

RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Etholiadau Cymru (Coronafeirws) Welsh Elections (Coronavirus) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag 'R' yn dynodi bod yr Aelod wedi datgan buddiant cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu 17 wrth gyflwyno'r gwelliant.

Amendments marked 'R' mean that the Member has declared either a registrable interest under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—
The Bill will be considered in the following order—
Sections 1 -14 Adrannau 1 - 14

Rhun ap Iorwerth **26**

Section 2, page 1, after line 12, insert—

'() Section 4 of the 2006 Act (power to vary date of ordinary general election) has effect for the 2021 election subject to the provisions of section [(*section to be inserted by amendment 29*)].'

Adran 2, tudalen 1, ar ôl llinell 12, mewnosoder—

'() Mae adran 4 o Ddeddf 2006 (pŵer i amrywio dyddiad yr etholiad cyffredinol arferol) yn cael effaith ar gyfer etholiad 2021 yn ddarostyngedig i ddarpariaethau adran [(*yr adran sy'n cael ei mewnosod gan welliant 29*)].'

Mark Isherwood **10**

Section 2, page 1, after line 14, insert—

'() Section 4 of the 2006 Act (power to vary date of ordinary general election) has effect subject to the provisions of section 6[(*first subsection to be inserted by amendment 18*)].'



Adran 2, tudalen 1, ar ôl llinell 14, mewnosoder –

- (1) Mae adran 4 o Ddeddf 2006 (pŵer i amrywio dyddiad yr etholiad cyffredinol arferol) yn cael effaith yn ddarostyngedig i ddarpariaethau adran 6[(*yr is-adran gyntaf sy'n cael ei mewnosod gan welliant 18*)].

Mark Isherwood

11

Page 1, after line 33, insert a new section –

[] Equality of opportunity for all people seeking election

- (1) During the pre-dissolution period, Members of the Senedd, the First Minister, the Welsh Ministers and the Counsel General must carry out their duties and responsibilities with due regard to the principle that there must be equality of opportunity for all persons seeking election to Senedd Cymru.
- (2) In this section “pre-dissolution period” means the period beginning on 7 April 2021 and ending on the day immediately before the dissolution of Senedd Cymru in accordance with sections 3(1) or 3(2).

Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

[] Cyfle cyfartal i bob person sy'n ceisio cael ei ethol

- (1) Yn ystod y cyfnod cyn diddymu, rhaid i Aelodau o'r Senedd, y Prif Weinidog, Gweinidogion Cymru a'r Cwnsler Cyffredinol gyflawni eu dyletswyddau a'u cyfrifoldebau gan roi sylw dyladwy i'r egwyddor bod rhaid i bob person sy'n ceisio cael ei ethol i Senedd Cymru gael cyfle cyfartal.
- (2) Yn yr adran hon, ystyr “y cyfnod cyn diddymu” yw'r cyfnod sy'n dechrau ar 7 Ebrill 2021 ac sy'n dod i ben ar y diwrnod yn union cyn diddymu Senedd Cymru yn unol ag adrannau 3(1) neu 3(2).

Rhun ap Iorwerth

27

Page 1, after line 33, insert a new section –

[] Pre-dissolution period

- (1) The Senedd shall enter a pre-dissolution period prior to dissolution.
- (2) The pre-dissolution period commences at the beginning of the twenty second day before dissolution and ends immediately before dissolution.
- (3) For the purposes of this section “dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).

Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

[] Y cyfnod cyn diddymu

- (1) Rhaid i'r Senedd ddechrau cyfnod cyn diddymu cyn y diddymir y Senedd.



- (2) Mae'r cyfnod cyn diddymu yn cychwyn ar ddechrau'r ail ddiwrnod ar hugain cyn y diddymu ac yn dod i ben yn union cyn y diddymu.
- (3) At ddibenion yr adran hon, ystyr "diddymu" yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).'

Rhun ap Iorwerth

28

Page 1, after line 33, insert a new section –

[] Guidance for the pre-dissolution period

- (1) The First Minister must prepare and publish guidance which provides for restrictions on the business and activities that can be conducted by the Welsh Ministers during the pre-dissolution period.
- (2) The Senedd Commission must prepare and publish guidance regarding use during the pre-dissolution period of the property, staff and services provided to the Senedd in accordance with section 27(5) of the 2006 Act.
- (3) Guidance under subsections (1) and (2) must be published no later than the end of 14 days beginning with the day upon which this Act receives Royal Assent.
- (4) For the purpose of this section –

“pre-dissolution period” means the period commencing at the beginning of the twenty second day before dissolution and ending immediately before dissolution;

“dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).'

Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

[] Canllawiau ar gyfer y cyfnod cyn diddymu

- (1) Rhaid i'r Prif Weinidog lunio a chyhoeddi canllawiau sy'n darparu ar gyfer cyfyngiadau ar y busnes a'r gweithgareddau y caiff Gweinidogion Cymru eu cynnal yn ystod y cyfnod cyn diddymu.
- (2) Rhaid i Gomisiwn y Senedd lunio a chyhoeddi canllawiau ynghylch defnyddio eiddo, staff a gwasanaethau a ddarperir i'r Senedd yn ystod y cyfnod cyn diddymu yn unol ag adran 27(5) o Ddeddf 2006.
- (3) Rhaid cyhoeddi canllawiau o dan is-adrannau (1) a (2) heb fod yn hwyrach na diwedd y 14 o ddiwrnodau sy'n dechrau â'r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.
- (4) At ddiben yr adran hon –

ystyr “y cyfnod cyn diddymu” yw'r cyfnod sy'n cychwyn ar ddechrau'r ail ddiwrnod ar hugain cyn y diddymu ac sy'n dod i ben yn union cyn y diddymu;

ystyr “diddymu” yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).'



Rhun ap Iorwerth

29

Page 2, after line 3, insert a new section –

[] Llywydd's power to vary date of 2021 election

The Llywydd may not exercise her power under section 4(1) of the 2006 Act at any time after 28 April 2021.'

Tudalen 2, ar ôl llinell 3, mewnosoder adran newydd –

[] Pŵer y Llywydd i amrywio dyddiad etholiad 2021

Ni chaiff y Llywydd arfer ei phŵer o dan adran 4(1) o Ddeddf 2006 ar unrhyw adeg ar ôl 28 Ebrill 2021.'

Mark Isherwood

12

Section 5, page 2, line 6, leave out 'for a reason relating to coronavirus,' and insert –

'at the time of making the proposal –

- (a) Wales is subject to alert level 4 restrictions,
- (b) SAGE estimates that the reproduction (R) number of coronavirus for Wales is above 1.2,
- (c) Public Health Wales estimate that the rolling 7 day case rate of coronavirus per 100,000 people in Wales has increased in the two week period immediately beforehand, and'

Adran 5, tudalen 2, llinell 6, hepgorer 'os yw'r Prif Weinidog, am reswm sy'n ymwneud â'r coronafeirws,' a mewnosoder –

', ar adeg gwneud y cynnig –

- (a) os yw Cymru yn ddarostyngedig i gyfyngiadau lefel rhybudd 4,
- (b) os yw SAGE yn amcangyfrif bod rhif atgynhyrchu'r coronafeirws yng Nghymru yn uwch nag 1.2,
- (c) os yw Iechyd Cyhoeddus Cymru yn amcangyfrif bod y gyfradd 7 niwrnod treigl o achosion coronafeirws fesul 100,000 o bobl yng Nghymru wedi cynyddu yn y cyfnod o bythefnos yn union cyn hynny, ac os yw'r Prif Weinidog'.

Mark Isherwood

1A

As an amendment to Amendment 1, line 3, after 'Wales' insert –

- '(b) the Electoral Commission, and
- (c) such other persons as the First Minister considers appropriate.'

Fel gwelliant i Welliant 1, llinell 3, ar ôl 'Cymru' mewnosoder –

- '(b) y Comisiwn Etholiadol, ac
- (c) unrhyw bersonau eraill y mae'r Prif Weinidog yn eu hystyried yn briodol.'



Julie James

1

Section 5, page 2, after line 7, insert –

- '() But before making a proposal under subsection (1), the First Minister must consult the member of staff of the Welsh Government designated by the Welsh Ministers as the Chief Medical Officer for Wales.'

Adran 5, tudalen 2, ar ôl llinell 7, mewnosoder –

- '() Ond cyn gwneud cynnig o dan is-adran (1), rhaid i'r Prif Weinidog ymgynghori â'r aelod o staff yn Llywodraeth Cymru sydd wedi ei ddynodi gan Weinidogion Cymru yn Brif Swyddog Meddygol Cymru.'

Rhun ap Iorwerth

30

Section 5, page 2, after line 7, insert –

- '() The First Minister may not make a proposal under subsection (1) at any time after the beginning of the pre-dissolution period.'

Adran 5, tudalen 2, ar ôl llinell 7, mewnosoder –

- '() Ni chaiff y Prif Weinidog wneud cynnig o dan is-adran (1) ar unrhyw adeg ar ôl dechrau'r cyfnod cyn diddymu.'

Mark Isherwood

13

Section 5, page 2, line 17, leave out '5 November' and insert '9 September'.

Adran 5, tudalen 2, llinell 17, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood

15

Section 5, page 2, line 24, leave out subsection (6) and insert –

- '() Subject to subsection [(*second subsection to be inserted by this amendment*)], the powers in subsections (1) and (2) may be exercised more than once.
- () The powers in subsections (1) and (2) may not be exercised at any time after the beginning of the period of 11 days that ends immediately before the day of the poll for the 2021 election.
- () In calculating any period of days for the purposes of subsection [(*second subsection to be inserted by this amendment*)], the following days are to be disregarded –
- (a) Saturday and Sunday,
 - (b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
 - (c) any day appointed for public thanksgiving or mourning.'

