymuno gweld tafarnau a chlybiau'n cyfrannu at y bil yr ydym oll yn gorfod ei dalu.

Eleanor Burnham: Sut y gellir cysoni hyn ag ymestyn oriau agor? Oni chredwch fod hynny'n broblem fawr iawn hefyd?

Lorraine Barrett: Fel un nad yw'n yfed, nid ymddiddoraf yn benodol yn nifer yr oriau pan ellir yfed. Fodd bynnag, mae llawer o'r

drink. However, much of the evidence from the police and other countries shows that if you extend the length of time that people have to drink, you do not get the mentality of throwing back as many lagers as you can in three or four hours. Whether it works depends on how responsible the landlords of these pubs and clubs are, and on how the police manage the number of licences issued to allow pubs and clubs to open for longer. Local authorities will now have the power to decide whether or not to give a late licence. Pubs will not automatically be open for 24 hours, so we have control at a local level in managing that.

It will not come as a surprise to anyone that, this year again, I welcome the Animal Welfare Bill. I was disappointed that the Bill was not mentioned in the Queen's Speech but appeared in the background notes. That may be because it was almost completed before the last election; maybe the Secretary of State could say something about that. To me, as chair of the animal welfare group in the Assembly, this is important legislation. It will contain a number of key measures, including placing a duty of care on those responsible for animals, and extending legislation beyond the current agricultural context to include companion animals in our care. As the Secretary of State will know, much of the nitty-gritty—the regulations and the code of practice that will apply in Wales—will need to be determined by the Assembly. I would like some clarification regarding the timescale for this work.

The Bill presents a real opportunity at last for a final and absolute ban on all animals performing in circuses. You have all had my e-mail about the tragic tale of Anne the elephant, who is still trundled around the country with the Bobby Roberts circus. She is 52 and suffers great pain due to arthritis, and I believe that it is time that everyone boycotted not only this circus, but all those that use animals. I would like to see such a ban contained in the forthcoming Animal Welfare Bill.

dystiolaeth a gafwyd gan yr heddlu ac o wledydd eraill yn dangos, os estynnir yr amser sydd ar gael i bobl i gael diod, na cheir yr arfer o lyncu cynifer o ddiodydd o lager ag y modd ichi ei yfed o fewn tair neu bedair awr. Mae ei lwyddiant yn dibynnu ar i ba raddau y mae landlordiaid y tafarnau a'r clybiau hynny yn gyfrifol, ac ar y modd y mae'r heddlu'n cadw trefn ar nifer y trwyddedau a roddir i adael i dafarnau a chlybiau aros yn agored yn hwy. Bydd pŵer gan awdurdodau lleol bellach i benderfynu am ydynt yn rhoi trwydded hwyr ai peidio. Ni fydd tafarnau'n aros yn agored am 24 awr yn otomatig, felly mae gennym reolaeth leol ar hynny.

Ni fydd yn peri syndod i neb fy mod yn croesawu, unwaith eto eleni, y Mesur Lles Anifeiliaid. Siom i mi oedd na fu cyfeiriad at y Mesur yn Araith y Frenhines ond ymddangosodd yn y nodiadau cefndirol. Efallai mai'r rheswm dros hynny oedd ei fod wedi'i gwblhau bron cyn yr etholiad diwethaf: efallai y gallai'r Ysgrifennydd Gwladol ddweud rhywbeth am hynny. Yn fy ngolwg i, fel cadeirydd y grŵp lles anifeiliaid yn y Cynulliad, mae hwn yn Fesur pwysig. Bydd yn cynnwys sawl mesur allweddol, gan gynnwys rhoi'r rhai sy'n gofalu am anifeiliaid dan ddyletswydd gofal, ac ymestyn y ddeddfwriaeth y tu hwnt i'r cyddestun amaethyddol presennol i gynnwys anifeiliaid anwes sydd dan ein gofal. Fel y gŵyr yr Ysgrifennydd Gwladol, bydd yn rhaid i lawer o'r manylion—y rheoliadau a'r cod ymarfer a fydd yn berthnasol yng Nghymru—gael eu pennu gan y Cynulliad. Carwn gael rhywfaint o eglurhad ynghylch yr amserlen ar gyfer y gwaith hwnnw.

Mae'r Mesur hwn yn cynnig cyfle gwirioneddol o'r diwedd i wahardd perfformio gan anifeiliaid mewn syrcasau'n llwyr ac yn derfynol. Yr ydych oll wedi cael neges gennyf drwy'r e-bost am hanes trist Anne yr eliffantes, sy'n dal i gael ei gyrru o gwmpas y wlad gyda syrcas Bobby Roberts. Mae'n 52 oed ac yn dioddef llawer o boen oherwydd arthritis, a chredaf ei bod yn bryd i bawb foicotio'r syrcas hon, a phob un arall sy'n defnyddio anifeiliaid. Carwn weld gwaharddiad o'r fath yn y Mesur Lles Anifeiliaid sydd ar fin dod gerbron.

Jenny Randerson: Despite the Welsh Liberal Democrats' disappointment with many aspects of the Government's White Paper on the Assembly's powers, it is heartening to reflect that this will be one of the last times that we will have to go through this procedure, whereby we wait anxiously for the Queen's Speech to see what crumbs have dropped from Tony Blair's table. I must say that he must be a very tidy eater, because he drops very little in our direction each year.

I very much support the idea of having a First Minister's annual report, with a strategic plan for the year ahead. There is a need for the Assembly to rapidly gear itself up for greater legislative power and greater scrutiny. I hope that the committees listed in today's motion will use the opportunity to put forward proposals on current legislation—the current Bills before the House—for wider powers for Wales on those issues. Forgive me if I sound cynical, but, as Chair of the Business Committee, I see an awful lot of legislation, and a clear thread runs through it all—namely, the unwillingness of UK Ministers to part with any tiny sub-clause of their powers. I am therefore concerned that, despite the ingenious mechanism that has been mapped out in the White Paper, in practice, the Government of the day—even if it is of a similar political colour to the Government here—will have a tendency to narrow down the powers that it gives us.

I am also concerned at the rubbish, to be frank, that has been peddled here about regional Members, and I think that I am allowed to say this, as a constituency Member. Remember that this is the Labour Party's system. This is the system that suited it well when it shoehorned Alun Michael in here at the last minute. However, the Secretary of State went further today, and said explicitly that regional Members are elected by no-one. That seriously undermines interest and participation in the democratic process. Voters out there could reasonably ask, 'Why do we bother to vote in the regional election?'

Jenny Randerson: Er gwaethaf siom Democratiaid Rhyddfrydol Cymru ynghylch llawer agwedd ar Bapur Gwyn y Llywodraeth ar bwerau'r Cynulliad, calonogol yw meddwl mai hwn fydd un o'r troeon olaf y byddwn yn gorfod dilyn y weithdrefn hon, sy'n peri ein bod yn disgwyl yn bryderus am Araith y Frenhines i weld pa friwsion sydd wedi disgyn oddi ar fwrdd Tony Blair. Mae'n rhaid ei fod yn bwyta'n daclus iawn, gan mai ychydig iawn y mae'n ei gollu i'n cyfeiriad ni bob blwyddyn.

Yr wyf yn gefnogol iawn i'r syniad o gael adroddiad blynyddol gan y Prif Weinidog, gyda chynllun strategol ar gyfer y flwyddyn sydd i ddod. Mae angen i'r Cynulliad baratoi ar fyrder ar gyfer rhagor o bwerau deddfwriaethol a rhagor o graffu. Gobeithiaf y bydd y pwyllgorau a restrir yn y cynnig heddiw yn achub ar y cyfle i roi cynigion gerbron ar ddeddfwriaeth gyfredol—y Mesurau sydd gerbron y Tŷ ar hyn o bryd—i roi pwerau ehangach i Gymru ar y materion hynny. Maddeuwch imi os wyf yn swnio'n sinigaidd, ond, fel Cadeirydd y Pwyllgor Busnes, yr wyf yn gweld llawer iawn o ddeddfwriaeth, ac mae llinyn clir yn rhedeg drwy'r cyfan—sef amharodrwydd Gweinidogion y DU i ildio unrhyw is-gymal bychan o'u pwerau. Yr wyf yn pryderu felly, er gwaethaf y mecanwaith dyfeisgar sydd wedi cael ei fapio allan yn y Papur Gwyn, mai'r hyn a fydd yn digwydd yw y bydd Llywodraeth y dydd—hyd yn oed os yw ei lliw gwleidyddol yn debyg i liw'r Llywodraeth hon—yn tueddu i gyfyngu ar y pwerau y mae'n eu rhoi inni.

Yr wyf yn bryderus hefyd ynglŷn â'r lol, a bod yn gwbl onest, sydd wedi cael ei bedleria yma am Aelodau rhanbarthol, a chredaf fod gennyf hawl i ddweud hyn, fel Aelod etholaeth. Cofiwch mai system y Blaid Lafur yw hon. Mae'n system a oedd yn iawn ganddi pan gafodd Alun Michael ei wthio i'w le yma ar y funud olaf. Fodd bynnag, aeth yr Ysgrifennydd Gwladol ymhellach heddiw, a dweud yn benodol nad yw Aelodau rhanbarthol yn cael eu hethol gan neb. Mae hynny'n tanseilio diddordeb a chyfranogiad yn y broses ddemocrataidd yn ddifrifol. Gallai pleidleiswyr ar lawer gwlad ofyn yn rhesymol, 'Pam yr ydym yn trafferthu pleidleisio yn yr etholiad rhanbarthol?'

Jocelyn Davies: On that point, you will remember that, during our last Assembly elections, I believe that 85 per cent of the Labour candidates were dual candidates. Furthermore, all of its ethnic minority candidates were regional list candidates. What does that say about Labour's attitude to its ethnic minority members?

Jenny Randerson: I agree. Our colleague, Sue Essex, whom we all respect greatly, could well be someone who may look forward to the need to be a dual candidate in future.

Leighton Andrews: Will you give way?

Jenny Randerson: No. I am sorry, I have to move on.

Looking at the outcome of this change, assuming that it goes through, we will still be in the situation where there are regional Members, and where those regional Members will be doing similar things to constituency Members. The Welsh Liberal Democrats support the Richard commission's recommendations, and the single transferable vote system. I challenge the Labour Party: you say that the current system is not satisfactory, and we agree, so why do you not change it properly?

I will move on to other measures, to avoid navel-gazing, as Lorraine seems to think this is. A commissioner for older people is only a worthwhile measure if he or she will make a real difference. As the proposal stands, this is a fudge. We are in danger of producing a hotchpotch of measures. Similar sorts of matters have arisen in relation to the Children's Commissioner for Wales; only matters relating to devolved issues will be able to be referred to the older people's commissioner. The post will only be useful if it is a one-stop shop. People will not know what they can refer to it and what they cannot. It will be a source of frustration, as it currently is, and an impotent commissioner will not do anything for older people. If we really want to do something for them, we need to axe the council tax, introduce local income tax, and do something about free

Jocelyn Davies: Ar y pwynt hwnnw, fe gofiwch, yn ystod ein hetholiadau Cynulliad diwethaf, fod 85 y cant, fe gredaf, o ymgeiswyr Llafur yn ymgeiswyr deul. Ar ben hynny, yr oedd pob un o'i hymgeiswyr o leiafrifoedd ethnig yn ymgeiswyr ar y rhestrau rhanbarthol. Beth y mae hynny'n ei ddweud am agwedd Llafur tuag at ei haelodau o leiafrifoedd ethnig?

Jenny Randerson: Yr wyf yn cytuno. Mae'n bosibl iawn y gallai ein cyd-Aelod Sue Essex, yr ydym i gyd yn ei pharchu'n fawr, fod yn rhywun a allai edrych ymlaen at yr angen i fod yn ymgeisydd deul yn y dyfodol.

Leighton Andrews: A wnewch ildio?

Jenny Randerson: Na wnaif. Mae'n ddrwg gennyf, rhaid imi symud ymlaen.

O edrych ar ganlyniad y newid hwn, a chymryd yr aiff drwodd, byddwn yn dal i fod mewn sefyllfa lle y bydd Aelodau rhanbarthol, a lle y bydd yr Aelodau rhanbarthol hynny yn gwneud pethau tebyg i'r Aelodau etholaeth. Mae Democratiaid Rhyddfrydol Cymru yn cefnogi argymhellion comisiwn Richard, a system y bleidlais sengl drosglwyddadwy. Heriaf y Blaid Lafur i ddweud nad yw'r system bresennol yn foddhaol, ac yr ydym yn cytuno, felly pam na wnewch ei newid yn iawn?

Yr wyf am symud ymlaen at fesurau eraill, i osgoi syllu ar ein bogail, fel y cred Lorraine ein bod yn gwneud. Nid yw comisiynydd i bobl hŷn ond yn fesur gwerth chweil os bydd ef neu hi yn gwneud gwahaniaeth gwirioneddol. Fel y mae'r cynnig ar hyn o bryd, dwli yw hyn. Mae perygl inni gynhyrchu cawlach o fesurau. Mae mathau tebyg o faterion wedi codi mewn perthynas â Chomisiynydd Plant Cymru; dim ond materion yn ymwneud â meysydd sydd wedi'u datganoli y bydd modd eu cyfeirio at y comisiynydd i bobl hŷn. Dim ond os bydd yn siop un stop y bydd y swydd yn fuddiol. Ni fydd pobl yn gwybod beth y cânt ei gyfeirio ati a beth na cânt ei gyfeirio. Bydd yn peri rhwystredigaeth, fel y mae ar hyn o bryd, ac ni fydd comisiynydd analluog yn gwneud dim dros bobl hŷn. Os ydym am wneud rhywbeth drostynt mewn gwirionedd,

personal care for the elderly and the level of pensions.

John Griffiths: Does that mean that you do not think that the children's commissioner is doing a good job on behalf of children in Wales?

Jenny Randerson: He is doing an excellent job, but he is doing it because he is speaking out, contrary to how the Government perceives the case to be. However, the weakness of his position is that he cannot enforce any kind of response from the UK Government on non-devolved issues. That is a real problem for him, which he would recognise.

Briefly, on the Health Improvement and Protection Bill, we have been asking for this for two and a half years. It would have been great to have had this crumb earlier, but I am sure that we will make good use of that power now.

4.50 p.m.

Finally, on the new Mental Health Bill, I want to make absolutely clear that the Welsh Liberal Democrats have great concerns about this. The previous draft versions have been heavily criticised for being too focused on—

The Deputy Presiding Officer: Order. Sadly, your time has run out.

