

RHESTR O WELLIANNAU WEDI’U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Etholiadau a Chyrff Etholedig (Cymru) Elections and Elected Bodies (Wales) 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 – 59	Adrannau 1 – 59
Schedule 1	Atodlen 1
Sections 60 – 73	Adrannau 60 – 73
Long title	Teitl hir

Adam Price

26

Section 1, page 1, line 22, after ‘referendums’, insert ‘, and advising the Welsh Ministers on issues relating to the democratic health of Wales’.

Adran 1, tudalen 1, llinell 22, ar ôl ‘Cymreig’, mewnosoder ‘, a chynghori Gweinidogion Cymru ar faterion sy’n ymwneud ag iechyd democrataidd Cymru’.

Adam Price

27

Section 1, page 1, after line 32, insert –

‘(4) The Commission must –

- (a) establish a Democratic Health Unit that can assist the Commission in complying with its functions under subsection (1);

- (b) produce and publish an annual report on democratic health in the context of Welsh elections, providing data on a range of matters, including but not limited to –
 - (i) turnout of the electorate,
 - (ii) integrity and fairness of elections,
 - (iii) public knowledge and understanding of elections by the electorate,
 - (iv) the proportion of the electorate who feel able to influence decisions affecting their local area,
 - (v) demographic equality and diversity of candidates standing and elected in elections, and
 - (vi) the extent of political harassment based on protected characteristics.’.

Adran 1, tudalen 1, ar ôl llinell 32, mewnosoder –

‘(4) Rhaid i’r Comisiwn –

- (a) sefydlu Uned Iechyd Democraidd sy’n gallu cynorthwyo’r Comisiwn i gydymffurfio â’i swyddogaethau o dan is-adran (1);
- (b) llunio a chyhoeddi adroddiad blynyddol ar iechyd democraidd yng nghyd-destun etholiadau Cymreig, gan ddarparu data ar ystod o faterion, gan gynnwys ond heb fod yn gyfyngedig i’r canlynol –
 - (i) canran yr etholwyr a bleidleisiodd,
 - (ii) uniondeb a thegwch etholiadau,
 - (iii) gwybodaeth y cyhoedd a dealltwriaeth yr etholwyr o etholiadau,
 - (iv) canran yr etholwyr sy’n teimlo eu bod yn gallu dylanwadu ar benderfyniadau sy’n effeithio ar eu hardal leol,
 - (v) cydraddoldeb ac amrywiaeth ddemograffig yr ymgeiswyr sy’n sefyll ac sy’n cael eu hethol mewn etholiadau, a
 - (vi) y graddau o aflonyddu gwleidyddol ar sail nodwedddion gwarchoddedig.’.

Peter Fox

7

Section 3, page 8, line 10, leave out ‘45’ and insert ‘60’.

Adran 3, tudalen 8, llinell 10, hepgorer ‘45’ a mewnosoder ‘60’.

Adam Price

28

Section 3, page 8, after line 36, insert –

‘(3) In section 9B of the 1983 Act (anonymous registration), after subsection (1A), insert –

“(1B) The requirement in subsection (1A)(b) to provide evidence in support of an application for anonymous registration does not apply to persons applying for registration in relation to local government elections in Wales and Welsh Parliament elections.”

(4) In section 9C(1) of the 1983 Act, after “Great Britain” insert “other than a register that applies to local government elections in Wales and Welsh Parliament elections”.

(5) In section 9C of the 1983 Act (removal of anonymous entry), after subsection (1), insert –

“(1ZA) If a person has an anonymous entry in a register for local government elections in Wales and Welsh Parliament Elections, the person’s entitlement to remain registered continues until such time the person gives notice to be removed.”.

Adran 3, tudalen 8, ar ôl llinell 36, mewnosoder –

‘(3) Yn adran 9B o Ddeddf 1983 (cofrestru dienw), ar ôl is-adran (1A), mewnosoder –

“(1B) The requirement in subsection (1A)(b) to provide evidence in support of an application for anonymous registration does not apply to persons applying for registration in relation to local government elections in Wales and Welsh Parliament elections.”

(4) Yn adran 9C(1) o Ddeddf 1983, ar ôl “Great Britain” mewnosoder “other than a register that applies to local government elections in Wales and Welsh Parliament elections”.

(5) Yn adran 9C o Ddeddf 1983 (dileu’r cofnod dienw), ar ôl is-adran (1), mewnosoder –

“(1ZA) If a person has an anonymous entry in a register for local government elections in Wales and Welsh Parliament Elections, the person’s entitlement to remain registered continues until such time the person gives notice to be removed.”.

Peter Fox

8

Page 10, after line 15, insert a new section –

[] Review of the operation of electoral registration without application

The Welsh Ministers must, no later than the end of the period of 12 months beginning immediately after the end of the Local Government Elections in Wales held in 2027, carry out a review and lay a report before the Senedd relating to the operation of electoral registration without application.’.

Tudalen 10, ar ôl llinell 16, mewnosoder adran newydd –

[] Adolygu gweithrediad cofrestru etholiadol heb gais

Rhaid i Weinidogion Cymru, heb fod yn hwyrach na diwedd y cyfnod o 12 mis sy’n dechrau yn union ar ôl diwedd yr Etholiadau Llywodraeth Leol yng Nghymru a gynhelir yn 2027, gynnal adolygiad a gosod adroddiad gerbron y Senedd sy’n ymwneud â gweithrediad cofrestru etholiadol heb gais.’.

Adam Price

29

Page 10, after line 15, insert a new section –

‘CHAPTER []

ENTITLEMENT TO BE REGISTERED AS A LOCAL GOVERNMENT ELECTOR IN WALES

[] Entitlement to be registered as a local government elector in Wales

- (1) Section 4 of the Representation of the People Act 1983 is amended as follows.
- (2) After subsection 3 insert –
 - “(3A) In relation to Wales, “resident in that area” for the purposes of subsection (3)(a) means that the person is ordinarily resident at an address in the area for at least 182 days of the year.
 - (3B) For the purposes of subsection (3A) a person is to be treated as ordinarily resident in that area if he would have been so resident but for the fact that he or his spouse or civil partner is or was temporarily resident outside that area for a particular reason.
 - (3C) A “particular reason” for the purposes of subsection (3B) means any reason in relation to –
 - (a) education,
 - (b) training,
 - (c) employment,
 - (d) healthcare, or
 - (e) public service.”

Tudalen 10, ar ôl llinell 16, mewnosoder adran newydd –

‘PENNOD []

**HAWLOGAETH I FOD YN GOFRESTREDIG FEL ETHOLWR LLYWODRAETH LEOL YNG
NGHYMRU**

[] Hawlogaeth i fod yn gofrestredig fel etholwr llywodraeth leol yng Nghymru

- (1) Mae adran 4 o Ddeddf Cynrychiolaeth y Bobl 1983 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl is-adran 3 mewnosoder –
 - “(3A) In relation to Wales, “resident in that area” for the purposes of subsection (3)(a) means that the person is ordinarily resident at an address in the area for at least 182 days of the year.
 - (3B) For the purposes of subsection (3A) a person is to be treated as ordinarily resident in that area if he would have been so resident but for the fact that he or his spouse or civil partner is or was temporarily resident outside that area for a particular reason.
 - (3C) A “particular reason” for the purposes of subsection (3B) means any reason in relation to –
 - (a) education,
 - (b) training,
 - (c) employment,
 - (d) healthcare, or

(e) public service.”.

