



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 29 Ebrill 2013
Tabled on 29 April 2013

Bil Llywodraeth Leol (Democratiaeth) (Cymru)
Local Government (Democracy) (Wales) Bill

Lesley Griffiths

46

Section 1, page 1, line 28, leave out 'the restrictions on principal councils from promoting Bills on matters relating to local government' and insert 'and extending the powers of local authorities in relation to promoting and opposing private Bills'.

Adran 1, tudalen 1, llinell 28, hepgorer 'y cyfyngiadau ar brif gynghorau o ran hyrwyddo Biliau ar faterion sy'n ymwneud â llywodraeth leol' a mewnosoder 'ac yn ymestyn pwerau awdurdodau lleol mewn perthynas â hyrwyddo a gwrthwynebu Biliau preifat'.

Lesley Griffiths

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Section 1, page 1, after line 30, insert –

'() relating to remote attendance at meetings of principal councils;'

Adran 1, tudalen 1, ar ôl llinell 31, mewnosoder –

'() yn ymwneud â mynychu cyfarfodydd prif gynghorau o bell;'

Lesley Griffiths

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Section 1, page 1, after line 30, insert –

‘() about the electronic publication of certain public bodies’ (including local authorities) registers of members’ interests;’.

Adran 1, tudalen 1, ar ôl llinell 31, mewnosoder –

‘() ynghylch cyhoeddi’n electronig gofrestrau buddiannau aelodau rhai cyrff cyhoeddus (gan gynnwys awdurdodau lleol);’.

Lesley Griffiths

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Section 1, page 2, after line 5, insert –

‘(h) enabling the standards committee or monitoring officer of a relevant authority to refer cases relating to conduct to the standards committee or monitoring officer of another relevant authority.’.

Adran 1, tudalen 2, ar ôl llinell 5, mewnosoder –

‘(h) sy’n galluogi’r pwyllgor safonau neu swyddog monitro awdurdod perthnasol i gyfeirio achosion sy’n ymwneud â ymddygiad at bwyllgor safonau neu swyddog monitro awdurdod perthnasol arall.’.

Lesley Griffiths

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Section 22, page 7, after line 35, insert –

‘() A principal council must provide the Commission with such information as it may reasonably require in connection with the exercise of its functions under this Part.’.

Adran 22, tudalen 8, ar ôl llinell 2, mewnosoder –

‘() Rhaid i brif gyngor ddarparu i’r Comisiwn yr wybodaeth y gallai yn rhesymol ofyn amdani mewn cysylltiad ag arfer ei swyddogaethau o dan y Rhan hon.’.

Lesley Griffiths

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Section 25, page 9, line 34, after 'review', insert –

‘() the principal area,’.

Adran 25, tudalen 9, llinell 36, ar ôl 'adolygiad', mewnosoder –

‘() y brif ardal,’.

Lesley Griffiths

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Section 25, page 9, after line 34, insert—

- () For the purposes of subsection (3)(b)(ii), section 30 applies to a principal council as it applies to the Commission. ’.

Adran 25, tudalen 9, ar ôl llinell 36, mewnosoder—

- () At ddibenion is-adran 3(b)(ii), mae adran 30 yn gymwys i brif gyngor fel y mae’n gymwys i’r Comisiwn.’.

Lesley Griffiths

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Section 26, page 10, line 26, after ‘review’, insert—

- () the principal area,’.

Adran 26, tudalen 10, llinell 28, ar ôl ‘adolygiad’, mewnosoder—

- () y brif ardal,’.

Lesley Griffiths

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Section 31, page 13, line 38, after ‘appropriate’, insert—
, and

- (b) in consequence of any change to the electoral arrangements for the community, such changes to the electoral arrangements of the principal area as it considers appropriate’.

Adran 31, tudalen 13, llinell 39, ar ôl ‘briodol’, mewnosoder—
, a

- (b) o ganlyniad i unrhyw newid i’r trefniadau etholiadol ar gyfer y gymuned, y newidiadau hynny i drefniadau etholiadol y brif ardal y mae o’r farn eu bod yn briodol’.

Lesley Griffiths

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Section 31, page 13, after line 38, insert –

- ‘() For the purposes of subsection (3)(b), section 30 applies to a principal council as it applies to the Commission.’

Adran 31, tudalen 13, ar ôl llinell 39, mewnosoder –

- ‘() At ddibenion is-adran (3)(b), mae adran 30 yn gymwys i brif gyngor fel y mae’n gymwys i’r Comisiwn.’