Gwenda Thomas: As Chair of the Committee on Equality of Opportunity, I welcome the reintroduction of the Equality Bill in the UK Government's legislative programme for 2005-06. The Committee on Equality of Opportunity will be scrutinising the Bill in detail next Thursday. In doing so, it is fortunate to be able to draw on the knowledge and expertise of its advisers from key equality bodies in Wales, including the three statutory commissions for race, gender and disability.

In addition to setting out the framework for a new commission for equality and human

mae angen inni gael gwared â'r dreth gyngor, cyflwyno treth incwm leol, a gwneud rhywbeth ynghylch gofal personol rhad ac am ddim i'r henoed a lefel pensiynau.

John Griffiths: A yw hynny'n golygu nad ydych yn credu bod y comisiynydd plant yn gwneud gwaith da ar ran plant yng Nghymru?

Jenny Randerson: Mae'n gwneud gwaith rhagorol, ond mae'n gwneud hynny am ei fod yn siarad ar goedd, yn groes i'r sefyllfa fel y mae'r Llywodraeth yn ei dirnad. Fodd bynnag, gwendid ei sefyllfa yw na all orfodi unrhyw fath o ymateb oddi wrth Lywodraeth y DU ar faterion nad ydynt wedi cael eu datganoli. Mae hynny'n broblem wirioneddol iddo, y byddai ef yn ei chydabod.

Yn fyr, o ran y Mesur Gwella a Gwarchod Iechyd, yr ydym wedi bod yn gofyn am hyn ers dwy flynedd a hanner. Byddai wedi bod yn wych pe baem wedi cael y briwsionyn hwn yn gynharach, ond yr wyf yn siŵr y gwnawn ddefnydd da o'r pŵer hwnnw yn awr.

Yn olaf, o ran y Mesur Iechyd Meddwl newydd, yr wyf am ei gwneud yn gwbl glir bod gan Ddemocratiaid Rhyddfrydol Cymru bryderon mawr am hyn. Mae'r fersiynau drafft blaenorol wedi cael eu beirniadu'n llym am ganolbwyntio gormod ar—

Y Dirprwy Lywydd: Trefn. Yn anffodus, mae eich amser wedi dod i ben.

Gwenda Thomas: Fel Cadeirydd y Pwyllgor Cyfle Cyfartal, yr wyf yn croesawu ailgyflwyno'r Mesur Cydraddoldeb yn rhaglen ddeddfwriaethol Llywodraeth y DU am 2005-06. Bydd y Pwyllgor Cyfle Cyfartal yn craffu ar y Mesur yn fanwl ddydd Iau nesaf. Wrth wneud hynny, mae'n ffodus ei fod yn gallu manteisio ar wybodaeth ac arbenigedd ei gynghorwyr o gyrff cydraddoldeb allweddol yng Nghymru, gan gynnwys y tri chomisiwn statudol dros hil, rhyw ac anabled.

Yn ogystal â nodi'r fframwaith ar gyfer comisiwn newydd dros gydraddoldeb a

rights, the Bill should also be welcomed for its extension of equality legislation to support equality strands not currently protected, including age, religion and belief, and sexual orientation. Having said that, committee members have shared the disappointment among equality practitioners that the new commission will not be preceded by a single equality Act to create a truly level playing field of equality legislation across the various strands.

The setting up of the equalities review to take forward this work, which will be steered by the new commission when it comes into force, is a welcome step in the right direction. Wales must be fully represented in the transitional arrangements to the new commission. This includes appointing a commissioner at the transitional stage, not just when the CEHR is fully functioning. It is vital that Welsh arrangements are developed in the context of the Assembly's unique statutory equality duty, as set out in section 120 of the Government of Wales Act 1998, and take account of the Welsh approach to children's rights, older people's rights, and the Welsh language.

Wales also has the highest proportion of disabled people in Great Britain, and so it is vital that close working relationships exist between the Wales arm of the new commission and the commission's central disability committee. A prime concern is whether the new commission will be able to effectively support individuals in Wales in the same way as the statutory equality commissions currently do.

While the Equality Bill sets out the framework for the new commission, it is inevitable that the devil is in the detail, and how exactly the commission infrastructure will operate in Wales has yet to be decided. As an Assembly, we should be exercised about those details because of the direct impact that they will have on the most vulnerable people in our Welsh communities.

hawliau dynol, dylai'r Mesur gael ei groesawu hefyd am ei fod yn ehangu deddfwriaeth cydraddoldeb i gefnogi elfennau o gydraddoldeb nad ydynt yn cael eu gwarchod ar hyn o bryd, gan gynnwys oed, crefydd a chred, a thueddfryd rhywiol. Wedi dweud hynny, mae aelodau'r pwyllgor wedi rhannu'r siom ymysg ymarferwyr cydraddoldeb na fydd y comisiwn newydd yn cael ei ragflaenu gan un Ddeddf cydraddoldeb i greu sefyllfa wirioneddol gyfartal o ran deddfwriaeth cydraddoldeb ar draws y gwahanol feysydd.

Mae sefydlu'r adolygiad cydraddoldeb i fwrw ymlaen â'r gwaith hwn, a gaiff ei lywio gan y comisiwn newydd pan ddaw i rym, yn gam i'w groesawu i'r cyfeiriad iawn. Rhaid i Gymru gael ei chynrychioli'n llawn yn y trefniadau trosiannol i'r comisiwn newydd. Mae hyn yn cynnwys penodi comisiynydd yn y cyfnod trosiannol, nid dim ond pan fydd y CEHR yn gweithredu'n llawn. Mae'n hanfodol bod trefniadau Cymru yn cael eu datblygu yng nghyd-destun dyletswydd statudol unigryw'r Cynulliad o ran cydraddoldeb, fel y'i nodwyd yn adran 120 o Ddeddf Llywodraeth Cymru 1998, a'u bod yn cymryd i ystyriaeth ddull Cymru o ymdrin â hawliau plant, hawliau pobl hŷn a'r iaith Gymraeg.

Mae gan Gymru hefyd y gyfran uchaf o bobl anabl ym Mhrydain Fawr, ac felly mae'n hanfodol bod perthynas agos rhwng cangen Cymru o'r comisiwn newydd a phwyllgor anabledd canolog y comisiwn wrth iddynt gydweithio. Un pryder o bwys yw pa un a fydd y comisiwn newydd yn gallu rhoi cymorth effeithiol i unigolion yng Nghymru yn yr un modd ag y mae'r comisiynau cydraddoldeb statudol yn gwneud ar hyn o bryd.

Er bod y Mesur Cydraddoldeb yn nodi'r fframwaith ar gyfer y comisiwn newydd, mae'n anochel mai yn y manylion y bydd y drwg, ac ni phenderfynwyd eto sut yn union y bydd strwythur y comisiwn yn gweithredu yng Nghymru. Fel Cynulliad, dylem fod yn ymboeni am y manylion hynny oherwydd yr effaith uniongyrchol a gânt ar rai o'r bobl fwyaf bregus yn ein cymunedau yng Nghymru.

Glyn Davies: The recent Queen's Speech was very long—too long, in my personal view. I was disappointed to see in that speech a Bill to introduce the deeply illiberal measure of identity cards. However, like other speakers here, I want to comment on the proposal to enhance the powers of the National Assembly, which led to the White Paper and was the subject of a statement by the Secretary of State for Wales earlier this afternoon.

There are three essential proposals in the White Paper, the first of which has much support across the board. My political colleague, Lord Griffiths, has described it as the original idea of the body as it was constituted, as a triumph of hope over reason. That is how it has turned out. The accountability of the Government will be greatly enhanced here by the new arrangements.

The second issue is the method of election. I do not want to dwell on this, but I disagree with the Labour Government's proposal on this. The Secretary of State has defended the indefensible today with great skill and humour, but I believe that he will grow to be ashamed of the stance that he has taken. He reminded us today of his days as a Young Liberal, and in those days, I greatly admired his stand and the way in which he became associated, in my mind, with the pursuit of democracy. I think that he is sacrificing that reputation by pursuing this proposal.

The most significant part is the roadmap to the exercise of law-making powers. This is an interesting proposal, especially for those of us who advocated that the Government will not become truly accountable to the people of Wales until full law-making powers are devolved to the National Assembly in those areas. That is the view that I have taken; it is not a view that everyone in my party agrees on, nor is it a view that everyone in the Labour Party agrees on. There has been much debate about it in both parties.

This week, I read comments from Ed Balls, who has been quoted in the newspapers as agreeing absolutely with that view. The

Glyn Davies: Yr oedd Araith y Frenhines yn ddiweddar yn hir iawn—yn rhy hir, yn fy marn bersonol i. Yr oeddwn yn siomedig o weld Mesur yn yr araith honno yn cyflwyno'r mesur neilltuol o gul i sefydlu cardiau adnabod. Fodd bynnag, megis siaradwyr eraill yma, yr wyf am sôn am y cynnig i gryfhau pwerau'r Cynulliad Cenedlaethol, a arweiniodd at y Papur Gwyn ac a oedd yn destun datganiad gan Ysgrifennydd Gwladol Cymru yn gynharach y prynhawn yma.

Mae tri chynnig hanfodol yn y Papur Gwyn, ac mae llawer o gefnogaeth i'r cyntaf o bob tu. Mae fy nghyfaill gwleidyddol, yr Arglwydd Griffiths, wedi ei ddisgrifio fel y syniad gwreiddiol ynghylch y corff fel y cafodd ei sefydlu, gyda gobaith yn drech na rheswm. Dyna sut y mae pethau wedi troi allan. Caiff atebolrwydd y Llywodraeth ei gynyddu'n fawr yma gan y trefniadau newydd.

Yr ail fater yw'r dull o ethol. Nid wyf am dreulio amser ar hyn, ond yr wyf yn anghytuno â chynnig y Llywodraeth Lafur ar hyn. Mae'r Ysgrifennydd Gwladol wedi amddiffyn yr hyn nad oes modd ei amddiffyn heddiw gyda gallu a hiwmor digamsyniol, ond credaf y bydd ganddo ymhen amser gywilydd o'r safiad y mae wedi ei gymryd. Atgoffodd ni heddiw o'i ddyddiau fel Rhyddfrydwr Ifanc, ac yn y dyddiau hynny, yr oeddwn yn mawr edmygu ei safiad a'r ffordd y daeth yn gysylltiedig, yn fy meddwl i, â'r ymgyrch i ymgyrraedd at ddemocratiaeth. Credaf ei fod yn aberthu'r enw da hwnnw drwy fynd ar ôl y cynnig hwn

Y rhan fwyaf arwyddocaol yw'r map ffordd tuag at arfer pwerau deddfu. Mae hwn yn gynnig diddorol, yn enwedig i'r rhai ohonom a fu'n dadlau na ddaw'r Llywodraeth yn wirioneddol atebol i bobl Gymru hyd nes y datganolir pwerau deddfu llawn i'r Cynulliad Cenedlaethol yn y meysydd hynny. Dyna'r farn sydd wedi bod gennyf fi; nid yw'n farn y mae pawb yn fy mhlaid yn cytuno â hi, nac ychwaith yn farn y mae pawb yn y Blaid Lafur yn cytuno â hi. Mae llawer o ddadlau wedi bod am hyn yn y naill blaid a'r llall.

Yr wythnos hon, darllenais sylwadau gan Ed Balls, sydd wedi cael ei ddyfynnu yn y papurau newydd fel rhywun sy'n cytuno'n

position of Mr Balls is important, because it is likely that his mentor, Gordon Brown, will eventually assume the leadership of the Government. That is, of course, unless the current Secretary of State's ambitions are more successful than Mr Balls's—we cannot be sure of that. Mr Balls may well become a significant player, and it may be that Welsh Labour MPs will prevail upon him to change his views, but I very much hope not. My point is that it is a view that, in terms of making devolution work, is shared by many people in his party, in mine and other parties too.

I am not going to dismiss the Government's proposal out of hand, although I agree with Helen Mary Jones that it has largely been framed by the interests of the Labour Party rather than any desire to promote devolution in Wales. The strategy behind it has been deeply flawed, but it is a proposal that we must take seriously. When the Presiding Officer here describes this as:

'law-making powers in all but name'

those of us who want to see the sort of arrangements that I want to see must take serious note of what has been put before us.

Had my party won the general election, we would have put forward a referendum, which would have offered the Welsh people full law-making powers. I have heard other people, including the Secretary of State earlier today, point out one of the other options, which would have been the abolition of the National Assembly. I believe that more and more people within the Conservative Party and right across the board in Wales want to see us given law-making powers. If that option had been put—and my view is different to the Secretary of State's—I think that the majority of people might well have chosen that option. However, we are where we are.

Jeff Cuthbert: Can you then explain to us why the shadow secretary of state is so keen that the option of abolition be there? Would you undertake to argue strongly within your

llwyr â'r farn honno. Mae safbwynt Mr Balls yn bwysig, oherwydd y mae'n debygol y bydd ei fentor, Gordon Brown, maes o law yn ymgymryd ag arweinyddiaeth y Llywodraeth. Hynny yw, wrth gwrs, oni bai fod uchelgais yr Ysgrifennydd Gwladol cyfredol yn fwy llwyddiannus nag eiddo Mr Balls—ni allwn fod yn sicr o hynny. Mae'n gwbl bosibl y daw Mr Balls yn chwaraewr o bwys, ac efallai y llwydda Asau Llafur Cymru i gael ganddo newid ei farn, ond mawr obeithiaf na fydd hynny'n digwydd. Fy safbwynt i yw ei bod yn farn, yn nhermau gwneud i ddatganoli weithio, a rennir gan lawer o bobl yn ei blaid ef, fy mhlaid i a phleidiau eraill hefyd.

Nid wyf yn mynd i ddiystyru cynnig y Llywodraeth yn fyrbwyll, er fy mod yn cytuno â Helen Mary Jones ei fod wedi cael ei fframio yn bennaf gan fuddiannau'r Blaid Lafur yn hytrach nag unrhyw awydd i hyrwyddo datganoli yng Nghymru. Mae'r strategaeth y tu cefn iddo yn hynod wallus, ond mae'n gynnig y mae'n rhaid inni ei gymryd o ddifrif. Pan fydd y Llywydd yma'n disgrifio hyn fel:

pwerau deddfu mewn popeth ond enw

rhaid i'r rhai ohonom sydd am weld y math o drefniadau yr wyf fi am eu gweld gymryd sylw difrifol o'r hyn sydd wedi cael ei roi ger ein bron.