Peter Fox

9

Section 5, page 11, after line 6, insert –

‘(f) frequency of electoral cycles.’.

Adran 5, tudalen 11, ar ôl llinell 7, mewnosoder –

‘(f) amllder cylchoedd etholiadol.’.

Peter Fox

10

Section 6, page 12, leave out lines 15 to 20.

Adran 6, tudalen 12, hepgorer llinellau 16 hyd at 21.

Peter Fox

11

Section 6, page 12, after line 23, insert –

‘(5) Before making any pilot regulations under section 5 which relate to electoral registration without application, the Welsh Ministers must undertake consultation with such stakeholders as they consider appropriate, but in particular, with those that they deem to represent vulnerable groups.’.

Adran 6, tudalen 12, ar ôl llinell 25, mewnosoder –

‘(5) Cyn gwneud unrhyw reoliadau peilot o dan adran 5 sy’n ymwneud â chofrestru etholiadol heb gais, rhaid i Weinidogion Cymru ymgynghori ag unrhyw randdeiliaid y maent yn ystyried eu bod yn briodol, ond yn benodol, â’r rheini y maent yn barnu eu bod yn cynrychioli grwpiau hyglwyf.’.

Peter Fox

12

Section 6, page 12, after line 23, insert –

‘(5) Pilot regulations, where appropriate, must ensure that they cover a geographical range of areas across Wales which includes both rural and urban areas.’.

Adran 6, tudalen 12, ar ôl llinell 25, mewnosoder –

‘(5) Rhaid i reoliadau peilot, pan fo’n briodol, sicrhau eu bod yn cwmpasu ystod ddaearyddol o ardaloedd ledled Cymru sy’n cynnwys ardaloedd gwledig a threfol.’.

Peter Fox

13

Section 18, page 18, after line 10, insert –

‘() Electoral reform regulations must not create, remove or modify any criminal offence.’.

Adran 18, tudalen 18, ar ôl llinell 12, mewnosoder –

‘() Ni chaiff rheoliadau diwygio etholiadol greu, dileu nac addasu unrhyw drosedd.’.

Peter Fox

14

Section 18, page 18, line 11, leave out subsection (6).
Adran 18, tudalen 18, llinell 13, hepgorer is-adran (6).

Peter Fox

15

Page 23, after line 14, insert a new section –

‘Assistance with voting for persons with disabilities

[] **Assistance with voting for persons with disabilities**

Section 36A (Rules for local elections in Wales) of the Representation of the People Act 1983 is amended as follows. After subsection (3) insert –

- “(4) Rules under subsection (1) must require that each polling station be equipped with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, persons who find it difficult or impossible to vote in the manner directed by the rules because of –
- (a) blindness or partial sight, or
 - (b) another disability.
- (5) The Electoral Commission must publish guidance in relation to the type of equipment that should be present in polling stations in order to comply with the duty imposed by paragraph (4).”

Tudalen 23, ar ôl llinell 14, mewnosoder adran newydd –

‘Cymorth gyda phleidleisio ar gyfer personau ag anableddau

[] **Cymorth gyda phleidleisio ar gyfer personau ag anableddau**

Mae adran 36A (rheolau ar gyfer etholiadau lleol yng Nghymru) o Ddeddf Cynrychiolaeth y Bobl 1983 wedi ei diwygio fel a ganlyn. Ar ôl is-adran (3) mewnosoder –

- “(4) Rules under subsection (1) must require that each polling station be equipped with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, persons who find it difficult or impossible to vote in the manner directed by the rules because of –
- (a) blindness or partial sight, or
 - (b) another disability.
- (5) The Electoral Commission must publish guidance in relation to the type of equipment that should be present in polling stations in order to comply with the duty imposed by paragraph (4).”

Adam Price

30

Page 23, after line 14, insert a new section –

[] Duty on returning officers to assist partially sighted voters

- (1) Returning officers must make arrangements for the provision of tactile and audio solutions at every polling station for the purposes of enabling blind or partially-sighted voters to vote without the need for further assistance from any other person.
- (2) In exercising their functions under this section a returning officer must have regard to any guidance issued by the Welsh Ministers.
- (3) In this section “returning officer” means a returning officer (however described) –
 - (a) appointed under section 35(1A) of the Representation of the People Act 1983,
 - (b) designated in accordance with an order made under section 13 of the Government of Wales Act 2006, or
 - (c) appointed under regulations made by virtue of section 44 or 45 of the Local Government Act 2000.’.

Tudalen 23, ar ôl llinell 14, mewnosoder adran newydd –

[] Dyletswydd ar swyddogion canlyniadau i gynorthwyo pleidleiswyr sy’n rhannol ddall

- (1) Rhaid i swyddogion canlyniadau wneud trefniadau ar gyfer darparu datrysiaidau cyffyrddadwy a chlywedol ym mhob gorsaf bleidleisio at ddibenion galluogi pleidleiswyr sy’n ddall neu’n rhannol ddall i bleidleisio heb yr angen am gymorth ychwanegol gan unrhyw berson arall.
- (2) Wrth arfer ei swyddogaethau o dan yr adran hon, rhaid i swyddog canlyniadau roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.
- (3) Yn yr adran hon, ystyr “swyddog canlyniadau” yw swyddog canlyniadau (sut bynnag y’i disgrifir) –
 - (a) a benodir o dan adran 35(1A) o Ddeddf Cynrychiolaeth y Bobl 1983,
 - (b) a ddynodir yn unol â gorchymyn a wneir o dan adran 13 o Ddeddf Llywodraeth Cymru 2006, neu
 - (c) a benodir o dan reoliadau a wneir yn rhinwedd adran 44 neu 45 o Ddeddf Llywodraeth Leol 2000.’.

Peter Fox

16

Section 25, page 23, after line 26, insert –

- (4) In subsection 3(a), the specified questions must include questions in relation to candidates’ experience of abuse and harassment.”;’.

Adran 25, tudalen 23, ar ôl llinell 27, mewnosoder –

- (4) Yn is-adran (3)(a), rhaid i’r cwestiynau penodedig gynnwys cwestiynau mewn perthynas â phrofiad ymgeiswyr o gam-drin ac aflonyddu.”;’.

Peter Fox

17

Page 24, line 6, leave out section 26.

Tudalen 24, llinell 6, hepgorer adran 26.

Peter Fox

18

Section 26, page 24, leave out lines 18 to 23.

Adran 26, tudalen 24, hepgorer llinellau 20 hyd at 25.

Adam Price

31

Section 26, page 24, line 20, after ‘parties’, insert ‘, and

- () information relating to polling stations, voting systems, background history of devolved elections in Wales (including the steps that led to the establishment of devolution) and issues related to the democratic health of Wales’.

Adran 26, tudalen 24, llinell 22, ar ôl ‘cofrestredig’, mewnosoder ‘, ac

- () gwybodaeth sy’n ymwneud â gorsafoedd pleidleisio, systemau pleidleisio, hanes cefndirol ynghylch etholiadau datganoledig yng Nghymru (gan gynnwys y camau a arweiniodd at sefydlu datganoli) a materion sy’n gysylltiedig ag iechyd democrataidd Cymru’.

Rhys ab Owen

1

Section 26, page 24, after line 20, insert –

- ‘() information about accessibility arrangements that are in place at polling stations;’.