Adran 5, tudalen 2, llinell 24, hepgorer is-adran (6) a mewnosoder –

- '() Yn ddarostyngedig i is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)], caniateir i'r pwerau yn is-adrannau (1) a (2) gael eu harfer fwy nag unwaith.



- () Ni chaniateir i'r pwerau yn is-adrannau (1) a (2) gael eu harfer ar unrhyw adeg ar ôl dechrau'r cyfnod o 11 o ddiwrnodau sy'n dod i ben yn union cyn diwrnod y pŵl ar gyfer etholiad 2021.
- () Wrth gyfrifo unrhyw gyfnod o ddiwrnodau at ddibenion is-adran [(yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn)], mae'r diwrnodau canlynol i'w diystyru—
 - (a) dydd Sadwrn a dydd Sul,
 - (b) unrhyw ddiwrnod sy'n wyl y banc yng Nghymru o dan Ddeddf Bancio a Thrafodion Ariannol 1971 (p. 80), ac
 - (c) unrhyw ddiwrnod a bennwyd ar gyfer diolchgarwch neu alar cyhoeddus.'

Rhun ap Iorwerth

31

Section 5, page 2, at the beginning of line 24, insert 'Subject to subsection [(subsection to be inserted by amendment 30)]'.

Adran 5, tudalen 2, ar ddechrau llinell 24, mewnosoder 'Yn ddarostyngedig i is-adran [(yr is-adran sy'n cael ei mewnosod gan welliant 30)]'.

Mark Isherwood

14

Section 5, page 2, line 24, after 'may', insert 'not'.

Adran 5, tudalen 2, llinell 24, hepgorer 'Caniateir' a mewnosoder 'Ni chaniateir'.

Rhun ap Iorwerth

32

Section 5, page 2, after line 24, insert—

- '() If the First Minister has not exercised the power under subsection (1) before 7 April 2021, he must lay a statement before Senedd Cymru which sets out—
 - (a) the reasons for not exercising the power, and
 - (b) whether, in the First Minister's view, a full and fair election campaign can be conducted by all persons seeking election in the 2021 election which does not disadvantage any person eligible to vote in that election.'

Adran 5, tudalen 2, ar ôl llinell 24, mewnosoder—

- '() Os nad yw'r Prif Weinidog wedi arfer y pŵer o dan is-adran (1) cyn 7 Ebrill 2021, rhaid iddo osod datganiad gerbron Senedd Cymru sy'n nodi—
 - (a) y rhesymau dros beidio ag arfer y pŵer, a
 - (b) a ellir cynnal ymgyrch etholiadol lawn a theg, ym marn y Prif Weinidog, gan bob person sy'n ceisio cael ei ethol yn etholiad 2021 nad yw'n rhoi unrhyw berson sy'n gymwys i bleidleisio yn yr etholiad hwnnw dan anfantais.'



Mark Isherwood

16

Section 5, page 2, after line 26, insert –

(8) In this section –

“alert level 4 restrictions” means those restrictions and requirements contained in Schedule 4 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended;

“SAGE” means the Scientific Advisory Group for Emergencies.’.

Adran 5, tudalen 2, ar ôl llinell 26, mewnosoder –

(8) Yn yr adran hon –

ystyr “cyfyngiadau lefel rhybudd 4” yw’r cyfyngiadau a’r gofynion hynny sydd wedi eu cynnwys yn Atodlen 4 i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 fel y’u diwygiwyd;

ystyr “SAGE” yw’r Grŵp Cynghori Gwyddonol ar Argyfyngau.’.

Rhun ap Iorwerth

33

Section 5, page 2, after line 26, insert –

(8) For the purpose of this section –

“pre-dissolution period” means the period commencing at the beginning of the twenty second day before dissolution and ending immediately before dissolution;

“dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).’.

Adran 5, tudalen 2, ar ôl llinell 26, mewnosoder –

(8) At ddiben yr adran hon –

ystyr “y cyfnod cyn diddymu” yw’r cyfnod sy’n cychwyn ar ddechrau’r ail ddiwrnod ar hugain cyn y diddymu ac sy’n dod i ben yn union cyn y diddymu;

ystyr “diddymu” yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).’.

Julie James

2

Page 2, after line 26, insert a new section –

[] Power to provide for additional polling days

- (1) This section applies if the day for the holding of the poll of the 2021 election is fixed under section 5.
- (2) The Welsh Ministers may, by regulations made by statutory instrument, provide that polling that would otherwise be required to take place only on the date fixed under section 5 may take place on one or more additional days specified in the regulations.
- (3) Regulations under subsection (2) may –



