

# Atodlen ar y cyd o ddiwygiadau: Bil Etholiadau a Chyrff Etholedig (Cymru) a Bil Senedd Cymru (Aelodau ac Etholiadau)

Y DIWYGIADAU SYDD I'W GWNEUD GAN  
BIL ETHOLIADAU A CHYRFF ETHOLEDIG (CYMRU) A BIL SENEDD CYMRU  
(AELODAU AC ETHOLIADAU)

Bwriedir i'r ddogfen hon ddangos sut y byddai'r darpariaethau o'r ddeddfwriaeth ganlynol fel yr oeddent yn gymwys o ran Cymru ar 24 Awst 2023 yn edrych fel y'u diwygid gan Bil Etholiadau a Chyrff Etholedig (Cymru) (os caiff ei ddeddfu) fel y'i cyflwynwyd ar 2 Hydref 2023, a gan Bil Senedd Cymru (Aelodau ac Etholiadau) (os caiff ei ddeddfu) fel y'i cyflwynwyd ar 18 Medi 2023.

Lluniwyd y ddogfen i gynorthwyo dealltwriaeth o gyd-ffeithiau'r Bil Etholiadau a Chyrff Etholedig (Cymru) (yn amodol ar ddeddfiad) a Bil Senedd Cymru (Aelodau ac Etholiadau) (yn amodol ar ddeddfiad) ar y darnau canlynol o ddeddfwriaeth. Ni fwriedir iddo gael ei ddefnyddio mewn unrhyw gyd-destun arall:

[Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000](#)

[Deddf Llywodraeth Cymru 2006](#)

[Deddf Llywodraeth Leol \(Democratiaeth\) \(Cymru\) 2013](#)

[Deddf Llywodraeth Leol ac Etholiadau \(Cymru\) 2021](#)

Mae'r ddogfen hon ond yn ymdrin â deddfwriaeth a fyddai'n cael ei diwygio gan y ddau Fil (pe baent yn cael eu ddeddfu). Ar gyfer deddfwriaeth a fyddai'n cael ei diwygio gan un o'r biliau (pe bai'n cael ei ddeddfu), cyfeiriwch at y memorandwm esboniadol ar wahân.<sup>1</sup>

Ceir llinell ddu drwy'r testun sydd i gael ei ddileu gan Bil Etholiadau a Chyrff Etholedig (Cymru) e.e. ~~mae testun sydd wedi ei hepgor yn edrych fel hyn.~~ Mae testun sydd i gael ei ychwanegu gan Bil Etholiadau a Chyrff Etholedig (Cymru) wedi ei danlinellu mewn du e.e. mae testun sydd wedi ei ychwanegu yn edrych fel hyn.

Ceir llinell las drwy'r testun sydd i gael ei ddileu gan Bil Senedd Cymru (Aelodau ac Etholiadau), e.e. ~~mae testun sydd wedi ei hepgor yn edrych fel hyn.~~ Mae testun sydd i gael ei ychwanegu gan Bil Senedd Cymru (Aelodau ac Etholiadau) wedi ei danlinellu mewn glas e.e. mae testun sydd wedi ei ychwanegu yn edrych fel hyn.

Rhoddir y cyfeiriadau at y darpariaethau diwygio perthnasol yn y Bil yn y golofn dde ar bob tudalen.

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<sup>1</sup> [Bil Etholiadau a Chyrff Etholedig \(Cymru\): Memorandwm Esboniadol](#)  
[Bil Senedd Cymru \(Aelodau ac Etholiadau\): Memorandwm Esboniadol](#)

Cynhwysir nifer o ddarpariaethau cysylltiedig yn y Ddeddf, er nad ydynt yn cael eu diwygio, er mwyn helpu i ddeall y diwygiadau arfaethedig.

### **Rhybudd**

Mae'r testun hwn wedi ei lunio gan swyddogion Y Grŵp Adfer wedi Covid a Llywodraeth Leol a Grŵp yr Economi, y Trysorlys a'r Cyfansoddiad Llywodraeth Cymru. Er bod ymdrech wedi ei gwneud i sicrhau ei fod yn gywir, ni ddylid dibynnu arno fel testun diffiniol o'r Ddeddf na'r Biliau.

**Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000**

Adran	Diwygiwyd gan
<p><b>5 Reports on elections, referendums etc .</b></p> <p>(1) The Commission shall, after—</p> <p>(a) each election to which this section applies, and</p> <p>(b) each referendum to which Part VII applies,</p> <p>prepare and publish (in such manner as the Commission may determine) a report on the administration of the election or referendum.</p> <p>(2) The elections to which this section applies are the following, namely—</p> <p>(a) a parliamentary general election;</p> <p>(b). . . . .</p> <p>(c) a Scottish Parliamentary general election;</p> <p>(d) a <del>National Assembly for Wales</del> <u>Senedd Cymru</u> general election;</p> <p>(e) a Northern Ireland Assembly general election.</p> <p>(f) an ordinary election of police and crime commissioners.</p> <p>(2A)After—</p> <p>(a) a parliamentary by-election,</p> <p>(b) an election held under section 9 of the Scotland Act 1998 (election for the Scottish Parliament in the case of a constituency vacancy), ...</p> <p><del>(c) an election held under section 10 of the Government of Wales Act 2006 (election for the National Assembly for Wales <u>Senedd Cymru</u> in the case of a constituency vacancy),</del> or</p> <p>(d) an election held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner),</p> <p>the Commission may prepare and publish (in such manner as the Commission may determine) a report on the administration of the election.</p> <p>(2AA) Subsection (2AB) applies where a report under this section relates to—</p> <p>(a) a parliamentary general election,</p> <p>(b) a parliamentary by-election,</p> <p>(c) an ordinary election of police and crime commissioners,</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (2)</p> <p>Bil SC(AE) Rhan 2 Adran 10(9)(a)</p>

(d) an election held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner), or

(e) a Northern Ireland Assembly general election.

(2AB) The report must include a description of the steps taken by returning officers to assist relevant persons (within the meaning of rule 29 of Schedule 1 to the Representation of the People Act 1983) to vote at the election.

(2B) After an ordinary election of councillors for local government areas in Scotland, the Commission must prepare and publish (in such manner as the Commission may determine) a report on the administration of the election.

(2C) Subsection (2D) applies where a report under this section relates to one of the following elections—

(a) a Scottish Parliamentary general election,

(b) an election held under section 9 of the Scotland Act 1998 (constituency vacancies), or

(c) an ordinary election of councillors for local government areas in Scotland.

(2D) The report must include a description of the steps taken by returning officers to assist disabled persons (within the meaning of section 6(2) of the Equality Act 2010) to vote at the election.

(2E) In subsection (2D), “returning officer”—

(a) in the case of a Scottish Parliamentary general election, means an officer who is—

(i) appointed by order in accordance with section 12(1) of the Scotland Act 1998, or

(ii) appointed by order under section 12(6) of that Act,

(b) in the case of an election held under section 9 of that Act, means an officer who is appointed by order in accordance with section 12(1) of that Act,

(c) in the case of an ordinary election of councillors for local government areas in Scotland, means an officer who is appointed under section 41(1) of the Representation of the People Act 1983.”

(3) After a poll held under section 64 of the Government of Wales Act 2006 the Commission shall, if requested to do so by the Welsh Ministers, at their expense prepare and publish (in such manner as the Commission may determine) a report on the administration of the poll.

<p><b><u>5A Further provision about reports on Welsh elections</u></b></p> <p><u>(1) After an ordinary election of councillors for counties and county boroughs in Wales or communities in Wales, the Electoral Commission must prepare and publish (in such manner as the Commission may determine) a report on the administration of the election.</u></p> <p><u>(2) Subsection (3) applies to—</u></p> <p><u>(a) a report under section 5 relating to a Senedd Cymru general election;</u></p> <p><u>(b) a report under subsection (1).</u></p> <p><u>(3)The report must include a description of the steps taken by returning officers to assist persons with disabilities that would otherwise adversely affect their right to vote at the election.</u></p> <p><u>(4) In subsection (3)—</u></p> <p><u>“disability”, in relation to doing a thing, includes a short term inability to do it;</u></p> <p><u>“returning officer”—</u></p> <p><u>(a) in the case of a Senedd Cymru general election, means a returning officer (however described) designated in accordance with an order made under section 13 of the Government of Wales Act 2006 (c. 32);</u></p> <p><u>(b) in the case of an ordinary election of councillors for local government areas, means an officer who is appointed under section 35(1A) of the Representation of the People Act 1983 (c. 2).</u></p>	<p>Bil ECE Rhan 1, Pennod 4, adran 25</p>
<p><b>6ZA Reviews of devolved electoral matters in Wales</b></p> <p>(1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on those matters to the Welsh Ministers.</p> <p>(2) The matters are such matters as the Commission may from time to time determine relating to—</p> <p>(a) general elections of Members of the Senedd;</p> <p>(b) <del>elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</del></p> <p>(c) local government elections in Wales;</p> <p>(d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);</p>	<p>Bil SC(AE) Rhan 2 Adran 10(9)(b)</p>

<p>(e) the law relating to the elections and referendums mentioned in paragraphs (a) to (d).</p> <p>(3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).</p> <p>(4) The Commission must, within such time as the Welsh Ministers may specify—</p> <p>(a) review the matters specified in the request, and</p> <p>(b) submit a report on those matters to the Welsh Ministers.</p> <p>(5) The Commission must publish each report made under this section in such manner as the Commission may determine.</p>	
<p><b>6A Attendance of representatives of Commission at elections etc.</b></p> <p>(1) A representative of the Commission may attend—</p> <p>(a) proceedings relating to an election specified in subsection (5) which are the responsibility of the returning officer for the election;</p> <p>(b) proceedings relating to a referendum to which Part 7 applies which are the responsibility of the relevant counting officer.</p> <p>(c) proceedings relating to a recall petition which are the responsibility of the petition officer in relation to the petition.</p> <p>(2) The right conferred on a representative of the Commission by this section is subject to any enactment which regulates attendance at the proceedings in question.</p> <p>(3) In this section, “representative of the Commission” means any of the following—</p> <p>(a) a member of the Commission;</p> <p>(b) a member of staff of the Commission;</p> <p>(c) a person appointed by the Commission for the purposes of this section.</p> <p>(4) A reference to the relevant counting officer must be construed—</p> <p>(a) if the area to which the proceedings relates is in Great Britain, in accordance with section 128(3);</p> <p>(b) if the area to which the proceedings relates is Northern Ireland, as a reference to the Chief Electoral Officer for Northern Ireland.</p> <p>(5) The elections specified in this subsection are—</p> <p>(a) an election mentioned in section 5(2);</p> <p>(b) a parliamentary by-election;</p> <p>(c) an election under section 9 of the Scotland Act 1998 (constituency vacancies);</p> <p>(d) <del>an election under section 10 of the Government of Wales Act 2006 (constituency vacancies);</del></p>	<p>Bil SC(AE) Rhan 2 Adran 10(9)(c)</p>

<p>(da) an election under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner);  (e) a local government election in England or Wales;  (ea) a local government election in Scotland;  (f) a local election in Northern Ireland.</p>	
<p><b>6G Code of practice on attendance of observers at devolved elections in Wales</b>  (1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of—  (a) representatives of the Commission,  (b) accredited observers, and  (c) nominated members of accredited organisations.  (2) The code must make provision about attendance at—  (a) general elections of Members of the Senedd;  (b) <del>elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</del>  (c) local government elections in Wales.  ... </p>	<p>Bil SC(AE)  Rhan 2  Adran  10(9)(d)</p>
<p><b>7 Commission to be consulted on changes to electoral law.</b>  (1) Before making an instrument to which this section applies, the authority making the instrument shall consult the Commission.  (2) This section applies to an instrument containing—  (a) .....  (b) .....  (c) an order under section 24(1)(c), (cc) or (e), 25(1)(b), 28(1)(b) or 35(2B) of the Representation of the People Act 1983 (designations of returning officers and acting returning officers);  (d) rules under section 36 of that Act (local government elections in England ...);  (e) regulations under that Act (“the 1983 Act”), or under the Representation of the People Act 1985, in relation to which section 201(2) of the 1983 Act (regulations which may not be made unless a draft of them has been laid before and approved by a resolution of each House of Parliament) has effect;  (eza) regulations to be made by the Scottish Ministers under section 81(3A)(c) of the Representation of the People Act 1983 (other matters to be included in election expenses return in relation to local government elections in Scotland);</p>	<p>Bil ECE  Atodlen 1,  Rhan 3, 6 (3)</p>

<p>(ezb) regulations to be made by the Scottish Ministers under paragraph 10(2) of schedule 2A of the Representation of the People Act 1983 (evidence of donor's anonymous registration to accompany statement of relevant donations in relation to local government elections in Scotland);</p> <p>(ea) regulations made by virtue of paragraph 7F of Schedule 4 to the Representation of the People Act 2000 (regulations made by the Scottish Ministers about notification of rejected postal votes in relation to local government elections in Scotland);</p> <p>(f) an order under section 13 or 64(3) or regulations under section 13A of the Government of Wales Act 2006 (conduct of elections to the <del>National Assembly for Wales</del> <u>Senedd Cymru</u> and of polls held by Welsh Ministers);</p> <p>(g) an order under section 12(1) or (6) or regulations under section 12A(1) of the Scotland Act 1998 (conduct of elections to the Scottish Parliament);</p> <p>(h) an order under section 34(4) of the Northern Ireland Act 1998 (conduct of elections to the Northern Ireland Assembly);</p> <p>(ha) an order under subsection (1)(b) of section 54 of the Police Reform and Social Responsibility Act 2011 (designations of returning officers for elections of persons as police and crime commissioners in England and Wales);</p> <p>(hb) regulations under subsection (2) of that section (functions of returning officers and local returning officers for such elections);</p> <p>(hc) an order under section 58 of that Act (conduct of elections of persons as police and crime commissioners in England and Wales);</p> <p>(i) an order under section 17A(3) of the Greater London Authority Act 1999 (free delivery of election addresses at elections to the Greater London Authority).</p> <p>(j) an order under section 3(1) of the Local Governance (Scotland) Act 2004.</p> <p>(k) regulations under section 9(5) or 18 of the Recall of MPs Act 2015 (wording of the recall petition signing sheet and the conduct of a recall petition etc).</p> <p>(3) No draft Order shall be laid before Parliament under section 84(4) of the Northern Ireland Act 1998 (power to make provision with respect to elections in Northern Ireland) except after consultation with the Commission.</p>	
<p><b>8 Powers with respect to elections exercisable only on Commission recommendation.</b></p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (4)</p>



<p>(1) The function of giving directions under section 52(1) of the Representation of the People Act 1983 (directions as to discharge of registration duties) shall be exercisable only on, and in accordance with, a recommendation of the Commission.</p> <p>(2) A function to which this subsection applies shall, unless the person on whom the function is conferred considers that the exercise of the function is expedient in consequence of changes in the value of money, be exercisable only on, and in accordance with, a recommendation of the Commission.</p> <p>(3) Subsection (2) applies to the following functions, namely—</p> <p>(a) the making of orders under section 76(2A) of that Act (limitation of expenses in connection with elections to the Greater London Authority);</p> <p>(b) the making of orders under section 13 of the Government of Wales Act 2006 or section 12 of the Scotland Act 1998 so far as relating to the matters mentioned in subsection (2)(c) of the section (limitation of expenses in connection with elections to <del>the National Assembly for Wales</del> <u>Senedd Cymru</u> or Scottish Parliament);</p> <p>(c) .....</p>	
<p><b>9AA Performance standards for devolved elections and referendums in Wales</b></p> <p>(1) The Commission may from time to time—</p> <p>(a) determine standards of performance for relevant officers mentioned in subsection (2), and</p> <p>(b) publish, in such form and in such manner as they consider appropriate, the standards so determined.</p> <p>(2) The standards of performance are such standards as the Commission think ought to be achieved by—</p> <p>(a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;</p> <p>(b) returning officers in the administration of the elections specified in subsection (6);</p> <p>(c) counting officers in the administration of the referendums specified in subsection (7).</p> <p>(3) Before determining standards under subsection (1), the Commission must consult—</p> <p>(a) the Welsh Ministers, and</p> <p>(b) any other person they think appropriate.</p> <p>(4) The Commission may determine different standards for different descriptions of relevant officers.</p>	<p><a href="#">Bil SC(AE)</a>  <a href="#">Rhan 2</a>  <a href="#">Adran 10</a>  <a href="#">(9)(e)</a></p>

<p>(5) When the Commission publish standards under subsection (1) they must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.</p> <p>(6) The elections specified in this subsection are—</p> <p>(a) a general election of Members of the Senedd;</p> <p>(b) <del>an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</del></p> <p>(c) a local government election in Wales.</p> <p>(7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales).</p>	
<p><b>10 Giving of advice and assistance.</b></p> <p>(1) The Commission may, at the request of any relevant body, provide the body with advice and assistance as respects any matter in which the Commission have skill and experience.</p> <p>(2) The assistance which may be so provided includes (in particular) the secondment of members of the Commission's staff.</p> <p>(3) The Commission may also—</p> <p>(a) provide advice and assistance to—</p> <p>(i) registration officers,</p> <p>(ii) returning officers at relevant elections,</p> <p>(iii) registered parties,</p> <p>(iv) recognised third parties within the meaning of Part VI, ...</p> <p>(v) permitted participants within the meaning of Part VII;</p> <p>(vi) petition officers in relation to recall petitions, and</p> <p>(vii) accredited campaigners within the meaning of Schedule 3 to the Recall of MPs Act 2015 (see Part 5 of that Schedule);</p> <p>(b) provide advice and assistance to other persons which is incidental to, or otherwise connected with, the discharge by the Commission of their functions.</p> <p>(4) The Commission—</p> <p>(a) may make charges for advice or assistance provided by them under subsection (1); but</p> <p>(b) may not make charges for advice and assistance provided under subsection (3).</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (5)</p>

<p>(5) Nothing in this section authorises the Commission to provide any form of financial assistance.</p> <p>(6) In this section “relevant body” means—</p> <p>(a) the Scottish Parliament;</p> <p>(b) the Scottish Executive;</p> <p>(c) the <del>National Assembly for Wales</del> <u>Senedd Cymru</u>;</p> <p>(caa )the Welsh Ministers;</p> <p>(ca) <del>the National Assembly for Wales</del> <u>Senedd</u> Commission;</p> <p>(d) the Northern Ireland Assembly;</p> <p>(e) the Executive Committee of the Northern Ireland Assembly;</p> <p>(f) any of the following local authorities—</p> <p>(i) in England, the council of a county, district or London borough,</p> <p>(ii) in Wales, the council of a county or county borough, and</p> <p>(iii) in Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;</p> <p>(g) a national or regional parliament or government in a country other than the United Kingdom;</p> <p>(h) a body in any such other country having functions corresponding to any of the functions of the Commission;</p> <p>(i) an organisation of which two or more countries (or their governments) are members or a subordinate body of such an organisation.</p> <p>(7) In this section “relevant election” means any election falling within section 22(5) ....</p> <p>(8).....</p> <p>(9).....</p> <p>(10).....</p>	
<p><b>22 Parties to be registered in order to field candidates at elections.</b></p> <p>(1) Subject to subsection (4), no nomination may be made in relation to a relevant election unless the nomination is in respect of—</p> <p>(a) a person who stands for election in the name of a qualifying registered party; or</p> <p>(b) a person who does not purport to represent any party; or</p> <p>(c) a qualifying registered party, where the election is one for which registered parties may be nominated.</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (6)</p>