Adran 26, tudalen 24, ar ôl llinell 22, mewnosoder –

- ‘() gwybodaeth am y trefniadau hygyrchedd sydd ar waith mewn gorsafoedd pleidleisio;’.

Adam Price

32

Section 26, page 24, after line 24, insert –

- ‘(e) for making users of the platform aware when election information has been wholly or partly created using artificial intelligence.’.

Adran 26, tudalen 24, ar ôl llinell 27, mewnosoder –

- ‘(e) i roi gwybod i ddefnyddwyr y plattform pan grëwyd gwybodaeth am etholiadau yn gyfan gwbl neu’n rhannol gan ddefnyddio deallusrwydd artifisial.’.

Adam Price

33

Section 26, page 24, after line 34, insert –

- ‘(c) all electronic material for a specified Welsh election which meets the conditions set out in section 41 and section 44 of the Elections Act 2022 to be –
 - (i) deposited on the platform by the promoter of the material or the person on behalf of which it is published, and

- (ii) published on the platform;
 - (d) any electronic material deposited on the platform that is produced using generative artificial intelligence must be subject to disclosure by the promoter of the material or the person on behalf of which it is published;
 - (e) any electronic material deposited on the platform that contains materially deceptive images, video or audio recording must be subject to disclosure by the promoter of the material or the person on behalf of which it is published;
 - (f) any material subject to the disclosure under this subsection must include a disclaimer stating that it has been created using generative artificial intelligence to be published on the information platform and in the electronic material in the same terms as set out for the information required under section 41(3) of the Elections Act 2022.
- () Failure to comply with the requirements set out in paragraphs (*[the first paragraph to be inserted by this amendment]*) to (*[the fourth paragraph to be inserted by this amendment]*) is an offence punishable by a fine on summary conviction.
 - () The following persons may be guilty of an offence under subsection (*[the first subsection to be inserted by this amendment]*) –
 - (a) the promoter of the material;
 - (b) any person on behalf of whom the material is published (and who is not the promoter).
 - () It is a defence for a person charged with an offence under subsection (*[the first subsection to be inserted by this amendment]*) to prove –
 - (a) that the contravention arose from circumstances beyond the person’s control, and
 - (b) that the person took all reasonable steps, and exercised all due diligence, to ensure that the contravention would not arise.
 - () If a person is convicted of an offence under subsection (*[the first subsection to be inserted by this amendment]*), the court by or before which the person is convicted of the offence may order a person by whom the electronic material is published to take the action specified in the order to remove the material, or to disable access to it, before the end of the period specified in the order.
 - () A person to whom an order under subsection (*[the fourth subsection to be inserted by this amendment]*) applies commits an offence if, without reasonable excuse, the person fails to comply with the order.
 - () A person guilty of an offence under subsection (*[the fifth subsection to be inserted by this amendment]*) is liable on summary conviction, to a fine.’.

Adran 26, tudalen 24, ar ôl llinell 37, mewnosoder –

- ‘(c) i bob deunydd electronig ar gyfer etholiad Cymreig penodedig sy’n bodloni’r amodau a nodir yn adran 41 ac adran 44 o Ddeddf Etholiadau 2022 –
 - (i) cael ei roi ar y platfform gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran, a
 - (ii) cael ei gyhoeddi ar y platfform;
- (d) i unrhyw ddeunydd electronig sy’n cael ei roi ar y platfform ac sy’n cael ei lunio gan ddefnyddio deallusrwydd artiffisial cynhyrchiol gael ei ddatgelu gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran;

- (e) i unrhyw ddeunydd electronig sy’n cael ei roi ar y plattform ac sy’n cynnwys delweddau, fideo neu recordiad sain sy’n dwyllodrus mewn modd perthnasol gael ei ddatgelu gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran;
 - (f) i unrhyw ddeunydd sy’n ddarostyngedig i’w ddatgelu o dan yr is-adran hon gynnwys ymwadiad sy’n datgan ei fod wedi ei greu gan ddefnyddio deallusrwydd artiffisial cynhyrchiol i gael ei gyhoeddi ar y plattform gwybodaeth ac yn y deunydd electronig ar yr un telerau ag a nodir ar gyfer yr wybodaeth sy’n ofynnol o dan adran 41(3) o Ddeddf Etholiadau 2022.
- () Mae methu â chydymffurfio â’r gofynion a nodir ym mharagraffau ([y paragraff cyntaf i’w fewnosod gan y gwelliant hwn]) i ([y pedwerydd paragraff i’w fewnosod gan y gwelliant hwn]) yn drosedd i’w chosbi drwy ddirwy ar euogfarn ddiannod.
 - () Gall y personau a ganlyn fod yn euog o drosedd o dan is-adran ([yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]) –
 - (a) hyrwyddwr y deunydd;
 - (b) unrhyw berson y cyhoeddir y deunydd ar ei ran (nid yr hyrwyddwr).
 - () Mae’n amddiffyniad i berson a gyhuddir o drosedd o dan is-adran ([yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]) brofi –
 - (a) bod y tramgwydd wedi codi o amgylchiadau y tu hwnt i reolaeth y person, a
 - (b) bod y person wedi cymryd pob cam rhesymol, ac wedi arfer pob diwydrwydd dyladwy, i sicrhau na fyddai’r tramgwydd yn codi.
 - () Os caiff person ei euogfarnu o drosedd o dan is-adran ([yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]), caiff y llys y mae’r person yn cael ei euogfarnu o’r drosedd ganddo neu ger ei fron orchymyn i berson sydd wedi cyhoeddi’r deunydd electronig gymryd y camau a bennir yn y gorchymyn i ddileu’r deunydd, neu i beidio â chaniatáu mynediad iddo, cyn diwedd y cyfnod a bennir yn y gorchymyn.
 - () Mae person y mae gorchymyn o dan is-adran ([y bedwaredd is-adran i’w mewnosod gan y gwelliant hwn]) yn gymwys iddo yn cyflawni trosedd os yw’r person, heb esgus rhesymol, yn methu â chydymffurfio â’r gorchymyn.
 - () Mae person sy’n euog o drosedd o dan is-adran ([y bumed is-adran i’w mewnosod gan y gwelliant hwn]) yn agored ar euogfarn ddiannod i ddirwy.’.

Adam Price

34

Section 26, page 25, after line 6, insert –

“artificial intelligence” (“deallusrwydd artiffisial”) means technology enabling the programming or training of a device or software to –

- (a) perceive environments through the use of data,
- (b) interpret data using automated processing designed to approximate cognitive abilities,
- (c) make recommendations, predictions or decisions; with a view to achieving a specific objective, and
- (d) make deep or large language models able to generate text and other content based on the data on which they were trained.’.

Adran 26, tudalen 25, ar ôl llinell 6, mewnosoder –

‘ystyr “deallusrwydd artiffisial” (“*artificial intelligence*”) yw technoleg sy’n galluogi rhaglennu neu hyfforddi dyfais neu feddalwedd i—

- (a) canfod amgylcheddau drwy ddefnyddio data,
- (b) dehongli data gan ddefnyddio dull awtomatig o brosesu a ddylunnir i efelychu galluoedd gwybyddol,
- (c) gwneud argymhellion, rhagfynegiadau neu benderfyniadau; gyda golwg ar gyflawni amcan penodol, a
- (d) sicrhau bod modelau iaith dwfn neu fawr yn gallu cynhyrchu testun a chynnwys arall yn seiliedig ar y data a ddefnyddiwyd i’w hyfforddi;’.