- (a) specify a day only if it falls within the period of 7 days immediately preceding the day fixed for the holding of the poll;
 - (b) require polling on additional days to take place at particular locations or descriptions or categories of locations specified in the regulations;
 - (c) modify the meaning of a relevant reference so far as it relates to provision made in the regulations.
- (4) In subsection (3), a “relevant reference” means a reference (however expressed) in any enactment or document to the day or date of the poll at the 2021 election.
- (5) The Electoral Commission must provide advice in relation to the exercise of the power in subsection (2) if requested to do so by the Welsh Ministers.
- (6) When laying draft regulations under subsection (7) before Senedd Cymru, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of the reasons for the regulations.
- (7) A statutory instrument containing regulations under subsection (2) must be laid before Senedd Cymru and ceases to have effect on the expiry of 28 days beginning with the day it is made unless, before the expiry of that period, it is approved by resolution of Senedd Cymru.
- (8) But if—
 - (a) Senedd Cymru votes on a motion for a resolution to approve a statutory instrument laid under subsection (7) before the expiry of the period of 28 days mentioned in that subsection, and
 - (b) the motion is not passed,the instrument ceases to have effect at the end of the day on which the vote takes place.
- (9) In calculating any period of 28 days for the purposes of subsection (7), no account is to be taken of any period during which Senedd Cymru is—
 - (a) dissolved, or
 - (b) in recess for more than 4 days.
- (10) Subsections (7) and (8) do not—
 - (a) affect anything done in reliance on the regulations before they ceased to have effect, or
 - (b) prevent the making of new regulations.
- (11) Regulations under subsection (2) have no effect where the poll at the 2021 election and the poll at the ordinary election of police and crime commissioners for police areas in Wales are to be taken together under article 16A of the 2007 Order.
- (12) In subsection (10), “ordinary election of police and crime commissioners for police areas” has the meaning given in section 50 of the Police Reform and Social Responsibility Act 2011 (c. 13).’.



Tudalen 2, ar ôl llinell 26, mewnosoder adran newydd –

[] Pŵer i ddarparu ar gyfer diwrnodau pleidleisio ychwanegol

- (1) Mae'r adran hon yn gymwys os pennir y diwrnod ar gyfer cynnal pŵl etholiad 2021 o dan adran 5.
- (2) Caiff Gweinidogion Cymru, drwy reoliadau a wneir drwy offeryn statudol, ddarparu y caiff y pleidleisio na fyddai fel arall yn ofynnol iddo ddigwydd ond ar y dyddiad a bennir o dan adran 5 ddigwydd ar un neu ragor o ddiwrnodau ychwanegol a bennir yn y rheoliadau.
- (3) O ran rheoliadau o dan is-adran (2) –
 - (a) ni chânt bennu diwrnod ond os yw'n dod o fewn y cyfnod o 7 niwrnod yn union cyn y diwrnod a bennir ar gyfer cynnal y pŵl;
 - (b) cânt ei gwneud yn ofynnol i bleidleisio ar ddiwrnodau ychwanegol ddigwydd mewn lleoliadau penodol neu ddisgrifiadau neu gategoriâu o leoliadau a bennir yn y rheoliadau;
 - (c) cânt addasu ystyr cyfeiriad perthnasol i'r graddau y mae'n ymwneud â darpariaeth a wneir yn y rheoliadau.
- (4) Yn is-adran (3), ystyr "cyfeiriad perthnasol" yw cyfeiriad (sut bynnag y'i mynegir) mewn unrhyw ddeddfiad neu ddogfen at ddiwrnod neu ddyddiad y pŵl yn etholiad 2021.
- (5) Rhaid i'r Comisiwn Etholiadol ddarparu cyngor mewn perthynas ag arfer y pŵer yn is-adran (2) os gofynnir iddo wneud hynny gan Weinidogion Cymru.
- (6) Wrth osod rheoliadau drafft o dan is-adran (7) gerbron Senedd Cymru, rhaid i Weinidogion Cymru ar yr un pryd osod gerbron Senedd Cymru ddatganiad o'r rhesymau dros y rheoliadau.
- (7) Rhaid i offeryn statudol sy'n cynnwys rheoliadau o dan is-adran (2) gael ei osod gerbron Senedd Cymru ac mae'n peidio â chael effaith pan fo 28 o ddiwrnodau sy'n dechrau â'r diwrnod y'i gwneir yn dod i ben, oni bai bod Senedd Cymru yn ei gymeradwyo drwy benderfyniad cyn i'r cyfnod hwnnw ddod i ben.
- (8) Ond –
 - (a) os yw Senedd Cymru yn pleidleisio ar gynnig ar gyfer penderfyniad i gymeradwyo offeryn statudol a osodir o dan is-adran (7) cyn i'r cyfnod o 28 o ddiwrnodau a grybwyllir yn yr is-adran honno ddod i ben, a
 - (b) os na chaiff y cynnig ei basio,mae'r offeryn yn peidio â chael effaith ar ddiwedd diwrnod y mae'r bleidlais yn digwydd.
- (9) Wrth gyfrifo unrhyw gyfnod o 28 o ddiwrnodau at ddibenion is-adran (7), rhaid diystyru unrhyw gyfnod pan fo Senedd Cymru –
 - (a) wedi ei diddymu, neu
 - (b) ar doriad am fwy na 4 diwrnod.
- (10) Nid yw is-adrannau (7) ac (8) –