Pe bai fy mhlaid i wedi ennill yr etholiad cyffredinol, byddem wedi rhoi refferendwm gerbron, a fyddai wedi cynnig pwerau deddfu llawn i bobl Cymru. Yr ydym wedi clywed pobl eraill, gan gynnwys yr Ysgrifennydd Gwladol yn gynharach heddiw, yn tynnu sylw at un o'r opsiynau eraill, sef diddymu'r Cynulliad Cenedlaethol. Credaf fod mwy a mwy o bobl yn y Blaid Geidwadol ac yn gyffredinol yng Nghymru am ein gweld yn cael pwerau deddfu. Pe bai'r opsiwn hwnnw wedi cael ei roi—ac mae fy marn i'n wahanol i farn yr Ysgrifennydd Gwladol—credaf ei bod yn bosibl iawn y byddai mwyafrif o bobl wedi dewis yr opsiwn hwnnw. Fodd bynnag, yr ydym lle'r ydym.

Jeff Cuthbert: A allwch egluro wrthym felly pam mae ysgrifennydd gwladol yr wrthblaid mor awyddus i'r opsiwn diddymu fod yno? A fydddech yn ymrwymo i ddadlau'n gryf o

party against its inclusion?

Glyn Davies: I wish that Jeff would listen to what has been said before he makes his interventions. I made it absolutely clear that there are many in my party who seek that option, who include the shadow secretary of state and others whom I could name. I have also made it clear how I would be arguing if there were a referendum. I am repeating what I said before, Dirprwy Lywydd, and I am sorry about that, but when you have interventions from people who have simply not listened to what you have said and have some preordained position, then that is what is going to happen.

There is an element of seeing how this works. I will say this in the Chamber, because the Secretary of State is here and may well have some influence on these things, that, if it turns out to be successful, I hope that they will move towards the sort of law-making powers that Richard proposed rather more quickly than the 2015 date that I have heard mentioned. As is almost certainly going to happen in four or five years' time, when the Conservative Party becomes the Government of the United Kingdom, it is entirely possible that the Conservative Party will take that view up, because of its logical nature. The Labour Party also thinks that, because that can be the only possible reason why it has put in the blocking mechanism of this two-thirds majority vote in favour. I hope that, during the passage of this Bill, the dual mandate proposal and the particular proposal about the two-thirds majority will both be withdrawn, so that all parties can support it.

Alun Ffred Jones: Wrth ystyried araith y Frenhines ar y naill law a'r Papur Gwyn tila a diddychymyg ar bwerau'r Cynulliad ar y llall, mae rhywun yn sylweddoli cymaint y gallai senedd lawn ei wneud dros Gymru, a pha mor amherthnasol yw cymaint o'r araith o safbwynt Cymru. Ystyriwn ddau faes yn unig, sef y Gymraeg a'i dyfodol a sefyllfa tai yng Nghymru.

Cefais fy ngeni ym Mrynaman, ym maes glo'r De, a'm magu yn Llanuwchllyn yn y

fewn eich plaid yn erbyn ei gynnwys?

Glyn Davies: O na bai Jeff yn gwrando ar yr hyn sydd wedi cael ei ddweud cyn iddo ymyrryd. Fe'i gwneuthum yn gwbl glir bod llawer yn fy mhlaid i sydd am gael yr opsiwn hwnnw, yn eu mysg ysgrifennydd gwladol yr wrthblaid ac eraill y gallwn eu henwi. Yr wyf hefyd wedi ei gwneud yn glir sut y byddwn i'n dadlau pe ceid refferendwm. Yr wyf yn ailadrodd yr hyn a ddywedais o'r blaen, Ddirprwy Lywydd, ac mae'n ddrwg gennyf am hynny, ond pan geir ymyriadau gan bobl nad ydynt wedi gwrando ar yr hyn yr ydych wedi ei ddweud ac sydd â rhyw safbwynt sydd wedi'i benderfynu ymlaen llaw, dyna sy'n mynd i ddigwydd.

Mae elfen o weld sut y mae hyn yn gweithio. Dywedaf hynny yn y Siambr hon, oherwydd y mae'r Ysgrifennydd Gwladol yma ac mae'n gwbl bosibl bod ganddo ryw ddyllanwad ar y pethau hyn, ac, os bydd yn llwyddiant yn y pen draw, gobeithiaf y byddant yn symud tuag at y math o bwerau deddfu a gynigiwyd gan Richard dipyn yn gyflymach na'r dyddiad 2015 yr wyf wedi ei glywed yn cael ei grybwyll. Fel sy'n sicr bron o ddigwydd ymhen pedair neu bum mlynedd, pan ddaw'r Blaid Geidwadol yn Llywodraeth y Deyrnas Unedig, mae'n gwbl bosibl y bydd y Blaid Geidwadol yn mabwysiadu'r farn honno, oherwydd ei natur resymegol. Mae'r Blaid Lafur hefyd yn credu hynny, oherwydd dyna'r unig reswm posibl pam y mae wedi cynnwys y mecanwaith blocio hwn o fwyafrif o ddwy ran o dair o blaid. Gobeithiaf, yn ystod hynt y Mesur hwn, y bydd y cynnig ynghylch mandad deuol a'r cynnig neilltuol ynghylch cael mwyafrif o ddwy ran o dair ill dau yn cael eu tynnu'n ôl, fel y bydd pob plaid yn gallu ei gefnogi.

Alun Ffred Jones: In considering the Queen's Speech on the one hand and the paltry and uninspired White Paper on the powers of the Assembly on the other, one realises just how much a full parliament could do for Wales, and how irrelevant so much of this speech is for Wales. I will consider only two areas: the Welsh language and its future and housing in Wales.

I was born in Brynamman, in the south Wales coalfield, and brought up in Llanuwchllyn in

Gogledd. Wrth deithio o un lle i'r llall pan oeddwn yn blentyn, pe bawn yn stopio i siarad gyda rhywun, gallwn ofyn cwestiwn yn Gymraeg a disgwyl ateb yn yr un iaith; nid felly heddiw.

5.00 p.m.

Fel y mae ymchwil yr Athro Carter yn dangos, mae diflaniad y cymunedau Cymraeg lle mae dros 70 y cant o'r boblogaeth yn siarad yr iaith, yn gywilydd ac yn gofyn am weithredu egniol a phenderfynol, os ydym am droi'r llanw. Ni fydd deddfu yn ddo'i hun yn newid patrymau ieithyddol, ond mae'n fframwaith pwysig. Er bod neb llai na chadeirydd Bwrdd yr Iaith Gymraeg yn cydnabod bod angen deddfu o'r newydd yn y maes hwn, nid oes sill yn Araith y Frenhines ar y mater. Mae'r gwleidyddion, bron i gyd, yn ategu geiriau'r anthem genedlaethol—'o bydded i'r heniaith barhau'—ond peth arall yw gweithredu gydag ewyllys i sicrhau bod hynny'n digwydd. Ystyriwch y Llywodraeth ei hun a'r ffurflenni trwyddedu newydd, cawsant eu cyhoeddi yn Saesneg ym mis Chwefror a dyma ni, ym mis Mehefin, yn parhau i aros am rai Cymraeg.

Pa ryfedd, o ystyried llywodraeth leol, sef un maes y mae gan Lywodraeth y Cynulliad gyfrifoldeb uniongyrchol amdano? Ymysg y cannoedd o ddangosyddion perfformiad craidd y mae cynghorau lleol yn eu casglu ar gyfer 2005-06, nid oes un ohonynt yn cyfeirio at yr iaith Gymraeg, y defnydd ohoni nac at wasanaethau yn y Gymraeg. Dyna lefel yr ymrwymiad.

O ran tai, sy'n greiddiol i'r drafodaeth ar y cymunedau Cymraeg, ond sydd hefyd yn effeithio ar bawb, ystyriwch hyn: yn ôl ffigurau 2004, bu'r cynnydd ym mhrisiau tai Gwynedd yn 150 y cant ers 1997—20 y cant yn uwch na chyfartaledd Cymru. Bellach, dim ond 5 y cant o'r holl dai sydd ar y farchnad yng Ngwynedd sy'n dai fforddiadwy. Mae ffigurau digartrefedd yn codi a chodi a beth yw ymateb Llafur Newydd? Ateb Gordon Brown yw galluogi pobl gyfoethog i gynnwys tai—ail a thrydydd cartrefi—fel rhan o'u cynllun pensiwn preifat. Mae'n anhygoel bod Aelodau Seneddol Llafur Cymru yn gallu mynd i San Steffan i hyrwyddo cynlluniau sy'n gweithio

north Wales. When travelling from one location to the other as a child, had I stopped to speak to anyone, I could ask a question in Welsh and expect a response in the same language; not so today.

As Professor Carter's research shows, the disappearance of Welsh-speaking communities where more than 70 per cent of the population speak the language, is a disgrace and requires determined and energetic action, if we are to turn the tide. Legislation alone cannot change linguistic trends, but it offers an important framework. Although no less a person than the chair of the Welsh Language Board acknowledges the need for new legislation in this area, there is not a word about it in the Queen's Speech. Almost all politicians support the words of the national anthem—'may the ancient language continue'—but taking determined action to safeguard the language is another matter altogether. If you look at the Government itself and the new licensing forms, these were published in English in February, and here we are, in June, still awaiting the Welsh-language versions.

That should not come as a surprise, if you consider local government, an area for which the Assembly Government has direct responsibility. Among the hundreds of core performance indicators local councils collect for 2005-06, not one refers to the Welsh language, its use or services offered through the medium of Welsh. That is the level of commitment.

On housing, which is central to the discussion on Welsh-speaking communities, but which also affects everyone, consider this: according to the 2004 figures, house prices in Gwynedd have increased 150 per cent since 1997—20 per cent higher than the average for Wales. Currently, only 5 per cent of all houses for sale in Gwynedd are affordable. Homelessness figures continue to rise, and what is New Labour's response? Gordon Brown's solution is to allow the rich to include houses—second and third homes—as part of their private pension plans. It is incredible that Welsh Labour Members of Parliament can go to Westminster to promote plans that work in

o blaid y cyfoethog, ar draul pobl ifanc sy'n dechrau allan ar daith bywyd.

favour of the wealthy at the expense of young people who are starting out in life.

Gwenda Thomas: Yn ogystal â barnu mor llym ymrwymiad y Blaid Lafur, a wnewch chi dderbyn nad plaid datganoli yw Plaid Cymru, ond plaid sy'n gweld datganoli yn ddim mwy na cham tuag at annibyniaeth lwyr?

Gwenda Thomas: As well as condemning the Labour Party's commitment so harshly, will you accept that Plaid Cymru is not the party of devolution, but a party that sees devolution as nothing more than a step towards full independence?

Alun Ffred Jones: Pwrpas chwilio am fwy o rym i'r Cynulliad ac i gael senedd lawn yng Nghymru yw gweithredu dros bobl Cymru a gwella'u hamodau byw. Nid oes ond angen i chi edrych ar gymunedau yn eich ardal chi i weld yr hyn y mae 100 mlynedd o reolaeth o Lundain wedi ei wneud i Gymru.

Alun Ffred Jones: The purpose of seeking more powers for the Assembly and a full parliament in Wales is to act on behalf of the people of Wales and to better their living conditions. You only have to look at the communities in your area to see what 100 years of governance from London has done for Wales.

Mae'n ddiddorol y bu sôn yn y wasg dros y Sul fod Llywodraeth San Steffan yn sôn am greu comisiwn newydd i edrych ar broblemau tai gwledig. Mae'n sôn am ddeddfu i atal cynnydd mewn ail gartrefi. Nid oes gair yn Araith y Frenhines am hyn, ond dyna'r math o weithredu y dylem ni fod yn ei wneud yn y Cynulliad, pe bai'r grym gennym ni. Mae Llywodraeth y Cynulliad, gyda chefnogaeth Plaid Cymru o leiaf, wedi gofyn i Lywodraeth San Steffan am yr hawl i gynghorau ddiddymu'r hawl i brynu mewn ardaloedd lle mae pwysau arbennig ar y farchnad dai. Byddai hynny o fudd mawr i gynghorau gwledig mewn ardaloedd fel Pen Llŷn lle nad oes ond llond dwrn, yn llythrennol, o dai fforddiadwy ar y farchnad.

It is interesting that there has been talk in the press over the weekend that the Westminster Government is considering creating a new commission to look at the problems of rural housing. It mentions legislating to stop the increase in second homes. There is not a word about it in the Queen's Speech, but that is the kind of action that we should be taking in the Assembly, had we the power to do so. The Assembly Government, with Plaid Cymru's support at least, has asked the Westminster Government for the right for councils to abolish the right to buy scheme in areas where there is particular pressure on the housing market. That would greatly benefit rural councils in areas such as the Llŷn peninsula where there is literally only a handful of affordable houses on the market.

Unwaith eto, nid yw Llafur Newydd a Tony Blair, â'i agenda asgell dde, wedi gwranddo. Pa werth sydd i'r berthynas arbennig hon rhwng Llywodraeth Caerdydd a Llundain? Dwy enghraifft yn unig yw'r rhain sy'n profi mor angenrheidiol yw cael senedd go iawn yng Nghymru i weithredu dros ein pobl.

Once again, New Labour and Tony Blair, with his right-wing agenda, have not listened. What use is this special relationship between the Governments in Cardiff and London? Those are only two examples that prove how necessary a full parliament is in Wales, so that we can act on behalf of our people.

Peter Black: As a regional member whose constituency includes Neath, it is always a pleasure to see my constituent, the Secretary of State for Wales, in the Chamber. I have heard a great deal today about what regional Members should not be and should not do, but little about what the role of regional Members is. That is a debate in itself, which we may want to have. I have my views and

Peter Black: Fel aelod rhanbarthol y mae ei etholaeth yn cynnwys Castell-nedd, mae bob amser yn bleser gweld fy etholwr, Ysgrifennydd Gwladol Cymru, yn y Siambr. Yr wyf wedi clywed llawer iawn heddiw am yr hyn na ddylai Aelodau rhanbarthol fod ac na ddylent ei wneud, ond fawr ddim am beth yw rôl Aelodau rhanbarthol. Mae honno'n ddadl ynddi ei hun, yr ydym am ei chael

my ideas about what regional Members should be doing, but we are not hearing anything constructive from the other side about what the role of regional Members should be in the Chamber. From my party's point of view, as has been pointed out by other speakers, we would like to see a single transferable vote system, therefore there is no distinction between constituency Members and regional Members, and everybody is equally representing the same constituency and electing them to the same system. That is the best way to achieve parity.