Lesley Griffiths

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Section 32, page 14, line 31, after ‘appropriate’, insert –
, and

- (b) in consequence of any change to the electoral arrangements for the community, such changes to the electoral arrangements of the principal area as it considers appropriate’.

Adran 32, tudalen 14, llinell 29, ar ôl ‘briodol’, mewnosoder –
, a

- (b) o ganlyniad i unrhyw newid i’r trefniadau etholiadol ar gyfer y gymuned, y newidiadau hynny i drefniadau etholiadol y brif ardal y mae o’r farn eu bod yn briodol’.

Lesley Griffiths

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Section 38, page 19, after line 24, insert –

- ‘() An order under subsection (1) which contains changes to the electoral arrangements of a principal area may be made only with the consent of the Welsh Ministers.’

Adran 38, tudalen 19, ar ôl llinell 25, mewnosoder –

- ‘() Dim ond gyda chydsyniad Gweinidogion Cymru y caniateir gwneud gorchymyn o dan is-adran (1) sy’n cynnwys newidiadau i drefniadau etholiadol prif ardal.’

Lesley Griffiths

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Section 39, page 19, after line 40, insert—

- '() An order under subsection (1) or (3) which contains changes to the electoral arrangements of a principal area may be made only with the consent of the Welsh Ministers.'

Adran 39, tudalen 20, ar ôl llinell 2, mewnosoder—

- '() Dim ond gyda chydsyniad Gweinidogion Cymru y caniateir gwneud gorchymyn o dan is-adran (1) neu (3) sy'n cynnwys newidiadau i drefniadau etholiadol prif ardal.'

Lesley Griffiths

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Section 45, page 24, after line 26, insert—

- '(9) No order may be made under this section until the expiry of a period of 6 weeks beginning with the date on which the Secretary of State receives the recommendations.'

Adran 45, tudalen 24, ar ôl llinell 28, mewnosoder—

- '(9) Ni chaniateir gwneud gorchymyn o dan y adran hon nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd yr Ysgrifennydd Gwladol yr argymhellion wedi dod i ben.'

Lesley Griffiths

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Section 52, page 29, after line 29, insert—

- '() A principal council may, in accordance with this section, promote a private Bill—
- (a) in Parliament;
 - (b) in the National Assembly for Wales.
- () A principal council may promote a Bill only if satisfied that it is expedient to do so.'

Adran 52, tudalen 29, ar ôl llinell 31, mewnosoder—

- '() Caiff prif gyngor, yn unol â'r adran hon, hyrwyddo Bil preifat—
- (a) yn Senedd y Deyrnas Unedig;
 - (b) yng Nghynulliad Cenedlaethol Cymru.
- () Dim ond os yw wedi ei fodloni ei bod yn hwylus gwneud hynny y caiff prif gyngor hyrwyddo Bil.'

Lesley Griffiths

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Section 52, page 29, line 30, leave out 'A local authority' and insert 'But a principal council'.

Adran 52, tudalen 29, llinell 32, hepgorer 'Ni chaiff awdurdod lleol' a mewnosoder 'Ond ni chaiff prif gyngor'.

Lesley Griffiths

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Section 52, page 29, line 30, leave out 'section 239 of the 1972 Act' and insert 'this section'.

Adran 52, tudalen 29, llinell 32, hepgorer 'adran 239 o Ddeddf 1972' a mewnosoder 'yr adran hon'.

Lesley Griffiths

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Section 52, page 29, after line 36, insert—

- '() A resolution of a principal council to promote a Bill under this section must—
 - (a) be passed at a meeting of the principal council by a majority of the total number of its members, and
 - (b) be confirmed by a like majority at a further such meeting held as soon as may be after the expiration of 14 days after the Bill has been deposited in Parliament or, as the case may be, introduced in the National Assembly for Wales.
- () A principal council must not hold a meeting under subsection () unless the conditions in subsection () have been met in relation to that meeting.
- () The conditions are—
 - (a) that the principal council has given notice of the meeting and its purpose in at least one newspaper circulating in its area, and
 - (b) that a period of 30 days, beginning with the day after notice was given, has expired.
- () The condition mentioned in subsection ()() is in addition to the notice requirements which ordinarily apply to meetings of a principal council.
- () Where a resolution is not confirmed under subsection ()(), the principal council must take all necessary steps to withdraw the Bill.'