- (a) yn effeithio ar unrhyw beth a wneir drwy ddibynnu ar y rheoliadau cyn iddynt beidio â chael effaith, neu
 - (b) yn atal gwneud rheoliadau newydd.
- (11) Nid yw rheoliadau o dan is-adran (2) yn cael unrhyw effaith pan fo'r pŵl yn etholiad 2021 a'r pŵl yn etholiad arferol comisiynwyr heddlu a throseddu ar gyfer ardaloedd heddlu yng Nghymru i'w cynnal gyda'i gilydd o dan erthygl 16A o Orchymyn 2007.
- (12) Yn is-adran (10), mae i "etholiad arferol comisiynwyr heddlu a throseddu ar gyfer ardaloedd heddlu" yr ystyr a roddir i "ordinary election of police and crime commissioners for police areas" yn adran 50 o Ddeddf Diwygio'r Heddlu a Chyfrifoldeb Cymdeithasol 2011 (p. 13).'

Mark Isherwood

17

Section 6, page 2, line 32, leave out '5 November' and insert '9 September'.

Adran 6, tudalen 2, llinell 33, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood

18

Section 6, page 2, after line 33, insert—

- '() The power under either subsection (2) or section 4 of the 2006 Act may not be exercised at any time after the beginning of the period of 11 days that ends immediately before the day of the poll for the 2021 election.
- () In calculating any period of days for the purposes of subsection [(*first subsection to be inserted by this amendment*)], the following days are to be disregarded—
 - (a) Saturday and Sunday,
 - (b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
 - (c) any day appointed for public thanksgiving or mourning.'

Adran 6, tudalen 2, ar ôl llinell 34, mewnosoder—

- '() Ni chaniateir i'r pŵer o dan naill ai is-adran (2) neu adran 4 o Ddeddf 2006 gael ei arfer ar unrhyw adeg ar ôl dechrau'r cyfnod o 11 o ddiwrnodau sy'n dod i ben yn union cyn diwrnod y pŵl ar gyfer etholiad 2021.
- () Wrth gyfrifo unrhyw gyfnod o ddiwrnodau at ddibenion is-adran [(*yr is-adran gyntaf sy'n cael ei mewnosod gan y gwelliant hwn*)], mae'r diwrnodau canlynol i'w diystyru—
 - (a) dydd Sadwrn a dydd Sul,
 - (b) unrhyw ddiwrnod sy'n ŵyl y banc yng Nghymru o dan Ddeddf Bancio a Thrafodion Ariannol 1971 (p. 80), ac
 - (c) unrhyw ddiwrnod a bennwyd ar gyfer diolchgarwch neu alar cyhoeddus.'



Julie James

3

Section 6, page 2, after line 37, insert –

- (5) As soon as reasonably practicable after a proclamation is made under subsection (4), the Llywydd must publish a statement of –
- (a) the day on which the poll is to be held, and
 - (b) the reason for the exercise of the Llywydd's power under subsection (2).'

Adran 6, tudalen 2, ar ôl llinell 39, mewnosoder –

- (5) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i broclamasiwn gael ei wneud o dan is-adran (4), rhaid i'r Llywydd gyhoeddi datganiad –
- (a) o'r diwrnod y mae'r pól i'w gynnal, a
 - (b) o'r rheswm dros arfer pŵer y Llywydd o dan is-adran (2).'

Rhun ap Iorwerth

34

Page 2, after line 37, insert a new section –

[] Duty to provide guidance: conduct of campaigning

- (1) The Welsh Ministers must, as soon as reasonably practicable, publish guidance about what election campaigning activities are permitted for the 2021 election under each level of coronavirus restrictions.
- (2) In this section “level of coronavirus restrictions” means the restrictions and requirements contained in Schedule 4 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended.'

Tudalen 2, ar ôl llinell 39, mewnosoder adran newydd –

[] Dyletswydd i ddarparu canllawiau: ymddygiad wrth ymgyrchu

- (1) Rhaid i Weinidogion Cymru, cyn gynted ag y bo'n rhesymol ymarferol, gyhoeddi canllawiau ynghylch pa weithgareddau ymgyrchu etholiadol a ganiateir ar gyfer etholiad 2021 o dan holl lefelau'r cyfyngiadau coronafeirws.
- (2) Yn yr adran hon, ystyr “lefelau'r cyfyngiadau coronafeirws” yw'r cyfyngiadau a'r gofynion sydd wedi eu cynnwys yn Atodlen 4 i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 fel y'u diwygiwyd.'

Mark Isherwood

19

Section 7, page 3, line 9, after 'may', insert 'not'.

Adran 7, tudalen 3, llinell 9, hepgorer 'caniateir' a mewnosoder 'ni chaniateir'.



Mark Isherwood 20

Section 7, page 3, line 10, leave out '5 November' and insert '9 September'.

Adran 7, tudalen 3, llinell 10, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 21

Section 8, page 3, line 22, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 23, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 22

Section 8, page 3, line 26, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 27, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 23

Section 8, page 3, line 27, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 28, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 24

Section 8, page 3, line 28, after 'may', insert 'not'.