<p>(2) For the purposes of subsection (1) a party (other than a minor party) is a “qualifying registered party” in relation to a relevant election if—</p> <p>(a) the constituency, police area, local government area or electoral region in which the election is held—</p> <p>(i) is in England, Scotland or Wales, ...</p> <p>(ii). . . . .</p> <p>and the party was, on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at that election, registered in respect of that part of Great Britain in the Great Britain register maintained by the Commission under section 23, or</p> <p>(b) the constituency, district electoral area or electoral region in which the election is held—</p> <p>(i) is in Northern Ireland, ...</p> <p>(ii). . . . .</p> <p>and the party was, on the relevant day, registered in the Northern Ireland register maintained by the Commission under that section.</p> <p>(2A) For the purposes of subsection (2) any day falling within rule 2(1) of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983 (subject to rule 2(2A)) shall be disregarded.</p> <p>(3) For the purposes of subsection (1) a person does not purport to represent any party if either—</p> <p>(a) the description of the candidate given in his nomination paper, is—</p> <p>(i) “Independent”, or</p> <p>(ii) where the candidate is the Speaker of the House of Commons seeking re-election, “The Speaker seeking re-election”; or</p> <p>(b) no description of the candidate is given in his nomination paper.</p> <p>(4) Subsection (1) does not apply in relation to any parish or community election.</p> <p>(5) The following elections are relevant elections for the purposes of this Part—</p> <p>(a) parliamentary elections,</p> <p>(b). . . . .</p> <p>(c) elections to the Scottish Parliament,</p>	
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<p>(d) elections to <del>the National Assembly for Wales</del> <u>Senedd Cymru</u>,</p> <p>(e) elections to the Northern Ireland Assembly,</p> <p>(ea) elections of police and crime commissioners,</p> <p>(f) local government elections, and</p> <p>(g) local elections in Northern Ireland.</p> <p>(6) For the purposes of this Act a person stands for election in the name of a registered party if his nomination paper includes a description authorised by a certificate issued by or on behalf of the registered nominating officer of the party.</p>	
<p><b>67 Weekly donation reports in connection with elections other than general elections.</b></p> <p>(1) The Secretary of State may, after consulting the Commission and all registered parties, by order make provision for—</p> <p>(a) sections 63 and 64, together with Schedule 6,</p> <p>(b) sections 65 and 66, and</p> <p>(c) section 147 so far as applying in relation to section 65(1) or (2),</p> <p>to apply in relation to the specified election period in the case of one or more relevant elections with such modifications as are specified in the order.</p> <p>(2) In this section—</p> <p>(a) “specified election period”, in relation to a relevant election, means such period ending with the date of the poll for the election as may be specified in an order under subsection (1);</p> <p>(b) “relevant election” means—</p> <p>(i) . . . . .</p> <p>(ii) an election to the Scottish Parliament;</p> <p>(iii) an election to <del>the National Assembly for Wales</del> <u>Senedd Cymru</u>; ...</p> <p>(iv) an election to the Northern Ireland Assembly; or</p> <p>(v) an election of a police and crime commissioner.</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (7)</p>
<p><b>73 Notional campaign expenditure</b></p> <p>(1) This section applies where, in the case of a registered party—</p> <p>(a) either—</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 33</p>

<p>(i) property is transferred to the party free of charge or at a discount of more than 10 per cent. of its market value, or</p> <p>(ii) property, services or facilities is or are provided for the use or benefit of the party free of charge or at a discount of more than 10 per cent. of the commercial rate for the use of the property or for the provision of the services or facilities, and</p> <p>(b) the property, services or facilities is or are made use of by or on behalf of the party in circumstances such that, if any expenses were to be (or are) actually incurred by or on behalf of the party in respect of that use, they would be (or are) campaign expenditure incurred by or on behalf of the party.</p> <p>(1A) For the purposes of subsection (1)(b), as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, <u>6</u>, 7, 9, 10 or 11 of Schedule 9 (periods involving parliamentary general elections, <u>ordinary or extraordinary general elections to Senedd Cymru</u>, or general elections to the Northern Ireland Assembly), property, services or facilities are made use of on behalf of a registered party only if their use on behalf of the party is directed, authorised or encouraged by—</p> <p>(a) the party, or</p> <p>(b) the treasurer or a deputy treasurer appointed under section 74.</p> <p>(2) Where this section applies, an amount of campaign expenditure determined in accordance with this section (“the appropriate amount”) shall be treated, for the purposes of this Part, as incurred by the party during the period for which the property, services or facilities is or are made use of as mentioned in subsection (1)(b).</p> <p>This subsection has effect subject to subsection (9).</p> <p>(3) Where subsection (1)(a)(i) applies, the appropriate amount is such proportion of either—</p> <p>(a) the market value of the property (where the property is transferred free of charge), or</p> <p>(b) the difference between the market value of the property and the amount of expenses actually incurred by or on behalf of the party in respect of the property (where the property is transferred at a discount),</p> <p>as is reasonably attributable to the use made of the property as mentioned in subsection (1)(b).</p>	
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<p>(4) Where subsection (1)(a)(ii) applies, the appropriate amount is such proportion of either—</p> <ul style="list-style-type: none"> <li>(a) the commercial rate for the use of the property or the provision of the services or facilities (where the property, services or facilities is or are provided free of charge), or</li> <li>(b) the difference between that commercial rate and the amount of expenses actually incurred by or on behalf of the party in respect of the use of the property or the provision of the services or facilities (where the property, services or facilities is or are provided at a discount),</li> </ul> <p>as is reasonably attributable to the use made of the property, services or facilities as mentioned in subsection (1)(b).</p> <p>(5) Where the services of an employee are made available by his employer for the use or benefit of a registered party, then for the purposes of this section the amount which is to be taken as constituting the commercial rate for the provision of those services shall be the amount of the remuneration or allowances payable to the employee by his employer in respect of the period for which his services are made available (but shall not include any amount in respect of contributions or other payments for which the employer is liable in respect of the employee).</p> <p>(6) Where an amount of campaign expenditure is treated, by virtue of subsection (2), as incurred by or on behalf of a party during any period the whole or part of which falls within any period which is, in relation to the party, a relevant campaign period for the purposes of section 80, then—</p> <ul style="list-style-type: none"> <li>(a) the amount mentioned in subsection (7) shall be treated as incurred by or on behalf of the party during the relevant campaign period, and</li> <li>(b) the treasurer or a deputy treasurer appointed under section 74 shall make a declaration of that amount,</li> </ul> <p>unless that amount is not more than £200.</p> <p>(7) The amount referred to in subsection (6) is such proportion of the appropriate amount (determined in accordance with subsection (3) or (4)) as reasonably represents the use made of the property, services or facilities as mentioned in subsection (1)(b) during the relevant campaign period.</p> <p>(8) A person commits an offence if he knowingly or recklessly makes a false declaration under subsection (6).</p>	
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<p>(9) No amount of campaign expenditure shall be regarded as incurred by virtue of subsection (2) in respect of—</p> <ul style="list-style-type: none"> <li>(a) the transmission by a broadcaster of a party political broadcast;</li> <li>(b) any facilities provided in accordance with any right conferred on candidates or a party at an election by any enactment; or</li> <li>(c) the provision by any individual of his own services which he provides voluntarily in his own time and free of charge.</li> </ul> <p>(10) In subsections (1), (1A), (3), (4) and (5) any reference to anything done by or in relation to a registered party includes a reference to anything done by or in relation to any accounting unit of the party; and section 50(6) and (8)(a) shall apply with any necessary modifications for the purpose of determining, for the purposes of subsection (1), whether property is transferred to a registered party or to any such unit.</p> <p>(11).....</p>	
<p><b>86 Notional controlled expenditure</b></p> <p>(1) This section applies where, in the case of a third party—</p> <ul style="list-style-type: none"> <li>(a) either— <ul style="list-style-type: none"> <li>(i) property is transferred to the third party free of charge or at a discount of more than 10 per cent. of its market value, or</li> <li>(ii) property, services or facilities is or are provided for the use or benefit of the third party free of charge or at a discount of more than 10 per cent. of the commercial rate for the use of the property or for the provision of the services or facilities, and</li> </ul> </li> <li>(b) the property, services or facilities is or are made use of by or on behalf of the third party in circumstances such that, if any expenses were to be (or are) actually incurred by or on behalf of the third party in respect of that use, they would be (or are) controlled expenditure incurred by or on behalf of the third party.</li> </ul> <p>(1A) For the purposes of subsection (1)(b), as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, <u>6</u>, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections, <u>ordinary or extraordinary general elections to Senedd Cymru</u>, or general elections to the Northern Ireland Assembly), property, services or facilities are made use of on behalf of a third party only if their use on behalf of the third party is directed, authorised or encouraged by</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 33</p>



the third party or (where the third party is a recognised third party and is not an individual) by the third party or the responsible person.

- (2) Where this section applies, an amount of controlled expenditure determined in accordance with this section (“the appropriate amount”) shall be treated, for the purposes of this Part, as incurred by the third party during the period for which the property, services or facilities is or are made use of as mentioned in subsection (1)(b).

This subsection has effect subject to section 87.

- (3) Where subsection (1)(a)(i) applies, the appropriate amount is such proportion of either—

- (a) the market value of the property (where the property is transferred free of charge), or
- (b) the difference between the market value of the property and the amount of expenses actually incurred by or on behalf of the third party in respect of the property (where the property is transferred at a discount),

as is reasonably attributable to the use made of the property as mentioned in subsection (1)(b).

- (4) Where subsection (1)(a)(ii) applies, the appropriate amount is such proportion of either—

- (a) the commercial rate for the use of the property or the provision of the services or facilities (where the property, services or facilities is or are provided free of charge), or
- (b) the difference between that commercial rate and the amount of expenses actually incurred by or on behalf of the third party in respect of the use of the property or the provision of the services or facilities (where the property, services or facilities is or are provided at a discount),

as is reasonably attributable to the use made of the property, services or facilities as mentioned in subsection (1)(b).

- (5) Where the services of an employee are made available by his employer for the use or benefit of a third party, then for the purposes of this section the amount which is to be taken as constituting the commercial rate for the provision of those services shall be the amount of the remuneration and allowances payable to the employee by his employer in respect of the period for which his services are so made available (but shall not include

<p>any amount in respect of any contributions or other payments for which the employer is liable in respect of the employee).</p> <p>(6) Where an amount of controlled expenditure is treated, by virtue of subsection (2), as incurred by or on behalf of a third party during any period the whole or part of which falls within any period which is a regulated period (as defined by section 94(10)(a)), then—</p> <p>(a) the amount mentioned in subsection (7) shall be treated as incurred by or on behalf of the third party during the regulated period, and</p> <p>(b) if a return falls to be prepared under section 96 in respect of controlled expenditure incurred by or on behalf of the third party during that period, the responsible person shall make a declaration of that amount,</p> <p>unless that amount is not more than £200.</p> <p>(7) The amount referred to in subsection (6) is such proportion of the appropriate amount (determined in accordance with subsection (3) or (4)) as reasonably represents the use made of the property, services or facilities as mentioned in subsection (1)(b) during the regulated period.</p> <p>(8) A person commits an offence if he knowingly or recklessly makes a false declaration under subsection (6).</p> <p>(9) Paragraph 2(5) and (6)(a) of Schedule 11 shall apply with any necessary modifications for the purpose of determining, for the purposes of subsection (1), whether property is transferred to a third party.</p>	
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<p><b>88 Third parties recognised for the purposes of this Part.</b></p> <p>(1) A third party is recognised for the purposes of this Part if—</p> <p>(a) the third party has given the Commission a notification under this subsection which complies with subsection (3), and</p> <p>(b) that notification is for the time being in force.</p> <p>(2) A third party may only give a notification under subsection (1) if the third party is—</p> <p>(a) an individual resident in the United Kingdom or registered in an electoral register (as defined by section 54(8)) who is not the responsible person in relation to another third party,</p> <p>(b). . . . .</p> <p>(c) a body falling within any of paragraphs (b) and (d) to (h) of section 54(2).</p> <p>(ca) a body incorporated by Royal Charter which does not fall within any of those paragraphs of section 54(2),</p> <p>(cb) a charitable incorporated organisation within the meaning of Part 11 of the Charities Act 2011 or within the meaning of the Charities Act (Northern Ireland) 2008,</p> <p>(cc) a Scottish charitable incorporated organisation within the meaning of Chapter 7 of Part 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10), or</p> <p>(cd) a partnership constituted under the law of Scotland which carries on business in the United Kingdom,</p> <p>(d). . . . .</p> <p>(e). . . . .</p> <p>(3) A notification under subsection (1) must—</p> <p>(a) if given by an individual, state—</p> <p>(i) his full name, and</p> <p>(ii) his home address in the United Kingdom, or (if he has no such address in the United Kingdom) his home address elsewhere,</p> <p>(iii). . . . .</p> <p>and be signed by him;</p> <p>(b). . . . .</p> <p>(c) if given by a body falling within any of paragraphs (b) and (d) to (h) of section 54(2) ... , state—</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 37</p>
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<p>(i) all such details in respect of the body as are required by virtue of any of sub-paragraphs (4) and (6) to (10) of paragraph 2 of Schedule 6 to be given in respect of such a body as the donor of a recordable donation,</p> <p>(ia) in the case of a body falling within any of paragraphs (b) and (d) to (h) of section 54(2), the names of the relevant participators in relation to the body (see subsection (3B)), and</p> <p>(ii) the name of the person or officer who will be responsible for compliance on the part of the body with the provisions of Chapter II,</p> <p>and be signed by the body's secretary or a person who acts in a similar capacity in relation to the body.</p> <p>(d) if given by a body falling within any of paragraphs (ca) to (cd) of subsection (2), state—</p> <p>(i) the relevant details in relation to the body (see subsection (3C)), and</p> <p>(ii) the name of the person or officer who will be responsible for compliance on the part of the body with the provisions of Chapter 2,</p> <p>and be signed by the body's secretary or a person who acts in a similar capacity in relation to the body.</p> <p>(3A) A notification given by a third party does not comply with the requirement in subsection (3)(c)(ii) or (d)(ii) (to state the name of the person who will be responsible for compliance) if the person whose name is stated is—</p> <p>(a) the responsible person in relation to another third party,</p> <p>(b) an individual who gives a notification under subsection (1) at the same time, or</p> <p>(c) the person whose name is stated, in purported compliance with the requirement in subsection (3)(b)(iii), (c)(ii) or (d)(ii), in a notification given at the same time by another third party.</p> <p>In this subsection “the person”, in relation to a notification to which subsection (3)(c) or (d) applies, is to be read as “the person or officer”.</p> <p>(3B) For the purposes of subsection (3)(c), the “relevant participators” in relation to a body are—</p> <p>(a) in the case of a body falling with section 54(2)(b) (companies), the body's directors;</p> <p>(b) in the case of a body falling within section 54(2)(d) (trade unions), the body's officers (within the meaning of the Trade</p>	
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<p>Union and Labour Relations (Consolidation) Act 1992: see section 119 of that Act);</p> <p>(c) in the case of a body falling within section 54(2)(e) (building societies), the body's directors;</p> <p>(d) in the case of a body falling within section 54(2)(f) (limited liability partnerships), the body's members;</p> <p>(e) in the case of a body falling within section 54(2)(g) (friendly societies etc)—</p> <p>(i) where the body is a friendly society, the members of the body's committee of management;</p> <p>(ii) otherwise, the members of the body's committee of management or other directing body;</p> <p>(f) in the case of a body falling within section 54(2)(h) (unincorporated associations)—</p> <p>(i) where the body has more than 15 members and has officers or a governing body, those officers or the members of that governing body;</p> <p>(ii) otherwise, the body's members.</p> <p>(3C) For the purposes of subsection (3)(d), the “relevant details” in relation to a body are—</p> <p>(a) in the case of a body falling within subsection (2)(ca) (body incorporated by Royal Charter)—</p> <p>(i) the name of the body,</p> <p>(ii) the address of its main office in the United Kingdom, and</p> <p>(iii) the names of its officers or the members of its governing body;</p> <p>(b) in the case of a body falling within subsection (2)(cb) or (cc) (charitable incorporated organisation)—</p> <p>(i) the name of the body,</p> <p>(ii) the address of its principal office, and</p> <p>(iii) the names of its charity trustees within the meaning of the Charities Act 2011, the Charities Act (Northern Ireland) 2008 or the Charities and Trustee Investment (Scotland) Act 2005 (asp 10);</p> <p>(c) in the case of a body falling within subsection (2)(cd) (Scottish partnership)—</p> <p>(i) the name of the body,</p> <p>(ii) the address of its main office in the United Kingdom, and</p> <p>(iii) the names of the partners.</p>	
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<p>(3D) A notification given under subsection (1) by a third party so as to be subject to the lower-tier expenditure limits must contain a statement to that effect.</p> <p>(4) Subject to the following provisions of this section, a notification under subsection (1) (“the original notification”)—</p> <p>(a) shall be in force as from the date on which it is received by the Commission, but</p> <p>(b) shall, subject to subsection (5), lapse at the end of the period of three months beginning with any anniversary of that date unless the third party notifies the Commission that the third party wishes the original notification to continue in force.</p> <p>(5) Where—</p> <p>(a) the original notification would apart from this subsection lapse under subsection (4)(b) at the end of any such period of three months as is mentioned in that provision, but</p> <p>(b) the end of that period falls within any regulated period at the end of which a return will fall to be prepared under section 96 in respect of controlled expenditure incurred by or on behalf of the third party during the regulated period, the original notification shall be treated, for all purposes connected with controlled expenditure so incurred during the regulated period, as lapsing at the end of that period instead.</p> <p>(6) A notification under subsection (4)(b) (“the renewal notification”) must either—</p> <p>(a) confirm that all the statements within subsection (3) contained in the original notification, as it has effect for the time being, are accurate; or</p> <p>(b) indicate that any statement within subsection (3) contained in that notification, as it so has effect, is replaced by some other statement conforming with that subsection.</p> <p>(6A) In a case where the original notification, as it has effect for the time being, contains a statement within subsection (3D), the renewal notification must either—</p> <p>(a) confirm that the statement is to continue to have effect, or</p> <p>(b) indicate that the statement is withdrawn.</p> <p>(7) A notification under subsection (4)(b) must be received by the Commission during the period beginning one month before the relevant anniversary for the purposes of that provision and ending three months after it.</p>	
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<p>(8) A third party may, at any time after giving the original notification, give the Commission a notification (“a notification of alteration”) indicating that—</p> <p>(a) any statement within subsection (3) that is contained in the original notification, as it has effect for the time being, is replaced by some other statement conforming with that subsection that is contained in the notification of alteration, or</p> <p>(b) any statement within subsection (3D) that is contained in the original notification, as it has effect for the time being, is withdrawn.</p> <p>(9) The Secretary of State may by order amend subsection (2), as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly), by—</p> <p>(a) adding a description of third party to the list in that subsection,</p> <p>(b) removing a description of third party from that list, or</p> <p>(c) varying the description of a third party in that list.</p> <p>(10) An order under subsection (9)(b) or (c) may be made only where the order gives effect to a recommendation of the Commission.</p> <p><u>(11)The Welsh Ministers may by order amend subsection (2), as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 6 of Schedule 10 (periods involving general elections to Senedd Cymru), by—</u></p> <p><u>(a) adding a description of third party to the list in that subsection,</u></p> <p><u>(b) removing a description of third party from that list, or</u></p> <p><u>(c) varying the description of a third party in that list.</u></p> <p><u>12) An order under subsection (11)(b) or (c) may be made only where the order gives effect to a recommendation of the Commission.</u></p>	
<p><b><u>89B Restriction on which third parties may incur controlled expenditure: Senedd Cymru elections</u></b></p> <p><u>(1) No amount of controlled expenditure may be incurred by or on behalf of a third party during a Welsh devolved regulated period unless the third party falls within any paragraph of section 88(2) (third parties eligible to give notification).</u></p>	<p>Bil ECE Rhan 1, Pennod 5, adran 36</p>

