



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

**Y Pwyllgor Materion Cyfansoddiadol  
The Constitutional Affairs Committee**

**Dydd Mercher, 10 Tachwedd 2010  
Wednesday, 10 November 2010**

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

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

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Alun Davies	Llafur Labour
William Graham	Ceidwadwyr Cymreig Welsh Conservatives
David Lloyd	Plaid Cymru (yn dirprwyo ar ran Janet Ryder) The Party of Wales (substitute for Janet Ryder)
Rhodri Morgan	Llafur Labour

**Eraill yn bresennol**  
**Others in attendance**

Bethan Bateman	Prif-ddadansoddwr Polisi Trafnidiaeth, Llywodraeth Cynulliad Cymru Principal Transport Policy Analyst, Welsh Assembly Government
Lynsey Edwards	Cyfreithiwr, Llywodraeth Cynulliad Cymru Lawyer, Welsh Assembly Government
Ieuan Wyn Jones	Aelod Cynulliad, Plaid Cymru (y Dirprwy Brif Weinidog a'r Gweinidog dros yr Economi a Thrafnidiaeth) Assembly Member, The Party of Wales (the Deputy First Minister and Minister for the Economy and Transport)

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Stephen Davies	Cynghorydd Cyfreithiol Legal Adviser
Stephen George	Clerc Clerk
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Olga Lewis	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 9.30 a.m.*  
*The meeting began at 9.30 a.m.*

**Ethol Cadeirydd dros Dro**  
**Election of a Temporary Chair**

[1] **Mr George:** Good morning. I declare this meeting of the Constitutional Affairs Committee open. The committee Chair, Janet Ryder AM, has submitted apologies for today's meeting, and item 1 on the agenda is therefore the election of a temporary Chair. I invite nominations from committee members for a temporary Chair to be elected under Standing Order No. 10.19.

[2] **William Graham:** I nominate Dr Lloyd.

[3] **Mr George:** I see that there are no other nominations, and I declare that Dai Lloyd is elected and invite him to take the Chair.

*Penodwyd David Lloyd yn Gadeirydd dros dro.  
David Lloyd was appointed temporary Chair.*

9.31 a.m.

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

[4] **David Lloyd:** Diolchaf i'm cyd-Aelodau am eu hyder ynof fel Cadeirydd dros dro a chroesawaf Ieuan Wyn Jones, y Dirprwy Brif Weinidog, a'i swyddogion i'r pwyllgor. Yr ydym wedi cael ymddiheuriadau y bydd rhai pobl efallai yn hwyr i'r cyfarfod hwn, ac felly os byddant yn dod, byddant yma mewn pryd. Gyda hynny, croesawaf fy nghyd-Aelodau, swyddogion a'r cyhoedd sy'n llifo i mewn i'r oriel gyhoeddus fel yr ydym yn siarad. Os bydd argyfwng, bydd y tywyswyr yn ein harwain at yr allanfa agosaf. Gellir defnyddio'r clustffonau i glywed y cyfieithiad ar y pryd ac i addasu lefel y sain, ac os oes problem gall y tywyswyr ddangos i'r cyhoedd sut i'w defnyddio. Rhaid diffodd ffonau symudol yn llwyr. Mae cyfieithiad ar y pryd o'r Gymraeg i'r Saesneg ar sianel 1, ac i glywed y sain yn well, defnyddiwch sianel 0.

**David Lloyd:** I thank my fellow Members for their confidence in me as temporary Chair and I welcome Ieuan Wyn Jones, the Deputy First Minister, and his officials to the committee. We have received some apologies that some people may be late for the meeting, and therefore if they do turn up, they will be here on time. With that, I welcome my fellow Members, officials and the members of the public who are flooding into the public gallery as we speak. In the event of an emergency, the ushers will escort us to the nearest exit. The headsets may be used for simultaneous translation and to amplify the sound, and if there is a problem, the ushers can show members of the public how to use them. Mobile phones must be switched off completely. The translation from Welsh to English is on channel 1, and to amplify sound, use channel 0.

9.32 a.m.

**Offerynnau na fydd y Cynulliad yn cael ei Wahodd i Roi Sylw Arbennig iddynt o dan Reolau Sefydlog Rhifau 15.2 a 15.3, Offerynnau sy'n Agored i gael eu Dirymu yn Unol â Phenderfyniad gan y Cynulliad (y Weithdrefn Negyddol), ac Offerynnau Drafft sy'n Agored i gael eu Cymeradwyo yn Unol â Phenderfyniad gan y Cynulliad (y Weithdrefn Gadarnhaol)**

**Instruments in Respect of which the Assembly is Not Invited to Pay Special Attention under Standing Order Nos. 15.2 and 15.3, Instruments Subject to Annulment Pursuant to a Resolution of the Assembly (the Negative Procedure), and Draft Instruments Subject to Approval Pursuant to a Resolution of the Assembly (the Affirmative Procedure)**

[5] **David Lloyd:** Yr ydym yn edrych ar CA495, Rheoliadau Gwarchod Plant a Gofal Dydd (Cymru) 2010 a hefyd ar CA496, Rheoliadau Gwarchod Plant a Gofal Dydd (Arolygu a Gwybodaeth ar gyfer Awdurdodau Lleol) (Cymru) 2010. Mae'r adroddiadau ger eich bron. Gwyn, a hoffet ti ychwanegu rhywbeth am y ddau offeryn hyn?

**David Lloyd:** We are looking at CA495, the Child Minding and Day Care (Wales) Regulations 2010 and also CA496, the Child Minding and Day Care (Inspection and Information for Local Authorities) (Wales) 2010. The reports are before you. Gwyn, would you like to add anything on these two instruments?

[6] **Mr Griffiths:** Na hoffwn.

**Mr Griffiths:** No, thank you.

[7] **David Lloyd:** A oes unrhyw sylw, neu a yw pawb yn hapus i'w cymeradwyo? Gwelaf fod pawb yn hapus.

**David Lloyd:** Are there any comments, or is everyone content to approve them? I see that everyone is content.

[8] Yr ydym yn awr yn ystyried CA494, sef Gorchymyn Eithriadau Gwarchod Plant a Gofal Dydd (Cymru) 2010. Yr ydym wedi derbyn tystiolaeth ar ôl cyflwyno'r adroddiad hwn. Gwyn, a wyt ti eisiau dweud ychydig o eiriau?

We are now considering CA494, which is the Child Minding and Day Care Exceptions (Wales) Order 2010. We received evidence on this after the report was tabled. Gwyn, would you like to say a few words?

