

## VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Leighton Andrews AM on 20 February 2015.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
20.	Long title, page 1, line 4, leave out 'Ministerial' and insert 'National'.	Teitl hir, tudalen 1, llinell 4, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	<p>The purpose of this amendment is to replace the reference to 'Ministerial' to 'National' in the long title of the Bill.</p> <p>The effect of this amendment is to change the title of the 'Ministerial Adviser' to 'National Adviser' in the long title of the Bill. This amendment is required as a result of amendments 25 to 52 which make the same change in sections 19 to 22.</p>
21.	Section 2, page 1, line 26, after '(4)' insert ', but it does not include any functions exercisable under section 5 by a person who is neither a local authority nor a Local Health Board'.	Adran 2, tudalen 1, llinell 25, ar ôl '(4)', mewnosoder ', ond nid yw'n cynnwys unrhyw swyddogaethau sy'n arferadwy o dan adran 5 gan berson nad yw'n awdurdod lleol nac yn Fwrdd Iechyd Lleol'.	<p>The purpose of this amendment is to provide that a "relevant function" under section 2 does not include functions exercisable under section 5 by any person other than a local authority and Local Health Board.</p> <p>The effect of this amendment is to exclude functions exercisable under section 5(5), including a Minister of a Crown, from the application of section 2.</p>
22.	Section 2, page 1, line 26, after '8,' insert '[section to be inserted by amendment 24]'.	Adran 2, tudalen 1, llinell 25, ar ôl '8,' mewnosoder '[yr adran i'w mewnosod gan welliant 24]'.	<p>The purpose of this amendment is to include a reference to the new section relating to guidance to higher and further education institutions within the definition of 'relevant functions' under section 2(2).</p> <p>The effect of this amendment is to require that persons exercising relevant functions under the new</p>

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			<p>section to have regard (along with all other relevant matters) to the need to remove or minimise any factor which increase the risk of violence against women and girls or exacerbate the impact of such violence on victims. This includes the Welsh Ministers and HEFCW in publishing the guidance, and institutions in the HE and FE sector in having regard to any guidance published.</p> <p>This amendment should be read with amendment 24.</p>
23.	Section 5, page 3, line 13, leave out '(other than a Minister of the Crown)'.	Adran 5, tudalen 3, llinell 13, hepgorer '(ac eithrio un o Weinidogion y Goron)'.	<p>The purpose of this amendment is to remove the reference to the exclusion of a Minister of the Crown in section 5(4)(a).</p> <p>The effect of this amendment is that a local strategy may include provision relating to specific action which the local authority and LHB expect to be taken in relation to the local authority's area, by a Minister of the Crown with functions which are capable of contributing to the purpose of the Bill.</p>
24.	<p>To insert a new section –</p> <p><b>['] Guidance to further and higher education institutions</b></p> <p>(1) The Welsh Ministers may issue guidance to the governing bodies of institutions in Wales within the further education sector on how the bodies may contribute to the pursuit of the purpose of this Act.</p> <p>(2) The Higher Education Funding</p>	<p>I fewnosod adran newydd—</p> <p><b>['] Canllawiau i sefydliadau addysg bellach ac uwch</b></p> <p>(1) Caiff Gweinidogion Cymru ddyroddi canllawiau i gyrff llywodraethu sefydliadau yng Nghymru o fewn y sector addysg bellach ynghylch sut y gall y cyrff gyfrannu at ymgynraedd at ddiben y Ddeddf hon.</p>	<p>The purpose of this amendment is to provide the Welsh Ministers and HEFCW the power to issue guidance to governing bodies of HE and FE institutions and to require those institutions to have regard to such guidance.</p> <p>The effect of this amendment is to enable the Welsh Minister and HEFCW to issue guidance to governing bodies of HE and FE institutions on how they may contribute to the purpose of the Act. The Welsh Ministers and HEFCW must consult upon such</p>