<p><u>(2) Subsection (1) does not apply to any expenses incurred by or on behalf of a third party during a Welsh devolved regulated period which do not in total exceed £700.</u></p> <p><u>(3) Subsections (4) and (5) apply where expenses are incurred by or on behalf of a third party in contravention of subsection (1).</u></p> <p><u>(4) If the third party is not an individual—</u></p> <p><u>(a) any person who authorised the expenses to be incurred by or on behalf of the third party is guilty of an offence if the person knew or ought reasonably to have known that the expenses would be incurred in contravention of subsection (1), and</u></p> <p><u>(b) the third party is also guilty of an offence.</u></p> <p><u>(5) If the third party is an individual, the individual is guilty of an offence if they knew or ought reasonably to have known that the expenses would be incurred in contravention of subsection (1).</u></p> <p><u>(6) A “Welsh devolved regulated period” means a period in relation to which any limit is imposed by paragraph 6 of Schedule 10 (periods involving general elections to Senedd Cymru).</u></p>	
<p><b>94 Limits on controlled expenditure by third parties</b></p> <p>(1) Schedule 10 has effect for imposing limits on controlled expenditure incurred by or on behalf of recognised third parties in England, Scotland, Wales or Northern Ireland, or in particular parliamentary constituencies, during the periods specified in that Schedule.</p> <p>(2) Where during a regulated period any controlled expenditure is incurred in a relevant part of the United Kingdom or a parliamentary constituency by or on behalf of a recognised third party in excess of the limit imposed by Schedule 10 in relation to that period and part of the United Kingdom or parliamentary constituency, then—</p> <p>(a) if the third party is not an individual—</p> <p>(i) the responsible person is guilty of an offence if he authorised the expenditure to be incurred by or on behalf of the third party and he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit, and</p> <p>(ii) the third party is also guilty of an offence;</p> <p>(b) if the third party is an individual, he is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit.</p> <p>(3) Subsection (4) applies where—</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 33</p>



<p>(a) any of the following sub-paragraphs applies—</p> <p>(ai) during a regulated period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly), any controlled expenditure is incurred by or on behalf of a third party in excess of £10,000;</p> <p>(i) during a regulated period, any controlled expenditure is incurred in a part of the United Kingdom by or on behalf of a third party in excess of the limit for that part of the United Kingdom mentioned in subsection (5);</p> <p>(ii) during a regulated period in relation to which any limit is imposed by paragraph 3, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections), any controlled expenditure is incurred in a particular parliamentary constituency by or on behalf of a third party in excess of the limit mentioned in subsection (5ZA), and</p> <p>(b) the third party—</p> <p>(i) in a case within paragraph (a)(ai) or (ii), is not a recognised third party;</p> <p>(ii) in a case within paragraph (a)(i), is not a recognised third party or, where the regulated period is one in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10, is a recognised third party but is subject to the lower-tier expenditure limits.</p> <p>(3A) For provision requiring certain controlled expenditure to be disregarded in determining for the purposes of subsection (3)(a) whether a limit is exceeded, see section 94B(3) (arrangements between third parties notified to the Commission).</p> <p>(4) In the case mentioned in subsection (3)—</p> <p>(a) if the third party is not an individual—</p> <p>(i) any person who authorised the expenditure to be incurred by or on behalf of the third party is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit, and</p> <p>(ii) the third party is also guilty of an offence;</p> <p>(b) if the third party is an individual, he is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit.</p> <p>(4ZA) In its application to a case within subsection (3)(a)(i) where the third party is a recognised third party that is subject to the lower-tier expenditure limits, the reference in subsection (4)(a)(i) to any person who authorised the</p>	
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expenditure to be incurred is to be read as a reference to the responsible person.

(4A) It is a defence for any person or third party charged with an offence under subsection (2) or (4) to show—

(a) that any code of practice for the time being issued under paragraph 3 of Schedule 8A was complied with in determining whether any expenditure is controlled expenditure for the purposes of this Part, and

(b) that the offence would not have been committed on the basis of the controlled expenditure as determined in accordance with the code.

(5) The limits referred to in subsection (3)(a)(i) are as follows—

(a) £20,000 for England; and

(b) £10,000 for each of Scotland, Wales and Northern Ireland.

(5ZA) The limit referred to in subsection (3)(a)(ii) is 0.05% of the total of the maximum campaign expenditure limits in England, Scotland, Wales and Northern Ireland.

(5A) . . . . .

(6) Where—

(a) during a regulated period any controlled expenditure is incurred in a particular part of the United Kingdom or a particular parliamentary constituency by or on behalf of a third party, and

(b) the expenditure is so incurred in pursuance of a plan or other arrangement whereby controlled expenditure is to be incurred by or on behalf of—

(i) that third party, and

(ii) one or more other third parties,

respectively and the expenditure can reasonably be regarded as intended to achieve a common purpose falling within section 85(2)(b),

the expenditure mentioned in paragraph (a) shall be treated for the purposes of this section, sections 94D to 94H and Schedule 10 as having also been incurred, during the period and in the part of the United Kingdom or parliamentary constituency concerned, by or on behalf of the other third party (or, as the case may be, each of the other third parties) mentioned in paragraph (b)(ii).

(7) Subsection (6) applies whether or not any of the third parties in question is a recognised third party.

(8) Where—

(a) at any time before the beginning of any regulated period any expenses within section 85(2) are incurred by or on behalf of a third party in respect of any property, services or facilities, but

(b) the property, services or facilities is or are made use of by or on behalf of the third party during the regulated period in circumstances such that, had any expenses been incurred in respect of that use during that period, they would by virtue of section 85(2) have constituted controlled expenditure incurred by or on behalf of the third party during that period,

the appropriate proportion of the expenses mentioned in paragraph (a) shall be treated for the purposes of this section, sections 94A and 94B, sections 94D to 94H, sections 96 to 99A and Schedule 10 as controlled expenditure incurred by or on behalf of the third party during that period.

(8A) Where the period is one in relation to which any limit is imposed by paragraph 3, 6, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections, ordinary or extraordinary general elections to the Senedd Cymru, or general elections to the Northern Ireland Assembly), property, services or facilities are made use of on behalf of a third party for the purposes of subsection (8)(b) only if their use on behalf of the third party is directed, authorised or encouraged by the third party or (where the third party is a recognised third party and is not an individual) by the third party or the responsible person.

(9) For the purposes of subsection (8) the appropriate proportion of the expenses mentioned in paragraph (a) of that subsection is such proportion of those expenses as is reasonably attributable to the use made of the property, services or facilities as mentioned in paragraph (b).

(10) For the purposes of this section, sections 94A and 94B, sections 94D to 94H, sections 96 to 99A and Schedule 10—

(a) a “regulated period” is ... a period in relation to which any limit is imposed by Schedule 10;

(b) any reference to controlled expenditure incurred by or on behalf of a recognised third party during a regulated period includes any controlled expenditure so incurred during that period at any time before the third party became a recognised third party;

(c) a part of the United Kingdom is a “relevant part” if any limit imposed by Schedule 10 applies to controlled expenditure which is incurred in that part; ...

<p>(d) any reference to controlled expenditure being incurred in a part of the United Kingdom shall be construed in accordance with paragraph 2 of that Schedule.</p> <p>(e) the “maximum campaign expenditure limit” in a part of the United Kingdom is the limit imposed by paragraph 3 of Schedule 9 in relation to campaign expenditure incurred in the relevant period (within the meaning of that paragraph) by or on behalf of a registered party which contests all the constituencies in that part (and to which sub-paragraph (6) of that paragraph does not apply).</p> <p>(f) any reference to controlled expenditure being incurred in a parliamentary constituency shall be construed in accordance with paragraph 2A of Schedule 10.</p> <p>(10A) Where an offence under subsection (4) is committed in the case of a recognised third party that is subject to the lower-tier expenditure limits—</p> <p>(a) the third party ceases to be subject to those limits at the time the offence is committed, and</p> <p>(b) this Part then applies to the third party as if the notification under section 88(1) which is for the time being in force in relation to the third party did not contain a statement under section 88(3D).</p> <p>(11). . .</p>	
<p><b>100A Code of practice on controlled expenditure</b></p> <p>(1) The Commission must prepare a code of practice about the operation of this Part in relation to a reserved regulated period.</p> <p><u>(1A) The Commission must prepare a code of practice about the operation of this Part in relation to a Welsh devolved regulated period.</u></p> <p>(2)The <u>A</u> code must in particular set out—</p> <p>(a) guidance on the kinds of expenses which do, or do not, fall within Part 1 of Schedule 8A (qualifying expenses);</p> <p>(b) guidance on determining whether the condition in section 85(2)(b) (promoting or procuring electoral success) is met in relation to expenditure;</p> <p>(c) guidance on determining whether anything provided to or for the use of a third party falls to be dealt with in accordance with section 86 (notional controlled expenditure) or with section 95 and Schedule 11 (donations);</p> <p>(d) examples of when expenditure falls to be dealt with in accordance with section 94(6) (expenditure of a third party</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 38</p>

in pursuance of an arrangement with one or more other third parties);

(e) guidance about the operation of sections 94D to 94H (targeted controlled expenditure).

(3) The Commission may from time to time revise ~~the code~~ a code.

(4) In exercising their functions under this Part, the Commission must have regard to ~~the code~~ a code.

(5) It is a defence for a third party charged with an offence under any provision of this Part, where the offence relates to expenditure incurred or treated as incurred by a third party during a reserved regulated period, to show—

(a) that the code, in the form for the time being issued under section 100B, was complied with by the third party in determining whether the expenditure is controlled expenditure for the purposes of this Part, and

(b) that the offence would not have been committed on the basis of the controlled expenditure as determined in accordance with the code.

(5A) It is a defence for a third party charged with an offence under any provision of this Part, where the offence relates to expenditure incurred or treated as incurred by a third party during a Welsh devolved regulated period to show—

(a) that the code, in the form for the time being issued under section 100C, was complied with by the third party in determining whether the expenditure is controlled expenditure for the purposes of this Part, and

(b) that the offence would not have been committed on the basis of the controlled expenditure as determined with the code.

(6) In this section, “reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (regulated periods for parliamentary general elections or general elections to the Northern Ireland Assembly).

(6A) In this section “Welsh devolved regulated period” means a period in relation to which any limit is imposed by paragraph 6 of Schedule 10 (regulated period for general elections to Senedd Cymru).

(7) Section 100B sets out consultation and procedural requirements relating to the code or any revised code under subsection (1).

<p>(8) <u>Section 100C sets out consultation and procedural requirements relating to the code or any revised code under subsection (1A).</u></p>	
<p><b>100B Code of practice: consultation and procedural requirements</b></p> <p>(1) The Commission must consult the following on a draft of a code under section 100A(1) —</p> <p>(a) the Speaker’s Committee;</p> <p>(b) the Levelling Up, Housing and Communities Committee;</p> <p>(c) such other persons as the Commission consider appropriate.</p> <p>(2) After the Commission have carried out the consultation required by subsection (1), they must—</p> <p>(a) make whatever modifications to the draft code the Commission consider necessary in light of responses to the consultation, and</p> <p>(b) submit the draft to the Secretary of State for approval by the Secretary of State.</p> <p>(3) The Secretary of State may approve a draft code either without modifications or with such modifications as the Secretary of State may determine.</p> <p>(4) Once the Secretary of State has approved a draft code, the Secretary of State must lay before each House of Parliament a copy of the draft, whether—</p> <p>(a) in its original form, or</p> <p>(b) in a form which incorporates any modifications determined under subsection (3).</p> <p>(5) If the draft code incorporates any such modifications, the Secretary of State must at the same time lay before each House a statement of the Secretary of State’s reasons for making them.</p> <p>(6) If, within the 40-day period, either House resolves not to approve the draft, the Secretary of State must take no further steps in relation to the draft code.</p> <p>(7) Subsection (6) does not prevent a new draft code from being laid before Parliament.</p> <p>(8) If no resolution of the kind mentioned in subsection (6) is made within the 40-day period—</p> <p>(a) the Secretary of State must issue the code in the form of the draft laid before Parliament,</p> <p>(b) the Commission must arrange for the code to be published in such manner as they consider appropriate, and</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 38</p>

<p>(c) the code comes into force on such day as the Secretary of State may by order appoint.</p> <p>(9) References in this section (other than in subsection (1)) to a code or draft code include a revised code or draft revised code.</p> <p>(10) In this section, “the 40-day period”, in relation to a draft code, means—</p> <p>(a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later of the two days, and</p> <p>(b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House, no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.</p> <p>(11) If the name of the Levelling Up, Housing and Communities Committee is changed, the reference in subsection (1)(b) to that Committee is to be read (subject to subsection (12)) as a reference to the Committee by its new name.</p> <p>(12) If the functions of the Levelling Up, Housing and Communities Committee at the passing of this Act with respect to electoral matters (or functions corresponding substantially to such matters) become functions of a different committee of the House of Commons, the reference in subsection (1)(b) to that Committee is to be read as a reference to the committee which for the time being has those functions.</p>	
<p><b><u>100C Code of Practice: consultation and procedural requirements on controlled expenditure in Senedd Cymru elections</u></b></p> <p><u>(1) The Commission must consult the following on a draft of a code under section 100A(1A)—</u></p> <p><u>(a) the Llywydd’s Committee;</u></p> <p><u>(b) the Legislation, Justice and Constitution Committee of Senedd Cymru;</u></p> <p><u>(c) such other persons as the Commission consider appropriate.</u></p> <p><u>(2) After the Commission have carried out the consultation required by subsection (1), the Commission must—</u></p> <p><u>(a) make whatever modifications to the draft code the Commission consider necessary in light of responses to the consultation, and</u></p>	<p>Bil ECE Rhan 1, Pennod 5, adran 38</p>

<p><u>(b) submit the draft to the Welsh Ministers for approval by the Welsh Ministers.</u></p>	
<p><u>(3) The Welsh Ministers may approve a draft code either without modifications or with such modifications as the Welsh Ministers may determine.</u></p>	
<p><u>(4) Once the Welsh Ministers have approved a draft code, they must lay a copy of the draft before Senedd Cymru (“the Senedd”), whether—</u></p>	
<p><u>(a) in its original form, or</u></p>	
<p><u>(b) in a form which incorporates any modifications determined under subsection (3).</u></p>	
<p><u>(5) If the draft code incorporates modifications, the Welsh Ministers must at the same time lay before the Senedd a statement of their reasons for making them.</u></p>	
<p><u>(6) If, within the 40-day period, the Senedd resolves not to approve the draft code, the Welsh Ministers must take no further steps in relation to it.</u></p>	
<p><u>(7) Subsection (6) does not prevent a new draft code from being laid before the Senedd.</u></p>	
<p><u>(8) If no resolution of the kind mentioned in subsection (6) is made within the 40-day period—</u></p>	
<p><u>(a) the Welsh Ministers must issue the code in the form of the draft laid before the Senedd,</u></p>	
<p><u>(b) the code comes into force on the date appointed by the Welsh Ministers by order, and</u></p>	
<p><u>(c) the Commission must arrange for the code to be published in such manner as the Commission consider appropriate.</u></p>	
<p><u>(9) References in this section (other than in subsection (1)) to a code or draft code include a revised code or draft revised code.</u></p>	
<p><u>(10) In this section “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before the Senedd, no account being taken of any period during which the Senedd is dissolved or is in recess for more than four days.</u></p>	
<p><u>(11) If the name of the Legislation, Justice and Constitution Committee is changed, the reference in subsection (1)(b) to that Committee is to be read as a reference to the Committee by its new name.</u></p>	



<p><u>(12) If the functions of the Legislation, Justice and Constitution Committee at the passing of this Act with respect to electoral matters (or functions corresponding substantially to such matters) become functions of a different committee of Senedd Cymru, the reference in subsection (1)(b) to that Committee is to be read as a reference to the committee which for the time being has those functions.</u></p>	
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<p><b>156 Orders and regulations.</b></p> <p>(1) Any power of the Secretary of State <u>or the Welsh Ministers</u> to make any order or regulations under this Act shall be exercised by statutory instrument.</p> <p>(2) Subject to subsections (3) to (4A),</p> <p><u>(a) a statutory instrument containing any order or regulations made under this Act by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.</u></p> <p><u>(b) a statutory instrument containing any order or regulations made under this Act by the Welsh Ministers shall be subject to annulment in pursuance of a resolution of Senedd Cymru.</u></p> <p>(3) Subsection (2) does not apply to—</p> <p>(za) an order under section 100B(8);</p> <p><u>(zb) an order under section 100C(8);</u></p> <p>(a) any order under ... 163(2) or paragraph 14(7) of Schedule 1; ...</p> <p>(aa) any order under paragraph 3(7) of Schedule 8, <del>other than an order of the Welsh Ministers;</del></p> <p>(b) any order made in pursuance of section 155(2)(a).</p> <p>(4) Subsection (2) also does not apply to any order under—</p> <p>(a) .....</p> <p>(b) section 51(4),</p> <p>(c) section 67(1),</p> <p>(ca) any provision of Chapter 6 of Part 4;</p> <p>(d) .....</p> <p>(da) section 71F(13),</p> <p>(db) section 71H(4),</p> <p>(dc) section 71U(1),</p> <p>(dd) any provision of Chapter 2 of Part 4A,</p> <p>(de) section 88(9),</p> <p><u>(df) section 88(11),</u></p> <p>(e) section 101(4),</p> <p>(f) section 108(3),</p> <p>(g) section 109(6),</p> <p>(h) section 129,</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 34; Rhan 1, Pennod 5, adran 37; Rhan 1, Pennod 5, adran 38</p>
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<p>(ha) paragraph 9 of Schedule 6A,  (i) paragraph 3(4) of Schedule 7,  (ia) paragraph 2(9) or 4(4) of Schedule 7A,  (j) paragraph 4 of Schedule 8,  (ja) paragraph 4 of Schedule 8A,  (k) paragraph 3(4) of Schedule 11,  (l) paragraph 4 of Schedule 13,  (m) paragraph 2 of Schedule 14, or  (n) paragraph 3(4) of Schedule 15;</p> <p>and no such order shall be made (whether alone or with other provisions) unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament <u>(in the case of an order made by the Secretary of State) or (in the case of an order made by the Welsh Ministers) a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, Senedd Cymru.</u></p> <p>(4A) An order under paragraph 16 of Schedule 19C that contains—</p> <p>(a) provision made by virtue of paragraph 1(1), (2), (3), (4) or (5), paragraph 5(1), (2), (3) or (4), paragraph 10(2)(b) or (3)(b) or paragraph 15(1)(a) of that Schedule, or  (b) provision amending an Act,</p> <p>shall not be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, each House of Parliament <u>(in the case of an order made by the Secretary of State) or (in the case of an order made by the Welsh Ministers) a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, Senedd Cymru;</u> and subsection (2) does not apply to such an order.</p> <p>(4B) Subject to subsections (4C) and (4D), any order or regulations made under this Act by the Scottish Ministers shall be subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).</p> <p>(4C) Subsection (4B) does not apply to an order falling within subsection (3)(a) or (b).</p> <p>(4D) Subsection (4B) does not apply to an order falling within subsection (4), and any such order made by the Scottish Ministers shall be subject to the affirmative</p>	
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<p>procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010).</p> <p>(5) Any order or regulations made by the Secretary of State, <u>the Welsh Ministers</u>, or the Scottish Ministers under this Act may—</p> <p>(a) contain such consequential, incidental, supplementary or transitional provisions or savings (including provisions amending, repealing or revoking enactments) as the Secretary of State, <u>the Welsh Ministers</u>, or the Scottish Ministers considers appropriate; and</p> <p>(b) make different provision for different cases.</p> <p>(6) Nothing in this Act shall be read as affecting the generality of subsection (5) (including that subsection as applied by section 19(9)).</p> <p>(7) Paragraphs 21 to 23 of Schedule 1 contain provisions relating to regulations made by the Commission.</p>	
<p><b>160 General interpretation.</b></p> <p>(1) In this Act—</p> <p>“accounting unit” and “party with accounting units” shall be construed in accordance with section 26(11);</p> <p>“bequest” includes any form of testamentary disposition;</p> <p>“body”, without more, means a body corporate or any combination of persons or other unincorporated association;</p> <p>“broadcaster” has the meaning given by section 37(2);</p> <p>“business” includes every trade, profession and occupation;</p> <p>“central organisation”, in relation to a registered party, shall be construed in accordance with section 26(11);</p> <p>...</p> <p>“the Commission” means the Electoral Commission;</p> <p>“contravention” includes a failure to comply, and cognate expressions shall be construed accordingly;</p> <p>“document” means a document in whatever form it is kept;</p> <p>“enactment” includes—</p> <p>(a) any provision of an Act (including this Act),</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (8)</p>

(b) any provision of or of any instrument made under Northern Ireland legislation, and

(c) any provision of subordinate legislation (within the meaning of the Interpretation Act 1978);

...