[9] **Mr Griffiths:** Fel y bydd y pwyllgor yn gwybod, mae'r tri offeryn hwn yn gysylltiedig, ac mae Gorchymyn cychwyn sydd hefyd yn gysylltiedig â hwy, ac maent i gyd yn ymwneud â dod â'r Mesur Plant a Theuluoedd (Cymru) 2010 i rym. Cynhaliodd y Llywodraeth ymgynghoriad am dri mis ac mae'r memorandwm esboniadol yn egluro'r pwyntiau a godwyd a'r ymatebion iddynt. Mae Cymdeithas Genedlaethol Gwarchod Plant Cymru wedi anfon neges at y pwyllgor yn crybwyll tri phwynt a godwyd ganddi fel rhan o'r ymgynghoriad. O ran dau o'r pwyntiau, mae'r Llywodraeth wedi esbonio yn y memorandwm esboniadol pam nad yw wedi mabwysiadu'r polisiau yr oedd y gymdeithas yn eu hargymhell.

**Mr Griffiths:** As the committee will know, these three instruments are linked, and there is also a commencement Order linked to them, and they are all concerned with bringing the Children and Families (Wales) Measure 2010 into force. The Government conducted a consultation for three months and the explanatory memorandum explains the points raised and the responses to them. National Childminding Association Cymru has sent a message to the committee raising three points that it highlighted during the consultation. In respect of two of the points, the Government has explained in the explanatory memorandum why it has not adopted the policies that the association recommended.

[10] Yn achos y trydydd, sef gwneud i ffwrdd â'r cyfyngiad oedran wyth mlwydd, nid yw hynny yn y memorandwm esboniadol gan nad oedd yn fwrriad gan y Llywodraeth newid y gyfundrefn bresennol. Felly, nid yw wedi ymgynghori ar bolisi nad oedd yn ei arddel. Mater polisi llwyr yw hyn. Mae'r memorandwm esboniadol yn egluro ymateb y Llywodraeth i'r pwyntiau hyn ac, yn sgîl hynny, yr wyf yn argymhell i'r pwyllgor nad yw hwn yn fater y mae angen gwneud adroddiad ar ei ragoriaethau. Nid oes pwynt technegol ynghylch yr offeryn hwn, ychwaith.

In the third case, which does away with the age limit of eight years old, that is not contained in the explanatory memorandum because it was not the Government's intention to change the existing regime. Therefore, it has not consulted on a policy that it is not pursuing. This is entirely a matter of policy. The explanatory memorandum explains the Government's response to these points and, in the light of that, I recommend to the committee that this is not an issue that needs a report on its merits. There are no technical points to raise about this instrument, either.

[11] **David Lloyd:** Mae Aelodau wedi clywed a darllen sylwadau Gwyn. A yw pawb yn gytûn?

**David Lloyd:** Members have heard and read Gwyn's comments. Are we all agreed?

[12] **Rhodri Morgan:** Ymddiheuriadau am fod ychydig funudau'n hwyr. A ydych ar y pwynt am wneud eithriadau i'r rheoliadau ynghylch gofal plant o dan ddwy awr?

**Rhodri Morgan:** Apologies for being a few minutes late. Are you on the point about making exceptions to the regulations about childcare lasting less than two hours?

[13] **David Lloyd:** Ydym. Mae hynny'n rhan ohono.

**David Lloyd:** Yes, we are. That is part of this.

[14] **Rhodri Morgan:** Ni fyddai pleidiau gwleidyddol yn gallu gweithredu drwy wahodd mamau sydd â phlant bach i gyfarfodydd. Erbyn hyn, mae'n rhan o'r darlun os ydych yn dymuno gwahodd mamau sydd â babanod i gyfarfodydd, rhaid trefnu gofal plant gweddol anffurfiol am lai na dwy awr. Mae'r trefniant hwnnw wedi dod yn hollol angenrheidiol a byddai'n amharu'n fawr ar allu pleidiau i wahodd menywod—a dynion hefyd, wrth gwrs—i gyfarfodydd pe baem yn newid hynny. Mae'n rhan o'r darlun erbyn hyn, a byddai'n drasiedi pe baem yn camu yn ôl drwy ffurfioli pethau'n ormodol, hyd yn oed os ydym yn sôn am gyfnod o lai na dwy awr.

**Rhodri Morgan:** Political parties would not be able to function by inviting mothers who have small children to their meetings. By now, it has become established practice that, if you wish to invite mothers who have infants to attend meetings, you will have to arrange fairly informal childcare for less than two hours. This arrangement has become absolutely necessary, and it would greatly impair the ability of parties to invite women—and men too, of course—to meetings if we changed that. It is part of the picture by now, and it would be a tragedy if we were to take a backward step by formalising things too much, even if it is for a period of less than two hours.

[15] **David Lloyd:** Diolch am hynny, Rhodri. Mae hynny'n ychwanegu at yr hyn yr oedd Gwyn yn ei ddweud, sef mai mater polisi yw hwn. Nid pwyllgor sy'n trafod pynciau polisi yw hwn, ond materion cyfreithiol. Felly, byddwn yn datgan y dylem gytuno ar adroddiad Gwyn, gydag atodiad ynghylch yr hyn y mae wedi dweud heddiw.

**David Lloyd:** Thank you for that, Rhodri. That adds to what Gwyn was saying, namely that this is a policy matter. This committee is not meant to discuss policy issues, but legal matters. Therefore, I propose that we agree Gwyn's report, with an annex about what he has said today.

[16] **Mr Griffiths:** Ni chredaf fod angen hynny. Mae cofnod o'r peth ar gael yn y Cofnod, ac mae hynny'n ddigon.

**Mr Griffiths:** I do not think that that is necessary. The Record of Proceedings will have a record of it, and that is enough.

[17] **David Lloyd:** A yw'r Aelodau'n hapus? Gwelaf eich bod.

**David Lloyd:** Are Members content? I see that you are.

9.37 a.m.

### **Ystyried y Mesur Arfaethedig ynghylch Diogelwch ar Gludiant i Ddysgwyr (Cymru)**

#### **Consideration of the Proposed Safety on Learner Transport (Wales) Measure**

[18] **David Lloyd:** Mae papurau gerbron y bydd yr Aelodau wedi'u darllen yn fanwl, ac yn eu plith y Mesur arfaethedig ei hun, y memorandwm esboniadol, adroddiad gan y cynghorydd cyfreithiol, llythyr gan Gadeirydd y pwyllgor hwn at Ieuan Wyn Jones, y Dirprwy Brif Weinidog a'r Gweinidog dros yr Economi a Thrafnidiaeth, a'i ymateb yntau. Yr ydym wedi gweld a darllen y papurau hynny.

**David Lloyd:** Members will have read in detail the papers before us, and among them is the proposed Measure itself, the explanatory memorandum, the legal adviser's report, a letter from the Chair of this committee to Ieuan Wyn Jones, Deputy First Minister and Minister for the Economy and Transport, as well as his response. We have seen and read those papers.