Adran 52, tudalen 29, ar ôl llinell 38, mewnosoder—

- () Rhaid i benderfyniad prif gyngor i hyrwyddo Bil o dan yr adran hon—
- (a) cael ei basio mewn cyfarfod o’r prif gyngor gan fwyafrif o gyfanswm ei aelodau, a
 - (b) cael ei gadarnhau gan fwyafrif cyffelyb mewn cyfarfod pellach o’r fath a gynhelir cyn gynted ag y bo ar ôl 14 diwrnod wedi i’r Bil gael ei adneuo yn Senedd y Deyrnas Unedig neu, yn ôl y digwydd, ei gyflwyno yng Nghynulliad Cenedlaethol Cymru.
- () Rhaid i brif gyngor beidio â chynnal cyfarfod o dan is-adran () oni bai fod yr amodau yn is-adran () wedi eu bodloni mewn perthynas â’r cyfarfod hwnnw.
- () Yr amodau yw—
- (a) bod y prif gyngor wedi rhoi hysbysiad ynghylch y cyfarfod a’i ddiben mewn un papur newydd o leiaf sy’n cylchredeg yn ei ardal, a
 - (b) bod cyfnod o 30 o ddiwrnodau, sy’n dechrau gyda’r diwrnod wedi i’r hysbysiad gael ei roi, wedi dod i ben.
- () Mae’r amod a grybwyllir yn is-adran ()() yn ychwanegol at y gofynion o ran hysbysadau sydd fel arfer yn gymwys i gyfarfodydd prif gyngor.
- () Pan na fo penderfyniad wedi ei gadarnhau o dan is-adran ()(), rhaid i’r prif gyngor gymryd pob cam angenrheidiol i dynnu’r Bil yn ôl.’.

Lesley Griffiths

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To insert a new section—

[] Opposing private Bills

- (1) A local authority may, in accordance with this section, oppose a private Bill—
- (a) in Parliament;
 - (b) in the National Assembly for Wales.
- (2) A local authority may oppose a Bill only if satisfied that it is expedient to do so.
- (3) A resolution of a local authority to oppose a Bill under this section must be passed at a meeting of the authority by a majority of the total number of the members of the authority.
- (4) A local authority must not hold a meeting under subsection (3) unless the conditions in subsection (5) have been met in relation to that meeting.
- (5) The conditions are—
- (a) that the principal council has given notice of the meeting and its purpose in at least one newspaper circulating in its area, and
 - (b) that a period of 10 days, beginning with the day after notice was given, has expired.
- (6) The condition mentioned in subsection (5)(a) is in addition to the notice requirements which ordinarily apply to meetings of a local authority.’.

I fewnosod adran newydd—

[] Gwrthwynebu Biliau preifat

- (1) Caiff awdurdod lleol, yn unol â'r adran hon, wrthwynebu Bil preifat—
 - (a) yn Senedd y Deyrnas Unedig;
 - (b) yng Nghynulliad Cenedlaethol Cymru.
- (2) Ond dim ond os yw'n hwylus gwneud hynny y caiff awdurdod lleol wrthwynebu Bil.
- (3) Rhaid i benderfyniad awdurdod lleol i wrthwynebu Bil o dan yr adran hon gael ei basio mewn cyfarfod o'r awdurdod gan fwyafrif o gyfanswm aelodau'r awdurdod.
- (4) Rhaid i awdurdod lleol beidio â chynnal cyfarfod o dan is-adran (3) oni bai fod yr amodau yn is-adran (5) wedi eu bodloni mewn cysylltiad â'r cyfarfod hwnnw.
- (5) Yr amodau yw—
 - (a) bod y prif gyngor wedi rhoi hysbysiad ynghylch y cyfarfod a'i ddiben mewn un papur newydd o leiaf sy'n cylchredeg yn ei ardal, a
 - (b) bod cyfnod o 10 niwrnod, sy'n dechrau gyda'r diwrnod wedi i'r hysbysiad gael ei roi, wedi dod i ben.
- (6) Mae'r amod a grybwyllir yn is-adran (5)(a) yn ychwanegol at y gofynion o ran hysbysiadau sydd fel arfer yn gymwys i gyfarfodydd awdurdod lleol.'.

Lesley Griffiths

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To insert a new section—

[] Restriction on payments in relation to promoting or opposing Bills

A local authority may not make a payment to any of its members for acting as counsel or agent in promoting or opposing a Bill under section 52 or 53.'

I fewnosod adran newydd—

[] Cyfyngu ar daliadau mewn perthynas â hyrwyddo neu wrthwynebu Biliau

Ni chaiff awdurdod lleol wneud taliad i unrhyw un neu ragor o'i aelodau am weithredu fel cwnsler neu asiant i hyrwyddo neu wrthwynebu Bil o dan adran 52 neu 53.'