In his response to Mike German, the Secretary of State said that he thought that, as Liberal Democrats, we would naturally support the holding of referenda. Referenda have their place, and I am not opposed to them in principle, but we live in a representative democracy, in which we elect people to make decisions on the basis of facts and according to the merits of a particular case. With referenda, we have to pick and choose our moment. Referenda—or plebiscites, as they are often known on the continent—have a dodgy history, as they have often been used in the past to reinforce a particular view. I support the holding of referenda, but I also think that we have to build up a case and put it to the people. The White Paper announced in the Queen's Speech is a start. I would like to move faster towards full powers and towards having a referendum on those powers, but, as a Liberal Democrat, I am also interested in people and their rights. That is the point that I wanted to make: in discussing this Queen's Speech, we have more than this White Paper to talk about, and Lorraine Barrett made that point well.

I would like to talk about identity cards, about which I spoke in the debate on the previous Queen's Speech. I had rather hoped that, following the intervening general election, the Government might have abandoned this rather crazy idea. The cards have to pay for themselves, and because the technology is expensive and will be difficult to make work, people will, effectively, be charged £300 each to have an ID card. I have

efallai. Mae gennyf fy marn a'm syniadau fy hun ynghylch beth y dylai Aelodau rhanbarthol fod yn ei wneud, ond ni chlywn ddim byd adeiladol gan yr ochr arall ynghylch yr hyn y dylai rôl Aelodau rhanbarthol fod yn y Siambr. O safbwynt fy mhlaidd, fel y nodwyd gan siaradwyr eraill, hoffem weld system pleidlais sengl drosglwyddadwy, felly ni wahaniaethir rhwng Aelodau etholaeth ac Aelodau rhanbarthol, ac mae pawb yn cynrychioli'r un etholaeth yn gydradd ac yn eu hethol i'r un system. Dyna'r ffordd orau i sicrhau cydraddoldeb.

Yn ei ymateb i Mike German, dywedodd yr Ysgrifennydd Gwladol ei fod yn meddwl y byddem ni, fel Democratiaid Rhyddfrydol, yn naturiol yn cefnogi cynnal refferenda. Mae i refferenda eu lle, ac nid wyf yn eu gwrthwynebu o ran egwyddor, ond yr ydym yn byw mewn democratiaeth gynrychioliadol, lle yr ydym yn ethol pobl i wneud penderfyniadau ar sail ffeithiau ac yn ôl rhinweddau achos penodol. Gyda refferenda, mae'n rhaid dewis ein hawr. Mae i refferenda—neu bleidlais gwlad, fel y'u hadwaenir yn aml ar y cyfandir—hanes amheus, gan eu bod wedi cael eu defnyddio'n aml yn y gorffennol i gadarnhau barn benodol. Yr wyf o blaid cynnal refferenda, ond yr wyf yn meddwl hefyd fod yn rhaid inni adeiladu achos a'i roi gerbron y bobl. Mae'r Papur Gwyn a gyhoeddwyd yn Araith y Frenhines yn fan cychwyn. Hoffwn symud yn gyflymach tuag at bwerau llawn a thuag at gael refferendwm ar y pwerau hynny, ond, fel Democrat Rhyddfrydol, mae gennyf ddiddordeb hefyd mewn pobl ac yn eu hawliau. Dyna'r pwynt yr oedd arnaf eisiau ei wneud: wrth drafod Araith y Frenhines heddiw, mae gennym fwy na'r Papur Gwyn hwn i siarad amdano, a gwnaeth Lorraine Barrett y pwynt hwnnw'n dda.

Hoffwn siarad am gardiau adnabod, y siaredais amdanynt yn y ddaidl ar Araith ddiwethaf y Frenhines. Yr oeddwn wedi rhyw obeithio, yn sgîl yr etholiad cyffredinol a fu yn y cyfamser, y byddai'r Llywodraeth efallai wedi rhoi'r gorau i'r syniad gwallgof braidd hwn. Rhaid i'r cardiau dalu amdanynt eu hunain, ac oherwydd bod y dechnoleg yn gostus ac y bydd yn anodd gwneud iddi weithio, i bob pwrpas codir £300 y pen ar

described it in previous debates as the Labour Government's poll tax. The idea that ID cards might be used to access services is yet another step too far, as it will, effectively, disenfranchise people and prevent them from accessing services if they cannot afford or do not want to have an ID card, or if they are disadvantaged, inarticulate or unable to speak up for themselves. Compulsory ID cards are unnecessary and intrusive, and infringe civil liberties. More importantly, these cards will not do what it stated on the tin. They will not help to protect this country in any way from terrorism—the terrorists in Spain had ID cards. They will also not make us feel more secure. If anything, they will aid identity theft, because there will be one single form of identification that can be stolen. In that sense, it might aid and abet criminals and even lead to the creation of new criminal offences. In that regard, they are to be regretted.

Quickly, as we are running out of time, I will mention one other Bill, the Religious Hatred Bill. This is a fundamentally illiberal piece of legislation that will further curtail free speech in the UK. It will stop legitimate criticism of religious beliefs and customs, as well imposing limits on satire and comedy, and I hope that we can oppose that Bill and that it will fall at the parliamentary hurdles.

The Deputy Presiding Officer: Thank you, Peter, for being succinct. There are three speakers that I would like to get in—Elin Jones, Mark Isherwood and Jeff Cuthbert—if I can. I would be grateful if Members can keep to three minutes, but I cannot impose that at this stage.

Elin Jones: Cyfraniad byr sydd gennyf, ynglŷn ag un mater sy'n deillio o gyhoeddi'r Papur Gwyn ar lywodraethu, sef dyfodol deddfwriaeth ar yr iaith Gymraeg. Mae'n gwbl resymol taw'r Cynulliad Cenedlaethol ddylai deddfu ar y Gymraeg—y mae Deddf Llywodraeth Cymru 1998 yn cydnabod hynny mewn egwyddor, ond heb roi'r grymoedd i'r Cynulliad weithredu ar hynny. Byddai pwerau deddfwriaeth sylfaenol yn

bobl i gael cerdyn adnabod. Yr wyf wedi ei ddisgrifio mewn dadleuon blaenorol fel treth y pen y Llywodraeth Lafur. Mae'r syniad y gellid defnyddio cardiau adnabod i gael gwasanaethau yn gam arall eto fyth yn rhy bell, gan y bydd, mewn gwirionedd, yn difreinio pobl ac yn eu hatal rhag cael gwasanaethau os na allant fforddio neu os nad oes arnynt eisiau cael cerdyn adnabod, neu os ydynt dan anfantais, yn methu mynegi eu hunain neu'n methu siarad drostynt eu hunain. Mae cardiau adnabod gorfodol yn ddiangen ac yn ymwithiol, ac yn torri ar ryddid yr unigolyn. Yn bwysicach, ni wnaiff y cardiau hyn gyflawni'r hyn a honnir ar eu rhan. Ni wnânt helpu i warchod y wlad hon mewn modd yn y byd rhag terfysgaeth—yr oedd gan y terfysgwyr yn Sbaen gardiau adnabod. Ni wnânt i ni deimlo'n fwy diogel ychwaith. Os rhywbeth, fe helpant ladrad hunaniaeth, gan y bydd un ffurf syml ar fodd adnabod y gellir ei ddwyn. Yn hynny o beth, gallai gynorthwyo ac annog troseddwr a hyd yn oed arwain at greu troseddau newydd. Yn hynny o beth, maent yn destun gofid.

Yn gyflym, gan fod ein hamser yn brin, soniaf am un Mesur arall, y Mesur Casineb Crefyddol. Dyma deddfwriaeth sylfaenol anoddefgar a fydd yn cwtogi ymhellach ar ryddid mynegiant yn y DU. Bydd yn gwahardd beirniadaeth deg ar gredoau ac arferion crefyddol, yn ogystal â gosod terfynau ar ddychan a chomedi, a gobeithiaf y gallwn wrthwynebu'r Mesur hwnnw ac y cwmpa ar y clwydi seneddol.

Y Dirprwy Lywydd: Diolch, Peter, am fod yn gryno. Mae tri siaradwr yr hoffwn eu cael i mewn—Elin Jones, Mark Isherwood a Jeff Cuthbert—os gallaf. Byddwn yn ddiolchgar pe gallai Aelodau gadw at dri munud, ond ni allaf orfodi hynny ar hyn o bryd.

Elin Jones: I have a short contribution to make, concerning a matter that stems from the publication of the White Paper on governance, which is the future of legislation on the Welsh language. It is completely reasonable that the National Assembly should legislate on the Welsh language—the Government of Wales Act 1998 acknowledges that in principle, but without providing the Assembly with the powers to

caniatáu i'r Cynulliad ddeddfu ar y Gymraeg, ond beth am opsiwn Llafur yn y cynnig am Orchymynion yn y Cyfrin Gyngor? Gellid llunio Gorchymyn yn y Cyfrin Gyngor a fyddai'n caniatáu i'r Cynulliad ddeddfu ar y Gymraeg—un Gorchymyn yn cael ei basio yn San Steffan, a dyna'r hawl i'r Cynulliad greu Gorchymynion neu is-ddeddfwriaeth pan ddymuno ar y Gymraeg a gwahanol bolisiâu sy'n ymwneud â'r Gymraeg. Ni fyddai angen wedyn drafferthu San Steffan er mwyn trafod deddfwriaeth na Gorchymynion yn y Cyfrin Gyngor dro ar ôl tro ar faterion fel yr iaith Gymraeg sy'n berthnasol i Gymru yn unig.

5.10 p.m.

A oes rhywun yn barod i ddadlau nad y Cynulliad Cenedlaethol ddylai fod yn deddfu ar y Gymraeg? Mae'r Papur Gwyn ar lywodraethu, yng nghymal 3.18 yn gwahardd fframio unrhyw Orchymyn i roi pwerau i'r Cynulliad dros feysydd cyfan fel y Gymraeg. Felly, mae'r cyfle i drosglwyddo'r hawl i ddeddfu ar y Gymraeg i'r Cynulliad yn cael ei wrthod gan Lafur yn y Papur Gwyn. Yr wyf yn gobeithio y bydd yr ymgynghoriad ar y Papur Gwyn yn caniatáu i'r Ysgrifennydd Gwladol ailfeddwl a gweld bod cyfle i roi pwerau llawn i'r Cynulliad Cenedlaethol drwy Orchymyn yn y Cyfrin Gyngor ar yr iaith Gymraeg, ac na ddylid gwahardd y posibilrwydd hwnnw mewn deddf. Pobl Cymru, a phobl Cymru yn unig, biau'r penderfyniadau ar ddyfodol yr iaith Gymraeg.

Jeff Cuthbert: Labour in Wales and Westminster have raised the glass ceiling on opportunity and social justice in Wales, but that ceiling has yet to be removed. Much work remains to be done to secure greater job opportunities for young people in Wales and to continue to drive up improvements in our public services.

The 'Better Governance for Wales' White Paper signals a logical and practical package of measures that will increase powers in step with the Assembly's growing confidence and competence in the arena of primary legislation and its drafting. As the real Member for Caerphilly, I welcome the

act upon that. Primary legislative powers would allow the Assembly to legislate on the Welsh language, but what about Labour's option in the proposal for Orders in Council? Orders in Council could be drafted that would allow the Assembly to legislate on the Welsh language—one Order could be passed in Westminster, and that would give the Assembly the right to create Orders or secondary legislation when it wished to on the Welsh language and related policies. There would be no need thereafter to bother Westminster in order to discuss legislation or Orders in Council on matters such as the Welsh language that are only relevant to Wales.

Is anyone prepared to argue that the Assembly should not legislate on the Welsh language? The White Paper on governance, in clause 3.18 prohibits the framing of any Order to give the Assembly powers over entire areas such as the Welsh language. Therefore, the opportunity to transfer the right to legislate on the Welsh language to the Assembly is rejected by Labour in the White Paper. I hope that the consultation on the White Paper will allow the Secretary of State to reconsider and see that there is an opportunity to give full powers to the National Assembly through an Order in Council on the Welsh language, and that that possibility should not be prohibited by legislation. It is the people of Wales, and they alone, who should decide the future of the Welsh language.

Jeff Cuthbert: Mae Llafur yng Nghymru a San Steffan wedi codi'r nenfwd gwydr ar gyfle a chyfiawnder cymdeithasol yng Nghymru, ond mae'r nenfwd yn dal heb ei dynnu oddi yno. Mae llawer o waith i'w wneud o hyd i sicrhau mwy o gyfleoedd gwaith i bobl ifanc yng Nghymru ac i barhau i hybu gwelliannau yn ein gwasanaethau cyhoeddus.

Mae'r Papur Gwyn 'Trefn Lywodraethu Well i Gymru' yn becyn rhesymegol ac ymarferol o fesurau a fydd yn cynyddu pwerau law yn llaw â hyder a chymhwyster cynyddol y Cynulliad ym maes deddfwriaeth sylfaenol a'r gwaith o'i drafftio. Fel yr Aelod go iawn dros Gaerffili, croesawaf y bwriad i

abolition of the anomaly of the so-called 'Clwyd West' question. It is a positive step forward and it will strengthen the devolution settlement by allowing the people of Wales a fair and transparent deal at the ballot box.

As a member of the Committee on Smoking in Public Places and a supporter of a ban on smoking in enclosed public places, I am delighted to see that Wales will be given great flexibility in implementing a ban of its own, and I endorse the comments made earlier by Val Lloyd.

We must also continue the progress already made in securing the same commitment to quality vocational skills as we do for academic education, which is why I welcome the Learning and Skills Bill. Choice is not a dirty word, and ensuring all institutions and courses are fit for purpose is vital if we are to continue to drive up standards and learners' attainment in Wales.

*Daeth y Llywydd i'r Gadair am 5.14 p.m.
The Presiding Officer took the Chair at 5.14 p.m.*

I welcome the Transport (Wales) Bill. As chair of the Objective 1 programme monitoring committee, it has become clear to me—even in the era of broadband-enabled Wales—how vital transportation infrastructure remains to achieving our economic development targets. The Bill will enable Wales to take forward a truly integrated transport policy and allow the Assembly Government to arrange public transport services that best suit local needs. It will also allow the Assembly Government to continue with the £8 billion, 15-year transport programme that will deliver a world-class integrated transport system throughout Wales. It will ensure that our gateways to industry are improved as well as the key in-roads into historically deprived communities, which will benefit a great deal from the new investment that would flow from road improvements.