[19] Croeso ffurfiol felly i Ieuan Wyn Jones, yn ogystal â Bethan Bateman, prif ddadansoddwr polisi trafndiaeth, a Lynsey

We formally welcome, therefore, Ieuan Wyn Jones, as well as Bethan Bateman, principal transport policy analyst, and Lynsey

Edwards, cyfreithiwr. Croeso i'r tri ohonoch.

Edwards, a lawyer. Welcome to all three of you.

[20] Fel cefndir i atgoffa pawb—achos wrth inni heneiddio, mae'r cof yn dechrau pylu ac yn mynd yn fethedig—ar 16 Medi 2010, cyfeiriwyd y Mesur arfaethedig at Bwyllgor Deddfwriaeth Rhif 4 gan y Pwyllgor Busnes. Ar 20 Medi, cyflwynodd Ieuan Wyn Jones y Mesur Arfaethedig ynghylch Diogelwch ar Gludiant i Ddysgwyr (Cymru) a'r memorandwm esboniadol. Ar 21 Medi, gwnaeth ddatganiad deddfwriaethol yn y Cyfarfod Llawn. Y mis diwethaf, cytunodd Pwyllgor Deddfwriaeth Rhif 4 ar y modd y byddai'n craffu ar y Mesur arfaethedig yng Nghyfnod 1, ac ar y fframwaith ar gyfer y gwaith hwnnw. Yr oedd cyfnod ymgynghori chwe wythnos Pwyllgor Deddfwriaeth Rhif 4 rhwng 27 Medi a 5 Tachwedd. Ar 7 Hydref, cymerodd y pwyllgor hwnnw dystiolaeth gan Ieuan Wyn Jones, yr Aelod sy'n gyfrifol, a'r dyddiad cau iddo gyflwyno adroddiad ar y Mesur arfaethedig yw Rhagfyr 17.

As a bit of background to remind everyone—since, as we get older, the memory starts to fade and fail—on 16 September 2010, the proposed Measure was referred to Legislation Committee No. 4 by the Business Committee. On 20 September 2010, Ieuan Wyn Jones introduced the Proposed Safety on Learner Transport (Wales) Measure and the explanatory memorandum. On 21 September 2010, the Deputy First Minister made a legislative statement in Plenary. Last month, Legislation Committee No. 4 agreed its approach to its Stage 1 scrutiny of the proposed Measure, and its framework for that work. The six-week consultation period of Legislation Committee No. 4 was held between 27 September and 5 November. On 7 October 2010, that committee took evidence from the Member in charge, Ieuan Wyn Jones, and the deadline for it to lay a report on the proposed Measure is 17 December.

9.40 a.m.

[21] Mae rhestr o gwestiynau wedi'i pharatoi. A hoffech wneud unrhyw sylwadau agoriadol, Ieuan, neu a fyddai'n well gennyh symud yn syth at y cwestiynau?

A list of questions has been prepared. Would you like to make any opening remarks, Ieuan, or would you prefer to go straight to the questions?

[22] **Y Dirprwy Brif Weinidog a'r Gweinidog dros yr Economi a Thrafnidiaeth (Ieuan Wyn Jones):** Yr ydym yn hapus i symud yn syth at y cwestiynau.

**The Deputy First Minister and Minister for the Economy and Transport (Ieuan Wyn Jones):** We are happy to go straight to questions.

[23] **David Lloyd:** Yn ôl yr arfer, y Cadeirydd sy'n gofyn y cwestiwn cyntaf. Mae'r Mesur arfaethedig yn cynnwys ystod eang o bwerau i lunio rheoliadau. Clywodd Pwyllgor Deddfwriaeth Rhif 4, sy'n ystyried y Mesur arfaethedig, dystiolaeth gan SNAP Cymru ac Ymgyrch Stuart y dylid cynnwys rhagor o fanylion ar wyneb y Mesur arfaethedig. Yn eich barn chi, a fyddai'n briodol gwneud hynny?

**David Lloyd:** As is usual, the Chair will ask the first question. The proposed Measure contains a wide range of regulation-making powers. Legislation Committee No. 4, which is considering the proposed Measure, heard evidence from SNAP Cymru and Stuart's Campaign that more detail should be included on the face of the proposed Measure. In your opinion, would it be appropriate to do so?

[24] **Y Dirprwy Brif Weinidog:** Fel yr wyf wedi gwneud yn glir yn y sawl sesiwn graffu sydd wedi bod, mae gennyf gydymdeimlad â'r syniad y dylwn gynnwys cymaint â phosibl ar wyneb y Mesur

**The Deputy First Minister:** As I have made clear in the several scrutiny sessions that have been held, I have sympathy with the idea that we should include as much as possible on the face of the proposed Measure.

arfaethedig. Eto i gyd, rhaid inni dderbyn bod rhai pethau y byddai'n fwy priodol eu rhoi mewn rheoliadau, a gallwn egluro hynny yn nes ymlaen. Dwy enghraifft o bethau y gallwn eu rhoi mewn rheoliadau yw materion sy'n ymwneud â chamerau teledu cylch cyfng a hyfforddiant. Mae'n bosibl y byddai rheoliadau yn fwy priodol ar eu cyfer. Y cwestiwn sy'n codi wedyn yw pam nad yw'r pethau eraill yr ydym yn arfaethu eu gwneud drwy reoliadau ar wyneb y Mesur arfaethedig. Mae hynny oherwydd diffyg amser, mewn gwirionedd. Rhais addewid yn 2007 neu 2008 i'r Pwyllgor Menter a Dysgu, sef y pwyllgor craffu ar y pryd, y byddwn yn dymuno ychwanegu at y grymoedd yn y Mesur arfaethedig bryd hynny i ddynodi rhai pethau ynglŷn â bysiau. Er mwyn sicrhau hynny, cawsom y pwerau gan yr Adran Drafnidiaeth, ac yr ydym yn awr yn cyflwyno'r Mesur arfaethedig. Os ydym eisiau cwblhau'r broses erbyn etholiad y Cynulliad, yr unig ffordd o wneud hynny yw'r ffordd yr wyf wedi cyflwyno.

[25] Mae rhai pethau yr wyf yn ystyried y gellid eu rhoi ar wyneb y Mesur arfaethedig, os bydd amser yn caniatáu, a byddwn yn hapus i drafod hynny â'r pwyllgor.

[26] **David Lloyd:** Ar wahân i'r darpariaethau cychwyn a'r teitl byr, mae holl ddarpariaethau'r Mesur arfaethedig yn ddiwygiadau i'r prif Fesur. Pam y penderfynwyd diwygio'r prif Fesur yn hytrach na chyflwyno Mesur newydd yn ei le sy'n cynnwys yr holl ddarpariaethau?