Adam Price

35

Section 28, page 26, after line 28, insert—

‘() Regulations under subsection (1) must make specific provision about expenses, including (but not limited to) costs incurred in relation to any provision of care and support provided by the candidate in order to allow them to participate in the election.’.

Adran 28, tudalen 26, ar ôl llinell 30, mewnosoder—

‘() Rhaid i reoliadau o dan is-adran (1) wneud darpariaeth benodol ynghylch treuliau, gan gynnwys costau yr eir iddynt mewn perthynas ag unrhyw ddarpariaeth o ofal a chymorth a ddarperir gan yr ymgeisydd er mwyn caniatáu iddo gymryd rhan yn yr etholiad (ond heb fod yn gyfyngedig i’r costau hynny).’.

Peter Fox

19

Section 28, page 26, after line 35, insert—

‘() Before making regulations under subsection (1) or (2) the Welsh Ministers must take steps to promote public awareness of any financial assistance schemes prior to any relevant election.’.

Adran 28, tudalen 26, ar ôl llinell 37, mewnosoder—

‘() Cyn gwneud rheoliadau o dan is-adran (1) neu (2), rhaid i Weinidogion Cymru gymryd camau i hybu ymwybyddiaeth y cyhoedd o unrhyw gynlluniau cymorth ariannol cyn unrhyw etholiad perthnasol.’.

Adam Price

36

Page 29, after line 23, insert a new section—

[] Duty to monitor harassment, abuse and intimidation of Elected Representatives and Candidates

- (1) The Democracy and Boundary Commission Cymru etc. Act 2013 (“the 2013 Act”) is amended as follows.
- (2) After Part 3 insert—

“PART 3A

**MONITORING HARRASSMENT, ABUSE AND INTIMIDATION OF
ELECTED REPRESENTATIVES AND CANDIDATES**

49A Duty to monitor harassment, abuse and intimidation of elected representatives and candidates

- (1) The Commission must establish a monitoring unit on harassment, abuse and intimidation of elected representatives and candidates.
- (2) Elected representatives and candidates include—
 - (a) Members of Senedd Cymru and candidates to Senedd Cymru elections,
 - (b) County Councillors and candidates for Local Authority elections, and
 - (c) Community Councillors and candidates for Community Council elections.
- (3) The Commission must collect and publish data annually on the extent of harassment, abuse and intimidation of elected representatives and candidates, disaggregated according to protected characteristics on an anonymised basis.
- (4) The Welsh Ministers may by regulations make further provision about the Commission’s duty to monitor harassment, abuse and intimidation of elected representatives and candidates for the purpose of this section.”.

Tudalen 29, ar ôl llinell 26, mewnosoder adran newydd –

[] Dyletswydd i fonitro aflonyddu ar Gynrychiolwyr Etholedig ac Ymgeiswyr, eu cam-drin a’u bygwth

- (1) Mae Deddf Comisiwn Democratiaeth a Ffiniau Cymru etc. 2013 (“Deddf 2013”) wedi ei diwygio fel a ganlyn.
- (2) Ar ôl Rhan 3 mewnosoder –

“RHAN 3A

**MONITRO AFLONYDDU AR GYNRYCHIOLWYR ETHOLEDIG AC
YMGEISWYR, EU CAM-DRIN A’U BYGWTH**

49A Dyletswydd i fonitro aflonyddu ar gynrychiolwyr etholedig ac ymgeiswyr, eu cam-drin a’u bygwth

- (1) Rhaid i’r Comisiwn sefydlu uned i fonitro aflonyddu ar gynrychiolwyr etholedig ac ymgeiswyr, eu cam-drin a’u bygwth.
- (2) Mae cynrychiolwyr etholedig ac ymgeiswyr yn cynnwys—
 - (a) Aelodau o Senedd Cymru ac ymgeiswyr yn etholiadau Senedd Cymru,
 - (b) Cynghorwyr Sir ac ymgeiswyr yn etholiadau Llywodraeth Leol, ac

- (c) Cynghorwyr Cymuned ac ymgeiswyr yn etholiadau Cynghorau Cymuned.
- (3) Rhaid i’r Comisiwn gasglu a chyhoeddi data yn flynyddol ar raddfa’r aflonyddu ar gynrychiolwyr etholedig ac ymgeiswyr, eu cam-drin a’u bygwth, wedi eu dadgyfuno yn ôl eu nodweddion gwarchoddedig ar sail ddiennw.
- (4) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth bellach ynghylch dyletswydd y Comisiwn i fonitro aflonyddu ar gynrychiolwyr etholedig ac ymgeiswyr, eu cam-drin a’u bygwth at ddiben yr adran hon.”.

Adam Price

37

Page 29, after line 23, insert a new section –

Welsh language requirement for returning officers

[] Welsh language requirement for returning officers

In the table in paragraph (1) of Schedule 6 to the Welsh Language Measure 2011, insert in the appropriate place –

“Returning officers appointed under section 35(1)(a) of the Representation of the People Act 1983	Record keeping standards Service delivery standards Policy making standards Operational standards”
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Tudalen 29, ar ôl llinell 26, mewnosoder adran newydd –

Gofyniad o ran y Gymraeg ar gyfer swyddogion canlyniadau

[] Gofyniad o ran y Gymraeg ar gyfer swyddogion canlyniadau

Yn y tabl ym mharagraff (1) o Atodlen 6 i Fesur y Gymraeg 2011, mewnosoder yn y lle priodol –

“Swyddogion canlyniadau a benodir o dan adran 35(1)(a) o Ddeddf Cynrychiolaeth y Bobl 1983	Safonau cadw cofnodion Safonau cyflenwi gwasanaethau Safonau llunio polisi Safonau gweithredu”
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Adam Price

38

Page 29, after line 23, insert a new section –

Welsh language requirement for returning officers

[] Authorisation to give compliance notice to returning officers in relation to Welsh language standards

- (1) The Welsh Language Standards (No. 1) Regulations 2015 (S.I. 2015/996) (“the 2015 Regulations”) are amended as follows.

- (2) In regulation 3(1), after the words “county borough councils” insert “, to returning officers”.
- (3) After regulation 3(2) insert –
 - “(3) In this regulation “returning officers” means returning officers appointed under section 35(1)(a) of the Representation of the People Act 1983 (c. 2).”
- (4) The amendments made by this section do not affect the power to make further regulations amending or revoking the 2015 Regulations.’.

Tudalen 29, ar ôl llinell 26, mewnosoder adran newydd –

‘Gofyniad o ran y Gymraeg ar gyfer swyddogion canlyniadau

[] Awdurdodiad i roi hysbysiad cydymffurfio i swyddogion canlyniadau mewn perthynas â safonau’r Gymraeg

- (1) Mae Rheoliadau Safonau’r Gymraeg (Rhif 1) 2015 (O.S. 2015/996) (“Rheoliadau 2015”) wedi eu diwygio fel a ganlyn.
- (2) Yn rheoliad 3(1), ar ôl y geiriau “cynghorau bwrdeistref sirol” mewnosoder “, swyddogion canlyniadau”.
- (3) Ar ôl rheoliad 3(2) mewnosoder –
 - “(3) Yn y rheoliad hwn, ystyr “swyddogion canlyniadau” yw swyddogion canlyniadau a benodir o dan adran 35(1)(a) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2).”
- (4) Nid yw’r diwygiadau a wneir gan yr adran hon yn effeithio ar y pŵer i wneud rheoliadau pellach sy’n diwygio neu’n dirymu Rheoliadau 2015.’.