“exempt trust donation” has the meaning given by section 162;

“functions” includes powers and duties;

...

...

...

...

“the Great Britain register” and “the Northern Ireland register” mean the registers of political parties referred to in section 23(2)(a) and (b) respectively;

“local election”, in relation to Northern Ireland, means a local election within the meaning of the Electoral Law Act (Northern Ireland) 1962;

“local government election” means a local government election within the meaning of section 191, 203 or 204 of the Representation of the People Act 1983 or an election under Part II of the Local Government Act 2000 for the return of an elected mayor;

“market value”, in relation to any property, means the price which might reasonably be expected to be paid for the property on a sale in the open market;

“minor party” means (in accordance with section 34(1)) a party registered in the Great Britain register in pursuance of a declaration falling within section 28(2)(d);

“modifications” includes additions, omissions and amendments, and “modify” shall be construed accordingly;

“organisation” includes any body corporate and any combination of persons or other unincorporated association;

“property” includes any description of property, and references to the provision of property accordingly include the supply of goods;

“qualified auditor” means (subject to subsection (2))

(a)

a person who is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006;...

(b)

...

“record” means a record in whatever form it is kept;

“registered party” means a party registered under Part II of this Act;

“restriction” includes prohibition;

“treasurer”, in relation to a registered party, means registered treasurer.

(2) A person is not a qualified auditor in relation to any registered party or any other body or individual if he is—

(a) a member of the party or body or the individual himself, or

(b) an officer or employee of the party, body or individual.

For this purpose “officer or employee” does not include an auditor.

(3) References in this Act to a person standing for election in the name of a registered party shall be construed in accordance with section 22(6).

(4) References in this Act (in whatever terms) to payments out of public funds are references to any of the following, namely—

(a) payments out of—

(i) the Consolidated Fund of the United Kingdom, the Scottish Consolidated Fund, the Welsh Consolidated Fund or the Consolidated Fund of Northern Ireland, or

(ii) money provided by Parliament or appropriated by Act of the Northern Ireland Assembly;

(b) payments by—

(i) any Minister of the Crown, the Scottish Ministers, the Welsh Ministers or any Minister within the meaning of the Northern Ireland Act 1998,

(ii) any government department (including a Northern Ireland department), the Welsh Government or any part of the Scottish Administration . . .

(iii). . . . .

(c) payments by the Scottish Parliamentary Corporate Body, the ~~National Assembly for Wales~~ Senedd Commission or the Northern Ireland Assembly Commission; and

(d) payments by the Electoral Commission;

<p>and references in this Act (in whatever terms) to expenses met, or things provided, out of public funds are references to expenses met, or things provided, by means of any such payments.</p> <p>(5) References in this Act to conditions, in the context of grants being made subject to conditions, include conditions requiring repayment of the grants in specified circumstances.</p> <p>(6).....</p> <p>(7).....</p>	
<p><b>SCHEDULE 1 The Electoral Commission</b>  <b><i>Financing of Commission: devolved Welsh elections and referendums</i></b>  <b>[16A</b></p> <p>(1) The expenditure of the Commission that is attributable to the exercise of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums is (so far as it cannot be met out of income received by the Commission) to be payable out of the Welsh Consolidated Fund.</p> <p>(2) For each financial year, the Commission must prepare an estimate of the Commission's income and expenditure that is attributable to the exercise of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums.</p> <p>(3) At least six months before the start of the financial year to which an estimate relates, the Commission must submit the estimate to the Llywydd's Committee.</p> <p>(4) During the financial year to which an estimate relates, the Commission may prepare a revised estimate and submit it to the Llywydd's Committee; and references in the rest of this paragraph to an estimate include a revised estimate.</p> <p>(5) The committees of Senedd Cymru must include one to be known as the Llywydd's Committee or Pwyllgor y Llywydd.</p> <p>(6) The committee must be chaired by the Presiding Officer or <del>the Deputy Presiding Officer</del> <u>a Deputy Presiding Officer.</u></p> <p>(7) The Llywydd's Committee must—</p> <p>(a) examine each estimate submitted to it,</p> <p>(b) decide whether it is satisfied that the estimated level of income and expenditure is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(c) if it is not so satisfied, make such modifications to the estimate as it considers appropriate for the purpose of achieving such consistency.</p>	<p>Bil SC (AE)  Rhan 1  Adran 4(5)</p>

<p>(8) Before deciding whether it is so satisfied or making any such modifications, the Llywydd's Committee must—</p> <p>(a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2), to any later report made under paragraph 16C(4), and to any recommendations contained in the reports;</p> <p>(b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.</p> <p>(9) The Llywydd's Committee must, after concluding its examination and making its modifications (if any) to the estimate, lay the estimate before Senedd Cymru.</p> <p>(10) If the Llywydd's Committee, in the discharge of its functions under this paragraph—</p> <p>(a) does not follow any recommendation contained in a report of the Comptroller and Auditor General,</p> <p>(b) does not follow any advice given to it by the Welsh Ministers, or</p> <p>(c) makes any modification to the estimate, it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.</p>	
<p><b>SCHEDULE 7 CONTROL OF DONATIONS TO INDIVIDUALS AND MEMBERS ASSOCIATIONS</b></p> <p><b><i>Operation and interpretation of Schedule</i></b></p> <p><b>1.</b>-(1) This Schedule has effect for controlling donations to—</p> <p>(a) members of registered parties;</p> <p>(b) members associations; and</p> <p>(c) holders of relevant elective offices.</p> <p>(2) The following provisions have effect for the purposes of this Schedule.</p> <p>(3) “Controlled donation”—</p> <p>(a) in relation to a member of a registered party, means a donation received by that person which is—</p> <p>(i) offered to him, or</p> <p>(ii) where it has been accepted, retained by him, for his use or benefit in connection with any of his political activities as a member of the party;</p> <p>(b) in relation to a members association, means a donation received by the association which is—</p> <p>(i) offered to the association, or</p> <p>(ii) where it has been accepted, retained by the association,</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6 (9)</p>



for its use or benefit in connection with any of its political activities;

(c) in relation to a holder of a relevant elective office, means a donation received by that person which is—

(i) offered to him, or

(ii) where it has been accepted, retained by him,

for his use or benefit (as the holder of such an office) in connection with any of his political activities.

(4) For the purposes of this Schedule the political activities of a party member or (as the case may be) of a members association include, in particular—

(a) promoting or procuring the election of any person to any position in, or to any committee of, the party in question;

(b) promoting or procuring the selection of any person as the party's candidate for election to a relevant elective office; and

(c) promoting or developing policies with a view to their adoption by the party;

and in the application of paragraph (a) or (b) to a party member the reference to any person includes that member.

(5) "Donation" shall be construed in accordance with paragraphs 2 to 4; and (in the absence of any express indication) a donation shall be taken to have been offered to, or retained by, a person or organisation as mentioned in sub-paragraph (1)(a), (b) or (c) if, having regard to all the circumstances, it must reasonably be assumed to have been so offered or retained.

(6) "Members association" means any organisation whose membership consists wholly or mainly of members of a registered party, other than—

(a) a registered party falling within section 26(2)(a); or

(b) an organisation falling within section 26(2)(b) (that is, the central organisation of a registered party or an accounting unit of such a party).

(7) "Regulated donee" means—

(a) a member of a registered party;

(b) a members association; or

(c) the holder of a relevant elective office, whether or not he is a member of a registered party.

(8) "Relevant elective office" means the office of—

(a) member of the House of Commons;

<p>(b). . . . .</p> <p>(c) member of the Scottish Parliament;</p> <p>(d) member of the <del>National Assembly for Wales</del> <u>Senedd</u>;</p> <p>(e) member of the Northern Ireland Assembly;</p> <p>(ea) police and crime commissioner;</p> <p>(f) member of—</p> <p>(i) any local authority in any part of the United Kingdom, including the Common Council of the City of London but excluding a parish or community council, or</p> <p>(ii) the Greater London Assembly; or</p> <p>(g) Mayor of London or elected mayor within the meaning of Part II of the Local Government Act 2000.</p> <p>(9) “The responsible person”, in relation to a members association, means—</p> <p>(a) the treasurer, if there is one, and</p> <p>(b) otherwise, the person who is the responsible person by virtue of a notice in force under paragraph 1A.</p> <p>(10). . . . .</p> <p>(11). . . . .</p>	
<p><b>SCHEDULE 8A CONTROLLED EXPENDITURE: QUALIFYING EXPENSES</b></p> <p><b>PART 1</b></p> <p><b>QUALIFYING EXPENSES</b></p> <p><b>1</b> For the purposes of section 85(2) the expenses falling within this Part of this Schedule are expenses incurred in respect of any of the matters set out in the following list.</p> <p><b>List of matters</b></p> <p>(1) The production or publication of material which is made available to the public at large or any section of the public (in whatever form and by whatever means).</p> <p>(2) Canvassing, or market research seeking views or information from, members of the public.</p> <p>(3) Press conferences, or other media events, organised by or on behalf of the third party.</p> <p>(4) Transport (by any means) of persons to any place or places with a view to obtaining publicity.</p> <p>(5) Public rallies or other public events, other than—</p> <p>(a) annual conferences of the third party, or</p>	<p>Bil ECE Rhan 1, Pennod 5, adran 33; Rhan 1, Pennod 5, adran 38</p>

(b) any public procession or protest meeting, within the meaning of the Public Processions (Northern Ireland) Act 1998, in respect of which notice is given in accordance with section 6 or 7 of that Act (advance notice of public processions or related protest meetings).

Expenses in respect of such events include costs incurred in connection with the attendance of persons at such events, the hire of premises for the purposes of such events or the provision of goods, services or facilities at them.

But expenses in respect of such events do not include costs incurred in providing for the protection of persons or property.

**2.-(1)** Nothing in paragraph 1 extends to—

(a) expenses incurred in respect of the publication of any matter relating to an election, other than an advertisement, in—

(i) a newspaper or periodical,

(ii) a broadcast made by the British Broadcasting Corporation or by Sianel Pedwar Cymru, or

(iii) a programme included in any service licensed under Part 1 or 3 of the Broadcasting Act 1990 or Part 1 or 2 of the Broadcasting Act 1996;

(b) expenses incurred in respect of, or in consequence of, the translation of anything from English into Welsh or from Welsh into English;

(c) reasonable personal expenses incurred by an individual in travelling or in providing for the individual's accommodation or other personal needs;

(d) reasonable expenses incurred that are reasonably attributable to an individual's disability (e) expenses incurred in respect of the provision by any individual of the individual's own services which the individual provides voluntarily in the individual's own time and free of charge.

(2) In sub-paragraph (1)(d), "disability" has the same meaning as in the Equality Act 2010 (see section 6 of that Act).

(3) In relation to polls at elections for membership of the Scottish Parliament, nothing in paragraph 1 is to be taken as extending to reasonable expenses incurred that are reasonably attributable to the translation of anything into languages other than English.

## **PART 2**

### **SUPPLEMENTAL**

***Guidance by the Commission***

3.-(1) The Commission may prepare, and from time to time revise, a code of practice giving guidance as to the kinds of expenses which do, or do not, fall within Part 1 of this Schedule.

(2) Once the Commission have prepared a draft code under this paragraph, they shall submit it to the Secretary of State for his approval.

(3) The Secretary of State may approve a draft code either without modification or with such modifications as he may determine.

(4) Once the Secretary of State has approved a draft code he shall lay a copy of the draft, whether—

(a) in its original form, or

(b) in a form which incorporates any modifications determined under sub-paragraph (3),

before each House of Parliament.

(5) If the draft incorporates any such modifications, the Secretary of State shall at the same time lay before each House a statement of his reasons for making them.

(6) If, within the 40-day period, either House resolves not to approve the draft, the Secretary of State shall take no further steps in relation to the draft code.

(7) If no such resolution is made within the 40-day period—

(a) the Secretary of State shall issue the code in the form of the draft laid before Parliament, and

(b) the code shall come into force on such date as the Secretary of State may by order appoint,

and the Commission shall arrange for it to be published in such manner as they consider appropriate.

(8) Sub-paragraph (6) does not prevent a new draft code from being laid before Parliament.

(9) In this paragraph “40-day period”, in relation to a draft code, means—

(a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later of the two days, and

(b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House,

<p>no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.</p> <p>(10) In this paragraph references to a draft code include a draft revised code.</p> <p>(11) This paragraph does not apply in relation to expenses incurred during a period in relation to which any limit is imposed by paragraph 3, <u>6</u>, 7, 9, 10 or 11 of Schedule 10 (regulated periods for parliamentary general elections, <u>ordinary or extraordinary general elections to the Senedd Cymru</u>, or general elections to the Northern Ireland Assembly) (see sections 100A <del>and 100B</del>, <u>100B and 100C</u> as regards expenses incurred during such a period).</p> <p><b>Power to amend Part 1</b></p> <p>4.-(1) The Secretary of State may by order make such amendments of Part 1 of this Schedule as he considers appropriate.</p> <p>(2) The Secretary of State may make such an order either—</p> <p>(a) where the order gives effect to a recommendation of the Commission, or</p> <p>(b) after consultation with the Commission.</p>	
<p><b>SCHEDULE 9</b></p> <p><b>LIMITS ON CAMPAIGN EXPENDITURE</b></p> <p><b>PART I</b></p> <p><b>INTRODUCTORY</b></p> <p><i>Interpretation</i></p> <p>1.-(1) In this Schedule—</p> <p>(a) “an ordinary general election to the Scottish Parliament” means an election held under section 2 of the Scotland Act 1998;</p> <p>(b) “an extraordinary general election to the Scottish Parliament” means an election held under section 3 of the Scotland Act 1998;</p> <p>(c) “an ordinary general election to the <del>National Assembly for Wales</del> <u>Senedd Cymru</u>” means an election held under section 3 of the Government of Wales Act 2006;</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6(10)</p>

(ca) “an extraordinary general election to the ~~National Assembly for Wales~~ Senedd Cymru” means an election held under section 5 of the Government of Wales Act 2006;

(d) “an ordinary general election to the Northern Ireland Assembly” means an election held under section 31 of the Northern Ireland Act 1998; and

(e) “an extraordinary general election to the Northern Ireland Assembly” means an election held under section 32 of the Northern Ireland Act 1998.

(2) For the purposes of this Schedule a registered party—

(a) contests a constituency if any candidate stands for election for that constituency in the name of the party; and

(b) contests any region if the party is included in the statement of parties and candidates nominated for that region.

(3) For the purposes of this Schedule a parliamentary general election is pending during the period—

(a) beginning with the date on which Parliament is dissolved ... for a parliamentary general election, and

(b) ending with the date of the poll for that election.

*Attribution of expenditure to different parts of the United Kingdom*

**2.-(1)** For the purposes of this Schedule—

(a) campaign expenditure incurred by or on behalf of a party registered in the Great Britain register shall (subject to the following provisions of this paragraph) be attributed to each of England, Scotland and Wales in proportion to the number of parliamentary constituencies for the time being situated in that part of Great Britain; and

(b) campaign expenditure incurred by or on behalf of a party registered in the Northern Ireland register shall be attributed solely to Northern Ireland.

(2) Campaign expenditure whose effects are wholly or substantially confined to any particular parts or part of Great Britain—

(a) shall be attributed to those parts in proportion to the number of parliamentary constituencies for the time being situated in those parts, or

(b) shall be attributed solely to that part, as the case may be.

(3) For the purposes of sub-paragraph (2) the effects of campaign expenditure are wholly or substantially confined to any particular parts or part of Great Britain if they have no significant effects in any other part or parts (so that, for example, expenditure on an advertisement in a newspaper circulating in Wales is to be attributed solely to Wales if the newspaper does not circulate to any significant extent in any other part of Great Britain).

(3A). . . . .

(4) References in this Schedule to campaign expenditure “in” a particular part of the United Kingdom are accordingly to campaign expenditure which is to be attributed to that part in accordance with this paragraph.

**PART II**

**GENERAL LIMITS**

*Parliamentary general elections*

**3.**-(1) This paragraph imposes limits in relation to campaign expenditure incurred by or on behalf of a registered party which contests one or more constituencies at a parliamentary general election.

(2) Where a registered party contests one or more constituencies in England, Scotland or Wales, the limit applying to campaign expenditure which is incurred by or on behalf of the party in the relevant period in that part of Great Britain is—

- (a) £30,000 multiplied by the number of constituencies contested by the party in that part of Great Britain; or
- (b) if greater, the appropriate amount specified in sub-paragraph (3).

(3) The appropriate amount is—

- (a) in relation to England, £810,000;
- (b) in relation to Scotland, £120,000; and
- (c) in relation to Wales, £60,000.

(4) Where a registered party contests one or more constituencies in Northern Ireland, the limit applying to campaign expenditure which is incurred by or on behalf of the party in the relevant period in Northern Ireland is £30,000 multiplied by the number of constituencies contested by the party there.

(5) Sub-paragraph (6) applies to a registered party in a case where at the election a candidate stands for election in any

constituency in the name of that party and one or more other registered parties.

(6) In such a case, the amount applying to the party in respect of the constituency under sub-paragraph (2)(a) or (4) (as the case may be) shall, instead of being the amount specified in that provision, be that amount divided by the number of registered parties in whose name the candidate stands for election as mentioned in sub-paragraph (5).