[27] **Y Dirprwy Brif Weinidog:** Yr oeddem yn teimlo ei bod yn briodol cael popeth yn yr unlle, ac y byddai'n well cael un Mesur a oedd wedi'i ddiwygio. Gellid ystyried popeth, felly, mewn un lle. Yn ail, cytunais â'r Pwyllgor Menter a Dysgu, sef y pwyllgor craffu blaenorol, y byddwn yn cyflwyno gwelliannau i'r Mesur arfaethedig gwreiddiol yr oeddwn yn ei gyflwyno bryd hynny. Felly, mae'n briodol cyflwyno'r pwerau newydd y mae'r Llywodraeth wedi'u cael drwy'r Adran Drafnidiaeth fel gwelliannau i'r Mesur arfaethedig hwn. Dyna yr oeddwn wedi'i gynnig i'r pwyllgor.

[28] **Rhodri Morgan:** Ieuan, or Deputy First Minister, I want to ask you about your letter

However, we have to accept that it would be more appropriate for some things to be included in regulations, and we can explain that later. Two examples of things that could be put in regulations are matters relating to closed-circuit television cameras and training. It is possible that regulations would be more appropriate for them. The question that then arises is why the other things that we are proposing through regulations are not on the face of the proposed Measure. That is because of a lack of time, really. I made a commitment in 2007 or 2008 to the Enterprise and Learning Committee, which was the scrutiny committee at the time, that I would want to add to the powers in the proposed Measure as it was to specify some things in relation to buses. To do that, we obtained the powers from the Department for Transport, and we are now introducing the proposed Measure. If we want to complete the process by the Assembly election, the only way to do that is the way in which I have introduced it.

There are some things that I consider could be put on the face of the proposed Measure, time allowing, and I would be happy to discuss those with the committee.

**David Lloyd:** Apart from the commencement provisions and the short title, all the provisions in the proposed Measure are amendments to the principal Measure. Why was it decided to amend the principal Measure rather than to replace it with a new Measure that includes all the provisions?

**The Deputy First Minister:** We felt that it was appropriate for everything to be in one place, and that it would be better to just have one amended Measure, so that everything could be found in one place. Secondly, I agreed with the Enterprise and Learning Committee, which was the previous scrutiny committee, that I would introduce amendments to the original proposed Measure as introduced at that time. So, it is appropriate for the new powers that the Government has obtained from the Department for Transport to be introduced as amendments to this proposed Measure. That is what I had proposed to the committee.



to the Chair, normally Janet Ryder, in which you say that you are exploring the possibility of amending the proposed Measure to include the provisions relating to the fitting of seat belts on the face of it. Can you explain what progress has been made on that? I think that the legislation committee requested that that be done.

[29] **The Deputy First Minister:** The proposed Measure as it currently stands is an enabling one, by and large. I made it clear to the legislation committee and to others during a debate in the Siambr that my preference was for those things to be included on the face of the proposed Measure. One issue that I was asked to look at was seat belts, and I have asked my policy officials and legal team to look at whether that can be done. As the requirement to provide seat belts is a technical standard, it needs to be considered as such, and we would therefore need to notify the European Commission of that. There was an early discussion about whether it needed to be notified, but the advice that we have received since is that it should be. So, the state of play currently is that instructions have been given to legislative counsel to draft an amendment. However, before the amendment can be tabled, it needs to be notified to the European Commission and, to notify the European Commission, it needs to go through a UK department, which, in this case, is the Department for Business, Innovation and Skills. We understand that BIS's record on these areas is quite good, so it would notify quickly. The question is how long it will take the European Commission to respond.

[30] The timing is very tight indeed. The assurance that I can give the committee is that we are doing everything possible to see whether it can be achieved. If it can be achieved, and notification is successful, a period of consultation will be needed with the industry. Once that is over, we will be able to table the amendment.

[31] **Rhodri Morgan:** So, there are three levels of government involved. The European Commission has to approve it. The British Government does not so much have to approve it but propose it to the European Commission, because we cannot go directly to the European Commission, and then there is the proposed Measure itself as a Wales-only proposed Measure.

[32] **The Deputy First Minister:** That is right. The procedure is that you draft the amendment, which then goes to BIS to be notified to the European Commission, which then, presumably, would say 'yes'—and we cannot see any reason why it would say 'no'. The reality is that it is not a case of whether the UK Government agrees with the policy; it is just that, under the current protocols, it has to notify. As the member state, it is the appropriate body to notify.

[33] **Rhodri Morgan:** Would the same process, of having to go to the British Government to go to the European Commission, also apply to other safety aspects, such as the use of supervisors, bans on overtaking, or any other matter? I am thinking of the American yellow school buses, which cannot be overtaken by other cars, and so on.

[34] **The Deputy First Minister:** Only if they relate to the technical standards of vehicles. Outside that, I do not think that it would apply.

[35] **Rhodri Morgan:** That would clearly not be to do with vehicle standards. For example, a ban on overtaking, as in America—

[36] **The Deputy First Minister:** There is another difficult issue here, namely that, although we can specify, either in the proposed Measure or through regulation, that every contracted school bus service must provide seat belts, we cannot specify the kind of seat belt—

[37] **Rhodri Morgan:** That was to be my next question.

[38] **The Deputy First Minister:** Furthermore, the penalties for not wearing a seat belt are covered by UK legislation. So, the technical standard for the sort of seat belt provided is specified by UK legislation, as is the penalty for not wearing a seat belt.

[39] **Rhodri Morgan:** Yes, but what if the seat belt that you are specifying is already fitted and gets worn and already meets technical standards and therefore does not require a change? The same would apply to CCTV. That might already meet technical standards. Your letter to the Chair mentioned the requirement to comply with the technical standards directive, but not every provision will mean having to amend the technical standards directive. What impact does that have, whether you put it in the regulations or in the proposed Measure?

[40] **The Deputy First Minister:** That is a good point, actually. You have to go through a number of stages. The first is that you have to decide whether something is a technical standard that needs to be notified to the European Commission. The next is that, if this is a regulation that imposes a new duty, you have to go through the full consultation procedure with all the stakeholders who might be affected. Then, you will have to consider whether you have the time to do all that before you get to the point at which time runs out in this third Assembly. So, the decision that we made, at the request of Legislation Committee No. 4, was to look at the issue of seat belts, which we have done. We have not looked at whether other things should be included in the proposed Measure. The only thing that I would say is that, apart from the issue of seat belts, which I have decided that, if we have time, we would like to put in the proposed Measure, other things are probably more appropriately dealt with in regulations anyway.