Adran 8, tudalen 3, llinell 29, hepgorer 'Caniateir' a mewnosoder 'Ni chaniateir'.

Julie James 4

Section 8, page 3, after line 34, insert—

- () Subsection [(*second subsection to be inserted by this amendment*)] applies to a statutory instrument containing regulations under subsection (1) that amend, modify or repeal provision contained in primary legislation.
- () A statutory instrument to which this subsection applies must be laid before Senedd Cymru and ceases to have effect on the expiry of 28 days beginning with the day it is made unless, before the expiry of that period, it is approved by resolution of Senedd Cymru.
- () But if—
 - (a) Senedd Cymru votes on a motion for a resolution to approve a statutory instrument laid under subsection [(*second subsection to be inserted by this amendment*)] before the expiry of the period of 28 days mentioned in that subsection, and
 - (b) the motion is not passed,



the instrument ceases to have effect at the end of the day on which the vote takes place.

- () In calculating any period of 28 days for the purposes of subsection [(*second subsection to be inserted by this amendment*)], no account is to be taken of any period during which Senedd Cymru is –
 - (a) dissolved, or
 - (b) in recess for more than 4 days.
- () Subsections [(*second subsection to be inserted by this amendment*)] and [(*third subsection to be inserted by this amendment*)] do not –
 - (a) affect anything done in reliance on the regulations before they ceased to have effect, or
 - (b) prevent the making of new regulations.’.

Adran 8, tudalen 3, ar ôl llinell 35, mewnosoder –

- ‘() Mae is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] yn gymwys i offeryn statudol sy'n cynnwys rheoliadau o dan is-adran (1) sy'n diwygio, yn addasu neu'n diddymu darpariaeth sydd wedi ei chynnwys mewn deddfwriaeth sylfaenol.
- () Rhaid i offeryn statudol y mae'r is-adran hon yn gymwys iddo gael ei osod gerbron Senedd Cymru ac mae'n peidio â chael effaith pan fo 28 o ddiwrnodau sy'n dechrau â'r diwrnod y'i gwneir yn dod i ben, oni bai bod Senedd Cymru yn ei gymeradwyo drwy benderfyniad cyn i'r cyfnod hwnnw ddod i ben.
- () Ond –
 - (a) os yw Senedd Cymru yn pleidleisio ar gynnig ar gyfer penderfyniad i gymeradwyo offeryn statudol a osodir o dan is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] cyn i'r cyfnod o 28 o ddiwrnodau a grybwyllir yn yr is-adran honno ddod i ben, a
 - (b) os na chaiff y cynnig ei basio,mae'r offeryn yn peidio â chael effaith ar ddiwedd y diwrnod y mae'r bleidlais yn digwydd.
- () Wrth gyfrifo unrhyw gyfnod o 28 o ddiwrnodau at ddibenion is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)], rhaid diystyru unrhyw gyfnod pan fo Senedd Cymru –
 - (a) wedi ei diddymu, neu
 - (b) ar doriad am fwy na 4 diwrnod.
- () Nid yw is-adrannau [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] a [(*y trydydd is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] –
 - (a) yn effeithio ar unrhyw beth a wneir drwy ddibynnu ar y rheoliadau cyn iddynt beidio â chael effaith, neu
 - (b) yn atal gwneud rheoliadau newydd.’.



Julie James

5

Section 8, page 3, line 35, after '(1)', insert 'to which subsection [(*second subsection to be inserted by amendment 4*)] does not apply'.

Adran 8, tudalen 3, llinell 36, ar ôl '(1)', mewnosoder 'ac nad yw is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan welliant 4*)] yn gymwys iddo'.

Julie James

6

Section 10, page 4, line 20, leave out—

'(3) after paragraph (aa) there were inserted—

“(ab) on grounds that—

- (i) the applicant's circumstances on the date of the poll will be or are likely to be such that the applicant could not reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the applicant under this Order as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and
- (ii) the applicant became aware of the grounds after 5 pm on the sixth day before the date of the poll at the election for which it is made;”

(b) in sub-paragraph (5) for “The” there were substituted “Subject to sub-paragraph (5AA), the”;

(c) after sub-paragraph (5) there were inserted—

“(5AA) Where—

- (a) an application under article 8(5)(a) by an elector to be removed from the record kept under article 8(3);
- (b) an application under article 12(10)(a) by a proxy to be removed from the record kept under article 12(6); and
- (c) a notice under article 11(9) by an elector of the cancellation of a proxy's appointment,

is made on the grounds set out in sub-paragraph (5AB) the application or notice shall be disregarded if it is received after 5 pm on the day of the poll at the election for which it is made.