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	<p>Council for Wales (“HEFCW”) may issue guidance to the governing bodies of institutions in Wales within the higher education sector on how the bodies may contribute to the pursuit of the purpose of this Act.</p> <p>(3) But the Welsh Ministers and HEFCW may not issue guidance under this section—</p> <p>(a) which is directed at a particular institution,</p> <p>(b) in respect of courses or programmes of research (including the contents of such courses or programmes or the manner in which they are taught, supervised or assessed),</p> <p>(c) in respect of the criteria for admission of students, or</p> <p>(d) in respect of the criteria for the selection and appointment of academic staff.</p> <p>(4) A governing body to which guidance is issued under this section must have regard to it.</p>	<p>(2) Caiff Cyngor Cyllido Addysg Uwch Cymru (“CCAUC”) ddyroddi canllawiau i gyrrff llywodraethu sefydliadau yng Nghymru o fewn y sector addysg uwch ynghylch sut y gall y cyrff gyfrannu at ymgynraedd at ddiben y Ddeddf hon.</p> <p>(3) Ond ni chaiff Gweinidogion Cymru a CCAUC ddyroddi canllawiau o dan yr adran hon —</p> <p>(a) a gyfeirir at sefydliad penodol,</p> <p>(b) mewn cysylltiad â chyrсияu neu raglenni ymchwil (gan gynnwys cynnwys cyrsiau neu raglenni o'r fath neu'r modd y maent yn cael eu haddysgu, eu goruchwylio neu eu hasesu),</p> <p>(c) mewn cysylltiad â'r meini prawf ar gyfer derbyn myfyrwyr, neu</p> <p>(d) mewn cysylltiad â'r meini prawf ar gyfer dethol a phenodi staff academaidd.</p> <p>(4) Rhaid i gorff llywodraethu y dyroddir canllawiau iddo o dan yr adran hon roi sylw iddynt.</p> <p>(5) Cyn dyroddi canllawiau o dan yr</p>	<p>guidance before it is issued. When issued, the governing bodies of HE and FE institutions must have regard to the guidance issued.</p>

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	<p>(5) Before issuing guidance under this section the Welsh Ministers and HEFCW must consult such persons as they consider appropriate.</p> <p>(6) Guidance issued under this section must be published.</p> <p>(7) For the purposes of this section, an institution—</p> <p>(a) is in Wales if its activities are carried on wholly or principally in Wales,</p> <p>(b) is within the further education sector if it falls within section 91(3) of the Further and Higher Education Act 1992 (c.13) (“the 1992 Act”), and</p> <p>(c) is within the higher education sector if it falls within section 91(5) of the 1992 Act.</p> <p>(8) Until 31 August 2017, “institution within the higher education sector” also includes a university which is treated as being a regulated institution for the purpose of the transitional provision made by Part 2 of the Schedule to the Higher Education (Wales) Act 2015 (anaw 1).</p> <p>(9) In this section “governing body” has</p>	<p>adran hon rhaid i Weinidogion Cymru a CCAUC ymgynghori â'r personau hynny sy'n briodol yn eu barn hwy.</p> <p>(6) Rhaid i ganllawiau a ddyroddir o dan yr adran hon gael eu cyhoeddi.</p> <p>(7) At ddibenion yr adran hon, mae sefydliad—</p> <p>(a) yng Nghymru os yw ei weithgareddau yn cael eu cynnal yn gyfan gwbl neu'n bennaf yng Nghymru,</p> <p>(b) o fewn y sector addysg bellach os yw'n dod o fewn adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992 (p.13) (“Deddf 1992”), ac</p> <p>(c) o fewn y sector addysg uwch os yw'n dod o fewn adran 91(5) o Ddeddf 1992.</p> <p>(8) Hyd 31 Awst 2017, mae “sefydliad o fewn y sector addysg uwch” hefyd yn cynnwys prifysgol sy'n cael ei thrin fel pe bai'n sefydliad rheoleiddiedig at ddiben y ddarpariaeth drosiannol a wneir gan Ran 2 o'r Atodlen i Ddeddf Addysg Uwch (Cymru) 2015 (dccc</p>	