9.50 a.m.

[41] **Rhodri Morgan:** I accept that. By the way, could I make clear what I said earlier about American school buses? You cannot overtake them when they are waiting at a bus stop, not when they are moving. In your evidence to the legislation committee, you mentioned the question of the timetable for introducing the legislation being a matter for the next Assembly Government. Has any consideration been given to including any detail in the proposed Measure giving an order of prioritisation for the introduction of regulations?

[42] **The Deputy First Minister:** We have set out what we believe should be the order of priorities, and we have to admit that there is a balance to be struck here between what is appropriate and the cost involved. We believe that what we should be looking at—I am talking about technical standards now—is, first of all, the issue of seat belts, and then the issue of CCTV, followed by double-decker buses. That is the sequence. There is no reason at all, it seems to me, why issues such as training and escorts could be taken at a different pace, but the reality is that we recognise that there is a cost attached to each of the issues, and we have to phase this in sensibly.

[43] **Rhodri Morgan:** You mentioned phasing out the use of older vehicles with dirty diesel engines, which are kept running during the entire time that they are parked in the school yard, with the children frequently being told to queue next to the diesel exhaust pipe. That sounds insane, to me; that is another thing that you could perhaps look at.

[44] **The Deputy First Minister:** It is true to say that, if you are talking about double-decker buses, for example, some fleets have been renewed. In Cardiff and Newport, in particular, you have good, modern double-decker buses that you might not want to ban. However, there are older double-decker buses that, apart from the issue of safety, involve environmental considerations.

[45] **Rhodri Morgan:** They cannot switch the engine off, because they would not be able

to switch it back on.

[46] **William Graham:** Turning to section 2, this allows for regulations to require the fitting of CCTV equipment to learner transport. Would that be compulsory for all dedicated learner transport?

[47] **The Deputy First Minister:** It depends on the type of vehicle. The issue is whether it would be necessary for taxis and minibuses; probably not. We are talking about buses, by and large. There is another issue, as well—we believe, for example, that the priority for primary school children should be escorts, so where you have an escort on a bus that is carrying primary school children, is it necessary to have CCTV as well? That sort of practical consideration would be a matter that would have to be considered in the regulation.

[48] **William Graham:** How about considerations of safeguards over the use of CCTV footage?

[49] **The Deputy First Minister:** Again, there is a balance between safety and civil liberties concerning what happens to the images and so on. Our view is that the body responsible for holding the data should be the bus operator, and the operator should be obliged to release that to a school or the local authority if there has been an issue there. The normal regulations for the retention of the images should be subject to UK legislation, I think. Lynsey, perhaps you had better clarify.

[50] **Ms Edwards:** The Data Protection Act 1998 already has safeguards in place for the use of data that are processed, and the law says that all data should be processed lawfully and fairly. Anything that we did within the proposed Measure would have to be within the constraints of the Data Protection Act anyway; that is a requirement of the Government of Wales Act 2006. That is another safeguard that does not need to be stated on the face of the proposed Measure—it is already in place in legislation.

[51] **William Graham:** Turning to safety risk assessments, this committee has heard mixed views on who should be responsible for undertaking safety risk assessments, and your officials have advised that this will be undertaken by bus operators. Could you explain why section 3 of the proposed Measure specifies that regulation may require a ‘relevant body’ to carry out the assessments, and why is that not more specific?

[52] **The Deputy First Minister:** There is a misunderstanding here about the intention; I will bring Bethan in shortly to clarify that. My understanding is that the body responsible for risk assessments should be the local authority, not the bus operator. That is not to say, of course, that bus operators and schools will not have a role to play in risk assessments, because the risk assessment will consider things that are more appropriate for the bus operator to look at, and sometimes the schools. One of the points that Rhodri Morgan raised earlier was about buses on the school yard. The school should be responsible for undertaking a risk assessment of appropriate turning spaces and where children are dropped off. There are issues around drop-off points and lighting, but the vehicles are the responsibility of the bus operator. It is a role for all three, but the prime responsibility rests with the local authority.

[53] Is there anything that you wish to add, Bethan? I am slightly concerned if there has been a misunderstanding that we need to clarify.

[54] **Ms Bateman:** We have brought copies of the risk assessment guidance, which was developed at the time as voluntary guidance. At that point, we did not have the competence to do this. The suggestion is to make that a voluntary code on a statutory basis. Then, the primary responsibilities, as the Deputy First Minister has said, would be local authority responsibilities. However, within that publication, we would set out what would be the

operators' responsibilities and the schools' responsibilities, with drop-off points and so on. However, as has been said, the intention is to make it the primary responsibility of the local authority.

[55] **William Graham:** Question 10 has been answered, Chair.

[56] **David Lloyd:** Symudwn ymlaen, David Lloyd: We will, therefore, move on to felly, at gwestiynau Alun Davies. Alun Davies's questions.

[57] **Alun Davies:** Wrth ddarllen adran 5 y memorandwm esboniadol, Ddirprwy Brif Weinidog, gwelaf eich bod yn trafod y pwerau sy'n ymwneud â chynnal asesiadau risg diogelwch. Gwelaf ei bod yn bosibl cynnig gwybodaeth ychwanegol drwy gyfarwyddyd statudol yn hytrach na thrwy reoliadau. Pa fath o wybodaeth ychwanegol yr ydych yn rhagweld ei chynnwys yn y cyfarwyddyd hwn, a pha drefniadau yr ydych yn eu rhagweld ar gyfer craffu ar y cyfarwyddyd statudol?

**Alun Davies:** In reading section 5 of the explanatory memorandum, Deputy First Minister, I see that you discuss powers in relation to conducting safety risk assessments. I see that it is possible to offer additional information through the provision of statutory guidance rather than through regulations. What kind of additional information do you anticipate will be included in this guidance, and what arrangements do you anticipate for the scrutiny of the statutory guidance?

[58] **Y Dirprwy Brif Weinidog:** Mae lefelau gwahanol o ran ble y mae'n briodol gwneud y peth hwn. Mae rhai pethau sy'n briodol eu cynnwys ar wyneb y Mesur arfaethedig, mae rhai pethau y credwn eu bod yn fwy priodol mewn rheoliadau, ac mae rhai pethau y credwn y dylent fod, fel yr awgrymwyd gennych, yn y gefnogaeth statudol ar gyfer asesiadau risg. Ein teimlad yw ei bod yn briodol bod asesiadau risg yn dod o dan y cynllun hwnnw. Ar hyn o bryd, nid ydynt yn orfodol gan nad oedd gennym y pwerau i'w gwneud, ond byddem yn disgwyl y byddai'r math o bethau sydd wedi'u cynnwys yn y ddogfen hon wedi'u cynnwys yn y canllawiau statudol hefyd. Teimlwn mai'r ffordd o wneud hynny yw ymgynghori â'r cyrff priodol ynglŷn â'r hyn y dylid ei gynnwys yn yr asesiad risg, a thrafod â hwy cyn ei wneud yn statudol.