(5AB) The grounds are that—

- (a) the application or notice is made as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and
- (b) the elector or proxy became aware of the grounds after 5 pm on



the eleventh day before the date of the poll at the election for which it is made.”

and insert –

‘(2), after “sub-paragraph (3)” there were inserted “and sub-paragraph (3A)”;

(b) after sub-paragraph (3) there were inserted –

“(3A) Where an application –

(a) to vote by proxy under article 9(1), or

(b) for the appointment of a proxy under article 11(6) or (7)

is made on the grounds set out in sub-paragraph (3AB) the application shall be disregarded if it is received after 5pm on the day of the poll at the election for which it is made.

(3AB) The grounds are that –

(a) the application is made as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and

(b) the applicant became aware of the grounds after 5pm on the sixth day before the date of the poll at the election for which it is made.”.

Adran 10, tudalen 4, llinell 20, hepgorer –

‘bai’r canlynol wedi ei fewnosod yn is-baragraff (3) ar ôl paragraff (aa) –

“(ab) on grounds that –

(i) the applicant’s circumstances on the date of the poll will be or are likely to be such that the applicant could not reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the applicant under this Order as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and

(ii) the applicant became aware of the grounds after 5 pm on the sixth day before the date of the poll at the election for which it is made;”

(b) fel pe bai “Subject to sub-paragraph (5AA), the” wedi ei roi yn lle “The” yn is-baragraff (5);

(c) fel pe bai’r canlynol wedi ei fewnosod ar ôl is-baragraff (5) –

“(5AA) Where –

(a) an application under article 8(5)(a) by an elector to be removed from the record kept under article 8(3);

(b) an application under article 12(10)(a) by a proxy to be removed from the record kept under article 12(6); and



(c) a notice under article 11(9) by an elector of the cancellation of a proxy's appointment,

is made on the grounds set out in sub-paragraph (5AB) the application or notice shall be disregarded if it is received after 5 pm on the day of the poll at the election for which it is made.

(5AB) The grounds are that—

- (a) the application or notice is made as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and
- (b) the elector or proxy became aware of the grounds after 5 pm on the eleventh day before the date of the poll at the election for which it is made."

a mewnosoder—

'bai "and sub-paragraph (3A)" yn is-baragraff (2) wedi ei fewnosod ar ôl "sub-paragraph (3)";

(b) fel pe bai'r canlynol wedi ei fewnosod ar ôl is-baragraff (3)—

"(3A) Where an application—

- (a) to vote by proxy under article 9(1), or
- (b) for the appointment of a proxy under article 11(6) or (7)

is made on the grounds set out in sub-paragraph (3AB) the application shall be disregarded if it is received after 5pm on the day of the poll at the election for which it is made.

(3AB) The grounds are that—

- (a) the application is made as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and
- (b) the applicant became aware of the grounds after 5pm on the sixth day before the date of the poll at the election for which it is made."

Rhun ap Iorwerth

35

Page 6, after line 10, insert a new section—

[] Review: preparations for the holding of the poll

- (1) The Welsh Ministers must carry out reviews of the preparations for the holding of the poll for the 2021 election.
- (2) The first review must take place by 19 February 2021.
- (3) Subsequent reviews must take place at least once in each subsequent period of 21 days up until the poll for the 2021 election is held.



- (4) As soon as reasonably practicable after a review, the Welsh Ministers must lay before Senedd Cymru a statement summarising the result of the review and stating whether any postponement of the 2021 election is reasonably anticipated.’.

Tudalen 6, ar ôl llinell 11, mewnosoder adran newydd –

[] Adolygiad: paratodau ar gyfer cynnal y pŵl

- (1) Rhaid i Weinidogion Cymru gynnal adolygiadau o’r paratodau ar gyfer cynnal y pŵl ar gyfer etholiad 2021.
- (2) Rhaid cynnal yr adolygiad cyntaf erbyn 19 Chwefror 2021.
- (3) Rhaid cynnal adolygiadau dilynol o leiaf unwaith ym mhob cyfnod dilynol o 21 diwrnod hyd at gynnal y pŵl ar gyfer etholiad 2021.
- (4) Cyn gynted ag y bo’n rhesymol ymarferol ar ôl adolygiad, rhaid i Weinidogion Cymru osod gerbron Senedd Cymru ddatganiad yn crynhoi canlyniad yr adolygiad a nodi a yw’n rhesymol rhagweld unrhyw oedi i etholiad 2021.’.

Julie James

7

Section 11, page 6, after line 20, insert –

“primary legislation” (“*deddfwriaeth sylfaenol*”) means –

- (a) a Measure passed under Part 3 of the Government of Wales Act 2006 (c. 32);
- (b) an Act passed under Part 4 of that Act;
- (c) an Act of the Parliament of the United Kingdom.’.

Adran 11, tudalen 6, ar ôl llinell 17, mewnosoder –

‘ystyr “*deddfwriaeth sylfaenol*” (“*primary legislation*”) yw –

- (a) Mesur a basiwyd o dan Ran 3 o Ddeddf Llywodraeth Cymru 2006 (p. 32);
- (b) Deddf a basiwyd o dan Ran 4 o’r Ddeddf honno;
- (c) Deddf gan Senedd y Deyrnas Unedig;’.