Mick Antoniw

2

Section 40, page 35, line 19, after ‘ties’, insert ‘(including local ties connected to the use of the Welsh language)’.

Adran 40, tudalen 35, llinell 18, ar ôl ‘lleol’, mewnosoder ‘(gan gynnwys cwlwm lleol sy’n gysylltiedig â defnyddio’r Gymraeg)’.

Mick Antoniw

3

Section 44, page 37, line 1, leave out ‘in review reports’.

Adran 44, tudalen 37, llinell 1, hepgorer ‘mewn adroddiadau adolygu’.

Mick Antoniw

4

Section 44, page 37, after line 12, insert –

- “(3) Before making a report under section 35(2), 36(3) or 36(4), the Commission or a principal council (as the case may be) must have regard, in particular, to any representations received from the Welsh Language Commissioner on the orthography of the name or proposed name of an electoral ward to which the report relates.’.

Adran 44, tudalen 37, ar ôl llinell 12, mewnosoder –

- ‘(3) Cyn llunio adroddiad o dan adran 35(2), 36(3) neu 36(4), rhaid i’r Comisiwn neu brif gyngor (yn ôl y digwydd) roi sylw, yn benodol, i unrhyw sylwadau a gafwyd oddi wrth Gomisiynydd y Gymraeg ynghylch orgraff enw ward etholiadol, neu orgraff enw arfaethedig ward etholiadol, y mae’r adroddiad yn ymwneud â hi.’.

Mick Antoniw

5

Section 51, page 41, after line 28, insert –

- ‘() in paragraph (c), after “ties” insert “(including local ties connected to the use of the Welsh language)”.’.

Adran 51, tudalen 41, ar ôl llinell 28, mewnosoder –

- ‘() ym mharagraff (c), ar ôl “lleol” mewnosoder “(gan gynnwys cwlwm lleol sy’n gysylltiedig â defnyddio’r Gymraeg)”.’.

Adam Price

39

Section 54, page 43, line 6, leave out ‘an up-to date list of all communities and community councils in its area with their current names’ and insert ‘the following –

- (a) an up-to-date list of all communities and community councils in its area with their current names,
- (b) a list of the names of members of their community councils including their party affiliation and contact details,
- (c) details of the community council’s registered address (and meeting place if different, and
- (d) contact details for the clerk/ secretary’.

Adran 54, tudalen 43, llinell 5, hepgorer ‘restr gyfredol o’r holl gymunedau a chynghorau cymuned yn ei ardal, gyda’u henwau presennol’ a mewnosoder ‘y canlynol –

- (a) rhestr gyfredol o’r holl gymunedau a chynghorau cymuned yn ei ardal ynghyd â’u henwau presennol,
- (b) rhestr o enwau aelodau eu cynghorau cymuned gan gynnwys eu hymlyniad wrth blaid a’u manylion cyswllt,
- (c) manylion cyfeiriad cofrestredig y cyngor cymuned (a’i fan cyfarfod os yw’n wahanol), a
- (d) manylion cyswllt ar gyfer y clerc / ysgrifennydd’.

Adam Price

40

Section 57, page 50, after line 9, insert –

- ‘(3) Where the Welsh Ministers issue a direction under this section, they must at the same time lay before the Senedd a statement of their reasons for making the direction.’.

Adran 57, tudalen 50, ar ôl llinell 9, mewnosoder –

- ‘(3) Pan fo Gweinidogion Cymru yn dyroddi cyfarwyddyd o dan yr adran hon, rhaid iddynt ar yr un pryd osod gerbron y Senedd ddatganiad o’u rhesymau dros wneud y cyfarwyddyd.’.

Adam Price

41

Section 57, page 52, after line 32, insert –

- ‘(5) The Commission must publish a report setting out the information that has been collated whilst exercising its monitoring functions under subsections (2) to (4).’.

Adran 57, tudalen 52, ar ôl llinell 36, mewnosoder –

- ‘(5) Rhaid i’r Comisiwn gyhoeddi adroddiad sy’n nodi’r wybodaeth sydd wedi ei chrynhoi wrth arfer ei swyddogaethau monitro o dan is-adrannau (2) i (4).’.

Adam Price

42

Page 55, after line 11, insert a new section –

‘Independent Remuneration Board of the Senedd

[] Review of the Independent Remuneration Board of the Senedd

- (1) Senedd Cymru must undertake a review of the Independent Remuneration Board established by the National Assembly for Wales (Remuneration) Measure 2010.
- (2) This review must be commenced within one year of this Act receiving Royal Assent.’.

Tudalen 55, ar ôl llinell 12, mewnosoder adran newydd –

‘Bwrdd Taliadau Annibynnol y Senedd

[] Adolygu Bwrdd Taliadau Annibynnol y Senedd

- (1) Rhaid i Senedd Cymru adolygu’r Bwrdd Taliadau Annibynnol a sefydlwyd gan Fesur Cynulliad Cenedlaethol Cymru (Taliadau) 2010.
- (2) Rhaid cychwyn yr adolygiad hwn o fewn blwyddyn i’r Ddeddf hon gael y Cydsyniad Brenhinol.’.

Peter Fox

20

Section 61, page 55, leave out lines 19 to 21.

Adran 61, tudalen 55, hepgorer llinellau 20 hyd at 22.

Peter Fox

21

Section 61, page 55, line 23, leave out subsection (4).

Adran 61, tudalen 55, llinell 24, hepgorer is-adran (4).

Adam Price

43

Page 56, after line 12, insert a new section –

[] Offence of deception for Members of the Senedd or candidates

- (1) It is an offence for a person within subsection (2), wilfully, and with the intent to mislead, to publish, or cause or permit to be published on their behalf, a statement (otherwise than on oath) purporting to be a statement of fact which they know to be false or deceptive in a material particular.
- (2) A person for the purposes of subsection (1) is a person acting in their capacity as –
 - (a) a Member of the Senedd, or
 - (b) a candidate to be a Member of the Senedd.
- (3) A person found guilty on an offence under subsection (1) is liable on summary conviction or conviction on indictment to a fine.
- (4) It is a defence for any person charged with an offence under subsection (1) to show that –
 - (a) at the time of the alleged offence they had acted in the interests of national security,
 - (b) the statement could be reasonably inferred to be a statement of opinion, belief or future intention rather than a statement of fact, or
 - (c) they retracted the statement and apologised for its inaccuracy within 14 days of –
 - (i) the making or publication of the statement, or
 - (ii) the inaccuracy being brought to their attention.
- (5) Proceedings for any offence alleged to have been committed under subsection (1) must be commenced within six months of the date on which the statement was made or published.
- (6) It is an offence for a person to make a complaint or allegation that an offence under subsection (1) has been committed that is vexatious or that they know, or ought reasonably to know, to be false, trivial or frivolous.
- (7) A person found guilty of an offence under subsection (6) shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (8) No private individual or private entity may act as a prosecutor for an offence under this section.
- (9) The Welsh Ministers may by regulation –
 - (a) add, remove or modify provisions in this section;
 - (b) amend, revoke or repeal any enactment to make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with this section.
- (10) Before making regulations under subsection (9), the Welsh Ministers must –
 - (a) consult such persons as they consider appropriate on the provisions that will be added, removed or modified by the draft regulations,
 - (b) allow those persons a period of at least 12 weeks to submit comments,
 - (c) consider any comments submitted within that period, and
 - (d) publish a summary of those comments.