The Queen's Speech is a positive package of measures that will allow the Assembly Government to continue with its progressive

ddiddymu afreoleidd-dra cwestiwn bondigrybwyll 'Gorllewin Clwyd'. Mae'n gam cadarnhaol ymlaen a bydd yn cryfhau'r setliad datganoli drwy ganiatáu bargaen deg a thryloyw i bobl Cymru yn y blwch pleidleisio.

Fel aelod o'r Pwyllgor ar Ysmygu mewn Mannau Cyhoeddus a chefnogwr gwahardd ysmygu mewn mannau cyhoeddus caeedig, yr wyf wrth fy modd o weld y rhoddir hyblygrwydd mawr i Gymru i weithredu ei gwaharddiad ei hun, ac yr wyf yn cefnogi'r sylwadau a wnaethpwyd yn gynharach gan Val Lloyd.

Rhaid inni hefyd barhau gyda'r camau a gymerwyd eisoes i sicrhau'r un ymroddiad i sgiliau galwedigaethol safonol ag a roddir i addysg academaidd, ac am hynny croesawaf y Mesur Dysgu a Sgiliau. Nid gair budr yw dewis, ac mae sicrhau bod pob sefydliad a chwrs yn addas i'r diben yn hanfodol os ydym am barhau i godi safonau a chyflawniad dysgwyr yng Nghymru.

Croesawaf y Mesur Trafnidiaeth (Cymru). Fel Cadeirydd pwyllgor monitro'r rhaglen Amcan 1, daeth yn amlwg i mi—hyd yn oed yn oes y Gymru sydd â band eang—mor hanfodol yw seilwaith trafndiaeth o hyd i gyrraedd ein targedau datblygu economaidd. Bydd y Mesur yn galluogi Cymru i symud ymlaen â pholisi trafndiaeth gwirioneddol integredig ac yn caniatáu i Lywodraeth y Cynulliad drefnu gwasanaethau cludiant cyhoeddus sy'n gweddu orau i anghenion lleol. Bydd hefyd yn caniatáu i Lywodraeth y Cynulliad barhau gyda'r rhaglen drafnidiaeth £8 biliwn, 15 mlynedd a fydd yn sicrhau system drafnidiaeth integredig gyda'r gorau yn y byd drwy Gymru gyfan. Bydd yn sicrhau y caiff ein pyrth i ddiwydiant eu gwella yn ogystal â'r ffyrdd allweddol i mewn i gymunedau sy'n ddifreintiedig yn hanesyddol, a fydd yn elwa'n fawr ar y buddsoddiad newydd a fyddai'n deillio o welliannau ffyrdd.

Mae Araith y Frenhines yn becyn cadarnhaol o fesurau a wnaiff ganiatáu i Lywodraeth y Cynulliad barhau gyda'i hagenda flaengar o

agenda of service improvements and reform. The flagship Government of Wales Bill, the Transport (Wales) Bill, the groundbreaking Commissioner for Older People (Wales) Bill are all signs that the key issues affecting Wales are on the agenda in Westminster, and the Labour partnership in Wales and Westminster is focused on delivering real change for the people of Wales.

Mark Isherwood: After more than a decade of manipulation and marketing spin, not-so-new Labour has well and truly passed its sell-by date. This sham of a political party does not possess the ethical status to call for

‘a greater sense of mutual respect in society’

as it did in the Queen’s Speech. It promised to reduce poverty further, yet poverty and inequality have increased during Labour’s period in office. Under Labour, Wales has lower prosperity and a lower base in skills than any other nation or region in Britain. Labour’s housing cuts have generated the crisis to which Alun Ffred referred, namely the 75 per cent reduction in the number of new build affordable houses since Labour came into power.

In its response to the Queen’s speech, the British Chambers of Commerce stated that

‘The Government is failing to listen to business’.

The Conservatives will support any effective action to tackle eight years of Labour failure on crime. With violent crime up 83 per cent, 1 million violent crimes last year alone, gun crime having doubled since 1998, and only one in five crimes being cleared up by the police, it seems unlikely that things will improve while Labour is in the driving seat. This Labour UK Government has recycled its promise on welfare reform yet again, when the reality is that its New Deal welfare-to-work scheme has utterly failed. Only 37 per cent of those leaving the New Deal for young people scheme find a ‘sustained job’, which is defined as a job lasting for just 13 weeks, and there are now over a million young

wella gwasanaethau a diwygio. Mae Mesur arloesol Llywodraeth Cymru, Mesur Trafnidiaeth (Cymru), Mesur Comisiynydd Pobl Hŷn (Cymru), sy’n torri tir newydd, i gyd yn arwyddion bod y materion allweddol sy’n effeithio ar Gymru ar yr agenda yn San Steffan, a bod y bartneriaeth Lafur yng Nghymru a San Steffan yn canolbwyntio ar sicrhau newid go iawn i bobl Cymru.

Mark Isherwood: Ar ôl mwy na degawd o gamliwio a sbin marchnata, mae Llafur nid-mor-newydd yn wir wedi pasio ei dyddiad gwerthu. Nid yw’r esgus hwn o blaid wleidyddol yn meddu ar y statws moesegol i alw am

fwy o ymdeimlad o barch at ein gilydd mewn cymdeithas

fel y gwnaeth yn Araith y Frenhines. Addawodd leihau tlodi ymhellach, ond eto mae tlodi ac anghydraddoldeb wedi cynyddu yn ystod cyfnod Llafur mewn llywodraeth. Dan Lafur, mae Cymru’n llai llewyrchus a chanddi sylfaen sgiliau is na dim yn genedl neu ranbarth arall ym Mhrydain. Mae toriadau Llafur ym maes tai wedi cynhyrchu’r argyfwng y cyfeiriodd Alun Ffred ato, sef y lleihad o 75 y cant yn nifer y tai newydd fforddiadwy ers i Lafur ddod i rym.

Mewn ymateb i Araith y Frenhines, datganodd Siambrau Masnach Prydain

nad yw’r Llywodraeth yn gwrando ar fyd busnes.

Bydd y Ceidwadwyr yn cefnogi unrhyw weithredu effeithiol i fynd i’r afael ag wyth mlynedd o fethiant Llafur gyda throseddau. A throseddau treisgar wedi codi 83 y cant, 1 miliwn o droseddau treisgar y llynedd yn unig, troseddau â drylliau wedi dyblu ers 1998, a dim ond un o bob pum trosedd yn cael ei datrys gan yr heddlu, nid yw’n ymddangos y bydd pethau’n gwella tra bydd Llafur mewn grym. Mae Llywodraeth Lafur y DU wedi ailgylchu ei haddewid i ddiwygio budd-daliadau lles unwaith eto, a hithau’n amlwg bod cynllun o fudd-dal i waith y Fargen Newydd wedi bod yn fethiant llwyr. Dim ond 37 y cant o’r rhai sy’n gadael cynllun y Fargen Newydd ar gyfer pobl ifanc

people not in work or education, including 54,000 in Wales.

On Africa, which no-one has mentioned yet, African people will only get the peace and prosperity that they deserve if they have fair trade, honest government in accordance with the rule of law, a reduction in agricultural tariffs, and an end to export subsidies. However, it remains to be seen whether Mr Blair will emphasise these anti-poverty reforms in his brinkmanship over CAP reform, and, as the Make Poverty History campaign told me last weekend, he has not even mentioned Zimbabwe in his recent speeches on Africa.

Labour promises a pensions Bill, but it will not make progress unless it admits that our pensions are in crisis. Since 1997, over 10,000 pension schemes have started winding up, and 80,000 people have lost retirement savings. Nearly half of all pensioners have been driven on to means-tested benefits, and Gordon Brown's £5 billion-a-year tax on pensions has fuelled the crisis. In fact, as Labour MP, Frank Field said,

'when Labour came to office we had one of the strongest pension provisions in Europe and now probably we have some of the weakest'.

The European Union Bill promises to bring the European constitution into force, unless it is rejected in a referendum. However, it is wrong for the referendum and the ratification of the constitution to be included in the same Bill. Of course, this has now been overtaken by events, and, last Friday, we learned that an agreement has been reached on stopping the ratification process—an agreement that, rather than scrapping the process, merely extends the deadline for countries to agree the constitution. As the German Europe Minister said, the European constitution is

sy'n dod o hyd i swydd 'gynaliadwy', sy'n cael ei diffinio fel swydd sy'n para am 13 wythnos yn unig, ac erbyn hyn mae dros filiwn o bobl ifanc nad ydynt mewn gwaith nac addysg, gan gynnwys 54,000 yng Nghymru.

Ynglŷn ag Affrica, nad yw wedi ei grybwyll gan neb eto, ni fydd pobl Affrica'n cael yr heddwoch a'r ffyniant y maent yn eu haeddu oni chânt fasnach deg, llywodraethau gonest sy'n gweithredu yn ôl y gyfraith, gostyngiad mewn tariffau amaethyddol, a diwedd ar gymorthdaliadau allforio. Fodd bynnag, bydd rhaid aros i weld a fydd Mr Blair yn rhoi pwyslais ar y diwygiadau gwrth-dlodi hyn yn ei chwarae ar y dibyn ynghylch diwygio'r polisi amaethyddol cyffredin, ac, fel y dywedodd yr ymgyrch Rhoi Diwedd ar Dlodi wrthyf dros y Sul diwethaf, nid yw hyd yn oed wedi crybwyll Zimbabwe yn ei areithiau diweddar ar Affrica.

Mae Llafur yn addo Mesur pensiynau, ond ni all wneud cynnydd oni bai ei bod yn cyfaddef ei bod yn argyfwng ar ein pensiynau. Ers 1997, mae dros 10,000 o gynlluniau pensiwn wedi dechrau dirwyn i ben, ac mae 80,000 o bobl wedi colli cynilion ar gyfer eu hymddeoliad. Mae bron i hanner y pensiynwyr wedi gorfod gwneud cais am fudd-daliadau sy'n ddibynnol ar brawf moddion, ac mae treth £5 biliwn y flwyddyn Gordon Brown ar bensiynau wedi dwysáu'r argyfwng. Yn wir, fel y dywedodd yr AS Llafur, Frank Field.

pan ddaeth Llafur i rym yr oedd gennym un o'r darpariaethau pensiwn cryfaf yn Ewrop, ac erbyn hyn mae'n debyg ei bod ymhlith y gwannaf.

Mae Mesur yr Undeb Ewropeaidd yn addo dod â'r cyfansoddiad Ewropeaidd i rym, oni bai ei fod yn cael ei wrthod mewn refferendwm. Fodd bynnag, mae'n amhriodol i'r refferendwm a chadarnhau'r cyfansoddiad gael eu cynnwys yn yr un Mesur. Wrth gwrs, mae digwyddiadau diweddar wedi newid pethau, a dydd Gwener yr wythnos diwethaf, clywsom am gytundeb a gafwyd a fydd yn rhoi terfyn ar y broses gadarnhau—cytundeb sydd, yn hytrach na diddymu'r broses, yn gwneud dim mwy nag ymestyn yr amser a roddir i wledydd eraill i gydsynio â'r

cyfansoddiad. Fel y dywedodd Gweinidog Ewrop yr Almaen, y cyfansoddiad Ewropeaidd

‘the birth certificate of the United States of Europe.’ yw tystysgrif geni Gwladwriaethau Unedig Ewrop.

Noting the statement last week by Mr Blair’s close confidant, Peter Mandelson, that Gan nodi’r datganiad a wnaethpwyd yr wythnos diwethaf gan gyfaill agos Mr Blair, Peter Mandelson, y byddai’n

‘Europe would be mad to scrap a painfully established consensus’, wallgof i Ewrop chwalu consensws y bu ei sicrhau’n beth mor boenus,

we must question whether the decision to delay ratification, rather than scrap the whole process, is a ruse by EU leaders in the hope that interest in the constitution will die down and that they will be able to press ahead with ratification at a later date, whatever the democratic will of the people. mae’n rhaid inni ofyn a yw’r penderfyniad i ohirio’r cadarnhau, yn hytrach na diddymu’r holl broses, yn ystryw gan arweinwyr yr UE yn y gobaith y bydd diddordeb yn y cyfansoddiad yn pylu ac y byddant yn gallu bwrw ati i’w gadarnhau’n ddiweddarach, beth bynnag fo ewyllys democrataidd y bobl.