**The Deputy First Minister:** There are different levels of where it is appropriate to do this. There are things that are appropriate to be put on the face of the proposed Measure, there are things that we believe are more appropriate to be included in regulations, and there are things that we believe will be most appropriate, as you have suggested, for the statutory guidance on risk assessment. Our feeling is that it is appropriate for risk assessment to come under that scheme. At present, they are not mandatory, because we did not have the powers to make them mandatory, but we would expect that the kinds of things contained in this document would be contained in the statutory guidance. We feel that the way to do so is to consult with the appropriate bodies on what should be included in the risk assessment, and discuss it with them before making it statutory.

[59] **Alun Davies:** Mae adran 4 hefyd yn cynnwys y pŵer i lunio rheoliadau i fynnu bod hyfforddiant diogelwch yn cael ei ddarparu. Pa hyfforddiant yr ydych yn ei ragweld? A oes unrhyw ffordd o gynnwys hyn ar wyneb y Mesur arfaethedig, er y gwn eich bod wedi trafod hyn mewn meysydd gwahanol?

**Alun Davies:** Section 4 also contains the power to make regulations to require that safety training is provided. What training do you anticipate? Could this in any way be included on the face of the proposed Measure, although I know that you have discussed this in various areas?

[60] **Y Dirprwy Brif Weinidog:** Ein teimlad ni yw, unwaith yr ydych wedi **The Deputy First Minister:** Our feeling is that, once you have introduced new

cyflwyno rheoliadau neu gyfrifoldebau newydd ar fysiau ysgol, fod goblygiadau hyfforddiant i yrwyr, yn benodol, ac i bobl sy'n cadw fflyd o fysiau, o ran yr hyn y mae angen iddynt ei wneud yn ychwanegol at y gwaith hyfforddiant a wnânt ar hyn o bryd. Mae proses hyfforddi i yrwyr bysiau beth bynnag. Ein bwriad ni, o dan y rheoliadau hyn, yw sicrhau bod modiwl penodol yn cael ei ychwanegu at y cwrs hyfforddi traddodiadol er mwyn i yrwyr fod yn ymwybodol o oblygiadau newydd y Mesur arfaethedig.

regulations or responsibilities on school buses, there are training implications for drivers, specifically, and for people who run fleets of buses, regarding what they need to do in addition to the training work that they are carrying out at present. A training process occurs for bus drivers already. Under these regulations, our intention is to ensure that a specific module is added to the traditional training course so that drivers are aware of the implications of the proposed Measure.

[61] Perhaps Lynsey might like to touch on why we feel that that would be appropriate for regulation rather than for inclusion on the face of the proposed Measure.

[62] **Ms Edwards:** This sort of detail is more appropriate for regulations for the simple reason that, if, over time, the training involves certain things being added or removed, if it was all placed on the face of the proposed Measure, we would need another Measure to amend the legislation. It is far simpler to amend regulations for this purpose.

10.00 a.m.

[63] **Y Dirprwy Brif Weinidog:** Mewn rhai achosion, mae'n debyg y byddai newidiadau yn digwydd yn amlach nag y byddai modd pe baech yn newid y Mesur. Fodd bynnag, mae pethau eraill yr awgrymwn y gallem eu cynnwys ar wyneb y Mesur arfaethedig os bydd gennym yr amser i wneud hynny.

**The Deputy First Minister:** In some cases, it is likely that changes would occur more often than could be done if you were to change the Measure. However, there are other things that we are suggesting that we could include on the face of the proposed Measure if we have time to do so.

[64] **Alun Davies:** Symudaf ymlaen at adran 7 y Mesur arfaethedig, sy'n caniatáu i chi benodi awdurdod gorfodi drwy reoliadau. Yr wyf yn cymryd nad oes penderfyniad wedi'i wneud ynghylch pwy fydd yr awdurdod gorfodi hwnnw ac, oherwydd hynny, nad oes modd disgrifio hyn ar wyneb y Mesur arfaethedig. A yw hynny'n wir?

**Alun Davies:** I will move on to section 7 of the proposed Measure, which allows you to appoint an enforcement authority by regulation. I assume that no decision has been made about the identity of the enforcement authority and that, therefore, you cannot describe this on the face of the proposed Measure. Is that the case?

[65] **Y Dirprwy Brif Weinidog:** Ydyw. Ochr yn ochr â'r Mesur arfaethedig hwn yn y Cynulliad, mae Mesur arall yn mynd drwy'r Senedd yn Llundain, a fydd yn cael gwared ar nifer o gyrff neu'n dod â hwy at ei gilydd. Felly, yr oedd yn anodd iawn inni benderfynu a fyddai'r math o gorff gorfodi y byddem eisiau cydweithio ag ef ar gael. Fodd bynnag, yr ydym yn gwybod erbyn hyn y bydd rhai cyrff, er enghraifft yr Asiantaeth Gwasanaethau Cerbydau a Gweithredwyr, yn debyg o barhau, hyd yn oed ar ôl y ddeddfwriaeth newydd yn San Steffan. Felly,

**The Deputy First Minister:** Yes. Of course, alongside this proposed Measure going through the Assembly, a Bill is going through Parliament in London that will abolish or merge a number of bodies. So, it was very difficult for us to determine whether the type of enforcement body that we would want to work with would be available. However, we now know that some bodies, such as the Vehicle and Operator Services Agency, will probably continue, even with the new legislation at Westminster. Therefore, we have a completely open mind about whether

mae gennym feddwl agored llwyr ynghylch a ddylem gael ein corff ein hunain neu a allwn gael cytundeb â chorff fel VOSA. Yn y pen draw, ni fyddwn yn gwneud hyn ar y sail ein bod am gael ein corff ein hunain, ond ar sail ariannol a'r ffordd mwyaf effeithiol o'i wneud. Os ydym yn teimlo y byddai cytundeb â VOSA yn ein galluogi i gyflawni'r hyn a nodir gennym o dan y Mesur arfaethedig, byddem yn hapus iawn i edrych ar hynny.

we should have our own body or whether we could establish a contract with a body such as VOSA. We will not do this on the basis of wanting our own body, but, ultimately, on financial grounds and the most effective way of doing it. If we feel that a contract with VOSA would enable us to achieve what we set out under the proposed Measure, we would be happy to look at that.

[66] **Alun Davies:** Yn olaf, mae adrannau 8 a 9 yn darparu pwerau mynediad a phwerau arolygu. A allwch esbonio i ni sut yr ydych yn rhagweld yr arolygwyr yn defnyddio'r pwerau ychwanegol hyn?