(7) For the purposes of this paragraph the relevant period is—

(a) (subject to paragraph (b)) the period of 365 days ending with the date of the poll for the election;

(b) where the election (“the election in question”) follows another parliamentary general election held less than 365 days previously, the period—

(i) beginning with the day after the date of the poll for the earlier election, and

(ii) ending with the date of the poll for the election in question.

...

**4.** . . . . .

*General elections to Scottish Parliament*

**5.**-(1) This paragraph imposes limits in relation to campaign expenditure incurred by or on behalf of a registered party which contests one or more constituencies or regions at an ordinary or extraordinary general election to the Scottish Parliament.

(2) The limit applying to campaign expenditure which is incurred by or on behalf of a registered party in the relevant period in Scotland is—

(a) £12,000 for each constituency contested by the party; plus

(b) £80,000 for each region contested by the party.

(2A) Sub-paragraph (2B) applies to a registered party in a case where at the election a candidate stands for election in any constituency in the name of that party and one or more other registered parties.

(2B) In such a case, the amount applying to the party in respect of the constituency under sub-paragraph (2)(a) shall, instead of being the amount specified in that sub-paragraph, be that amount divided by the number of



registered parties in whose name the candidate stands for election as mentioned in sub-paragraph (2A).

(3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 2(2) of the Scotland Act 1998; or

(b) no less than five months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is brought forward under section 2(5) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is postponed under section 2(5) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 2(2) of the Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Presiding Officer proposes a day for the poll for the election under section 3(1) of the Scotland Act 1998 and ending with the date of the poll for the election.

*General elections to ~~the National Assembly for Wales~~  
Senedd Cymru*

**6.**-(1) This paragraph imposes limits in relation to campaign expenditure incurred by or on behalf of a registered party which contests one or more constituencies or regions at an ordinary or extra ordinary general election to ~~the National Assembly for Wales~~ Senedd Cymru.

(2) The limit applying to campaign expenditure which is incurred by or on behalf of a registered party in the relevant period in Wales is—

(a) £10,000 for each constituency contested by the party; plus

(b) £40,000 for each region contested by the party.

(2A) Sub-paragraph (2B) applies to a registered party in a case where at the election a candidate stands for election in any constituency in the name of that party and one or more other registered parties.

(2B) In such a case, the amount applying to the party in respect of the constituency under sub-paragraph (2)(a) shall, instead of being the amount specified in that sub-paragraph, be that amount divided by the number of registered parties in whose name the candidate stands for election as mentioned in sub-paragraph (2A).

(3) In the case of an ordinary general election “the relevant period” is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” is the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 3(1) of the Government of Wales Act 2006;

(b) no less than five months before the day on which the poll would have taken place under section 3(1) of that Act], the date of the poll is brought forward under section 4(1) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 3(1) of that Act], the date of the poll is postponed under section 4(1) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 3(1) of that Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Secretary of State proposes a date for the poll for the election under section 5(1) of the Government of Wales Act 2006 and ending with the date of the poll for the election.

#### *General elections to Northern Ireland Assembly*

7.-(1) This paragraph imposes limits in relation to campaign expenditure incurred by or on behalf of a registered party which contests one or more constituencies at an ordinary or extraordinary general election to the Northern Ireland Assembly.

(2) The limit applying to campaign expenditure which is incurred by or on behalf of a registered party in the relevant period in Northern Ireland is £17,000 for each constituency contested by the party.

(2A) Sub-paragraph (2B) applies to a registered party in a case where at the election a candidate stands for election in any constituency in the name of that party and one or more other registered parties.

(2B) In such a case, the amount applying to the party in respect of the constituency under sub-paragraph (2) shall, instead of being the amount specified in that sub-paragraph, be that amount divided by the number of registered parties in whose name the candidate stands for election as mentioned in sub-paragraph (2A).

(3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 31(1) and (2) of the Northern Ireland Act 1998;

(b) no less than five months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is brought forward under section 31(3) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is postponed under section 31(3) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 31(1) and (2) of that Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Secretary of State proposes a date for the poll for the election under section 32(1) or (3) of the Northern Ireland Act 1998 and ending with the date of the poll for the election.

**PART III**

**LIMITS APPLYING IN SPECIAL CIRCUMSTANCES**

...

8. ....

*Combined limits where parliamentary election pending*

**9.-(1)** This paragraph applies where—

(a) separate limits would (apart from this paragraph) apply as follows to campaign expenditure incurred by or on behalf of a registered party in England, Scotland, Wales or Northern Ireland (as the case may be), namely—

(i) under paragraph 3 in relation to a parliamentary general election; and

(ii) under paragraph 5, 6 or 7 in relation to an election or elections within that paragraph; and

(b) the parliamentary general election is pending during any part of the period in relation to which the limit imposed by paragraph 5, 6 or 7 would (apart from this paragraph) apply.

(2) In such a case—

(a) neither paragraph 3, nor paragraph 5, 6 or 7 (as the case may be) shall apply to the expenditure mentioned in sub-paragraph (1)(a); and

(b) the limit or limits imposed by this paragraph shall apply to it instead.

(3) Subject to sub-paragraphs (5) to (7), the limit applying to campaign expenditure which is incurred by or on behalf of the registered party in the relevant period for the purposes of this sub-paragraph in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—

(a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and

(b) the limit which by virtue of paragraph 5, 6 or 7 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(4) For the purposes of sub-paragraph (3) “the relevant period” is—

<p>(a) where the parliamentary general election takes place at the same time as, or later than—</p> <p>(i) the election in relation to which paragraph ... 5, 6 or 7 would otherwise apply, ...</p> <p>(ii).....</p> <p>the period which for the purposes of paragraph 3 is the relevant period in relation to the parliamentary general election;</p> <p>(b) where the parliamentary general election takes place earlier than the election mentioned in paragraph (a)(i) ..., the period which—</p> <p>(i) begins at the beginning of the period mentioned in paragraph (a), and</p> <p>(ii) ends with the date of the poll for the later ... of the elections.</p> <p>(5) Where sub-paragraph (1)(a)(i) is applicable in the case of each of two parliamentary general elections which are pending during different parts of any such period as is mentioned in sub-paragraph (1)(b), the limits applying to campaign expenditure which is incurred by or on behalf of the registered party in the relevant periods in England, Scotland, Wales or Northern Ireland (as the case may be) are as follows—</p> <p>(a) in the case of expenditure incurred in the first relevant period, the limit is the aggregate of—</p> <p>(i) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the first of the parliamentary general elections to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph, and</p> <p>(ii) the limit mentioned in sub-paragraph (3)(b) above; and</p> <p>(b) in the case of expenditure incurred in the second relevant period, the limit is the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the second parliamentary general election to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.</p> <p>(6) For the purposes of sub-paragraph (5) “the first relevant period” is the period which—</p> <p>(a) begins at the beginning of the period which would, apart from this paragraph, apply for the purposes of paragraph 3</p>	
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to the first of the parliamentary general elections to take place; and

(b) ends with the date on which Parliament is dissolved ... for the second of the parliamentary general elections to take place.

(7) For the purposes of sub-paragraph (5) “the second relevant period” is the period which—

(a) begins on the day after the date mentioned in sub-paragraph (6)(b) above; and

(b) ends with whichever is the later of the following, namely—

(i) the date of the poll for the second parliamentary general election to take place; and

(ii) the date of the poll for the election in relation to which paragraph ... 5, 6 or 7 would otherwise apply ....

*Combination of limit under paragraph 9 and other limit*

**10.**-(1) This paragraph applies where—

(a) a limit under paragraph 9 would (apart from this paragraph) apply to campaign expenditure incurred by or on behalf of a registered party in England, Scotland, Wales or Northern Ireland (as the case may be) in relation to a period that would either be—

(i) a relevant period for the purposes of paragraph 9(3), or

(ii) a first relevant period for the purposes of paragraph 9(5);  
and

(b) another limit under paragraph 5, 6 or 7 applies to campaign expenditure incurred by or on behalf of the party in that part of the United Kingdom in relation to a period (“the other campaign period”) which is not a period during which the parliamentary general election is pending but which either—

(i) falls wholly within, or

(ii) ends at any time falling within,

the period mentioned in paragraph (a).

(2) In such a case—

(a) the limit imposed by paragraph 9 shall not apply in relation to the period mentioned in sub-paragraph (1)(a);  
and

(b) instead the limit imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.

(3) The limit applying to campaign expenditure which is incurred by or on behalf of the party during the combined period in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—

(a) the limit which by virtue of paragraph 9 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the period mentioned in sub-paragraph (1)(a); and

(b) the limit applying, by virtue of paragraph 5, 6 or 7 (as the case may be), to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(4) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—

(a) the beginning of the period which is the relevant period for the purposes of paragraph 5, 6 or 7 (as the case may be), and

(b) the beginning of the period mentioned in sub-paragraph (1)(a),

and ends at the end of the period mentioned in sub-paragraph (1)(a).

(5) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 5, 6 or 7 in relation to any period which is a relevant period for the purposes of that paragraph.

*Combination of parliamentary general election and other election, or elections, falling within paragraphs 5 to 7*

**11.**-(1) This paragraph applies where—

(a) a limit under paragraph 3 would (apart from this paragraph) apply to campaign expenditure incurred by or on behalf of a registered party in England, Scotland, Wales or Northern Ireland (as the case may be);

(b) another limit under paragraph 5, 6 or 7 applies to campaign expenditure incurred by or on behalf of the party in that part of the United Kingdom in relation to any period (“the other campaign period”) which either—

(i) falls wholly within, or

(ii) ends at any time falling within,  
the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election; and

(c) paragraph 9 does not apply in connection with that expenditure.

(2) In such a case—

(a) the limit imposed by paragraph 3 shall not apply in relation to the relevant period for the purposes of that paragraph, and

(b) instead the limit imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.

(3) The limit applying to campaign expenditure which is incurred by or on behalf of the party in the combined period in England, Scotland, Wales or Northern Ireland, as the case may be, is the aggregate of—

(a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and

(b) the limit applying by virtue of paragraph 5, 6 or 7 (as the case may be) to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(4) Where two or more periods (“the other campaign periods”) which are relevant periods for the purposes of any of paragraphs 5 or 7 —

(a) fall wholly within, or

(b) end at any time falling within,

the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election, sub-paragraph (3)(b) shall operate in relation to each of the limits applying in relation to those periods so as to produce two or more amounts to be added to the amount referred to in sub-paragraph (3)(a).

(5) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—

(a) the beginning of—

(i) the period which is the relevant period for the purposes of paragraph 5, 6 or 7 (as the case may be), or



<p>(ii) where sub-paragraph (4) applies, whichever of the relevant periods for the purposes of any of paragraphs 5 or 7 is the first to begin, and</p> <p>(b) the beginning of the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election, and ends with the date of the poll for the parliamentary general election.</p> <p>(6) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 5, 6 or 7 in relation to any period which is a relevant period for the purposes of that paragraph.</p>	
<p><b>SCHEDULE 10</b></p> <p><b>LIMITS ON CONTROLLED EXPENDITURE</b></p> <p><b>PART I</b></p> <p><b>INTRODUCTORY</b></p> <p><i>Interpretation</i></p> <p><b>1.-(1)</b> In this Schedule—</p> <p>(a) “an ordinary general election to the Scottish Parliament” means an election held under section 2 of the Scotland Act 1998;</p> <p>(b) “an extraordinary general election to the Scottish Parliament” means an election held under section 3 of the Scotland Act 1998;</p> <p>(c) “an ordinary general election to <del>the National Assembly for Wales</del> <u>Senedd Cymru</u>” means an election under section 3 of the Government of Wales Act 2006;</p> <p>(ca) “an extraordinary general election to <del>the National Assembly for Wales</del> <u>Senedd Cymru</u>” means an election under section 5 of the Government of Wales Act 2006;</p> <p>(d) “an ordinary general election to the Northern Ireland Assembly” means an election held under section 31 of the Northern Ireland Act 1998; and</p> <p>(e) “an extraordinary general election to the Northern Ireland Assembly” means an election held under section 32 of the Northern Ireland Act 1998.</p> <p>(2) For the purposes of this Schedule a parliamentary general election is pending during the period—</p>	<p>Bil ECE Atodlen 1, Rhan 3, 6(11)</p>

- (a) beginning with the date on which Parliament is dissolved ... for a parliamentary general election, and
- (b) ending with the date of the poll for that election.
- (3). . . . .

*Attribution of expenditure to different parts of the United Kingdom*

**2.-(1)** For the purposes of this Schedule controlled expenditure incurred by or on behalf of any recognised third party shall (subject to the following provisions of this paragraph) be attributed to each of England, Scotland, Wales and Northern Ireland in proportion to the number of parliamentary constituencies for the time being situated in that part of the United Kingdom.

(2) Controlled expenditure whose effects are wholly or substantially confined to any particular parts or part of the United Kingdom—

(a) shall be attributed to those parts in proportion to the number of parliamentary constituencies for the time being situated in those parts, or

(b) shall be attributed solely to that part,  
as the case may be.

(3) For the purposes of sub-paragraph (2) the effects of controlled expenditure are wholly or substantially confined to any particular parts or part of the United Kingdom if they have no significant effects in any other part or parts (so that, for example, expenditure on an advertisement in a newspaper circulating in Wales is to be attributed solely to Wales if the newspaper does not circulate to any significant extent in any other part of the United Kingdom).

(3A). . . . .

(4) References in this Schedule to controlled expenditure “in” a particular part of the United Kingdom are accordingly to controlled expenditure which is to be attributed to that part in accordance with this paragraph.

*Attribution of expenditure to different parliamentary constituencies*

**2A.-(1)** For the purposes of this Schedule controlled expenditure incurred by or on behalf of any recognised third party shall (subject to the following provisions of this

paragraph) be attributed to each parliamentary constituency in equal proportions.

(2) Controlled expenditure whose effects are wholly or substantially confined to any particular constituencies or constituency—

(a) shall be attributed to those constituencies in equal proportions, or

(b) shall be attributed solely to that constituency, as the case may be.

(3) For the purposes of sub-paragraph (2), the effects of controlled expenditure are wholly or substantially confined to any particular constituencies or constituency if they have no significant effects in any other constituency or constituencies.

(4) References in this Schedule to controlled expenditure “in” a particular constituency are accordingly to controlled expenditure which is to be attributed to that constituency in accordance with this paragraph.

## **PART II**

### **GENERAL LIMITS**

#### *Parliamentary general elections*

**3,-(1)** This paragraph imposes limits in relation to a parliamentary general election.

(2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in each of England, Scotland, Wales and Northern Ireland is—

(a) in relation to England, 2% of the maximum campaign expenditure limit in England;

(b) in relation to Scotland, £20,000 plus 2% of the maximum campaign expenditure limit in Scotland;

(c) in relation to Wales, £20,000 plus 2% of the maximum campaign expenditure limit in Wales;

(d) in relation to Northern Ireland, £20,000 plus 2% of the maximum campaign expenditure limit in Northern Ireland.

(2A) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in any particular parliamentary constituency

is 0.05% of the total of the maximum campaign expenditure limits in England, Scotland, Wales and Northern Ireland.

(3) For the purposes of this paragraph the relevant period is—

(a) (subject to paragraph (b)) the period of 365 days ending with the date of the poll for the election;

(b) where the election (“the election in question”) follows another parliamentary general election held less than 365 days previously, the period—

(i) beginning with the day after the date of the poll for the earlier election, and

(ii) ending with the date of the poll for the election in question.

...

4. ....

*General elections to Scottish Parliament*

**5.**-(1) This paragraph imposes limits in relation to an ordinary or extraordinary general election to the Scottish Parliament.

(2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Scotland is £75,800.

(3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 2(2) of the Scotland Act 1998; or

(b) no less than five months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is brought forward under section 2(5) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is postponed under section 2(5) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above

“the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 2(2) of the Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Presiding Officer proposes a day for the poll for the election under section 3(1) of the Scotland Act 1998 and ending with the date of the poll for the election.

*General elections to ~~the National Assembly for Wales~~  
Senedd Cymru*

**6.-(1)** This paragraph imposes limits in relation to an ordinary general election to ~~the National Assembly for Wales~~  
Senedd Cymru.

(2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Wales is £30,000.

(3) In the case of an ordinary general election “the relevant period” is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” is the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 3(1) of the Government of Wales Act 2006;

(b) no less than five months before the day on which the poll would have taken place under section 3(1) of that Act, the date of the poll is brought forward under section 4(1) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 3(1) of that Act, the date of the poll is postponed under section 4(1) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 3(1) of that Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Secretary of State proposes a date for the poll for the election under section

5(1) of the Government of Wales Act 2006 and ending with the date of the poll for the election.

*General elections to Northern Ireland Assembly*

7.-(1) This paragraph imposes limits in relation to an ordinary or extraordinary general election to the Northern Ireland Assembly.

(2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Northern Ireland is £15,300.

(3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.

(4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—

(a) the date of the poll is that determined by section 31(1) and (2) of the Northern Ireland Act 1998; or

(b) no less than five months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is brought forward under section 31(3) of that Act; or

(c) no less than four months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is postponed under section 31(3) of that Act;

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 31(1) and (2) of that Act.

(5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Secretary of State proposes a date for the poll for the election under section 32(1) or (3) of the Northern Ireland Act 1998 and ending with the date of the poll for the election.

**PART III**

**LIMITS APPLYING IN SPECIAL CIRCUMSTANCES**

...

8. ....

*Combined limits where parliamentary election pending*

9.-(1) This paragraph imposes—

(a) in the circumstances mentioned in sub-paragraph (2), limits in relation to—

(i) such a pending parliamentary general election as is mentioned in that sub-paragraph, and

(ii) an election, or elections, in relation to which the limit imposed by any of paragraphs 5 to 7 would otherwise apply as mentioned in that sub-paragraph; and

(b) in the circumstances mentioned in sub-paragraph (5), limits in relation to—

(i) two such pending parliamentary elections as are mentioned in that sub-paragraph, and

(ii) an election, or elections, in relation to which the limit imposed by any of paragraphs 5 to 7 would otherwise apply as mentioned in sub-paragraph (2).

(2) Where a parliamentary general election is pending during any part of the period in relation to which a limit imposed by any of paragraphs 5 to 7 would otherwise apply to controlled expenditure incurred by or on behalf of a recognised third party in a particular part of the United Kingdom—

(a) neither that paragraph, nor paragraph 3, shall apply in relation to such expenditure; and

(b) the limits imposed by this paragraph shall apply to it instead.

(3) Subject to sub-paragraphs (5) to (7), the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the relevant period for the purposes of this sub-paragraph in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—

(a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and

(b) the limit which by virtue of paragraph 5, 6 or 7 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(3A) Subject to sub-paragraphs (5) to (7), the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the relevant period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(3B) For this purpose “the relevant proportion” means—  
where—

A is the number of days in the relevant period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.

(4) For the purposes of sub-paragraphs (3) to (3B) “the relevant period” is—

(a) where the parliamentary general election takes place at the same time as, or later than—

(i) the election in relation to which paragraph ... 5, 6 or 7 would otherwise apply, ...

(ii) . . . . .

the period which for the purposes of paragraph 3 is the relevant period in relation to the parliamentary general election;

(b) where the parliamentary general election takes place earlier than the election mentioned in paragraph (a)(i) ..., the period which—

(i) begins at the beginning of the period mentioned in paragraph (a), and

(ii) ends with the date of the poll for the later ... of the elections.