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	the meaning given by section 90 of the 1992 Act.’	1). (9) Yn yr adran hon mae i “corff llywodraethu” yr ystyr a roddir i “governing body” gan adran 90 o Ddeddf 1992.’.	
25.	Section 19, page 10, line 3, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 3, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	The purpose of this amendment and all similar amendments in the table is to replace the reference to ‘Ministerial’ with ‘National’ in the title of the Ministerial Adviser.  The effect of this amendment is to change the title of the ‘Ministerial Adviser’ to ‘National Adviser’.
26.	Section 19, page 10, line 4, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 4, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.
27.	Section 19, page 10, line 7, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 7, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.
28.	Section 19, page 10, line 9, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 9, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.
29.	Section 19, page 10, line 11, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 11, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.
30.	Section 19, page 10, line 12, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 12, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.
31.	Section 19, page 10, line 15, leave out ‘Ministerial’ and insert ‘National’.	Adran 19, tudalen 10, llinell 16, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.	See amendment 25.

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32.	Section 20, page 10, line 18, leave out 'Ministerial' and insert 'National'.	Adran 20, tudalen 10, llinell 18, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
33.	Section 20, page 10, line 33, leave out 'Ministerial' and insert 'National'.	Adran 20, tudalen 10, llinell 35, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
34.	Section 20, page 11, line 1, leave out 'Ministerial' and insert 'National'.	Adran 20, tudalen 11, llinell 1, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
35.	Section 20, page 11, line 7, leave out 'Ministerial' and insert 'National'.	Adran 20, tudalen 11, llinell 8, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
36.	Section 21, page 11, line 9, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 11, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
37.	Section 21, page 11, line 10, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 12, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
38.	Section 21, page 11, line 11, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 13, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
39.	Section 21, page 11, line 15, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 17, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
40.	Section 21, page 11, line 17, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 19, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
*41.	Section 21, page 11, line 19, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 21, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
*42.	Section 21, page 11, line 20, leave out 'Ministerial' and insert 'National'.	Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.	See amendment 25.

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43.	Section 21, page 11, line 21, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 23, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
44.	Section 21, page 11, line 23, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 26, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
45.	Section 21, page 11, line 24, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 27, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
46.	Section 21, page 11, line 28, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 32, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
47.	Section 21, page 11, line 30, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 33, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
*48.	Section 21, page 11, line 32, leave out 'Ministerial' and insert 'National'.	Adran 21, tudalen 11, llinell 35, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
*49.	Section 21, page 11, line 33, leave out 'Ministerial' and insert 'National'.	Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version	See amendment 25.
50.	Section 22, page 12, line 1, leave out 'Ministerial' and insert 'National'.	Adran 22, tudalen 12, llinell 2, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
51.	Section 22, page 12, line 3, leave out 'Ministerial' and insert 'National'.	Adran 22, tudalen 12, llinell 3, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
52.	Section 22, page 12, line 5, leave out 'Ministerial' and insert 'National'.	Adran 22, tudalen 12, llinell 6, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.	See amendment 25.
53.	Section 24, page 15, at the beginning of line 7, insert 'Section [section to be inserted by amendment 24] and'.	Adran 24, tudalen 15, llinell 8, ar ôl 'Daw', mewnosoder 'adran [yr adran i'w mewnosod gan welliant 24] ac'.	The purpose of this amendment is to set out when the section relating to guidance to further and higher education institution will come into force.

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			<p>The effect of this amendment is that the section relating to guidance to further and higher education institutions will come into force 2 months after the day on which the Bill receives Royal Assent.</p> <p>This amendment should be read with amendment 24</p>