**Alun Davies:** Finally, sections 8 and 9 provide powers for entry and inspection. Can you explain to us how you envisage the inspectors using these additional powers?

[67] **Y Dirprwy Brif Weinidog:** Mae hwn yn fater technegol, felly yr wyf yn siŵr y gall Lynsey ateb y cwestiwn hwnnw.

**The Deputy First Minister:** This is a technical issue, so I am sure that Lynsey can answer that question.

[68] **Ms Edwards:** Section 8 allows inspectors of an enforcement authority to detain a vehicle or to enter premises that are owned or controlled by a relevant body; that is, a local authority or a governing body. Section 9 then allows an inspector to inspect a detained vehicle and to inspect documents in premises and take them away if necessary. In considering the powers of inspectors, we looked at other enforcement regimes that are currently in place. For example, the Health and Safety at Work Act 1974 inspectors have similar powers under that legislation and we felt that it was proportionate to set out the powers of the enforcement officers in this way. We have not included warrant provisions; going on similar enforcement regimes elsewhere where warrant provisions are not provided, we thought that this was the best way of dealing with the regime.

[69] **William Graham:** I have a short supplementary question. A number of firms that supply learner transport in rural areas are very small and could well be run from a private house. How do you get over that if you are not going to include the usual warrant provision?

[70] **The Deputy First Minister:** Presumably, the regulations would refer to the use of the buses. The power that we would intend to have under the legislation does not include the power to enter a private dwelling. If we do not have that, does it prevent us from carrying out a full inspection? Why would we need the power to go into the dwelling if the argument is whether or not the bus complies with the legislation?

[71] **William Graham:** For documentation.

[72] **The Deputy First Minister:** The documentation would be an issue, yes.

[73] **William Graham:** That is the point, surely. Very often, it would be kept in the front room of a small business.

[74] **Ms Edwards:** There are issues in relation to giving officers the power to enter private dwellings relating to the European convention on human rights.

[75] **William Graham:** I assure you that this committee is fairly familiar with these provisions.

[76] **Rhodri Morgan:** We discuss little else. [*Laughter.*]

[77] **William Graham:** Indeed.

[78] **Ms Edwards:** That is why it was thought not to be appropriate.

[79] **The Deputy First Minister:** We have considered how far the powers of inspection and entry should go and we have decided that we will stop short of going into private dwellings, I suppose, and that everything else would be included.

[80] **David Lloyd:** Symudwn ymlaen at y tri chwestiwn olaf. Hoffwn drafod atebolrwydd swyddogion a phartneriaid o dan y Mesur arfaethedig. Mae adran 11 yn galluogi Gweinidogion Cymru i lunio rheoliadau ynghylch atebolrwydd swyddogion corff corfforaethol a phartneriaid mewn partneriaeth fusnes. Ni chaiff swyddogion corff corfforaethol eu diffinio yn y Mesur arfaethedig. Pwy yr ydych yn rhagweld a fydd yn cyflawni'r rôl hon, ac oni ellir ymdrin â hynny ar wyneb y Mesur arfaethedig?

**David Lloyd:** We will move on to the three final questions. I would like to discuss the liability of officers and partners under the proposed Measure. Section 11 enables the Welsh Ministers to draft regulations regarding the liability of the officers of a body corporate and partners in a business partnership. The officers of a body corporate are not defined in the proposed Measure. Who do you envisage carrying out this role and can this not be dealt with on the face of the proposed Measure?

[81] **Y Dirprwy Brif Weinidog:** Na, yr ydym yn teimlo y dylwn wneud hwn drwy reoliadau. Cyn ein bod yn gallu cyflwyno hyn ar wyneb y Mesur arfaethedig, byddai'n rhaid inni ymgynghori â'r cyrff priodol. Fy nealltwriaeth i yw y byddai'r swyddogion priodol naill ai yn swyddogion awdurdod lleol neu'n swyddog ysgol sy'n cael ei ariannu'n uniongyrchol. Dyna'r ddau fath o bobl byddai'n cael eu hystyried yma fel swyddogion priodol.

**The Deputy First Minister:** No, we feel that we should do this through regulations. Before we can present this on the face of the proposed Measure, we would have to consult the relevant bodies. My understanding is that the appropriate officers would either be local authority officers or directly funded school officers. Those are the two types of people that would be considered here as appropriate officers.

[82] **David Lloyd:** Symudaf ymlaen i drafod materion ymgynghori. Clywodd Pwyllgor Deddfwriaeth Rhif 4 dystiolaeth gan Gymdeithas Genedlaethol y Prifathrawon ei bod o'r farn y dylai llywodraethwyr ysgol, fel pobl sydd â rôl allweddol i'w chwarae, gael eu cynnwys ar wyneb y Mesur arfaethedig ymysg y sawl y dylid ymgynghori â hwy, a dywedodd Cydffederasiwn Cludiant Teithwyr Cymru y dylai gweithredwyr bysiau gael eu cynnwys yn benodol hefyd, am fod ganddynt brofiad o ddydd i ddydd o'r hyn sy'n digwydd ar fysiau ysgol. Beth yw eich barn ynghylch cynnwys y grwpiau hyn ar wyneb y Mesur arfaethedig?

**David Lloyd:** I will move on to discuss consultation. Legislation Committee No. 4 heard evidence from the National Association of Head Teachers that it believes that, as key players, school governors should be included on the face of the proposed Measure among those who must be consulted, and the Confederation of Passenger Transport Wales said that bus operators should also be included explicitly as they have day-to-day experience of what happens on school buses. What are your views on including these groups on the face of the proposed Measure?

[83] **Y Dirprwy Brif Weinidog:** Yr **The Deputy First Minister:** We have

ydyd wedi cynnwys y term ‘a phobl eraill’, neu rywbeth tebyg, a allai gynnwys y bobl yr ydych wedi cyfeirio atynt, pe bai hynny’n briodol. Y bwriad yw y byddwn yn ymgynghori â’r rhanddeiliaid sy’n cael eu heffeithio gan y cynlluniau hyn: er enghraifft, perchnogion bysiau, awdurdodau lleol, plant ac undebau’r athrawon. Ni fyddwn yn gwrthwynebu bod hynny’n cynnwys prifathrawon, gan ei fod yn bosibl iddynt gael eu cynnwys yn y diffiniad eang yr ydyd wedi ei roi.

[84] **David Lloyd:** Mae’r cwestiwn olaf am y weithdrefn gadarnhaol. Mae’r memorandwm esboniadol yn nodi y bydd yr holl reoliadau dan y Mesur arfaethedig yn destun y weithdrefn gadarnhaol. Pam yr oeddech yn credu y byddai’n briodol defnyddio’r weithdrefn gadarnhaol yng nghyswllt yr holl bwerau sydd yn y Mesur arfaethedig?