(5) Where two parliamentary general elections are pending during different parts of any such period as is mentioned in sub-paragraph (2), the limits applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the relevant periods in England, Scotland, Wales or Northern Ireland (as the case may be) are as follows—

(a) in the case of expenditure incurred in the first relevant period, the limit is the aggregate of—

(i) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the first of the parliamentary general elections to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph, and

(ii) the limit mentioned in sub-paragraph (3)(b) above; and



(b) in the case of expenditure incurred in the second relevant period, the limit is the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the second parliamentary general election to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(5A) Where two parliamentary general elections are pending during different parts of any such period as is mentioned in sub-paragraph (2)—

(a) the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the first relevant period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A), and

(b) the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the second relevant period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(5B) For these purposes “the relevant proportion” means—

where—

A is the number of days in the first relevant period or (as the case may be) the second relevant period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.

(6) For the purposes of sub-paragraphs (5) to (5B) “the first relevant period” is the period which—

(a) begins at the beginning of the period which would, apart from this paragraph, apply for the purposes of paragraph 3 to the first of the parliamentary general elections to take place; and

(b) ends with the date on which Parliament is dissolved ... for the second of the parliamentary general elections to take place.

(7) For the purposes of sub-paragraphs (5) to (5B) “the second relevant period” is the period which—

(a) begins on the day after the date mentioned in sub-paragraph (6)(b) above; and

(b) ends with whichever is the later of the following, namely—

(i) the date of the poll for the second parliamentary general election to take place; and

(ii) the date of the poll for the election in relation to which paragraph **F36**... 5, 6 or 7 would otherwise apply ....

*Combination of limit under paragraph 9 and other limit*

**10.**-(1) This paragraph imposes limits where—

(a) paragraph 9 would (apart from this paragraph) impose limits on controlled expenditure in relation to a period that would either be—

(i) a relevant period for the purposes of paragraph 9(3) to (3B) , or

(ii) a first relevant period for the purposes of paragraph 9(5) to (5B) ; and

(b) any period (“the other controlled period”) which is the relevant period for the purposes of any of paragraphs 5 to 7, but is not a period during which the parliamentary general election is pending, either—

(i) falls wholly within, or

(ii) ends at any time falling within,

the period mentioned in paragraph (a).

(2) In such a case—

(a) the limits imposed by paragraph 9 shall not apply in relation to the period mentioned in sub-paragraph (1)(a); and

(b) instead the limits imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.

(3) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party during the combined period in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—

(a) the limit which by virtue of paragraph 9 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the period mentioned in sub-paragraph (1)(a); and

(b) the limit applying, by virtue of paragraph 5, 6 or 7 (as the case may be), to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(3A) The limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party during the combined period in any particular parliamentary

constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(3B) For this purpose “the relevant proportion” means—

where—

A is the number of days in the combined period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.

(4) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—

(a) the beginning of the period which is the relevant period for the purposes of paragraph 5, 6 or 7 (as the case may be), and

(b) the beginning of the period mentioned in sub-paragraph (1)(a),

and ends at the end of the period mentioned in sub-paragraph (1)(a).

(5) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 5, 6 or 7 in relation to any period which is a relevant period for the purposes of that paragraph.

*Combination of parliamentary general election and other election, or elections, falling within paragraphs 5 to 7*

**11.-(1)** This paragraph imposes limits where—

(a) any period (“the other controlled period”) which is the relevant period for the purposes of any of paragraphs 5 to 7 either—

(i) falls wholly within, or

(ii) ends at any time falling within,

the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to a parliamentary general election; and

(b) paragraph 9 does not apply in connection with those elections.

(2) In such a case—

(a) the limits imposed by paragraph 3 shall not apply in relation to the relevant period for the purposes of that paragraph, and

(b) instead the limits imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.

(3) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the combined period in England, Scotland, Wales or Northern Ireland, as the case may be, is the aggregate of—

(a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and

(b) the limit applying by virtue of paragraph 5, 6 or 7 (as the case may be) to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.

(4) Where two or more periods (“the other controlled periods”) which are relevant periods for the purposes of any of paragraphs 5 or 7—

(a) fall wholly within, or

(b) end at any time falling within,

the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election, sub-paragraph (3)(b) shall operate in relation to each of the limits applying in relation to those periods so as to produce two or more amounts to be added to the amount referred to in sub-paragraph (3)(a).

(4A) The limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party during the combined period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(4B) For this purpose “the relevant proportion” means—

where—

A is the number of days in the combined period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.

(5) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—

(a) the beginning of—

(i) the period which is the relevant period for the purposes of paragraph 5, 6 or 7 (as the case may be), or

<p>(ii) where sub-paragraph (4) applies, whichever of the relevant periods for the purposes of paragraph 5 or 7 is the first to begin, and</p> <p>(b) the beginning of the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election, and ends with the date of the poll for the parliamentary general election.</p> <p>(6) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 5, 6 or 7 in relation to any period which is a relevant period for the purposes of that paragraph.</p>															
<p>SCHEDULE 20</p> <p><b>PENALTIES</b></p> <table border="0"> <thead> <tr> <th data-bbox="268 860 523 931"><b><i>Provision creating offence</i></b></th> <th data-bbox="571 860 692 898"><b><i>Penalty</i></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="268 965 523 1144">Section 24(8) (registration as treasurer where convicted of certain offences)</td> <td data-bbox="571 965 1007 1032">On summary conviction: Level 5</td> </tr> <tr> <td data-bbox="268 1178 523 1245">Section 39 (false statements)</td> <td data-bbox="571 1178 1007 1245">On summary conviction: Level 5</td> </tr> <tr> <td data-bbox="268 1279 523 1458">Section 43(7) (failure to deliver statement relating to auditor's resignation etc)</td> <td data-bbox="571 1279 1007 1435">On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year</td> </tr> <tr> <td data-bbox="268 1491 523 1637">Section 44(4) (making false statement to auditor)</td> <td data-bbox="571 1491 1007 1648">On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year</td> </tr> <tr> <td data-bbox="268 1693 523 1839">Section 47(1)(a) (failure to deliver proper statement of accounts)</td> <td data-bbox="571 1693 1007 1760">On summary conviction: Level 5</td> </tr> <tr> <td data-bbox="268 1872 523 2018">Section 47(1)(b) (failure to deliver accounts within time limits)</td> <td data-bbox="571 1872 1007 1939">On summary conviction: Level 5</td> </tr> </tbody> </table>	<b><i>Provision creating offence</i></b>	<b><i>Penalty</i></b>	Section 24(8) (registration as treasurer where convicted of certain offences)	On summary conviction: Level 5	Section 39 (false statements)	On summary conviction: Level 5	Section 43(7) (failure to deliver statement relating to auditor's resignation etc)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	Section 44(4) (making false statement to auditor)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	Section 47(1)(a) (failure to deliver proper statement of accounts)	On summary conviction: Level 5	Section 47(1)(b) (failure to deliver accounts within time limits)	On summary conviction: Level 5	<p>Bil ECE Rhan 1, Pennod 5, adran 36</p>
<b><i>Provision creating offence</i></b>	<b><i>Penalty</i></b>														
Section 24(8) (registration as treasurer where convicted of certain offences)	On summary conviction: Level 5														
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Section 43(7) (failure to deliver statement relating to auditor's resignation etc)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year														
Section 44(4) (making false statement to auditor)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year														
Section 47(1)(a) (failure to deliver proper statement of accounts)	On summary conviction: Level 5														
Section 47(1)(b) (failure to deliver accounts within time limits)	On summary conviction: Level 5														

Section 54(7) (failure to provide information about donors)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 56(3) or (4) (failure to return donations)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 61(1) (facilitating the making of donations by impermissible donors)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 61(2)(a) (knowingly giving treasurer false information about donations)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 61(2)(b) (withholding information about donations from treasurer with intent to deceive)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 65(3) (failure to deliver donation reports to Commission within time limits)	On summary conviction: Level 5	
Section 65(4) (failure to comply with requirements for recording donations in donation report)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 66(5) (making a false declaration about donation report)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
...	...	

<p>Section 71E(5) (disclosing Northern Ireland donation reports)</p>	<p>On summary conviction in England and Wales: statutory maximum or 51 weeks</p> <p>On summary conviction elsewhere: statutory maximum or 6 months</p>	
<p>Section 71L(1) (registered party entering into regulated transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum</p> <p>On indictment: fine</p>	
<p>Section 71L(2) (treasurer of party entering into regulated transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Section 71L(3) (party liable if treasurer fails to repay money obtained under regulated transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum</p> <p>On indictment: fine</p>	
<p>Section 71L(4) (treasurer failing to repay money obtained under regulated transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Section 71L(5) (party benefiting from connected transaction to which an unauthorised participant is a party)</p>	<p>On summary conviction: statutory maximum</p> <p>On indictment: fine</p>	

<p>Section 71L(6) (treasurer of registered party which benefits from connected transaction to which an unauthorised participant is a party)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Section 71L(7) (party liable if treasurer fails to repay benefit obtained in consequence of security given by unauthorised participant)</p>	<p>On summary conviction: statutory maximum</p> <p>On indictment: fine</p>	
<p>Section 71L(8) (treasurer failing to repay benefit obtained in consequence of security given by unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Section 71L(9) (facilitating a regulated transaction involving unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Section 71S(4) (failure to deliver transaction reports to Commission within time limits)</p>	<p>On summary conviction: Level 5</p>	
<p>Section 71S(5) (failure to comply with requirements for recording transactions in transaction report)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	



Section 71T(5) (making a false declaration about transaction report)	On summary conviction: statutory maximum or the general limit in a magistrates' court  On indictment: fine or 1 year.	
Section 71Z4(5)(disclosing Northern Ireland transaction reports)	On summary conviction in England and Wales: Level 5 or 51 weeks  On summary conviction elsewhere: Level 5 or 6 months	
Section 73(8) (making a false declaration about value of property etc.)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 74(4) (acceptance by ineligible person of office of deputy treasurer)	On summary conviction: Level 5	
Section 75(2) (incurring campaign expenditure without authority)	On summary conviction: Level 5	
Section 76(4)(a) (making payments in respect of campaign expenditure without authority)	On summary conviction: Level 5	
Section 76(4)(b) (failure to notify treasurer of payments in respect of campaign expenditure)	On summary conviction: Level 5	
Section 77(3)(a) (paying claim in respect of	On summary conviction: Level 5	

campaign expenditure where failure to comply with procedure)	
Section 77(3)(b) (paying claim in respect of campaign expenditure outside specified time period)	On summary conviction: Level 5
Section 79(2) (exceeding limits on campaign expenditure)	On summary conviction: statutory maximum On indictment : fine
Section 82(4)(a) (failure of treasurer to deliver return and auditor's report to Commission)	On summary conviction: Level 5
Section 82(4)(b) (failure to comply with requirements for returns)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year
Section 82(4)(c) (failure of treasurer to deliver return and court order to Commission)	On summary conviction: Level 5
Section 83(3)(a) (making a false declaration to Commission when delivering return)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year
Section 83(3)(b) (failure to deliver signed declaration with return to Commission)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year

Section 86(8) (making false declaration about value of property etc)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 89A(4) or (5) (incurring controlled expenditure in contravention of section 89A(1))	On summary conviction in England and Wales: fine On summary conviction in Scotland or Northern Ireland: statutory maximum On indictment: fine	
<u>Section 89B(4) and (5) (incurring controlled expenditure in contravention of section 89AA(1))</u>	<u>On summary conviction in England and Wales: fine</u> <u>On indictment: fine</u>	
Section 90(2) (incurring controlled expenditure without authority)	On summary conviction: level 5	
Section 91(4)(a) (making payments in respect of controlled expenditure without authority)	On summary conviction: Level 5	
Section 91(4)(b) (failure to notify responsible person of payments in respect of controlled expenditure)	On summary conviction: Level 5	
Section 92(3)(a) (paying claim in respect of controlled expenditure where failure to comply with procedure)	On summary conviction: Level 5	

Section 92(3)(b) (paying claim in respect of controlled expenditure outside specified time period)	On summary conviction: Level 5	
Section 94(2) or (4) (exceeding limits on controlled expenditure)	On summary conviction: statutory maximum On indictment : fine	
Section 94E(2) or (3) (exceeding limits on targeted controlled expenditure when not authorised)	On summary conviction: statutory maximum On indictment: fine	
Section 94F(6) (making false declaration about amount of expenditure incurred by or on behalf of third party and targeted at the registered party)	On summary conviction: statutory maximum or 6 months On indictment: fine or 1 year	
Section 95C(1)(a) (failure of responsible person to deliver quarterly or weekly report to Commission)	On summary conviction: Level 5	
Section 95C(1)(b) (failure to deliver signed declaration with quarterly or weekly report to the Commission)	On summary conviction: statutory maximum or 6 months On indictment: fine or 1 year	
Section 95C(1)(c) (failure to comply with requirements for quarterly or weekly reports)	On summary conviction: statutory maximum or 6 months On indictment: fine or 1 year	

Section 95C(2) (making a false declaration to Commission when delivering quarterly or weekly report)	On summary conviction: statutory maximum or 6 months  On indictment: fine or 1 year	
Section 98(4)(a) (failure of responsible person to deliver return and auditor's report to Commission)	On summary conviction: Level 5	
Section 98(4)(aa) (failure of responsible person to deliver statement of accounts and auditor's report to Commission)	On summary conviction: Level 5	
Section 98(4)(b) (failure to comply with requirements for returns)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 98(4)(ba) (failure to comply with requirements for statements of accounts)	On summary conviction: statutory maximum or 6 months  On indictment: fine or 1 year	
Section 98(4)(c) (failure to deliver return and court order to Commission)	On summary conviction: Level 5	
Section 99(4)(a) (making a false declaration to Commission when delivering return)	On summary conviction: statutory maximum or 6 months  On indictment : fine or 1 year	
Section 99(4)(b) (failure to deliver signed declaration)	On summary conviction: statutory maximum or 6 months	

with return to Commission)	On indictment : fine or 1 year	
Section 99A(3)(a) (making a false declaration to Commission when delivering statement of accounts)	On summary conviction: statutory maximum or 6 months On indictment: fine or 1 year	
Section 99A(3)(b) (failure to deliver signed declaration with statement of accounts to Commission)	On summary conviction: statutory maximum or 6 months On indictment: fine or 1 year	
Section 112(8) (making a false declaration about value of property etc)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 113(2) (incurring referendum expenses without authority)	On summary conviction: Level 5	
Section 114(4)(a) (making payments in respect of referendum expenses without authority)	On summary conviction: Level 5	
Section 114(4)(b) (failure to notify responsible person of payments in respect of referendum expenses)	On summary conviction: Level 5	
Section 115(3)(a) (paying claim in respect of referendum expenses where	On summary conviction: Level 5	

failure to comply with procedure)	
Section 115(3)(b) (paying claim in respect of referendum expenses outside specified time period)	On summary conviction: Level 5
Section 117(2) (individual (other than permitted participant) exceeding limits on referendum expenses)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year
Section 117(3) or (4) (body (other than permitted participant) exceeding limits on referendum expenses)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year
Section 118(2) (permitted participant exceeding limits on referendum expenses)	On summary conviction: statutory maximum On indictment : fine
Section 122(4)(a) (failure to deliver return and auditor's report to Commission)	On summary conviction: Level 5
Section 122(4)(b) (failure to comply with requirements for returns)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year
Section 122(4)(c) (failure to deliver return and court order to Commission)	On summary conviction: Level 5

Section 123(4)(a) (making a false declaration to Commission when delivering return)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 123(4)(b) (failure to deliver signed declaration with return to Commission)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 126(8) or (9) (printing or publishing referendum material without details of printer or publisher)	On summary conviction: Level 5	
Section 143(8) or (9) (printing or publishing election material without details of printer or publisher)	On summary conviction: Level 5	
...	...	
...	...	
Section 148(1) (alteration of documents etc.)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 148(2)(a) (failure to supply relevant person with information)	On summary conviction: Level 5	
Section 148(2)(b) (supplying relevant person with false information)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Section 148(3) (withholding information from relevant person)	On summary conviction: statutory maximum or 6 months	



with intent to deceive)	On indictment : fine or 1 year	
Paragraph 1B of Schedule 7 (failure by members association to comply with requirement to appoint responsible person)	On summary conviction: Level 5	
Paragraph 6(5) of Schedule 7 (failure to provide information about donors)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Paragraph 12(1) of Schedule 7 (failure to deliver donation report to Commission within time limit)	On summary conviction: Level 5	
Paragraph 12(2) of Schedule 7 (failure to comply with requirements for recording donations in donation reports)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
Paragraph 13(4) of Schedule 7 (making a false declaration about donation report)	On summary conviction: statutory maximum or 6 months On indictment : fine or 1 year	
...	...	
Paragraph 17(4) of Schedule 7 (knowingly giving compliance officer false information about donations)	On summary conviction in England and Wales or Scotland: statutory maximum or the general limit in a magistrates' court (in England and Wales) or 12 months (in Scotland)	

	<p>On summary conviction in Northern Ireland: statutory maximum or 6 months</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(1) of Schedule 7A (individual regulated participant knowingly enters controlled transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(2) of Schedule 7A (responsible person of members association which enters controlled transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(3) of Schedule 7A (individual regulated participant failing to repay money obtained under controlled transaction with unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(4) of Schedule 7A (responsible person failing to repay money obtained by members association under controlled transaction with</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	

<p>unauthorised participant)</p> <p>Paragraph 8(5) of Schedule 7A (individual regulated participant knowingly benefits from connected transaction involving unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(6) of Schedule 7A (responsible person of members association which knowingly benefits from connected transaction involving unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(7) of Schedule 7A (individual regulated participant failing to repay value of benefit obtained in consequence of connected transaction involving unauthorised participant)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	
<p>Paragraph 8(8) of Schedule 7A (responsible person failing to repay value of benefit obtained by members association in</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p>	

<p>consequence of connected transaction involving unauthorised participant)</p> <p>Paragraph 8(9) of Schedule 7A (facilitating controlled transaction involving unauthorised participant)</p> <p>Paragraph 12(1) of Schedule 7A (failure to deliver transaction report to Commission within time limit)</p> <p>Paragraph 12(2) of Schedule 7A (failure to comply with requirements for recording transactions on transaction reports)</p> <p>Paragraph 13(4) of Schedule 7A (making a false declaration about a transaction report)</p> <p>Paragraph 6(7) of Schedule 11 (failure to provide information about donors)</p> <p>Paragraph 6(8) of Schedule 15 (failure to provide information about donors)</p>	<p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p> <p>On summary conviction: Level 5</p> <p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p> <p>On summary conviction: statutory maximum or the general limit in a magistrates' court</p> <p>On indictment: fine or 1 year</p> <p>On summary conviction: statutory maximum or 6 months</p> <p>On indictment : fine or 1 year</p> <p>On summary conviction: statutory maximum or 6 months: On indictment : fine or 1 year</p>	
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Paragraph 6(1) of Schedule 19A (failure to give notification or report within specified period)	On summary conviction: Level 5	
Paragraph 6(2) of Schedule 19A (giving notification or report that fails to comply with requirements of that Schedule)	On summary conviction in England and Wales or Scotland: statutory maximum or the general limit in a magistrates' court (in England and Wales) or 12 months (in Scotland)  On summary conviction in Northern Ireland: statutory maximum or 6 months  On indictment: fine or 1 year	
Paragraph 6(3) of Schedule 19A (making false declaration in notification or report)	On summary conviction in England and Wales or Scotland: statutory maximum or the general limit in a magistrates' court (in England and Wales) or 12 months (in Scotland)  On summary conviction in Northern Ireland: statutory maximum or 6 months  On indictment: fine or 1 year	
Paragraph 13(1) of Schedule 19B (failure to comply with investigation requirement)	On summary conviction: Level 5	
Paragraph 13(2) of Schedule 19B (intentional obstruction of person exercising investigatory power)	On summary conviction: Level 5	
Paragraph 13(3) of Schedule 19B (providing false	On summary conviction in England and Wales or Scotland: statutory maximum	