Lesley Griffiths

66

To insert a new section –

‘Remote attendance at meetings

[] Remote attendance at meetings of principal councils

- (1) Section 4 of the 2011 Measure (remote attendance at meetings) is amended as follows.
- (2) In subsection (4), for the words from “remote” to the end substitute “actual attendance constitutes less than 30% of the total number of members in attendance at the meeting.”.
- (3) After subsection (4), insert –
“(4A) Subsection (4) does not prevent a local authority from making standing orders which require more than 30% of the total number of members in attendance at a meeting to be in actual attendance for the meeting to be quorate.”.

I fewnosod adran newydd –

‘Mynychu cyfarfodydd o bell

[] Mynychu cyfarfodydd prif gynghorau o bell

- (1) Mae adran 4 o Fesur 2011 (mynychu cyfarfodydd o bell) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (4), yn lle’r geiriau “o bell” hyd at y diwedd, rhodder “mangre’r cyfarfod yn llai na 30% o gyfanswm nifer yr aelodau sy’n bresennol yn y cyfarfod.”.
- (3) Ar ôl is-adran (4), mewnosoder –
“(4A) Nid yw is-adran (4) yn atal awdurdod lleol rhag creu rheolau sefydlog sy’n ei gwneud yn ofynnol fod mwy na 30% o gyfanswm yr aelodau sy’n bresennol mewn cyfarfod yn mynychu mangre’r cyfarfod i sicrhau cworwm.”.

Lesley Griffiths

67

To insert a new section –

[] Registers of members' interests

- (1) Section 81 of the Local Government Act 2000 (c.22) (disclosure and registration of members' interests) is amended as follows.
- (2) In subsection (6) –
 - (a) the words from “copies” to the end become paragraph (a), and
 - (b) after that paragraph, insert –

“(b) the register mentioned in paragraph (a) is published electronically.”.
- (3) In subsection (7), after paragraph (a)(ii), insert –
 - “(iii) states that the register is available to be viewed electronically, and
 - (iv) specifies how to access the electronic version,”.
- (4) After subsection (7), insert –

“(7A) For the purposes of this section –

 - (a) section 83(13) does not apply, and
 - (b) in relation to a relevant authority which is a community council, the references in this section to a monitoring officer are to be read as references to the proper officer of that council (within the meaning of section 270(3) of the Local Government Act 1972).”.

I fewnosod adran newydd –

[] Cofrestrau buddiannau aelodau

- (1) Mae adran 81 o Ddeddf Llywodraeth Leol 2000 (p.22) (datgelu a chofrestru buddiannau aelodau) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (6) –
 - (a) daw'r geiriau o "copies" hyd at y diwedd yn baragraff (a), a
 - (b) ar ôl y paragraff hwnnw, mewnosoder –

“(b) the register mentioned in paragraph (a) is published electronically.”.
- (3) Yn is-adran (7), ar ôl paragraff (a)(ii), mewnosoder –
 - (iii) states that the register is available to be viewed electronically, and
 - (iv) specifies how to access the electronic version,”.
- (4) Ar ôl is-adran (7), mewnosoder –

“(7A) For the purposes of this section –

 - (a) section 83(13) does not apply, and
 - (b) in relation to a relevant authority which is a community council, the references in this section to a monitoring officer are to be read as references to the proper officer of that council (within the meaning of section 270(3) of the Local Government Act 1972.”’.

Lesley Griffiths

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To insert a new section –

[] Referral of cases relating to conduct

- (1) The Local Government Act 2000 is amended as follows.
- (2) In section 73 (matters referred to monitoring officers) –
 - (a) in subsection (2) –
 - (i) in paragraph (b), after “authority” where it second occurs insert “, or to the standards committee of another relevant authority,”,
 - (ii) after paragraph (b), insert –
 - “(ba) enabling a standards committee of a relevant authority to refer a report or recommendations made by its monitoring officer to the standards committee of another relevant authority,”
 - (b) for paragraph (c) substitute –
 - “(c) enabling a standards committee of a relevant authority to consider any report or recommendations made or, as the case may be, referred to it by –
 - (i) a monitoring officer of a relevant authority, or
 - (ii) the standards committee of another relevant authority.
 - (ca) the procedure to be followed by a standards committee as respects a report or recommendation made or referred to it,”,
 - (c) in paragraph (d), for “the authority” substitute “a relevant authority”,
 - (d) in subsection (4) –
 - (i) in paragraph (a), omit “of the authority,”, and
 - (ii) in paragraph (b), after “the authority” insert “of which they are a member”.
- (3) In section 81 (disclosure and registration of members’ interests) –
 - (a) in subsection (4), after “standards committee” insert “, or by the standards committee of another relevant authority,”,
 - (b) in subsection (5) –
 - (i) the words from “circumstances” to the end become paragraph (a), and
 - (ii) after that paragraph, insert –
 - “(b) procedure to be followed for the granting of dispensations.”.