- (11) The power to make regulations under subsection (9) is exercisable by statutory instrument.
- (12) A statutory instrument containing regulations under subsection (9) may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.
- (13) Nothing in this section affects the operation of section 5 of the Perjury Act 1911 in relation to false statutory declarations and other false statements made otherwise than on oath.
- (14) In this section –
 - (a) “private entity” means any corporation, partnership, business, professional, sole practitioner, voluntary or charitable organisation;
 - (b) “statement” has the same meaning as in the Defamation Act 1996 (c. 31);
 - (c) “publish” in relation to a statement, has the same meaning as in the Defamation Act 1996 (c.31).’.

Tudalen 56, ar ôl llinell 12, mewnosoder adran newydd –

[] Y drosedd o ddichell ar gyfer Aelodau o’r Senedd neu ymgeiswyr

- (1) Mae’n drosedd i berson o fewn is-adran (2), yn fwriadol a chan fwriadu camarwain, gyhoeddi, neu beri neu ganiatáu iddo gael ei gyhoeddi ar ei ran, ddatganiad (ac eithrio ar lw) sy’n honni ei fod yn ddatganiad o ffaith y gŵyr ei fod yn anwir neu’n gamarweiniol mewn manylyn perthnasol.
- (2) Mae person at ddibenion is-adran (1) yn berson sy’n gweithredu yn ei rinwedd fel –
 - (a) Aelod o’r Senedd, neu
 - (b) ymgeisydd i fod yn Aelod o’r Senedd.
- (3) Mae person sy’n cael ei ddyfarnu’n euog o drosedd o dan is-adran (1) yn agored ar euogfarn ddiannod neu ar euogfarn ar ddiad i ddirwy.
- (4) Mae’n amddiffyniad i unrhyw berson a gyhuddir o drosedd o dan is-adran (1) ddangos –
 - (a) ar adeg y drosedd honedig ei fod wedi gweithredu er budd diogelwch cenedlaethol,
 - (b) y gellid yn rhesymol gasglu mai datganiad barn, cred neu fwriad i’r dyfodol yw’r datganiad yn hytrach na datganiad o ffaith, neu
 - (c) ei fod wedi tynnu’r datganiad yn ôl ac wedi ymddiheuro am ei anghywirdeb o fewn 14 o ddiwrnodau –
 - (i) i wneud neu gyhoeddi’r datganiad, neu
 - (ii) i dynnu ei sylw at yr anghywirdeb.
- (5) Rhaid cychwyn achos ar gyfer unrhyw drosedd yr honnir iddi gael ei chyflawni o dan is-adran (1) o fewn chwe mis i’r dyddiad y cafodd y datganiad ei wneud neu ei gyhoeddi.
- (6) Mae’n drosedd i berson wneud cwyn neu honiad bod trosedd o dan is-adran (1) wedi ei chyflawni sy’n flinderus neu y mae’n gwybod, neu y dylai yn rhesymol wybod, ei fod yn anwir, yn ddibwys neu’n wacsaw.
- (7) Mae person sy’n cael ei ddyfarnu’n euog o drosedd o dan is-adran (6) yn agored, ar euogfarn ddiannod, i ddirwy nad yw’n uwch na lefel 3 ar y raddfa safonol.
- (8) Ni chaiff unigolyn preifat neu endid preifat weithredu fel erlynydd ar gyfer trosedd o dan yr adran hon.
- (9) Caiff Gweinidogion Cymru drwy reoliadau –

- (a) ychwanegu, dileu neu addasu darpariaethau yn yr adran hon;
 - (b) diwygio, dirymu neu ddiddymu unrhyw ddeddfiad i wneud unrhyw ddarpariaeth ganlyniadol, darpariaeth ddeilliannol, darpariaeth drosiannol, darpariaeth ddarfodol neu ddarpariaeth arbed y maent yn ystyried ei bod yn briodol at ddibenion yr adran hon neu mewn cysylltiad â hi.
- (10) Cyn gwneud rheoliadau o dan is-adran (9), rhaid i Weinidogion Cymru –
- (a) ymgynghori ag unrhyw bersonau y maent yn ystyried eu bod yn briodol ar y darpariaethau a gaiff eu hychwanegu, eu dileu neu eu haddasu gan y rheoliadau drafft,
 - (b) caniatáu cyfnod o 12 wythnos o leiaf i’r personau hynny gyflwyno sylwadau,
 - (c) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, a
 - (d) cyhoeddi crynodeb o’r sylwadau hynny.
- (11) Mae’r pŵer i wneud rheoliadau o dan is-adran (9) yn arferadwy drwy offeryn statudol.
- (12) Ni chaniateir gwneud offeryn statudol sy’n cynnwys rheoliadau o dan is-adran (9) oni bai bod drafft o’r offeryn wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad.
- (13) Nid oes dim yn yr adran hon sy’n effeithio ar weithredu adran 5 o Ddeddf Anudon 1911 mewn perthynas â datganiadau statudol anwir a datganiadau anwir eraill a wneir ac eithrio ar lw.
- (14) Yn yr adran hon –
- (a) ystyr “endid preifat” yw unrhyw gorfforaeth, partneriaeth, busnes, proffesiynolyn, unig ymarferydd, sefydliad gwirfoddol neu elusennol;
 - (b) mae i “datganiad” yr ystyr a roddir i “statement” yn Neddf Difenwad 1996 (p. 31);
 - (c) mae i “cyhoeddi”, mewn perthynas â datganiad, yr ystyr a roddir i “publish” yn Neddf Difenwad 1996 (p. 31).’.

Mick Antoniw

6

Page 56, line 15, leave out section 64.

Tudalen 56, llinell 14, hepgorer adran 64.

Adam Price

44

Section 64, page 57, leave out lines 20 to 21.

Adran 64, tudalen 57, hepgorer llinellau 20 hyd at 21.

Adam Price

45

Section 64, page 57, after line 21, insert –

‘(11) It is an offence for a person to make a complaint or allegation that an offence under sub-paragraph (2) has been committed that is vexatious or that they know, or ought reasonably to know, to be false, trivial or frivolous.

(12) A person guilty of an offence under subsection (11) shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.’.

Adran 64, tudalen 57, ar ôl llinell 21, mewnosoder –

‘(11) It is an offence for a person to make a complaint or allegation that an offence under sub-paragraph (2) has been committed that is vexatious or that they know, or ought reasonably to know, to be false, trivial or frivolous.

(12) A person guilty of an offence under subsection (11) shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.’.

Adam Price

46

Section 64, page 57, after line 21, insert –

‘(11) Nothing in this section affects the operation of section 5 of the Perjury Act 1911 in relation to false statutory declarations and other false statements made otherwise than on oath.’.

Adran 64, tudalen 57, ar ôl llinell 21, mewnosoder –

‘(11) Nothing in this section affects the operation of section 5 of the Perjury Act 1911 in relation to false statutory declarations and other false statements made otherwise than on oath.’.