<p>information in purported compliance with investigation requirement)</p> <p>Paragraph 14 of Schedule 19C (failure to comply with stop notice)</p>	<p>or the general limit in a magistrates' court (in England and Wales) or 12 months (in Scotland)</p> <p>On summary conviction in Northern Ireland: statutory maximum or 6 months</p> <p>On indictment: fine or 1 year</p> <p>On summary conviction in England and Wales: fine or the general limit in a magistrates' court</p> <p>On summary conviction in Scotland: £20,000 or 12 months</p> <p>On summary conviction in Northern Ireland: £20,000 or 6 months</p> <p>On indictment: fine or 2 years</p>	
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### Deddf Llywodraeth Cymru 2006

Adran	Diwygiwyd gan
<p><b>1 The [Senedd]</b></p> <p>(1) There is to be [a parliament] for Wales to be known as [Senedd Cymru or the Welsh Parliament (referred to in this Act as "<i>the Senedd</i>")].</p> <p><del>(2) The [Senedd] is to consist of—</del></p> <p><del>(a) one member for each [Senedd] constituency (referred to in this Act as ["<i>Senedd constituency members</i>"]), and</del></p> <p><del>(b) members for each [Senedd] electoral region (referred to in this Act as ["<i>Senedd regional members</i>"]).</del></p> <p><u>(2) There are—</u></p> <p><u>(a) 16 Senedd constituencies, and</u></p> <p><u>(b) six seats for each constituency,</u></p> <p><u>and the Senedd is to consist of the members for those constituencies.</u></p> <p>(2A) Members of the Senedd are to be known by that name or as Aelodau o'r Senedd.</p>	<p>Bil SC(AE) Rhan 1 Adran 1</p>

<p>(3) [Members of the Senedd] are to be returned in accordance with the provision made by and under this Act for—</p> <p>(a) the holding of general elections of [Members of the Senedd]<sup>6</sup> (for the return of the entire [Senedd] ), and</p> <p>(b) the filling of vacancies in [Senedd] seats.</p> <p>(4) The validity of any [Senedd] proceedings is not affected by any vacancy in its membership.</p> <p>(5) In this Act [“<i>Senedd proceedings</i>”] means any proceedings of—</p> <p>(a) the [Senedd] ,</p> <p>(b) committees of the [Senedd] , or</p> <p>(c) sub-committees of such committees.</p>	
<p><b>2 <del>[Senedd] constituencies and electoral regions</del></b></p> <p><del>[(1) The [Senedd] constituencies are the constituencies specified in the Parliamentary Constituencies and [Senedd] Electoral Regions (Wales) Order 2006 (SI 2006/1041) as amended by—</del></p> <p><del>(a) the Parliamentary Constituencies and [Senedd] Electoral Regions (Wales) (Amendment) Order 2008 (SI 2008/1791), and</del></p> <p><del>(b) any Order in Council under the Parliamentary Constituencies Act 1986 giving effect (with or without modifications) to a report falling within section 13(3) or (4) of the Parliamentary Voting System and Constituencies Act 2011.]</del></p> <p><del>(2) There are five [Senedd] electoral regions.</del></p> <p><del>(3) The [Senedd] electoral regions are as specified in the Parliamentary Constituencies and [Senedd] Electoral Regions (Wales) Order 2006.</del></p> <p><del>(4) There are four seats for each [Senedd] electoral region.</del></p> <p><del>(5) ...</del></p> <p><del>(6) ...</del></p> <p><b>2 Senedd constituencies</b></p> <p><u>(1) The Senedd constituencies are the constituencies specified in regulations under section 49J of the Democracy and Boundary Commission Cymru etc. Act 2013 (anaw 4).</u></p> <p><u>(2) Until the first set of regulations made under that section are in force, the reference in subsection (1) to regulations under that section is to be read as a reference to regulations under paragraph 9 of Schedule 1 to the Senedd Cymru (Members and Elections) Act 2024 (asc 00).</u></p>	<p>Bil SC(AE) Rhan 1 Adran 2</p>
<p><b>3 Ordinary general elections</b></p> <p>(1) The poll at an ordinary general election is to be held on the first Thursday in May in the <del>fifth</del> <u>fourth</u> calendar year</p>	<p>Bil SC(AE) Rhan 1 Adran 3(1)</p>

<p>following that in which the previous ordinary general election was held, unless—</p> <ul style="list-style-type: none"> <li>(a) subsection (1A) prevents the poll being held on that day, or</li> <li>(b) the day of the poll is determined by a proclamation under section 4.</li> </ul> <p>(1A) The poll is not to be held on the same date as the date of the poll at—</p> <ul style="list-style-type: none"> <li>(a) a parliamentary general election.</li> </ul> <p>(1B) Where subsection (1A) prevents the poll being held on the day specified in subsection (1), the poll is to be held on such day, subject to subsection (1A), as the Welsh Ministers may by order specify unless the day of the poll is determined by a proclamation under section 4(2) as modified by section 4(2A).</p> <p>(2) If the poll is to be held on the first Thursday in May or on the day specified by an order under subsection (1B), the Senedd—</p> <ul style="list-style-type: none"> <li>(a) is dissolved by virtue of this section at the beginning of the minimum period which ends with that day, and</li> <li>(b) must meet within the period of fourteen days beginning immediately after the day of the poll.</li> </ul> <p>(3) In subsection (2) “the minimum period” means the period determined in accordance with an order under section 13.</p> <p>(4) In calculating any period of days for the purposes of subsection (2)(b), the following days are to be disregarded—</p> <ul style="list-style-type: none"> <li>(a) Saturday and Sunday,</li> <li>(b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and</li> <li>(c) any day appointed for public thanksgiving or mourning.</li> </ul> <p>(5) No order is to be made under subsection (1B) unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the Senedd.</p>	
<p><del>6—Voting at general elections</del></p> <p><del>(1) Each person entitled to vote at a general election in a Senedd constituency has two votes.</del></p> <p><del>(2) One (referred to in this Act as a “constituency vote”) is a vote which may be given for a candidate to be the Senedd constituency member for the Senedd constituency.</del></p> <p><del>(3) The other (referred to in this Act as an “electoral region vote”) is a vote which may be given for—</del></p> <p><del>(a) a registered political party which has submitted a list of candidates to be Senedd regional members for</del></p>	<p>Bil SC(AE) Rhan 2 Adran 8</p>



~~the Senedd electoral region in which the Senedd constituency is included, or~~  
~~(b) an individual who is a candidate to be a Senedd regional member for that Senedd electoral region.~~  
~~(4) The Senedd constituency member for the Senedd constituency is to be returned under the simple majority system.~~  
~~(5) The Senedd regional members for the Senedd electoral region are to be returned under the additional member system of proportional representation provided for in this Part.~~  
~~(6) In this Act “registered political party” means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 (c. 41).~~

#### ~~7 Candidates at general elections~~

~~(1) At a general election a person may not be a candidate to be the Senedd constituency member for more than one Senedd constituency.~~  
~~(2) Any registered political party may submit a list of candidates for return as Senedd regional members for a particular Senedd electoral region at a general election.~~  
~~(3) The list must be submitted to the regional returning officer.~~  
~~(4) The list must not include more than twelve persons (but may include only one).~~  
~~(5) The list must not include a person—~~  
~~(a) who is included on any other list submitted for the Senedd electoral region or any list submitted for another Senedd electoral region,~~  
~~(b) who is an individual candidate to be a Senedd regional member for the Senedd electoral region or another Senedd electoral region,~~  
~~(c) who is a candidate to be the Senedd constituency member for a Senedd constituency which is not included in the Senedd electoral region, or~~  
~~(d) who is a candidate to be the Senedd constituency member for a Senedd constituency included in the Senedd electoral region but is not a candidate of the party.~~  
~~(6) A person may not be an individual candidate to be a Senedd regional member for the Senedd electoral region if that person is—~~  
~~(a) included on a list submitted by a registered political party for the Senedd electoral region or another Senedd electoral region,~~  
~~(b) an individual candidate to be a Senedd regional member for another Senedd electoral region,~~

~~(c) a candidate to be the Senedd constituency member for a Senedd constituency which is not included in the Senedd electoral region, or~~

~~(d) a candidate of any registered political party to be the Senedd constituency member for a Senedd constituency included in the Senedd electoral region.~~

~~(7) In this Act “regional returning officer”, in relation to a Senedd electoral region, means the person designated as the regional returning officer for the Senedd electoral region in accordance with an order under section 13.~~

#### ~~8 Calculation of electoral region figures~~

~~(1) This section and section 9 are about the return of Senedd regional members for an electoral region at a general election.~~

~~(2) The person who is to be returned as the Senedd constituency member for each Senedd constituency in the Senedd electoral region is to be determined before it is determined who are to be returned as the Senedd regional members for the Senedd electoral region.~~

~~(3) For each registered political party by which a list of candidates has been submitted for the Senedd electoral region—~~

~~(a) there is to be added together the number of electoral region votes given for the party in the Senedd constituencies included in the Senedd electoral region, and~~

~~(b) the number arrived at under paragraph (a) is then to be divided by the aggregate of one and the number of candidates of the party returned as Senedd constituency members for any of those Senedd constituencies.~~

~~(4) For each individual candidate to be a Senedd regional member for the Senedd electoral region there is to be added together the number of electoral region votes given for the candidate in the Senedd constituencies included in the Senedd electoral region.~~

~~(5) The number arrived at—~~

~~(a) in the case of a registered political party, under subsection (3)(b), or~~

~~(b) in the case of an individual candidate, under subsection (4);~~

~~is referred to in this Act as the electoral region figure for that party or individual candidate.~~

#### ~~9 Allocation of seats to electoral region members~~

~~(1) The first seat for the Senedd electoral region is to be allocated to the party or individual candidate with the highest electoral region figure.~~

~~(2) The second and subsequent seats for the Senedd electoral region are to be allocated to the party or individual candidate with the highest electoral region figure after any recalculation required by subsection (3) has been carried out.~~

~~(3) This subsection requires a recalculation under paragraph (b) of section 8(3) in relation to a party—~~

~~(a) for the first application of subsection (2), if the application of subsection (1) resulted in the allocation of a Senedd seat to the party, or~~

~~(b) for any subsequent application of subsection (2), if the previous application of that subsection did so, and a recalculation is to be carried out after adding one to the aggregate mentioned in that paragraph.~~

~~(4) An individual candidate already returned as an Senedd constituency member or Senedd regional member is to be disregarded.~~

~~(5) Seats for the Senedd electoral region which are allocated to a party are to be filled by the persons on the party's list in the order in which they appear on the list (disregarding anyone already returned as a Senedd constituency member, including anyone whose return is void).~~

~~(6) Once a party's list has been exhausted (by the return of persons included on it as Senedd constituency members or by the previous application of subsection (1) or (2)), the party is to be disregarded.~~

~~(7) If (on the application of subsection (1) or any application of subsection (2)) the highest electoral region figure is the electoral region figure of two or more parties or individual candidates, the subsection applies to each of them.~~

~~(8) However, if subsection (7) would mean that more than the full number of seats for the Senedd electoral region were allocated, subsection (1) or (2) does not apply until—~~

~~(a) a recalculation has been carried out under section 8(3)(b) after adding one to the number of votes given for each party with that electoral region figure, and~~

~~(b) one has been added to the number of votes given for each individual candidate with that electoral region figure.~~

~~(9) If, after that, the highest electoral region figure is still the electoral region figure of two or more parties or individual candidates, the regional returning officer must decide between them by lots.~~

## **6 Voting at general elections**

**(1) Each person entitled to vote at a general election in a Senedd constituency may give a vote for—**

- (a) a registered political party that has submitted a list of candidates to be Members of the Senedd for the constituency, or  
(b) an individual who is a candidate (“an individual candidate”) to be a Member of the Senedd for the constituency.

(2) In this Act “registered political party” means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 (c. 41).

### **7 Candidates at general elections**

(1) A registered political party may submit a list of candidates to be Members of the Senedd for a particular Senedd constituency at a general election.

(2) The list must be submitted to the constituency returning officer.

(3) The list must not include more than eight people (but may include only one).

(4) The list must not include a person—

(a) who is included on another list submitted under this section (whether for the constituency or another constituency);

(b) who is an individual candidate to be a Member of the Senedd (whether for the constituency or another constituency).

(5) A person may not be an individual candidate to be a Member of the Senedd for a constituency if that person is—

(a) included on a list submitted under this section (whether for the constituency or another constituency);

(b) an individual candidate to be a Member of the Senedd for another constituency.

(6) In this Act, “constituency returning officer”, in relation to a Senedd constituency, means the person designated as the returning officer for the constituency in accordance with an order under section 13 (power of the Welsh Ministers to make provision about elections etc.)

### **8 Calculation of seat allocation figures**

(1) This section and section 9 are about the allocation, to registered political parties or individual candidates, of the seats for a Senedd constituency at a general election.

(2) For each registered political party by which a list of candidates has been submitted under section 7

(candidates at general elections) for the constituency—

(a) the votes given in the constituency for the party are to be added up, and

(b) the number arrived at under paragraph (a) is to be divided by the seat allocation divisor.

(3) On the first calculation for a party under subsection (2)(b), the seat allocation divisor for the party is one (section 9 makes provision about recalculations under that subsection with an increased divisor).  
(4) For each individual candidate to be a Member of the Senedd for the constituency, the votes given in the constituency for the candidate are to be added up.  
(5) The number arrived at—  
(a) in the case of a registered political party, under subsection (2)(b), or  
(b) in the case of an individual candidate, under subsection (4),  
is referred to in section 9 as the “seat allocation figure” for that party or individual candidate.

### **9 Allocation of seats**

(1) The first seat for a Senedd constituency is to be allocated to the registered political party or individual candidate with the highest seat allocation figure.  
(2) The second and subsequent seats for the constituency are to be allocated to the party or individual candidate with the highest seat allocation figure after any recalculation required by subsection (3) has been carried out.  
(3) This subsection requires a recalculation of the seat allocation figure for a registered political party—  
(a) for the first application of subsection (2), if the application of subsection (1) resulted in the allocation to the party of a seat for the constituency, or  
(b) for any subsequent application of subsection (2), if the previous application of that subsection resulted in the allocation to the party of a seat for the constituency,  
and each recalculation is to be carried out under section 8(2)(b) after adding one to the previous seat allocation divisor for that party.  
(4) An individual candidate already allocated a seat as a Member of the Senedd for the constituency is to be disregarded when applying subsection (2).  
(5) Seats for the constituency that are allocated to a party are to be filled by the candidates on the party’s list in the order in which they appear on the list.  
(6) Once a party’s list has been exhausted (by the application of subsection (1) or (2)), the party is to be disregarded when applying subsection (2).  
(7) If, on the application of subsection (1) or on an application of subsection (2), the highest seat allocation figure is the seat allocation figure for two or more parties or individual candidates (referred to in subsection (8) as the “tied seat allocation figure”), subsection (1) or (2) (as the case may be) applies to each of them.

<p><u>(8) But if subsection (7) would mean that more than the full number of seats for the constituency were allocated, subsection (1) or (2) is not to be applied until—</u></p> <p><u>(a) a recalculation of the seat allocation figure for any party with the tied seat allocation figure has been carried out under section 8(2)(b) after adding one to the number arrived at under section 8(2)(a), and</u></p> <p><u>(b) one has been added to the number arrived at under section 8(4) for any individual candidate with the tied seat allocation figure.</u></p> <p><u>(9) If, after that, the highest seat allocation figure is still the seat allocation figure for two or more parties or individual candidates (so it is still the case that more than the full number of seats for the constituency would be allocated), the constituency returning officer must decide between them by lots.</u></p>	
<p><del>10 Constituency vacancies</del></p> <p><del>(1) This section applies if the seat of a Senedd constituency member returned for a Senedd constituency is vacant.</del></p> <p><del>(2) Subject to subsection (7), an election must be held in the Senedd constituency to fill the vacancy.</del></p> <p><del>(3) At the election, each person entitled to vote only has a constituency vote; and the Senedd constituency member for the Senedd constituency is to be returned under the simple majority system.</del></p> <p><del>(4) The date of the poll at the election must be fixed by the Presiding Officer.</del></p> <p><del>(5) The date must fall within the period of three months beginning with the occurrence of the vacancy.</del></p> <p><del>(6) But if the vacancy does not come to the Presiding Officer's notice within the period of one month beginning with its occurrence, the date must fall within the period of three months beginning when it does come to the Presiding Officer's notice.</del></p> <p><del>(7) The election must not be held if it appears to the Presiding Officer that the latest date which may be fixed for the poll would fall within the period of three months ending with the day on which the poll at the next ordinary general election would be held (disregarding section 4).</del></p> <p><del>(8) The standing orders must make provision for determining the date on which a vacancy occurs for the purposes of this section.</del></p> <p><del>(9) A person may not be a candidate in an election to fill a vacancy if the person is—</del></p> <p><del>(a) a Member of the Senedd, or</del></p> <p><del>(b) a candidate in another such election.</del></p>	<p>Bil SC(AE) Rhan 2 Adran 9(2)</p>
<p><del>11 Electoral region vacancies</del></p>	<p>Bil SC(AE) Rhan 2</p>