Proposals to reform the National Assembly for Wales that will lead to a formal separation of powers, between the Welsh Assembly Government as the Executive and the National Assembly for Wales as a legislature, are to be welcomed. However, I must say that proposals to stop constituency candidates from standing on the regional list are a constitutional disgrace. It is right and proper for governments to propose changes to the electoral system, but it is wrong and improper for governing parties to dictate to other parties how they should select their candidates. That is the road to electoral dictatorship, and you should be ashamed of yourselves. Labour’s proposals do not change the electoral system one jot. They may change some faces in the Chamber on both sides, but what some Labour Members seem to fail to understand is that, under Labour’s proposals, they will continue to share their constituencies with four regional Members. Therefore, 99 per cent of the objections that you have put up today are completely and utterly irrelevant. These proposals threaten to give powers to party managers to place candidates according to narrow electoral advantage—I know that Labour already does that, but my party does not—rather than allowing party members to select democratically their constituency candidates, and then democratically rank them on their party regional list, one member, one vote, so Mae’r cynigion i ddiwygio Cynulliad Cenedlaethol Cymru a fydd yn arwain at wahanu’r pwerau’n ffurfiol rhwng Llywodraeth Cynulliad Cymru fel y Weithrediaeth a Chynulliad Cenedlaethol Cymru fel y corff deddfu, i’w croesawu. Mae’n rhaid imi ddweud, fodd bynnag, fod y cynigion i rwystro ymgeiswyr mewn etholaethau rhag sefyll ar y rhestr ranbarthol yn worth cyfansoddiadol. Mae’n deg a chyfiawn i lywodraethau gynnig newidiadau i’r system etholiadol, ond nid yw’n deg i’r pleidiau sydd mewn grym ddweud wrth bleidiau eraill sut y dylent ddewis eu hymgeiswyr. Bydd hyn yn arwain at unbennaeth etholiadol, a dylech fod â chywilydd. Nid yw cynigion Llafur yn newid y mymryn lleiaf ar y system etholiadol. Efallai y byddant yn newid rhai wynebau ar y ddwy ochr yn y Siambr, ond yr hyn nad yw rhai Aelodau Llafur fel petaent yn ei ddeall yw y byddant, o dan gynigion Llafur, yn parhau i rannu eu hetholaethau gyda phedwar Aelod rhanbarthol. Felly, mae 99 y cant o’r gwrthwynebiadau yr ydych wedi eu mynegi heddiw’n gwbl amherthnasol. Mae perygl y bydd y cynigion hyn yn rhoi grym yn nwylo rheolwyr y pleidiau i osod ymgeiswyr yn ôl mantais etholiadol gul—gwn fod Llafur yn gwneud hynny eisoes, ond nid yw fy mhlaidd i’n ei wneud—yn hytrach na chaniatáu i aelodau’r pleidiau ddewis eu hymgeiswyr yn yr etholaethau mewn ffordd democrataidd,

that the electorate may choose how it wishes to proceed. The bottom line is that the contradiction in terms that is New Labour has corrupted and debased most of what it has touched. It is a regime rather than a government, which has profited and profiteered from office, practised nepotism on an extensive scale, sold peerages, packed the Lords with—

ac yna'u rhoi mewn trefn ddemocrataidd ar restr ranbarthol eu plaid, un aelod, un bleidlais, fel bod modd i'r etholaeth ddewis sut y mae am fwrw ymlaen. Y pwynt sylfaenol yw bod y gwrthddywediad a gynrychiolir gan Lafur Newydd wedi llygru a thanseilio'r rhan fwyaf o'r hyn y mae wedi'i gyffwrdd. Cyfundrefn yw yn hytrach na llywodraeth, sydd wedi ymwela ac elwa ar rym, wedi gweithredu nepotistiaeth ar raddfa enfawr, wedi gwerthu arglwyddiaethau, wedi llenwi Tŷ'r Arglwyddi gyda—

The Presiding Officer: Order. You have had five minutes.

Y Llywydd: Trefn. Yr ydych wedi cael pum munud.

Peter Hain: All I can say on Mark Isherwood's speech is there goes the voice of a shrill Tory in the wilderness. I want to express my gratitude to Assembly Members for the courtesy that they have shown me, and for the welcomes for many of the proposals in the White Paper and the Queen's Speech. Many good points have been made about the Queen's Speech, but unfortunately, I will not have time to answer them all.

Peter Hain: Yr unig beth y gallaf ei ddweud am araith Mark Isherwood yw mai dyna yw llais Tori gwichlyd yn y gwyll. Yr wyf am ddiolch i Aelodau'r Cynulliad am y cwртеisi y maent wedi ei ddangos imi, ac am y croeso a roddwyd i lawer o'r cynigion yn y Papur Gwyn ac Araith y Frenhines. Gwnaethpwyd nifer o bwyntiau da am Araith y Frenhines ond, yn anffodus, ni fydd gennyf amser i ateb pob un ohonynt.

5.20 p.m.

I enjoyed the irony of Dai Lloyd and Peter Black in referring to me as one of their constituents. Speaking of my constituents in Neath, I note that Dai Lloyd was defeated in Swansea West and that Peter Black was defeated in Swansea East, and now they are claiming to represent those constituencies.

Mwynheais eironi Dai Lloyd a Peter Black wrth gyfeirio ataf fel un o'u hetholwyr. Gan fy mod yn sôn am fy etholwyr yng Nghastell-nedd, cofiaf fod Dai Lloyd wedi colli yng Ngorllewin Abertawe a bod Peter Black wedi colli yn Nwyrain Abertawe, ac yn awr maent yn honni eu bod yn cynrychioli'r etholaethau hynny.

Nick Bourne: Point of order. They are not claiming to represent those constituencies; they do represent those constituencies.

Nick Bourne: Pwynt o drefn. Nid honni eu bod yn cynrychioli'r etholaethau hynny y maent; maent yn cynrychioli'r etholaethau hynny.

The Presiding Officer: Order. I have ruled on this matter today and, tediously, many times before. The position has not changed, and I am sure that the Secretary of State, as he is here as a statutory guest at our proceedings, will abide by my ruling.

Y Llywydd: Trefn. Yr wyf wedi datgan ar y mater hwn heddiw a, hyd syrffed, nifer o weithiau o'r blaen. Nid yw'r sefyllfa wedi newid, ac yr wyf yn siŵr y bydd yr Ysgrifennydd Gwladol, gan ei fod yma fel gwestai statudol yn ein cyfarfod, yn derbyn fy nyfarniad.

Peter Hain: Of course, Llywydd, as I always abide by the rulings of the Speaker, whether or not I agree with them.

Peter Hain: Wrth gwrs, Lywydd, byddaf yn derbyn dyfarniadau'r Llefarydd, ni waeth a wyf yn cytuno â hwy ai peidio.

I welcome the thrust of the contributions made by David Melding and Glyn Davies. Some of their points, especially those of Glyn Davies, were interesting, and perhaps those two Assembly Members are the sole surviving representatives of one-nation Conservatism, which used to win general elections. On David's question on the corporate status of the Assembly, I believe that that will make for better scrutiny and that is one of the advantages of putting it in. I was intrigued by the chink of light that he provided into Conservative group meetings, and perhaps we will see whether the Freedom of Information Act 2000 will apply to Tory group meetings. Perhaps I will include that in the Bill as a late amendment, Llywydd.

Yr wyf yn croesawu byrdwn y cyfraniadau a wnaethpwyd gan David Melding a Glyn Davies. Yr oedd rhai o'u pwyntiau, yn enwedig rhai Glyn Davies, yn ddiddorol, ac efallai mai'r ddau Aelod Cynulliad hyn yw unig gynrychiolwyr y Geidwadaeth un-genedl, a arferai ennill etholiadau, sydd wedi goroesi. Ac ateb cwestiwn David ar statws corfforaethol y Cynulliad, yr wyf yn credu y bydd hynny'n arwain at waith craffu gwell a dyna un o'r manteision o'i gynnwys. Yr oeddwn yn chwilfrydig ynglŷn â'r cipolwg sydyn a gawsom ganddo ar y ffordd y mae cyfarfodydd y grŵp Ceidwadol yn gweithio, ac efallai y cawn weld a fydd Deddf Rhyddid Gwybodaeth 2000 yn berthnasol i gyfarfodydd grŵp y Torïaid. Efallai, Lywydd, y byddaf yn cynnwys hynny yn y Mesur fel gwelliant hwyr.

Mike German asked me whether it might be possible, under the Order-making procedures, to introduce a local income tax. That would depend on what the proposal was, but I doubt whether it would be possible to bind and instruct the Inland Revenue, which is a reserved matter, to collect taxes on behalf of the Assembly.

Gofynnodd Mike German imi a fyddai modd cyflwyno treth incwm leol o dan y gweithdrefnau gwneud Gorchmynion. Byddai hynny'n dibynnu ar natur y cynnig, ond yr wyf yn amau a fyddai modd rhwymo a chyfarwyddo Cyllid y Wlad, sy'n fater heb ei ddatganoli, i gasglu trethi ar ran y Cynulliad.

Kirsty Williams raised questions about the delay with the Transport (Wales) Bill. That Bill has been transported into legislation, with the general election intervening and delaying it slightly, just as soon as it could have been with the pre-legislative scrutiny. However, under the new powers that we are proposing, the process would be even quicker and she ought, therefore, to support it.

Gofynnodd Kirsty Williams gwestiynau am yr oedi gyda'r Mesur Trafnidiaeth (Cymru). Mae'r Mesur hwnnw wedi ei ymgorffori'n ddeddfwriaeth, gyda'r etholiad cyffredinol yn ymyrryd ac yn arwain at rywfaint o oedi, cyn gynted ag y gallasai fod yn y cam craffu cyn y broses ddeddfu. Fodd bynnag, o dan y pwerau newydd yr ydym yn eu hargymell, byddai'r broses wedi bod yn gyflymach fyth a dylai hi, felly, ei gefnogi.

Rhodri Glyn Thomas asked for an early referendum. Be my guest, Rhodri. Go ahead and call a referendum if you wish, because I think that it will go down. That is the point. There is a real danger of those who demand early referenda reflecting—

Gofynnodd Rhodri Glyn Thomas am refferendwm yn gynnar. Pob rhyddid i chi, Rhodri. Ewch yn eich blaen a galwch refferendwm os mynnwch, oherwydd yr wyf yn credu y byddai'n methu. Dyna'r pwynt. Mae perygl gwirioneddol y bydd y rhai sy'n galw am refferendwm yn gynnar yn adlewyrchu—

Ieuan Wyn Jones: Will you give way?

Ieuan Wyn Jones: A wnewch ildio?

Peter Hain: I will in a second.

Peter Hain: Gwnaf, mewn eiliad.

There is a danger of their reflecting the views of the chattering classes in Wales, and we know what has happened elsewhere in

Mae perygl y byddant yn adlewyrchu safbwyntiau'r clebrwyr yng Nghymru, a gwyddom beth a ddigwyddodd mewn

Europe: the Brussels bubble has projected a particular position and has found the people of Europe rejecting that position. I think that we ought to be careful. This is not an argument about the principle of primary powers, as Leighton Andrews pointed out; I will be legislating, for the first time in the history of Wales, for primary powers to be provided, and I am proud to be doing so. The issue is when we can find a consensus to move towards that.

Ieuan Wyn Jones: The Secretary of State has indicated that he does not think that this consensus applies in Wales, while others think that it does. If the next Assembly were to have a two-thirds majority in favour of having a referendum earlier than he envisages, would he be out campaigning for a 'yes' vote?

Peter Hain: I would have to take account of what the Assembly said, and if the Assembly voted by a two-thirds majority to ask me—if I was Secretary of State for Wales at the time—to take forward an Order in Council, I would have to consider the situation. However, I think that it would be very unwise—[*Interruption.*] Ieuan Wyn Jones sighs, but I do not think that it is serious politics to propose a referendum from an opposition bench, and to posture and pose on the matter, when people know that it would not carry through the people of Wales. I want to be in a position to go for primary powers when that will be the situation.

Leighton Andrews very eloquently made the point about the code of conduct in the Scottish Parliament, and I will look at that in taking forward the proposals of the White Paper and the Bill in terms of the relationship between list Members and constituency Members.

Brynle Williams complained about the lack of delivery. What about the delivery of full employment, or near full employment, across Wales, with more jobs than ever before in the country's history? What about the delivery of economic stability, which has brought greater prosperity to Wales, with lower mortgages,

rhannau eraill o Ewrop: mae swigen Brwsel wedi mabwysiadu safbwynt arbennig ac mae wedi gweld pobl Ewrop yn gwrthod y safbwynt hwnnw. Yr wyf yn credu y dylem fod yn ofalus. Nid dadl yw hon ar yr egwyddor o bwerau sylfaenol, fel y dywedodd Leighton Andrews; byddaf yn deddfu, am y tro cyntaf yn hanes Cymru, dros ddarparu pwerau sylfaenol, ac yr wyf yn falch o fod yn gwneud hynny. Y pwynt yw pryd y gallwn gael consensws i symud tuag at hynny.

Ieuan Wyn Jones: Mae'r Ysgrifennydd Gwladol wedi awgrymu nad yw'n credu bod y consensws hwn yn bod yng Nghymru, tra bo eraill yn credu i'r gwrthwyneb. Pe bai'r Cynulliad nesaf yn cael dwy ran o dair o blaid cynnal refferendwm yn gynharach nag y mae'n rhagweld, a fyddai'n fodlon ymgyrchu dros bleidlais 'ie'?

Peter Hain: Byddai'n rhaid imi roi sylw i'r hyn y byddai'r Cynulliad yn ei ddweud, a phe bai'r Cynulliad yn pleidleisio gyda mwyafrif o ddwy ran o dair i ofyn imi—a phe bawn yn Ysgrifennydd Gwladol Cymru ar y pryd—fwrw ymlaen gyda Gorchymyn yn y Cyfrin Gyngor, byddai'n rhaid imi ystyried y sefyllfa. Yr wyf yn credu, fodd bynnag, y byddai'n hynny'n annoeth iawn—[*Torri ar draws.*] Mae Ieuan Wyn Jones yn ochneidio, ond nid wyf yn credu ei bod yn wleidyddiaeth ddifrifol cynnig refferendwm o feinciau'r wrthblaid, a gwneud môr a mynydd ynglŷn â'r mater, pan fo pobl yn gwybod yn iawn na fyddai pobl Cymru'n ei dderbyn. Yr wyf am allu mynd am bwerau sylfaenol pan fyddwn yn y sefyllfa honno.

Gwnaeth Leighton Andrews y pwynt yn huawdl iawn ynglŷn â'r cod ymddygiad yn Senedd yr Alban, a byddaf yn cadw hwnnw mewn cof wrth fwrw ymlaen gyda'r cynigion yn y Papur Gwyn a'r Mesur o ran y berthynas rhwng Aelodau ar y rhestrau ac Aelodau etholaethau.

Cwynodd Brynle Williams am y diffyg o ran yr hyn sy'n cael ei gyflawni. Beth am gyflawni cyflogaeth lawn, neu'n agos at gyflogaeth lawn, ledled Cymru, gyda mwy o swyddi nag erioed o'r blaen yn hanes y wlad? Beth am gyflawni sefydlogrwydd economaidd, sydd wedi arwain at Gymru fwy

interest rates and inflation, and more growth than was ever achieved under recent Conservative Governments?

Brynle also asked about home ownership. There is a problem regarding first-time home owners, and I wish to mention our policy in respect of that. Under this Labour Government, 1 million more people in Britain, including Wales, have become home owners. That is a record to be proud of, and we are proud of it. We have seen record spending in terms of providing more nurses, teachers and police officers, and stronger public services throughout Wales. In respect of affordable housing, we are coming forward with schemes to help first-time home buyers.

Helen Mary Jones seemed to be almost beside herself with frustration that the Labour Government is proposing to introduce primary powers for the Assembly. She described it, during what I think was a flight of rhetoric, as 'a grubby Bill'. This 'grubby Bill' will for the first time deliver onto Parliament's statute book the commitment to primary powers. This will make it much more difficult, under a future Conservative Government, for the Tories to resist any demands from the Assembly for primary powers and a widespread demand for such powers from Wales to protect it from Tory attacks like those that we suffered under previous Governments.