Julie James

8

Section 12, page 6, after line 33, insert –

- () Subsection [(*second subsection to be inserted by this amendment*)] applies to a statutory instrument containing regulations under subsection (1) that amend, modify or repeal provision contained in primary legislation.
- () A statutory instrument to which this subsection applies must be laid before Senedd Cymru and ceases to have effect on the expiry of 28 days beginning with the day it is made unless, before the expiry of that period, it is approved by resolution of Senedd Cymru.
- () But if –



- (a) Senedd Cymru votes on a motion for a resolution to approve a statutory instrument laid under subsection [(*second subsection to be inserted by this amendment*)] before the expiry of the period of 28 days mentioned in that subsection, and
 - (b) the motion is not passed,
- the instrument ceases to have effect at the end of the day on which the vote takes place.
- () In calculating any period of 28 days for the purposes of subsection [(*second subsection to be inserted by this amendment*)], no account is to be taken of any period during which Senedd Cymru is –
 - (a) dissolved, or
 - (b) in recess for more than 4 days.
 - () Subsections [(*second subsection to be inserted by this amendment*)] and [(*third subsection to be inserted by this amendment*)] do not –
 - (a) affect anything done in reliance on the regulations before they ceased to have effect, or
 - (b) prevent the making of new regulations.’.

Adran 12, tudalen 6, ar ôl llinell 37, mewnosoder –

- ‘() Mae is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] yn gymwys i offeryn statudol sy'n cynnwys rheoliadau o dan is-adran (1) sy'n diwygio, yn addasu neu'n diddymu darpariaeth sydd wedi ei chynnwys mewn deddfwriaeth sylfaenol.
- () Rhaid i offeryn statudol y mae'r is-adran hon yn gymwys iddo gael ei osod gerbron Senedd Cymru ac mae'n peidio â chael effaith pan fo 28 o ddiwrnodau sy'n dechrau â'r diwrnod y'i gwneir yn dod i ben, oni bai bod Senedd Cymru yn ei gymeradwyo drwy benderfyniad cyn i'r cyfnod hwnnw ddod i ben.
- () Ond –
 - (a) os yw Senedd Cymru yn pleidleisio ar gynnig ar gyfer penderfyniad i gymeradwyo offeryn statudol a osodir o dan is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] cyn i'r cyfnod o 28 o ddiwrnodau a grybwyllir yn yr is-adran honno ddod i ben, a
 - (b) os na chaiff y cynnig i basio,mae'r offeryn yn peidio â chael effaith ar ddiwedd y diwrnod y mae'r bleidlais yn digwydd.
- () Wrth gyfrifo unrhyw gyfnod o 28 o ddiwrnodau at ddibenion is-adran [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)], rhaid diystyru unrhyw gyfnod pan fo Senedd Cymru –
 - (a) wedi ei diddymu, neu
 - (b) ar doriad am fwy na 4 diwrnod.
- () Nid yw is-adrannau [(*yr ail is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] a [(*y trydydd is-adran sy'n cael ei mewnosod gan y gwelliant hwn*)] –
 - (a) yn effeithio ar unrhyw beth a wneir drwy ddibynnu ar y rheoliadau cyn iddynt beidio â chael effaith, neu



(b) yn atal gwneud rheoliadau newydd.’.

Julie James

9

Section 12, page 6, line 34, after ‘(1)’, insert ‘to which subsection [(*second subsection to be inserted by amendment 8*)] does not apply’.

Adran 12, tudalen 6, llinell 38, ar ôl ‘(1)’, mewnosoder ‘ac nad yw is-adran [(*yr ail is-adran sy’n cael ei mewnosod gan welliant 8*)] yn gymwys iddo’.

Mark Isherwood

25

Section 12, page 6, after line 35, insert—

- ‘(4) Regulations under subsection (1) must not make provision for polling at the 2021 election to take place on a day or days additional to the day of the poll.
- (5) In this section “the day of the poll” means 6 May 2021, or, where the Llywydd has exercised the power conferred by section 4(1) of the 2006 Act or section 5(2) or section 6(2) of this Act, the day fixed or proposed by the Llywydd under those sections for the holding of the poll for the 2021 election.’.

Adran 12, tudalen 6, ar ôl llinell 39, mewnosoder—

- ‘(4) Ni chaiff rheoliadau o dan is-adran (1) wneud darpariaeth i’r pleidleisio yn etholiad 2021 ddigwydd ar ddiwrnod neu ddiwrnodau sy’n ychwanegol at ddiwrnod y pôl.
- (5) Yn yr adran hon, ystyr “diwrnod y pôl” yw 6 Mai 2021, neu, pan fo’r Llywydd wedi arfer y pŵer a roddir gan adran 4(1) o Ddeddf 2006 neu adran 5(2) neu adran 6(2) o’r Ddeddf hon, y diwrnod a bennir neu a gynigir gan y Llywydd o dan yr adrannau hynny ar gyfer cynnal y pôl ar gyfer etholiad 2021.’.