Adam Price

47

Page 57, after line 27, insert a new section –

[] Offence of deception: Disqualification from being a Member of the Senedd or a candidate

- (1) The Government of Wales Act 2006 (c. 32) is amended as follows.
- (2) In Schedule 1A (disqualification from being a Member of the Senedd or a candidate in an election to be a Member of the Senedd), after paragraph 7 insert –

“Persons convicted of the offence of deception within the previous four years

8 For a period of four years following conviction, a person who is convicted of an offence of deception under section [section to be inserted by Amendment 43] of the Elections and Elected Bodies (Wales) Act 2024.”.

Tudalen 57, ar ôl llinell 27, mewnosoder adran newydd –

[] Y drosedd o ddichell: Anghymhwysu rhag bod yn Aelod o’r Senedd neu’n ymgeisydd

- (1) Mae Deddf Llywodraeth Cymru 2006 (p. 32) wedi ei diwygio fel a ganlyn.
- (2) Yn Atodlen 1A (anghymhwysio rhag bod yn Aelod o’r Senedd neu’n ymgeisydd mewn etholiad i fod yn Aelod o’r Senedd), ar ôl paragraff 7 mewnosoder –

“Persons convicted of the offence of deception within the previous four years

- 8 For a period of four years following conviction, a person who is convicted of an offence of deception under section [adran i’w mewnosod gan Welliant 43] of the Elections and Elected Bodies (Wales) Act 2024.”.

Adam Price

48

Page 57, after line 27, insert a new section –

[] Procedure for commencement of deception provisions

- (1) Section 64 comes into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (2) An order under subsection (1) must be made before the end of the period of 12 months beginning with the day on which the Act receives Royal Assent.
- (3) Before making an order under subsection (1), the Welsh Ministers must –
 - (a) consult such persons as they consider appropriate on the provisions that will be commenced by the draft order,
 - (b) allow those persons a period of at least 12 weeks to submit comments,
 - (c) consider any comments submitted within that period, and
 - (d) publish a summary of those comments.
- (4) A statutory instrument containing an order made under subsection (1) by the Welsh Ministers shall be subject to annulment in pursuance of a resolution of Senedd Cymru.’.

Tudalen 57, ar ôl llinell 27, mewnosoder adran newydd –

[] Gweithdrefn ar gyfer cychwyn darpariaethau dichell

- (1) Daw adran 64 i rym ar y diwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.
- (2) Rhaid gwneud gorchymyn o dan is-adran (1) cyn diwedd y cyfnod o 12 mis sy’n dechrau â’r diwrnod y mae’r Ddeddf hon yn cael y Cydsyniad Brenhinol.
- (3) Cyn gwneud gorchymyn o dan is-adran (1), rhaid i Weinidogion Cymru –
 - (a) ymgynghori ag unrhyw bersonau y maent yn ystyried eu bod yn briodol ar y darpariaethau a gaiff eu cychwyn gan y gorchymyn drafft,
 - (b) caniatáu cyfnod o 12 wythnos o leiaf i’r personau hynny gyflwyno sylwadau,
 - (c) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, a
 - (d) cyhoeddi crynodeb o’r sylwadau hynny.
- (4) Bydd offeryn statudol sy’n cynnwys gorchymyn a wneir o dan is-adran (1) gan Weinidogion Cymru yn ddarostyngedig i’w ddiddymu yn unol â phenderfyniad gan Senedd Cymru.’.

Adam Price

49

Page 57, after line 27, insert a new section –

[] Procedure for commencement of deception provisions

- (1) Sections [section to be inserted by amendment 43] and [section to be inserted by amendment 47] come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (2) An order under subsection (1) must be made before the end of the period of 12 months beginning with the day on which the Act receives Royal Assent.
- (3) Before making an order under subsection (1), the Welsh Ministers must –
 - (a) consult such persons as they consider appropriate on the provisions that will be commenced by the draft order,
 - (b) allow those persons a period of at least 12 weeks to submit comments,
 - (c) consider any comments submitted within that period, and
 - (d) publish a summary of those comments.
- (4) A statutory instrument containing an order made under subsection (1) by the Welsh Ministers shall be subject to annulment in pursuance of a resolution of Senedd Cymru.’.

Tudalen 57, ar ôl llinell 27, mewnosoder adran newydd –

[] Gweithdrefn ar gyfer cychwyn darpariaethau dichell

- (1) Daw adrannau [adran i’w mewnosod gan welliant 43] a [adran i’w mewnosod gan welliant 47] i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.
- (2) Rhaid gwneud gorchymyn o dan is-adran (1) cyn diwedd y cyfnod o 12 mis sy’n dechrau â’r diwrnod y mae’r Ddeddf yn cael y Cydsyniad Brenhinol.
- (3) Cyn gwneud gorchymyn o dan is-adran (1), rhaid i Weinidogion Cymru –
 - (a) ymgynghori ag unrhyw bersonau y maent yn ystyried eu bod yn briodol ar y darpariaethau a gaiff eu cychwyn gan y gorchymyn drafft,
 - (b) caniatáu cyfnod o 12 wythnos o leiaf i’r personau hynny gyflwyno sylwadau,
 - (c) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, a
 - (d) cyhoeddi crynodeb o’r sylwadau hynny.
- (4) Mae offeryn statudol sy’n cynnwys gorchymyn a wneir o dan is-adran (1) gan Weinidogion Cymru yn ddarostyngedig i’w ddiddymu yn unol â phenderfyniad gan Senedd Cymru.’.

Adam Price

50

Page 57, after line 27, insert a new section –

[] Review of the offence of deception

- (1) The Welsh Ministers must –
 - (a) carry out a review of the operation of section 64,

- (b) set out the conclusions of the review in a report, and
 - (c) publish the report.
- (2) The report must in particular consider whether the offence of deception in section 64 should be extended to apply to councillors for an electoral ward of a county or county borough in Wales.
- (3) In preparing the report, the Welsh Ministers must consult –
- (a) each local authority,
 - (b) the Welsh Local Government Association, and
 - (c) such other persons as the Welsh Ministers consider appropriate.
- (4) The report under subsection (1) must be published before the end of the period of five years beginning with the day on which section 64 comes into force.’.

Tudalen 57, ar ôl llinell 27, mewnosoder adran newydd –

[] Adolygu’r drosedd o ddichell

- (1) Rhaid i Weinidogion Cymru –
- (a) cynnal adolygiad o weithrediad adran 64,
 - (b) nodi casgliadau’r adolygiad mewn adroddiad, ac
 - (c) cyhoeddi’r adroddiad.
- (2) Rhaid i’r adroddiad yn benodol ystyried a ddylid estyn y drosedd o ddichell yn adran 64 i fod yn gymwys i gynghorwyr ar gyfer ward etholiadol sir neu fwrdeistref sirol yng Nghymru.
- (3) Wrth lunio’r adroddiad, rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
- (a) pob awdurdod lleol,
 - (b) Cymdeithas Llywodraeth Leol Cymru, ac
 - (c) unrhyw bersonau eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.
- (4) Rhaid cyhoeddi’r adroddiad o dan is-adran (1) cyn diwedd y cyfnod o bum mlynedd sy’n dechrau â’r diwrnod y daw adran 64 i rym.’.