Carl Sargeant: Today, the directly elected Members have not given you the full picture. Helen Mary asked for evidence that people in Wales do not know that there is a clear difference between regional Members and directly elected Members. I have evidence in that people have used the words 'cherry-picking glory hunters' and 'I thought that he had lost, Carl'. He had lost to Sandy Mewies; they all lost. These regional Members come here and take total advantage of their position. Secretary of State, what I ask you—*[Interruption.]*

ffyniannus, gyda morgeisi, cyfraddau llog a chwyddiant is, a mwy o dwf nag a gyflawnwyd erioed o dan y Llywodraethau Ceidwadol diweddar?

Gofynnodd Brynle hefyd am berchentyaeth. Mae problem o ran rhai sydd am brynu eu cartref cyntaf, a hoffwn sôn am ein polisi sy'n ymwneud â hynny. O dan y Llywodraeth Lafur bresennol, mae 1 miliwn yn fwy o bobl ym Mhrydain, gan gynnwys Cymru, bellach yn berchen ar eu cartref. Mae hynny'n rhywbeth y gallwn ymfalchïo ynddo, ac yr ydym yn ymfalchïo ynddo. Yr ydym wedi gweld mwy o wariant nag erioed i ddarparu mwy o nyrsys, athrawon a heddlu, a gwasanaethau cyhoeddus cryfach ar hyd a lled Cymru. O ran tai fforddiadwy, yr ydym yn cyflwyno cynlluniau i helpu pobl sy'n prynu eu cartrefi cyntaf.

Yr oedd yn ymddangos bod rhwystredigaeth Helen Mary Jones bron â mynd yn drech na hi oherwydd bod y Llywodraeth Lafur yn cynnig cyflwyno pwerau sylfaenol i'r Cynulliad. Fe'i disgrifiodd, yn ystod yr hyn a oedd yn bwl o rethreg, fe dybiaf, fel 'Mesur anghynnes'. Bydd y 'Mesur anghynnes' hwn, am y tro cyntaf, yn cynnwys ymrwymiad i roi pwerau sylfaenol ar lyfr statud y Senedd. Bydd yn ei gwneud yn anos, o dan Lywodraeth Geidwadol yn y dyfodol, i'r Torïaid wrthsefyll unrhyw alwadau gan y Cynulliad am bwerau sylfaenol a galw cyffredinol o Gymru am bwerau o'r fath i'w hamddiffyn rhag ymosodiadau'r Torïaid fel y rhai y bu'n rhaid inni eu dioddef gan Lywodraethau blaenorol.

Carl Sargeant: Heddiw, nid yw'r Aelodau sydd wedi eu hethol yn uniongyrchol wedi rhoi'r darlun cyflawn i chi. Gofynnodd Helen Mary am dystiolaeth nad yw pobl yng Nghymru'n gwybod bod gwahaniaeth pendant rhwng Aelodau rhanbarthol ac Aelodau a etholwyd yn uniongyrchol. Mae gennyf dystiolaeth bod pobl wedi defnyddio'r geiriau 'pobl sydd am ddewis a dethol ac yn cymryd y clod' ac 'yr oeddwn yn meddwl ei fod wedi colli, Carl'. Yr oedd wedi colli i Sandy Mewies; yr oeddent i gyd wedi colli. Mae'r Aelodau rhanbarthol hyn yn dod yma ac yn manteisio i'r eithaf ar eu sefyllfa. Ysgrifennydd Gwladol, yr hyn yr wyf yn ei ofyn i chi—*[Torri ar draws.]*

The Presiding Officer: Order. The Secretary of State is taking an interesting intervention.

Carl Sargeant: I ask you, Secretary of State, when you look at the Standing Orders, to give these regional Members a role, give them a title or give them the boot.

Peter Hain: I will certainly take account of that interesting intervention.

Incidentally, Helen Mary, if this is such a grubby Bill, why has Lord Richard welcomed it?

Helen Mary Jones: Will you give way?

Peter Hain: No. I am not taking any more interventions as I do not have time.

I welcome the points that Gwenda Thomas made on the Equality Bill. You made some interesting points, Gwenda, and we will certainly bear those in mind in terms of its application in Wales.

Elin Jones asked about the application of the Welsh language in terms of its modernisation and additional powers, and asked whether we should have a new Welsh language Act. I take the view of Rhodri Williams, a former chair of the Welsh Language Board, who said that he thought that it was more important to work with people on a voluntary basis than to have new legislation to extend the provisions of the Welsh Language Act 1993. Elin asked whether we could make small changes to the Act through the use of Orders. I think that might be possible, depending on what those changes were. We will certainly look at that.

In conclusion, I believe that this White Paper will deliver a brilliant deal for Wales and the Assembly. The Queen's Speech is delivering additional provision across Wales, from provision to tackle violent crime through to new affordable childcare provision. I think that we should be proud of this Queen's Speech and this White Paper.

Y Llywydd: Trefn. Mae'r Ysgrifennydd Gwladol yn derbyn ymyriad diddorol.

Carl Sargeant: Yr wyf yn gofyn i chi, Ysgrifennydd Gwladol, pan fyddwch yn edrych ar y Rheolau Sefydlog, roi rôl i'r Aelodau rhanbarthol hyn, rhowch deitl iddynt neu mynnwch gael gwared arnynt.

Peter Hain: Byddaf yn sicr yn cadw'r ymyriad diddorol hwnnw mewn cof.

Gyda llaw, Helen Mary, os yw hwn yn Fesur mor anghynnes, pam mae'r Arglwydd Richard wedi ei groesawu?

Helen Mary Jones: A wnewch ildio?

Peter Hain: Na wnaif. Nid wyf am dderbyn rhagor o ymyriadau am nad oes gennyf amser.

Yr wyf yn croesawu'r pwyntiau a wnaethpwyd gan Gwenda Thomas ar y Mesur Cydraddoldeb. Gwnaethoch rai pwyntiau diddorol, Gwenda, a byddwn yn sicr o'u cadw mewn cof o ran y ffordd y caiff ei weithredu yng Nghymru.

Gofynnodd Elin Jones gwestiwn ynglŷn â defnydd o'r Gymraeg o ran ei moderneiddio a phwerau ychwanegol, a gofynnodd a ddylem gael Deddf iaith Gymraeg newydd. Yr wyf yn cyd-fynd â Rhodri Williams, cyn gadeirydd Bwrdd yr Iaith Gymraeg, a ddywedodd ei fod o'r farn ei bod yn bwysicach gweithio â phobl ar lefel wirfoddol na chael deddfwriaeth newydd i ymestyn darpariaethau Deddf Iaith Gymraeg 1993. Gofynnodd Elin a allem gyflwyno newid bychan i'r Ddeddf drwy ddefnyddio Gorchmynion. Yr wyf yn credu y gallai hynny fod yn bosibl, gan ddibynnu beth yn union fyddai'r newidiadau. Byddwn yn siŵr o edrych ar hynny.

I gloi, yr wyf yn credu y bydd y Papur Gwyn hwn yn arwain at fargen wych i Gymru a'r Cynulliad. Mae Araith y Frenhines yn rhoi darpariaeth ychwanegol ar draws Cymru, o'r ddarpariaeth i fynd i'r afael â throseddau treisgar i ddarpariaeth gofal plant fforddiadwy newydd. Yr wyf yn credu y dylem fod yn falch o Araith y Frenhines a'r

Papur Gwyn hwn.

The Business Minister (Jane Hutt): I thank the Secretary of State for Wales and everyone who has taken part in this historic debate. Understandably, it has focused on the White Paper and the opportunities that we have to extend legislative opportunities to enhance the Assembly's powers. It is quite clear that the Bill will confer even more extensive legislative powers on the Assembly. I think that we will coin your phrase 'further and faster', Leighton, in terms of how it takes us forward. We are taking forward the tools to do the job, as we have said. In terms of the publication of the report and the consultation on banning smoking in public spaces, it is quite clear, as Jeff, Jenny and others have said, that we now have an opportunity to determine policy in Wales that is based on the Assembly's decisions and those of the cross-party committee that has taken this forward. The Minister will be reporting shortly on that and responding to the significant debate that we had on this subject.

Y Trefnydd (Jane Hutt): Diolchaf i Ysgrifennydd Gwladol Cymru a phawb sydd wedi cymryd rhan yn y ddadl hanesyddol hon. Yn ddealladwy ddigon, mae wedi canolbwyntio ar y Papur Gwyn a'r cyfleoedd sydd gennym i ehangu cyfleoedd deddfwriaethol i gryfhau pwerau'r Cynulliad. Mae'n amlwg y bydd y Mesur yn rhoi pwerau deddfwriaethol ehangach fyth i'r Cynulliad. Yr wyf yn credu y defnyddiwn eich ymadrodd chi, Leighton, 'yn bellach ac yn gyflymach' i ddisgrifio sut y byddwn yn symud ymlaen. Yr ydym yn edrych ymlaen at gael yr arfau i wneud y gwaith, fel y dywedwyd eisoes. O ran cyhoeddi'r adroddiad a'r ymgynghoriad ar wahardd ysmygu mewn mannau cyhoeddus, mae'n amlwg, fel y dywedodd Jeff, Jenny ac eraill, fod gennym gyfle i lunio polisi yng Nghymru sy'n seiliedig ar benderfyniadau'r Cynulliad a rhai'r pwyllgor trawsbleidiol. Bydd y Gweinidog yn adrodd ar hynny cyn hir ac yn ymateb i'r ddadl bwysig a gawsom ar y mater hwn.

5.30 p.m.

Kirsty, we have seen a significant increase in Wales-only legislation at Westminster. Members have raised several issues relating to Bills that we must seek to influence. We have spent most of our time today on the White Paper, which is important as it will lead to the Bill. It is important, as the Secretary of State said, that due consideration be given to the animal welfare legislation and the Equality Bill, on which I will focus in the Committee on Equality of Opportunity meeting next week as Minister with responsibility for equality, and on which I will work with my UK Government colleagues.

Kirsty, yr ydym wedi gweld cynnydd sylweddol yn y ddeddfwriaeth i Gymru-yn-unig yn San Steffan. Y mae Aelodau wedi codi sawl mater ynglŷn â Mesurau y mae'n rhaid i ni geisio dylanwadu arnynt. Yr rydym wedi treulio'r rhan fwyaf o'n hamser yma heddiw ar y Papur Gwyn, sy'n bwysig, gan y bydd yn arwain at y Mesur. Mae'n bwysig, fel y dywedodd yr Ysgrifennydd Gwladol, fod ystyriaeth ddyledus yn cael ei rhoi i'r ddeddfwriaeth lles anifeiliaid ac i'r Mesur Cydraddoldeb y byddaf yn canolbwyntio arno yn y Pwyllgor Cyfle Cyfartal yr wythnos nesaf, fel y Gweinidog â chyfrifoldeb dros gydraddoldeb, a maes y byddaf yn gweithio arno gyda fy nghyd-aelodau yn Llywodraeth y DU.

On the Mental Health Bill, it was important—and this was raised by Rhodri Glyn and Jenny—that we had vigorous pre-legislative scrutiny. Influencing that will, once again, provide Wales with an opportunity to make an impact when the Bill is introduced.

Ynglŷn â'r Mesur Iechyd Meddwl, yr oedd yn bwysig—ac fe godwyd hyn gan Rhodri Glyn a Jenny—ein bod yn cael proses graffu gadarn cyn deddfwriaethu. Bydd dylanwadu ar hynny, unwaith yn rhagor, yn rhoi cyfle i Gymru wneud argraff pan gyflwynir y Mesur.

We have already discussed the older people's commissioner in our robust debate last week. The First Minister has commented on that. The important point for the people of Wales is that we will have an older people's commissioner, which will be the world's first, as was the children's commissioner. Let us be positive about these opportunities.

People outside the Assembly are talking about the new opportunities that they will have when this White Paper leads to legislation. Although opposition Members sniped at our manifesto commitment throughout much of this debate, that same manifesto gave Labour an historic third term. We give people the clarity that they seek on who they voted for, who won the election and who will deliver for them in the National Assembly for Wales. This gives us the tools to do the job. People out there are already discussing how they can influence the Assembly to ensure that we move on and deliver the next stage of historic devolution for Wales.

Yr ydym eisoes wedi trafod y comisiynydd pobl hŷn yn ein dadl fywiog yr wythnos diwethaf. Y mae'r Prif Weinidog wedi cyfeirio at hynny. Yr hyn sy'n bwysig i bobl Cymru yw'r ffaith y bydd gennym gomisiynydd pobl hŷn, y cyntaf yn y byd, fel yr oedd y comisiynydd plant. Gadewch i ni fod yn gadarnhaol am y cyfleoedd hyn.

Mae pobl y tu allan i'r Cynulliad yn sôn am y cyfleoedd newydd a ddaw i'w rhan pan fydd y Papur Gwyn hwn yn arwain at ddeddfwriaeth. Er i Aelodau'r wrthblaid wfftio'r ymrwymiad yn ein maniffesto drwy'r rhan fwyaf o'r ddadl hon, yr union faniffesto hwnnw a roddodd drydydd tymor hanesyddol i'r blaid Lafur. Yr ydym yn rhoi i bobl yr eglurder y maent yn ei ddymuno ynglŷn â phwy y gwnaethant bleidleisio drostynt, pwy a enillodd yr etholiad a phwy a wnaiff gyflawni ar eu rhan yng Nghynulliad Cenedlaethol Cymru. Mae hyn yn rhoi i ni yr arfau sydd eu hangen i wneud y gwaith. Y mae pobl ar lawr gwlad eisoes yn trafod sut y gallant ddylanwadu ar y Cynulliad i sicrhau ein bod yn symud ymlaen ac yn cyflawni cam nesaf datganoli hanesyddol i Gymru

*Gwelliant 1: O blaid 53, Ymatal 0, Yn erbyn 0.
Amendment 1: For 53, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Jocelyn
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark

James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

*Derbyniwyd y gwelliant.
 Amendment carried.*

*Gwelliant 2: O blaid 25, Ymatal 0, Yn erbyn 28.
 Amendment 2: For 25, Abstain 0, Against 28.*

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Cairns, Alun
 Davies, Glyn
 Davies, Jocelyn
 Francis, Lisa
 German, Michael
 Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lloyd, David
 Melding, David
 Morgan, Jonathan
 Randerson, Jenny
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 3: O blaid 24, Ymatal 0, Yn erbyn 27.
Amendment 3: For 24, Abstain 0, Against 27.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, Jocelyn
Francis, Lisa
German, Michael
Graham, William
Isherwood, Mark
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 4: O blaid 10, Ymatal 9, Yn erbyn 33.
Amendment 4: For 10, Abstain 9, Against 33.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Davies, Glyn
Francis, Lisa
Graham, William
Isherwood, Mark
Jones, Laura Anne
Melding, David
Morgan, Jonathan
Williams, Brynle

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
German, Michael
Gibbons, Brian
Gregory, Janice
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene

Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
 The following Members abstained:

Davies, Jocelyn
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn

Gwrthodwyd y gwelliant.
Amendment defeated.

