

Cofnod y Trafodion The Record of Proceedings

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol

The Constitutional and Legislative Affairs Committee

14/09/2015

Trawsgrifiadau'r Pwyllgor Committee Transcripts



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn
ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in
the committee. In addition, a transcription of the simultaneous interpretation
is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Alun Davies	Llafur (Cadeirydd Dros Dro) Labour (Temporary Chair)
Dafydd Elis-Thomas	Plaid Cymru The Party of Wales
William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

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

Stephen Boyce	Y Gwasanaeth Ymchwil Research Service
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Ruth Hatton	Dirprwy Clerc Deputy Clerk
Matthew Richards	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 14:31.
The meeting began at 14:31.

Appointment of a Temporary Chair
Penodi Cadeirydd Dros Dro

[1] **Mr Williams:** Good afternoon. Welcome to this meeting of the Constitutional and Legislative Affairs Committee. The committee Chair, David Melding AM, has submitted his apologies for today's meeting and the first item of business is therefore the election of a temporary Chair. I therefore invite nominations from committee members for a temporary Chair to be elected under Standing Order 17.22.

[2] **William Powell:** I'd like to propose that Alun Davies be nominated Chair.

[3] **Yr Arglwydd Elis-Thomas:** Fe hoffwn i eilio hynny'n frwdfrydig.
Lord Elis-Thomas: I would enthusiastically second that.

[4] **Mr Williams:** I see that there are no other nominations and I declare Alun Davies elected and invite him to take the chair.

14:32

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[5] **Alun Davies:** Diolch yn fawr a diolch ichi am hynny. Liciwn i ddechrau trwy groesawu pobl yn ôl o *recess* yr haf, ac rwy'n gobeithio bod pobl wedi cael cyfle i gael seibiant.
Alun Davies: Thank you very much and thank you for that. I'd like to start by welcoming everyone back from the summer recess, and I hope that people have had an opportunity to have a rest.

[6] Rydym wedi cael ymddiheuriadau hefyd gan Suzy Davies. Ar ôl hynny, rwy'n gwybod bod rheolau newydd ar gyfer datganiadau buddiannau i Aelodau, ac rwy'n gofyn i Aelodau fod yn ymwybodol o hynny, os oes rhaid. Hefyd, mae angen gwneud yn siŵr bod eich ffonau symudol i gyd wedi cael eu troi i ffwrdd. Mae'r Cynulliad yn gweithredu trwy gyfrwng y Gymraeg a Saesneg ac, yn amlwg, mae cyfieithu ar gael. Nid ydym yn disgwyl unrhyw larwm tân y prynhawn yma, ond os oes un, gofynnir i Aelodau ac eraill i adael yr ystafell trwy'r allanfa dân. Ar ôl hynny, nid oes unrhyw beth arall fel datganiadau, felly symudwn yn syth ymlaen at yr agenda.
 We've had apologies as well from Suzy Davies. After that, I know that there are some new rules about Members' declarations of interest, and I ask Members to be aware of that if needs be. Also, could I remind Members to turn off their mobile phones? The Assembly operates through the medium of English and Welsh and interpretation is obviously available. We don't expect any fire drills this afternoon, but if there is a fire alarm, I ask the Members to leave through the fire exit. After that, I don't have anything else to say by way of introduction, so we'll move on immediately to our agenda.

14:33

**Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad
Arnynt o dan Reol Sefydlog 21.2 neu 21.3
Instruments that Raise no Reporting Issues under Standing Order 21.2
or 21.3**

[7] **Alun Davies:** Yr ail eitem ar yr agenda'r prynhawn yma yw rheoliadau sydd ddim yn codi unrhyw faterion o dan *Standing Order* 21.2 neu 21.3. Mae gennym ni res ohonyn nhw. A oes unrhyw un eisiau codi unrhyw beth o dan unrhyw un o'r offerynnau rydym yn edrych arnynt ar hyn o bryd o dan eitem 2? Os nad oes unrhyw bwyntiau i godi, fe wnafl i symud ymlaen.

Alun Davies: The second item on the agenda is instruments that raise no reporting issues under Standing Order 21.2 or 21.3. We do have a list of instruments. Does anyone wish to raise anything under any one of these instruments that we are looking at under item 2? If there are no points to be raised, I will move forward.

**Adroddiad Monitro Sybsidiaredd
Subsidiarity Monitoring Report**

[8] **Alun Davies:** Symudaf ymlaen i eitem 3, adroddiad ar *subsidiarity*. O dan *Standing Order* 21, mae pwyllgor yn y Cynulliad—ar hyn o bryd y pwyllgor hwn—yn ystyried deddfwriaeth ddrafft yr Undeb Ewropeaidd sy'n edrych ar faterion sydd o dan yr hawliau deddfwriaethol y Cynulliad neu *functions* Gweinidogion Cymru. Rwyf i wedi cael cyfle i ddarllen yr adroddiad ac, os yw Aelodau wedi cael cyfle i'w ddarllen hefyd, fe wnafl i ofyn a oes gan Aelodau unrhyw sylwadau y lician nhw eu gwneud. A oes unrhyw sylwadau i'w gwneud ar yr adroddiad? Gwelaf nad oes. Ocê, symudwn ymlaen i eitem 4.

Alun Davies: We'll move to item 3, the subsidiarity monitoring report. Under Standing Order 21, a responsible committee in the Assembly—currently this committee—is empowered to consider draft EU legislation that relates to matters within the legislative competence of the Assembly or the functions of Welsh Ministers. I've had an opportunity to read the report, and, if other Members have also, I ask whether Members have any comments that they would like to make on the monitoring report. Are there any comments on the report? There are none. Okay, we move on to item 4.

14:34

Papurau i'w Nodi
Papers to Note

[9] **Alun Davies:** Mae yna restr **Alun Davies:** There is a list of papers
fanno o bapurau i'w nodi. A oes gan to note. Do Members have any points
Aelodau unrhyw bwyntiau i godi ar to raise on any one of the papers to
unrhyw un o'r papurau i'w nodi? Nac note? No. Okay, we'll move on to
oes. Ocê, symudwn ymlaen i eitem 5. item 5.

14:35

Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd
o'r Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Meeting

Cynnig:

Motion

bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the
cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in
17.42(vi). accordance with Standing Order

17.42(vi).

Cynigiwyd y cynnig.

Motion moved.

[10] **Alun Davies:** Fe wnaif i ofyn i'r **Alun Davies:** I will ask the committee
pwyllgor benderfynu symud i mewn i to resolve to move into private
sesiwn breifat ar gyfer gweddill y session for the remainder of the
cyfarfod. A ydy'r pwyllgor yn cytuno? meeting. Are we agreed? Okay, we'll
Ocê, fe wnawn ni symud i mewn i now move into private session.
sesiwn breifat.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 14:35.

The public part of the meeting ended at 14:35.