Peter Fox

22

Page 57, after line 27, insert a new section –

‘Removal of disqualification

[] Removal of disqualification: Member of the Senedd and member of a county or county borough council

- (1) The Government of Wales Act 2006 is amended as follows.
- (2) In section 16 (disqualification from being a Member of the Senedd) in subsection (1), omit paragraph (zc).
- (3) Omit section 17D.
- (4) Omit section 17E.
- (5) Omit section 17F.’.

Tudalen 57, ar ôl llinell 27, mewnosoder adran newydd –

‘Dileu anghymhwysiad

[] Dileu anghymhwysiad: Aelod o’r Senedd ac aelod o gyngor sir neu o gyngor bwrdeistref sirol

- (1) Mae Deddf Llywodraeth Cymru 2006 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 16 (anghymhwysio rhag bod yn Aelod o’r Senedd) yn is-adran (1), hepgorer paragraff (zc).
- (3) Hepgorer adran 17D.
- (4) Hepgorer adran 17E.
- (5) Hepgorer adran 17F.’.

Peter Fox

23

Page 57, after line 37, insert a new section –

[] Political restriction of officers and staff

- (1) The Local Government and Housing Act 1989 (c. 42) is amended as follows.
- (2) In section 1 (disqualification and political restriction of certain officers and staff) –
 - (a) in subsection (1A) –
 - (i) after “member of any local authority in Wales” insert “(including an elected mayor)”;
 - (ii) in paragraph (b), after “under a” insert “community council or”;
 - (b) in subsection (1B), after “any corporate joint committee” insert “, community council”;
 - (c) after subsection (1B) insert –

“(1C) A person shall be disqualified from becoming or remaining a member of a community council if that person holds a politically restricted post under any community council, corporate joint committee or local authority in Great Britain.”;
 - (d) after subsection (12) insert –

“(13) Subsections (5) and (6) of this section apply to a community council as they apply to a local authority in Wales.”
- (3) In section 2 (politically restricted posts) –
 - (a) after subsection (1B) insert –

“(1C) For the purposes of this Part the following persons are to be regarded as holding politically restricted posts under a community council –

 - (a) a paid officer having responsibility, for the purposes of section 151 of the Local Government Act 1972, for the administration of the financial affairs of the community council;

- (b) a person holding a paid post that is for the time being specified by the community council in the list maintained in accordance with subsection (2) and any directions under section 3.”;
- (b) after subsection (10C) insert –
 - “(10D) This section, other than subsection (1), applies in relation to a community council as it applies in relation to a local authority in Wales.
 - (10E) In the application of subsection (4) to a community council, the reference to the coming into force of this section has effect as if it were a reference to 6 May 2027.”
- (4) In section 3(9) (grant and supervision of exemptions from political restriction), after “corporate joint committee” insert “and a community council”.
- (5) In section 10(2) (limit on paid leave for local authority duties), in the definition of “local authority”, after “corporate joint committee” insert “and a community council”.
- (6) In section 12(2) (conflict of interest in staff negotiations), in the definition of “local authority”, after “corporate joint committee” insert “and a community council”.

Tudalen 57, ar ôl llinell 37, mewnosoder adran newydd –

[] Cyfyngiadau gwleidyddol ar swyddogion a staff

- (1) Mae Deddf Llywodraeth Leol a Thai 1989 (p. 42) wedi ei diwygio fel a ganlyn.
- (2) Yn adran 1 (anghymhwysu swyddogion a staff penodol a chyfyngiadau gwleidyddol arnynt) –
 - (a) yn is-adran (1A) –
 - (i) ar ôl “member of any local authority in Wales” mewnosoder “(including an elected mayor)”;
 - (ii) ym mharagraff (b), ar ôl “under a” mewnosoder “community council or”;
 - (b) yn is-adran (1B), ar ôl “any corporate joint committee” mewnosoder “, community council”;
 - (c) ar ôl is-adran (1B) mewnosoder –
 - “(1C) A person shall be disqualified from becoming or remaining a member of a community council if that person holds a politically restricted post under any community council, corporate joint committee or local authority in Great Britain.”;
 - (d) ar ôl is-adran (12) mewnosoder –
 - “(13) Subsections (5) and (6) of this section apply to a community council as they apply to a local authority in Wales.”
- (3) Yn adran 2 (swyddi o dan gyfyngiadau gwleidyddol) –
 - (a) ar ôl is-adran (1B) mewnosoder –
 - “(1C) For the purposes of this Part the following persons are to be regarded as holding politically restricted posts under a community council –
 - (a) a paid officer having responsibility, for the purposes of section 151 of the Local Government Act 1972, for the administration of the financial affairs of the community council;

(b) a person holding a paid post that is for the time being specified by the community council in the list maintained in accordance with subsection (2) and any directions under section 3.”;

(b) ar ôl is-adran (10C) mewnoder –

“(10D) This section, other than subsection (1), applies in relation to a community council as it applies in relation to a local authority in Wales.

(10E) In the application of subsection (4) to a community council, the reference to the coming into force of this section has effect as if it were a reference to 6 May 2027.”

- (4) Yn adran 3(9) (rhoi a goruchwylio esemptiadau rhag cyfyngiadau gwleidyddol), ar ôl “corporate joint committee” mewnoder “and a community council”.
- (5) Yn adran 10(2) (terfyn ar wyliau â thâl ar gyfer dyletswyddau awdurdod lleol), yn y diffiniad o “local authority”, ar ôl “corporate joint committee” mewnoder “and a community council”.
- (6) Yn adran 12(2) (gwrthdaro buddiannau mewn negodiadau staff), yn y diffiniad o “local authority”, ar ôl “corporate joint committee” mewnoder “and a community council”.

Adam Price

51

Section 72, page 62, after line 8, insert –

‘() Section [section to be inserted by amendment 37] comes into force on 1 June 2026.’.

Adran 72, tudalen 62, ar ôl llinell 9, mewnoder –

‘() Daw adran [adran i’w mewniod gan welliant 37] i rym ar 1 Mehefin 2026.’.

Peter Fox

24

Section 72, page 62, after line 8, insert –

‘() Section [section to be inserted by amendment 23] comes into force on 6 May 2027.’.

Adran 72, tudalen 62, ar ôl llinell 9, mewnoder –

‘() Daw adran [adran i’w mewniod gan welliant 23] i rym ar 6 Mai 2027.’.

Adam Price

52

Section 72, page 62, at the beginning of line 9, insert ‘Other than section 64,’.

Adran 72, tudalen 62, ar ddechrau llinell 10, mewnoder ‘Ac eithrio adran 64,’.

Adam Price

53

Section 72, page 62, at the beginning of line 9, insert ‘Other than sections [section to be inserted by Amendment 43] and [section to be inserted by Amendment 47],’.

Adran 72, tudalen 62, ar ddechrau llinell 10, mewnoder ‘Ac eithrio adrannau [adran i’w mewniod gan welliant 43] a [adran i’w mewniod gan welliant 47],’.

Adam Price

25

Long title, page 1, line 4, after ‘Cymru;’ at the first place where it appears, insert ‘creating a new criminal offence of deception and disqualifying Senedd Members or candidates to be Senedd Members if found guilty of the offence of deception;’.

Teitl hir, tudalen 1, llinell 4, ar ôl ‘Cymru;’, mewnosoder ‘creu trosedd newydd o ddichell ac anghymhwysu Aelodau o’r Senedd neu ymgeiswyr i fod yn Aelodau o’r Senedd os cânt eu dyfarnu’n euog o’r drosedd o ddichell;’.