Gwelliant 5: O blaid 25, Ymatal 0, Yn erbyn 28.
Amendment 5: For 25, Abstain 0, Against 28.

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Cairns, Alun
 Davies, Glyn
 Davies, Jocelyn
 Francis, Lisa
 German, Michael
 Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Lloyd, David
 Melding, David
 Morgan, Jonathan
 Randerson, Jenny
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 6: O blaid 23, Ymatal 0, Yn erbyn 28.
Amendment 6: For 23, Abstain 0, Against 28.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, Glyn
Davies, Jocelyn
Francis, Lisa
German, Michael
Graham, William
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 7: O blaid 19, Ymatal 2, Yn erbyn 30.
Amendment 7: For 19, Abstain 2, Against 30.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Glyn
Davies, Jocelyn
German, Michael
Isherwood, Mark
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Melding, David
Randerson, Jenny
Ryder, Janet
Thomas, Rhodri Glyn
Williams, Brynle

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn

Williams, Kirsty

Jones, Laura Anne
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Francis, Lisa
Graham, William

*Gwrthodwyd y gwelliant.
Amendment defeated.*

*Gwelliant 8: O blaid 52, Ymatal 0, Yn erbyn 0.
Amendment 8: For 52, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Jocelyn
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val

Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty

*Derbyniwyd y gwelliant.
 Amendment carried.*

*Gwelliant 9: O blaid 16, Ymatal 0, Yn erbyn 37.
 Amendment 9: For 16, Abstain 0, Against 37.*

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Bates, Mick
 Black, Peter
 Burnham, Eleanor
 Davies, Jocelyn
 German, Michael
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Randerson, Jenny
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Bourne, Nick
 Cairns, Alun
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Davies, Glyn
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Francis, Lisa
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Laura Anne
 Lewis, Huw
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Brynle

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 10: O blaid 15, Ymatal 9, Yn erbyn 26.
Amendment 10: For 15, Abstain 9, Against 26.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bates, Mick
Black, Peter
Burnham, Eleanor
Davies, Jocelyn
German, Michael
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Idris Jones, Denise
Jones, Ann
Jones, Carwyn
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Bourne, Nick
Cairns, Alun
Davies, Glyn
Francis, Lisa
Graham, William
Isherwood, Mark
Jones, Laura Anne
Melding, David
Williams, Brynle

*Gwrthodwyd y gwelliant.
Amendment defeated.*

Cynnig NDM2487 fel y'i diwygiwyd:
Motion NDM2487 as amended:

the National Assembly for Wales:

1. notes the content of the UK Government's legislative programme for the period May 2005 to October/November 2006;

2. welcomes the inclusion in the programme of three Wales-only Bills, with a fourth to be produced in draft for pre-legislative scrutiny;

Cynulliad Cenedlaethol Cymru:

1. yn nodi cynnwys rhaglen ddeddfwriaethol Llywodraeth y DU ar gyfer y cyfnod Mai 2005 i Hydref/Tachwedd 2006;

2. yn croesawu cynnwys tri Mesur ar gyfer Cymru'n unig yn y rhaglen, a phedwerydd Mesur yn cael ei gynhyrchu ar ffurf ddrafft ar gyfer craffu arno cyn deddfu;

3. notes that the following proposed Bills are of particular relevance to the Assembly's responsibilities:
3. yn nodi bod y Mesurau arfaethedig a ganlyn yn arbennig o berthnasol i gyfrifoldebau'r Cynulliad:
- (a) the Older People's Commissioner (Wales) Bill (Health and Social Services Committee);
- (a) y Mesur Comisiynydd Pobl Hŷn (Cymru) (y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);
- (b) the Transport (Wales) Bill (Economic Development and Transport Committee);
- (b) y Mesur Trafnidiaeth (Cymru) (y Pwyllgor Datblygu Economaidd a Thrafnidiaeth);
- (c) the Health Improvement and Protection Bill (Health and Social Services Committee);
- (c) y Mesur Gwella a Gwarchod Iechyd (y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);
- (d) the Mental Health Bill (Health and Social Services Committee);
- (d) y Mesur Iechyd Meddwl (y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);
- (e) the Children and Adoption Bill (Social Justice and Regeneration Committee and Health and Social Services Committee);
- (e) y Mesur Plant a Mabwysiadu (y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio a'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);
- (f) the Work and Families: Child Care Bill (Education and Lifelong Learning Committee);
- (f) y Mesur Gwaith a Theuluoedd: Gofal Plant (y Pwyllgor Addysg a Dysgu Gydol Oes);
- (g) the NHS Redress Bill (Health and Social Services Committee);
- (g) Mesur Iawndal y GIG (y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol);
- (h) the Equality Bill (Equality of Opportunity Committee);
- (h) y Mesur Cydraddoldeb (y Pwyllgor Cyfle Cyfartal);
- (i) the Charities Bill (Social Justice and Regeneration Committee);
- (i) y Mesur Elusennau (y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio);
- (j) the Education and Skills Bill (Education and Lifelong Learning Committee);
- (j) y Mesur Addysg a Sgiliau (y Pwyllgor Addysg a Dysgu Gydol Oes);
- (k) the Tourism Accommodation (Wales) Bill (Economic Development and Transport Committee);
- (k) y Mesur Llety Twristiaeth (Cymru) (y Pwyllgor Datblygu Economaidd a Thrafnidiaeth);
- (l) the Road Safety Bill (Economic Development and Transport Committee);
- (l) Mesur Diogelwch y Ffyrdd (y Pwyllgor Datblygu Economaidd a Thrafnidiaeth);
- (m) the Natural Environment and Rural Communities Bill (Environment Planning and Countryside Committee);
- (m) Mesur yr Amgylchedd Naturiol a Chymunedau Gwledig (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);
- (n) the Animal Welfare Bill (Environment Planning and Countryside Committee);
- (n) y Mesur Lles Anifeiliaid (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);

- | | |
|---|---|
| <p>(o) <i>the Common Land Bill (Environment Planning and Countryside Committee);</i></p> <p>(p) <i>the Marine Bill (Environment Planning and Countryside Committee);</i></p> <p>(q) <i>the National Lottery Bill (Culture, Welsh Language and Sport Committee);</i></p> <p>(r) <i>the Better Regulation Bill (Economic Development and Transport Bill); and</i></p> <p>4. <i>remits the above Bills to the relevant committees for such consideration as they consider appropriate, and requests each committee to report to the Assembly as soon as may be;</i></p> <p>5. <i>notes that it is the Welsh Assembly Government's intention, subsequent to the publication of the forthcoming White Paper, to bring forward proposals before the Assembly to establish an advisory committee under Standing Order No. 8.1 to co-ordinate the National Assembly for Wales's response to that White Paper within the deadline for comments;</i></p> <p>6. <i>calls on the First Minister to deliver an annual address that sets out a strategic programme for government in Wales.</i></p> | <p>(o) <i>y Mesur Tir Comin (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);</i></p> <p>(p) <i>y Mesur Morol (Pwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad);</i></p> <p>(q) <i>Mesur y Loteri Genedlaethol (y Pwyllgor Diwylliant, y Gymraeg a Chwaraeon);</i></p> <p>(r) <i>y Mesur Rheoleiddio Gwell (y Pwyllgor Datblygu Economaidd a Thrafnidiaeth); a</i></p> <p>4. <i>yn cynnwys y Mesurau uchod yng nghylchoedd gwaith y pwyllgorau perthnasol er mwyn iddynt eu hystyried fel sy'n briodol yn eu barn hwy, ac yn gofyn i bob pwyllgor gyflwyno adroddiad gerbron y Cynulliad cyn gynted ag sy'n bosibl;</i></p> <p>5. <i>yn nodi mai bwriad Llywodraeth Cynulliad Cymru, ar ôl cyhoeddi'r Papur Gwyn sydd ar fin cael ei gyhoeddi, yw cyflwyno cynigion gerbron y Cynulliad i sefydlu pwyllgor ymgynghorol o dan Reol Sefydlog Rhif 8.1 i gydlynu ymateb Cynulliad Cenedlaethol Cymru i'r Papur Gwyn hwnnw cyn pen y dyddiad cau ar gyfer cyflwyno sylwadau;</i></p> <p>6. <i>yn galw ar y Prif Weinidog i gyflwyno anerchiad blynyddol sy'n amlinellu rhaglen strategol ar gyfer llywodraeth yng Nghymru.</i></p> |
|---|---|

*Cynnig wedi'i ddiwygio: O blaid 33, Ymatal 9, Yn erbyn 10.
Amended motion: For 33, Abstain 9, Against 10.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Idris Jones, Denise
James, Irene
Jones, Ann

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Davies, Glyn
Francis, Lisa
Graham, William
Isherwood, Mark
Jones, Laura Anne
Melding, David
Morgan, Jonathan
Williams, Brynle

Jones, Carwyn
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
 The following Members abstained:

Davies, Jocelyn
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn

*Derbyniwyd y cynnig wedi'i ddiwygio.
 Amended motion carried.*

Atal Rheolau Sefydlog Suspension of Standing Orders

The Business Minister (Jane Hutt): I **Y Trefnydd (Jane Hutt):** Cynigiau fod
 propose that

the National Assembly for Wales in accordance with Standing Order No. 37.5: *Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 37.5:*

1. suspends Standing Order No. 6.13 to allow NNDM2491 to be considered in Plenary on Wednesday, 22 June; and *1. yn atal Rheol Sefydlog Rhif 6.13 er mwyn caniatáu i NNDM2491 gael ei ystyried yn y Cyfarfod Llawn ddydd Mercher, 22 Mehefin; a*

2. suspends Standing Order No. 6.14 to allow any amendments to NNDM2491, tabled before 11 a.m. on Wednesday, 22 June 2005, to be considered in Plenary on Wednesday, 22 June 2005. (NDM2492) *2. yn atal Rheol Sefydlog Rhif 6.14 er mwyn caniatáu i unrhyw ddiwygiadau i NNDM2491, a gyflwynir cyn 11 a.m. fore Mercher, 22 Mehefin 2005, gael eu hystyried yn y Cyfarfod Llawn ddydd Mercher, 22 Mehefin 2005. (NDM2492)*

*Cynnig (NDM2492): O blaid 52, Ymatal 0, Yn erbyn 0.
 Motion (NDM2492): For 52, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Andrews, Leighton
 Barrett, Lorraine
 Bates, Mick
 Black, Peter

Burnham, Eleanor
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Davies, Glyn
Davies, Jocelyn
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty

*Derbyniwyd y cynnig.
Motion carried.*

The Presiding Officer: That brings today's proceedings to a close. **Y Llywydd:** Daw hynny â chyfarfod heddiw i ben.

*Daeth y cyfarfod i ben am 5.39 p.m.
The meeting ended at 5.39 p.m.*

**Aelodau a'u Pleidiau
Members and their Parties**

Andrews, Leighton (Llafur – Labour)
Barrett, Lorraine (Llafur – Labour)
Bates, Mick (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)

Bourne, Nick (Ceidwadwyr Cymru – Welsh Conservatives)
 Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Butler, Rosemary (Llafur – Labour)
 Cairns, Alun (Ceidwadwyr Cymru – Welsh Conservatives)
 Chapman, Christine (Llafur – Labour)
 Cuthbert, Jeff (Llafur – Labour)
 Davidson, Jane (Llafur – Labour)
 Davies, Andrew (Llafur – Labour)
 Davies, David (Ceidwadwyr Cymru – Welsh Conservatives)
 Davies, Glyn (Ceidwadwyr Cymru – Welsh Conservatives)
 Davies, Janet (Plaid Cymru – The Party of Wales)
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)
 Dunwoody-Kneafsey, Tamsin (Llafur - Labour)
 Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)
 Essex, Sue (Llafur – Labour)
 Francis, Lisa (Ceidwadwyr Cymru – Welsh Conservatives)
 German, Michael (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Graham, William (Ceidwadwyr Cymru – Welsh Conservatives)
 Gregory, Janice (Llafur – Labour)
 Griffiths, John (Llafur – Labour)
 Gibbons, Brian (Llafur – Labour)
 Gwyther, Christine (Llafur – Labour)
 Hart, Edwina (Llafur – Labour)
 Hutt, Jane (Llafur – Labour)
 Idris Jones, Denise (Llafur – Labour)
 Isherwood, Mark (Ceidwadwyr Cymru – Welsh Conservatives)
 James, Irene (Llafur – Labour)
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)
 Jones, Ann (Llafur – Labour)
 Jones, Carwyn (Llafur – Labour)
 Jones, Elin (Plaid Cymru – The Party of Wales)
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)
 Jones, Laura Anne (Ceidwadwyr Cymru – Welsh Conservatives)
 Law, Peter (Annibynnol – Independent)
 Lewis, Huw (Llafur – Labour)
 Lloyd, David (Plaid Cymru – The Party of Wales)
 Lloyd, Val (Llafur – Labour)
 Marek, John (Cymru Ymlaen – Forward Wales)
 Melding, David (Ceidwadwyr Cymru – Welsh Conservatives)
 Mewies, Sandy (Llafur – Labour)
 Morgan, Jonathan (Ceidwadwyr Cymru – Welsh Conservatives)
 Morgan, Rhodri (Llafur – Labour)
 Neagle, Lynne (Llafur – Labour)
 Pugh, Alun (Llafur – Labour)
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Ryder, Janet (Plaid Cymru – The Party of Wales)
 Sargeant, Carl (Llafur – Labour)
 Sinclair, Karen (Llafur – Labour)
 Thomas, Catherine (Llafur – Labour)
 Thomas, Gwenda (Llafur – Labour)
 Thomas, Owen John (Plaid Cymru – The Party of Wales)
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)
 Williams, Brynle (Ceidwadwyr Cymru – Welsh Conservatives)
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Wood, Leanne (Plaid Cymru – The Party of Wales)