I fewnosod adran newydd –

[] Atgyfeirio achosion yn ymwneud ag ymddygiad

- (1) Mae Deddf Llywodraeth Leol 2000 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 73 (materion a atgyfeiriwyd at swyddogion monitro) –
 - (a) yn is-adran (2) –
 - (i) ym mharagraff (b), ar ôl “authority” lle y mae’n ymddangos am yr ail dro mewnosoder “, or to the standards committee of another relevant authority,”,
 - (ii) ar ôl paragraff (b), mewnosoder –
 - “(ba) enabling a standards committee of a relevant authority to refer a report or recommendations made by its monitoring officer to the standards committee of another relevant authority,”
 - (b) yn lle paragraff (c) rhodder –
 - “(c) enabling a standards committee of a relevant authority to consider any report or recommendations made or, as the case may be, referred to it by –
 - (i) a monitoring officer of a relevant authority, or
 - (ii) the standards committee of another relevant authority.
 - (ca) the procedure to be followed by a standards committee as respects a report or recommendation made or referred to it,”,
 - (c) ym mharagraff (d), yn lle “the authority” rhodder “a relevant authority”,
 - (d) yn is-adran (4) –
 - (i) ym mharagraff (a), hepgorer “of the authority,”, a
 - (ii) ym mharagraff (b), ar ôl “the authority” mewnosoder “of which they are a member”.
- (3) Yn adran 81 (datgelu a chofrestru buddiannau aelodau) –
 - (a) yn is-adran (4), ar ôl “standards committee” mewnosoder “, or by the standards committee of another relevant authority,”,
 - (b) yn is-adran (5) –
 - (i) mae’r geiriau o “circumstances” hyd at y diwedd yn troi yn baragraff (a), a
 - (ii) ar ôl y paragraff hwnnw, mewnosoder –
 - “(b) procedure to be followed for the granting of dispensations.”.

Lesley Griffiths

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Section 69, page 37, leave out line 12.

Adran 69, tudalen 37, hepgorer llinell 13.

Lesley Griffiths

70

Section 69, page 37, after line 14, insert—

‘() section 66 (and Schedule 3);’.

Adran 69, tudalen 37, ar ôl llinell 15, mewnosoder—

‘() adran 66 (ac Atodlen 3);’.

Lesley Griffiths

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Section 69, page 37, line 17, leave out subsection (2) and insert—

‘() The following provisions come into force at the end of the period of 2 months beginning with the day on which this Act receives Royal Assent—

- (a) Part 2;
- (b) Part 3;
- (c) Part 4;
- (d) Sections 51 to [], [] to 62, 67 (and Schedules 1 and 2) and section 68.’.

Adran 69, tudalen 37, llinell 18, hepgorer is-adran (2) a mewnosoder—

‘() Daw’r darpariaethau canlynol i rym ar ddiwedd y cyfnod o 2 fis sy’n dechrau gyda’r diwrnod pryd y mae’r Ddeddf hon yn derbyn Cydsyniad Brenhinol—

- (a) Rhan 2;
- (b) Rhan 3;
- (c) Rhan 4;
- (d) Adrannau 51 i [], [] i 62, 67 (ac Atodlenni 1 a 2) ac adran 68.’.

Lesley Griffiths

72

Schedule 1, page 39, after line 14, insert –

‘(10) In section 239(1) (power to promote or oppose local or personal Bills) –

- (a) for “local authority, other than a parish or community council” substitute “local authority in England, other than a parish council”, and
- (b) after “local authority” where it second occurs, insert “in England”.’.

Atodlen 1, tudalen 39, ar ôl llinell 14, mewnosoder –

‘(10) Yn adran 239(1) (pŵer i hyrwyddo neu wrthwynebu Biliau lleol neu bersonol) –

- (a) yn lle “local authority, other than a parish or community council” rhodder “local authority in England, other than a parish council”, a
- (b) ar ôl “local authority” lle y mae’n ymddangos am yr ail dro, mewnosoder “in England”.’.

Lesley Griffiths

73

Schedule 2, page 41, Table 1, column 2, after line 38, insert –

‘Section 4(8). In Section 4(10), the definition of “co-opted member”.’.

Atodlen 2, tudalen 41, Tabl 1, colofn 2, ar ôl llinell 38, mewnosoder –

‘Adran 4(8). Yn adran 4(10), y diffiniad o “aelod cyfetholedig”.’.