[85] **Y Dirprwy Brif Weinidog:** Pe baem wedi cael yr amser, byddem wedi dymuno rhoi mwy ar wyneb y Mesur arfaethedig. Oherwydd cyfyngiadau amser, nid oedd yn bosibl inni wneud hynny. Felly, er mwyn cael y craffu gorau posibl, penderfynwyd ei wneud yn y ffordd gadarnhaol yn hytrach na fel arall.

[86] **David Lloyd:** Dyna ddiwedd y cwestiynau swyddogol. A oes gennych unrhyw sylwadau atodol i’w gwneud? Efallai nad ydyd wedi canolbwyntio yn ddigonol ar ryw bwynt, neu yr ydyd wedi osgoi rhywbeth yn gyfan gwbl, neu efallai yr ydych am wneud sylwadau pellach.

[87] **Y Dirprwy Brif Weinidog:** Yr unig beth yr hoffwn ei wneud yw diolch i’r pwyllgor am ei waith. Yr ydyd bellach wedi cael sesiynau craffu gyda thri phwyllgor ar y Mesur arfaethedig a chredaf fod y broses hon wedi bod o gryn gymorth inni wrth ystyried y Mesur arfaethedig a gweld pa newidiadau posibl y gallwn eu gwneud. Felly, yr wyf yn hynod ddiolchgar ichi a’r pwyllgorau eraill am eich gwaith.

[88] **David Lloyd:** Diolch yn fawr, Ddirprwy Brif Weinidog, a diolch hefyd i’ch swyddogion am eu cyfraniadau y bore yma.

included the term ‘and others’, or something similar, which could include those to whom you have referred, if that was thought to be appropriate. The intention is that we will consult with stakeholders that are affected by these plans: for example, bus owners, local authorities, children and teachers’ unions. We would not oppose that including headteachers, as it is possible for them to be included in the wide definition that we have given.

**David Lloyd:** The final question is on the affirmative procedure. The explanatory memorandum states that all regulations under the proposed Measure are subject to an affirmative resolution procedure. Why did you think that the use of the affirmative procedure would be appropriate in respect of all the powers in the proposed Measure?

**The Deputy First Minister:** Had we had the time, we would have wanted to put more on the face of the proposed Measure. Given the time constraints, we could not do that. Therefore, in order to have the best possible scrutiny, it was decided to do it through the affirmative route rather than another way.

**David Lloyd:** That brings us to the end of the official questions. Do you have any further comments to make? Perhaps we have not concentrated enough on a certain point, we might not have covered a certain area at all, or perhaps you wish to make some further comments.

**The Deputy First Minister:** The only thing that I would like to do is to thank the committee for its work. We have now had scrutiny sessions on the proposed Measure with three committees and I believe that this process has been of considerable help to us in our consideration of the proposed Measure and in identifying the changes that we could perhaps make. Therefore, I am very grateful to you and to the other committees for your work.

**David Lloyd:** Thank you very much, Deputy First Minister, and I also thank your officials for their contributions this morning. You will



Bydd trawsgrifiad drafft o'n trafodaethau y bore yma yn cael eu hanfon atoch gan y clerwr i'w cywiro os oes manylion nad ydynt, efallai, yn berffaith. Nid ydym yn disgwyl i chi wyrdroi cwrs hanes, dim ond cywiro mân wallau, os oes rhai. Nid wyf yn disgwyl unrhyw fân wallau ychwaith.

be sent a draft transcript of this morning's meeting by the clerk in order for you to correct any details that might not be perfect. We do not expect you to rewrite history, just to correct minor errors, if there are any. I do not expect any minor errors, either.

[89] **Rhodri Morgan:** Pwy a wŷyr? [Chwerthin.]

**Rhodri Morgan:** Who knows? [Laughter.]

[90] **David Lloyd:** Felly, bydd trawsgrifiad drafft ar y ffordd i chi. Diolch yn fawr i chi am eich presenoldeb.

**David Lloyd:** Therefore, a draft transcript will make its way to you. Thank you very much for your attendance.

10.10 a.m.

### **Papurau i'w Nodi Papers to Note**

[91] **David Lloyd:** Mae papur i'w nodi, sef ymateb y Llywydd i lythyr y Cadeirydd, dyddiedig 12 Hydref, sy'n ymwneud â'r adolygiad o Reolau Sefydlog. Byddwch wedi gweld llythyr y Llywydd, gan ei fod wedi'i ddosbarthu i Aelodau er gwybodaeth. A oes pwyntiau penodol ar hyn cyn inni nodi'r papur? Gwelaf nad oes. A yw pawb yn hapus? Gwelaf eich bod.

**David Lloyd:** There is a paper to note, which is the Presiding Officer's response to the Chair's letter, dated October 12, relating to the review of Standing Orders. You will have seen the Presiding Officer's letter, as it has been circulated to Members for your information. Are there specific points on this before we note the paper? I see that there are not. Is everyone happy? I see that you are.

### **Unrhyw Fusnes Arall Any Other Business**

[92] **David Lloyd:** A oes unrhyw fater arall? Gwelaf nad oes.

**David Lloyd:** Is there any other business? I see that there is not.

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

[93] **David Lloyd:** Bydd cyfarfod nesaf y pwyllgor hwn ar 17 Tachwedd. Ar wahân i'n busnes arferol, byddwn yn parhau i gasglu tystiolaeth ar gyfer ein hymchwiliad i ddrafftio Mesurau Llywodraeth Cymru, a'r gwersi a ddysgwyd o'r tair blynedd cyntaf. Bydd y pwyllgor yn casglu tystiolaeth gan Stonewall Cymru.

**David Lloyd:** The next meeting of this committee will be on 17 November. Apart from our normal business, we will continue to gather evidence for our inquiry into the drafting of Welsh Government Measures, and the lessons learned from the first three years. The committee will take evidence from Stonewall Cymru.

10.11 a.m.

### **Cynnig Trefniadol Procedural Motion**

[94] **David Lloyd:** Cynigir inni gyfarfod

**David Lloyd:** It is proposed that we meet in

yn breifat er mwyn ystyried y materion a private to discuss matters arising. I ask a  
godwyd. Gofynnaf i Aelod wneud y cynnig Member to move the appropriate motion.  
priodol.

[95] **William Graham:** I move that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).*

[96] **David Lloyd:** Gwelaf fod y pwyllgor **David Lloyd:** I see that the committee is in  
yn gytûn. agreement.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.11 a.m.  
The public part of the meeting ended at 10.11 a.m.*