<p><del>(1) This section applies if the seat of a Senedd regional member returned for a Senedd electoral region is vacant.</del></p> <p><del>(2) If the Senedd regional member was returned (under section 9 or this section) from the list of a registered political party, the regional returning officer must notify to the Presiding Officer the name of the person who is to fill the vacancy.</del></p> <p><del>(3) A person's name may only be so notified if the person—</del></p> <p><del>(a) is included on the list submitted by the registered political party for the last general election,</del></p> <p><del>(b) is willing to serve as a Senedd regional member for the Senedd electoral region, and</del></p> <p><del>(c) is not a person to whom subsection (4) applies.</del></p> <p><del>(4) This subsection applies to a person if—</del></p> <p><del>(a) the person is not a member of the registered political party, and</del></p> <p><del>(b) the registered political party gives notice to the regional returning officer that the person's name is not to be notified to the Presiding Officer as the name of the person who is to fill the vacancy.</del></p> <p><del>(5) But if there is more than one person who satisfies the conditions in subsection (3), the regional returning officer may only notify the name of whichever of them was the higher, or the highest, on that list.</del></p> <p><del>(6) A person whose name is notified under subsection (2) is to be treated as having been declared to be returned as a Senedd regional member for the Senedd electoral region on the day on which notification of the person's name is received by the Presiding Officer.</del></p> <p><del>(7) The seat remains vacant until the next general election—</del></p> <p><del>(a) if the Senedd regional member was returned as an individual candidate, or</del></p> <p><del>(b) if that Senedd regional member was returned from the list of a registered political party but there is no-one who satisfies the conditions in subsection (3).</del></p> <p><del>(8) For the purposes of this section, a person included on the list submitted by a registered political party for the last general election who—</del></p> <p><del>(a) was returned as a Member of the Senedd at that election (even if the return was void), or</del></p> <p><del>(b) has subsequently been returned under section 10 or this section (even if the return was void),</del></p> <p><del>is treated on and after the return of the person, as not having been included on the list.</del></p> <p><b><u>11 Vacant seats</u></b></p> <p><u>(1) This section makes provision about what is to happen if the seat of a Member of the Senedd becomes vacant.</u></p>	<p>Adran 9(3)</p>
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<p><u>(2) If the Member was an individual candidate when returned as a Member of the Senedd , the seat remains vacant until the next general election.</u></p> <p><u>(3) If the Member was returned as a Member of the Senedd from a list submitted under section 7 by a registered political party, the constituency returning officer must notify to the Presiding Officer the name of the person (if any) who is to fill the vacancy.</u></p> <p><u>(4) A person’s name may be notified under subsection (3) only if the person—</u></p> <p><u>(a) is included on the list mentioned in subsection (3),</u>  <u>(b) is willing to serve as a Member of the Senedd, and</u>  <u>(c) is not a person to whom subsection (5) applies.</u></p> <p><u>(5) This subsection applies to a person if—</u></p> <p><u>(a) the person is not a member of the registered political party that submitted the list, and</u>  <u>(b) the party gives notice to the constituency returning officer that the person’s name is not to be notified to the Presiding Officer as the name of the person who is to fill the vacancy.</u></p> <p><u>(6) But if there is more than one person who satisfies the conditions in subsection (4), the constituency returning officer may only notify the name of whichever of them was the higher, or the highest, on the list.</u></p> <p><u>(7) If there is no-one who satisfies the conditions in subsection (4), the seat remains vacant until the next general election.</u></p> <p><u>(8) A person whose name is notified under subsection (3) is to be treated as having been declared to be returned as a Member of the Senedd on the day on which notification of the person’s name is received by the Presiding Officer.</u></p> <p><u>(9) For the purposes of this section, a person included on the list mentioned in subsection (3)—</u></p> <p><u>(a) who was returned as a Member of the Senedd at the election for which the list was submitted (even if the return was void), or</u>  <u>(b) who was subsequently returned as a Member of the Senedd under this section (even if the return was void),</u>  <u>is treated on and after their return as not having been included on the list.</u></p>	
<p><b>12 Entitlement to vote</b></p> <p>(1) The persons entitled to vote at an election of Members of the Senedd <del>(or of a Member of the Senedd)</del> in a Senedd constituency are those who on the day of the poll—</p> <p>(a) would be entitled to vote as electors at a local government election in an electoral area wholly or partly included in the Senedd constituency..., and</p>	<p>Bil SC(AE)  Rhan 2  Adran 10(2)</p>



<p>(b) are registered in the register of local government electors at an address within the Senedd constituency.</p> <p>(1A). . . . .</p> <p>(1B). . . . .</p> <p>(2) But a person is not entitled as an elector—</p> <p>(a) to cast more than one <del>constituency vote, or more than one electoral region vote, vote</del> in the same Senedd constituency at any general election, <u>or</u></p> <p>(b) to vote in more than one Senedd constituency at any general election, <del>or</del></p> <p>(c) <del>to cast more than one vote in any election held under section 10.</del></p>	
<p><b>13 Power of the Welsh Ministers to make provision about elections etc</b></p> <p>(1) The Welsh Ministers may by order make provision that would be within the legislative competence of the Senedd, if included in an Act of the Senedd, as to—</p> <p>(a) the conduct of elections of Members of the Senedd,</p> <p>(b) the questioning of an election of Members of the Senedd and the consequences of irregularities, and</p> <p>(c) the return of a Member of the Senedd otherwise than at an election.</p> <p>(2) The provision that may be made under subsection (1)(a) includes, in particular, provision—</p> <p>(a) about the registration of electors,</p> <p>(b) for disregarding alterations in a register of electors,</p> <p>(c) about the limitation of the election expenses of candidates (and the creation of criminal offences in connection with the limitation of such expenses),</p> <p>(d) for the combination of polls,</p> <p>(e) <del>for modifying the application of sections 6 and 8(2) where the poll at an election for the return of a Senedd constituency member is abandoned (or notice of it is countermanded), and</del></p> <p>(f) for modifying section 9(7) to ensure the allocation of the correct number of seats for the <del>region constituency.</del></p> <p>(3) The provision that may be made under subsection (1)(c) includes, in particular, provision modifying section <del>11(3) to (5)</del> <u>11(4) to (6)</u>.</p> <p>(4) An order under this section may—</p> <p>(a) apply or incorporate, with or without modifications or exceptions, any provision of or made under the election enactments, and</p> <p>(b) so far as may be necessary in consequence of any provision made by an order under this section, make modifications of any provision made by or under any enactment relating to the registration of parliamentary electors or local government electors.</p>	<p>Bil SC(AE) Rhan 2 Adran 10(3)</p>

<p>(5) In subsection (4)(a) “the election enactments” means—</p> <p>(a) the Representation of the People Acts,</p> <p>(b) the Political Parties, Elections and Referendums Act 2000,</p> <p>(c)... and</p> <p>(d) any other enactments relating to parliamentary elections... or local government elections.</p> <p>(6) No return of a Member of the Senedd at an election may be questioned except by an election petition under the provisions of Part 3 of the Representation of the People Act 1983 as applied or incorporated in an order under this section.</p> <p>(7) No order is to be made under this section unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the Senedd.</p>	
<p><b>13A Power of the Secretary of State to make provision about the combination of polls</b></p> <p>(1) The Secretary of State may by regulations make provision for—</p> <p>(a) the combination of polls at ordinary general elections of Members of the Senedd with polls at parliamentary by-elections, and</p> <p>(b) the combination of polls at extraordinary general elections of Members of the Senedd, <del>and by-elections for the return of Members of the Senedd,</del> with polls at parliamentary by-elections or parliamentary general elections.</p> <p>(2).....</p> <p>(3).....</p> <p>(4) The Secretary of State may not make regulations under this section without the agreement of the Welsh Ministers.</p> <p>(5) Regulations under this section may—</p> <p>(a) apply or incorporate, with or without modifications or exceptions, any provision made by or under the election enactments, and</p> <p>(b) modify any form contained in, or in regulations or rules made under, the Representation of the People Acts so far as may be necessary to enable it to be used both for the original purpose and in relation to elections of Members of the Senedd.</p> <p>(6) In subsection (5)(a) “the election enactments” has the meaning given by section 13(5).</p> <p>(7) No regulations are to be made under this section unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, each House of Parliament.</p>	<p>Bil SC(AE) Rhan 2 Adran 10(4)</p>
<p><b>16 Disqualification from being Member of the Senedd</b></p>	<p>Bil ECE</p>

<p>(A1) A person is disqualified from being a Member of the Senedd, and from being a candidate to be a Member of the Senedd, if that person—</p> <p>(a) falls within any of the categories of person specified in Part 1 of Schedule 1A, or</p> <p>(b) holds any of the offices specified in the Table in Part 2 of Schedule 1A.</p> <p>(1) A person is disqualified from being a Member of the Senedd (but not from being a candidate to be a Member of the Senedd) if that person—</p> <p>(za) is a member of the House of Commons (but see sections 17A and 17B),</p> <p>(zb) is a member of the House of Lords (but see section 17C),</p> <p><del>(zc) is a member of the council of a county or county borough in Wales (but see sections 17D, 17E and 17F),</del></p> <p><u>(zc) is a member of the council of a county, a county borough or a community in Wales (but see section 17D),</u></p> <p>(zd) is a member of the Scottish Parliament,</p> <p>(ze) is a member of the Northern Ireland Assembly,</p> <p>(zf) is a member of the European Parliament, or</p> <p>(a) . . . . .</p> <p>(b) holds any of the offices for the time being designated by Order in Council as offices disqualifying persons from being Members of the Senedd,</p> <p>(c) . . . . .</p> <p>(d) . . . . .</p> <p>(e) . . . . .</p> <p>(1A) A person returned at an election as a Member of the Senedd is not disqualified under subsection (1)(zd), (ze), (zf) or (b) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).</p> <p>(2) . . . . .</p> <p>(3) . . . . .</p> <p>(4) . . . . .</p> <p>(5) An Order in Council under paragraph (b) of subsection (1)—</p>	<p>Rhan 2, Pennod 3, adran 61</p>
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<p>(a) may designate particular offices or offices of any description, and</p> <p>(b) may designate an office by reference to any characteristic of a person holding it,</p> <p>and for the purposes of this section “office” includes any post or employment.</p> <p>(6) No recommendation is to be made to Her Majesty in Council to make an Order in Council under subsection (1)(b) unless a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, the Senedd.</p>	
<p><del><b>[F117B Exception from disqualification by virtue of being an MP: general election of [F2Members of the Senedd] within 372 days</b></del></p> <p><del>(1) This section applies if—</del></p> <p><del>(a) [F3a Member of the Senedd] is returned as a member of the House of Commons, and</del></p> <p><del>(b) the expected day of the next general election of [F2Members of the Senedd] is within the period of 372 days beginning with the day the person is so returned (“the return day”).</del></p> <p><del>(2) The member is not disqualified under section 16(1)(za) (disqualification by virtue of being an MP) at any time in the period—</del></p> <p><del>(a) beginning with the return day, and</del></p> <p><del>(b) ending immediately before the day of the next general election of [F2Members of the Senedd].</del></p> <p><del>(3) For the purposes of subsection (1)(b) the expected day of the next general election of [F2Members of the Senedd] is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</del></p> <p><del><b>[F4(3A)]</b> Where, at the relevant time, section 3(1A) prevents the poll at the next ordinary general election being held on the day specified in section 3(1)—</del></p> <p><del>(a) if an order under section 3(1B) has been made, the expected day is the day on which the poll is required to be held in accordance with section 3(1B);</del></p> <p><del>(b) if no order under section 3(1B) has been made, the expected day is the day on which the poll would be held in accordance with section 3(1) if section 3(1A) were disregarded.</del></p>	<p>Bil ECE Rhan 2, Pennod 3, adran 6</p>

<p><del>(3B) Where, at the relevant time, the Presiding Officer has proposed a day for the holding of the poll at the next ordinary general election under section 4(1)—</del></p> <p><del>(a) if a proclamation under section 4(2) has been issued, the expected day is the day on which the poll is required to be held in accordance with that proclamation;</del></p> <p><del>(b) if no proclamation under section 4(2) has been issued, the expected day is the day proposed under section 4(1).]</del></p> <p><del>(4) Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies—</del></p> <p><del>(a) if [F5] a proclamation under section 5(4) has been issued], the expected day is the day on which the poll is required to be held in accordance with that [F6] proclamation];</del></p> <p><del>(b) if no [F7] proclamation under section 5(4) has been issued] but a day has been proposed under section 5(1), that is the expected day;</del></p> <p><del>(c) otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).</del></p> <p><del>(5) For the purpose of determining the expected day, no account is to be taken of the possibility of—</del></p> <p><del>(a) [F8] a day being proposed under section 4(1) (power to vary date of ordinary general election)] after the relevant time, or</del></p> <p><del>(b) section 5(2) or (3) (extraordinary general elections) first applying after that time.</del></p> <p><del>(6) References in this section to the “day” of the election are to the day on which the poll at the election is held.]</del></p>	
<p><b>17D Exception from disqualification by virtue of being a councillor: recently elected members</b></p> <p>(1) A person returned at an election as a Member of the Senedd is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough or <u>community council</u> in Wales) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).</p> <p>(2) A Member of the Senedd who is returned at an election as a member of the council of a county or county borough or <u>community council</u> in Wales is not disqualified under section 16(1)(zc) at any time before the person makes a declaration of acceptance of office under section 83 of the Local Government Act 1972 (c. 70).</p>	<p>Bil ECE Rhan 2, Pennod 3, adran 61</p>

<p><b><del>[F117E]Exception from disqualification by virtue of being a councillor: ordinary election of councillors within 372 days</del></b></p> <p><del>(1)This section applies if—</del></p> <p><del>(a)a member of the council of a county or county borough in Wales is returned as a Member of the Senedd, and</del></p> <p><del>(b)the expected day of the next ordinary election of members of the council is within the period of 372 days beginning with the day the person is so returned (“the return day”).</del></p> <p><del>(2)The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—</del></p> <p><del>(a)beginning with the return day, and</del></p> <p><del>(b)ending with the fourth day after the day of the next ordinary election of members of the council.</del></p> <p><del>(3)For the purposes of subsection (1)(b) the expected day of the next ordinary election of members of the council is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</del></p> <p><del>(4)For the purpose of determining the expected day, no account is to be taken of the possibility of—</del></p> <p><del>(a)an order under section 37ZA(1) <del>[F2or (1A)]</del> of the <a href="#">Representation of the People Act 1983 (c. 2)</a> (power to vary ordinary day of local elections), or</del></p> <p><del>(b)an order under section 87 of the <a href="#">Local Government Act 2000 (c. 22)</a> (power to change year in which local election is held),</del></p> <p><del>being made after the relevant time.</del></p> <p><del>(5)References in this section and section 17F to the “day” of an election are to the day on which the poll at the election is held.]</del></p>	<p>Bil ECE Rhan 2, Pennod 3, adran 61</p>
<p><b><del>[F117F]Exception from disqualification by virtue of being a councillor: general election of Members of the Senedd within 372 days</del></b></p> <p><del>(1)This section applies if—</del></p> <p><del>(a)a Member of the Senedd is returned as a member of the council of a county or county borough in Wales, and</del></p> <p><del>(b)the expected day of the next general election of Members of the Senedd is within the period of 372 days beginning with the day the person is so returned (“the return day”).</del></p>	<p>Bil ECE Rhan 2, Pennod 3, adran 61</p>

~~(2)The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—~~

~~(a)beginning with the return day, and~~

~~(b)ending immediately before the day of the next general election of Members of the Senedd.~~

~~(3)For the purposes of subsection (1)(b) the expected day of the next general election of Members of the Senedd is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).~~

~~(4)Where, at the relevant time, section 3(1A) prevents the poll at the next ordinary general election being held on the day specified in section 3(1)—~~

~~(a)if an order under section 3(1B) has been made, the expected day is the day on which the poll is required to be held in accordance with section 3(1B);~~

~~(b)if no order under section 3(1B) has been made, the expected day is the day on which the poll would be held in accordance with section 3(1) if section 3(1A) were disregarded.~~

~~(5)Where, at the relevant time, the Presiding Officer has proposed a day for the holding of the poll at the next ordinary general election under section 4(1)—~~

~~(a)if a proclamation under section 4(2) has been issued, the expected day is the day on which the poll is required to be held in accordance with that proclamation;~~

~~(b)if no proclamation under section 4(2) has been issued, the expected day is the day proposed under section 4(1).~~

~~(6)Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies—~~

~~(a)if a proclamation under section 5(4) has been issued, the expected day is the day on which the poll is required to be held in accordance with that proclamation;~~

~~(b)if no proclamation under section 5(4) has been issued but a day has been proposed under section 5(1), that is the expected day;~~

~~(c)otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).~~

~~(7)For the purpose of determining the expected day, no account is to be taken of the possibility of—~~

~~(a)a day being proposed under section 4(1) (power to vary date of ordinary general election) after the relevant time, or~~

<p><del>(b) section 5(2) or (3) (extraordinary general elections) first applying after that time.]</del></p>	
<p><b>18 Effect of disqualification</b>  (A1) If a person who is disqualified from being a candidate to be a Member of the Senedd (see section 16(A1)) is nominated as a candidate at a general election of Members of the Senedd <del>or an election to fill a vacancy under section 40</del>, the person's nomination is void.  (1) If a person who is disqualified from being a Member of the Senedd is returned as a Member of the Senedd, the person's return is void and the person's seat is vacant.  (2) .....  (3) If a person who is a Member of the Senedd becomes disqualified—  (a) from being a Member of the Senedd, ...  (b) .....  the person ceases to be a Member of the Senedd (so that the person's seat is vacant).  (4) Subsections (1) to (3) have effect subject to any resolution of the Senedd under section 17(3).  (5) In addition, subsection (3) has effect subject to—  (a) .....  (b) section 427 of the Insolvency Act 1986 (c. 45) (bankruptcy etc.).  (6) If, in consequence of the provision mentioned in subsection (5), the seat of a person who is disqualified from being a Member of the Senedd is not vacant, the person does not cease to be a Member of the Senedd until the person's seat becomes vacant.  (7) But for any period for which the person is disqualified but the person's seat is not vacant—  (a) the person must not participate in any Senedd proceedings, and  (b) any of the person's other rights and privileges as a Member of the Senedd may be withdrawn by the Senedd.  (8) The validity of any Senedd proceedings is not affected by the disqualification of any person—  (a) from being a Member of the Senedd, ...  (b) .....</p>	<p>Bil SC(AE)  Rhan 2  Adran 10(5)</p>
<p><b>20 Remuneration of [Members of the Senedd]</b>  (1) [Provision must be made] for the payment of salaries to [Members of the Senedd].  (2) [Provision may be made] for the payment of allowances to [Members of the Senedd].  (3) [Provision may be made] for the payment of pensions, gratuities or allowances to, or in respect of, any person who—  (a) has ceased to be [a Member of the Senedd], or</p>	<p>Bil SC(AE)  Rhan 1  Adran 4(2)</p>



<p>(b) <del>has ceased to hold office as the Presiding Officer or Deputy Presiding Officer</del> <u>a Deputy Presiding Officer</u>, or such other office in connection with the [Senedd] as the [Senedd] may determine, but continues to be [a Member of the Senedd].</p> <p>(4) Such provision may, in particular, include provision for—</p> <p>(a) contributions or payments towards provision for such pensions, gratuities or allowances, and</p> <p>(b) the establishment and administration (whether by the [Senedd] Commission or otherwise) of one or more pension schemes.</p> <p>(5) Sums required for the making of payments by virtue of provision under subsection (1) or (3) to or in respect of a person who holds or has held the office of Presiding Officer or Deputy Presiding Officer are to be charged on the Welsh Consolidated Fund.</p> <p>[(6) Provision under this section is to be made by determination made by the Board.]</p> <p>[(7) The [Senedd] Commission must give effect to any determination made by the Board under this section.</p> <p>(8) In this section (and in sections 22, 24, 53 and 54) “the Board” means the [Independent Remuneration Board of the Senedd] established by section 1 of the National [Senedd] for Wales (Remuneration) Measure 2010 (nawm 4—).]</p>	
<p><b>25 Presiding Officer etc</b></p> <p>(1) The [Senedd] must, at its first meeting following a general election, elect from among the [Members of the Senedd]—</p> <p>(a) a presiding officer (referred to in this Act as “the Presiding Officer”), and</p> <p>(b) a deputy presiding officer <del>(referred to in this Act as “the Deputy Presiding Officer”)</del> <u>(see subsection (1B)(a)).</u></p> <p><u>(1A) The Senedd may at any time elect one additional deputy presiding officer from among the Members of the Senedd (but there may be no more than one additional deputy presiding officer at any time).</u></p> <p><u>(1B) In this Act, “Deputy Presiding Officer” means, unless the context requires otherwise—</u></p> <p><u>(a) the person elected under paragraph (b) of subsection (1);</u></p> <p><u>(b) a person elected under subsection (1A), but in section 23(4)(b) “Deputy Presiding Officer” means only the person elected under paragraph (b) of subsection (1).</u></p> <p>(2) The person elected under paragraph (a) of subsection (1) is to be known as the Presiding Officer or by such other title as the standing orders may provide; and the person elected under paragraph (b) of that subsection <del>is to be</del></p>	<p>Bil SC(AE) Rhan 1 Adran 4(1)</p>

~~known as the Deputy Presiding Officer and a person elected under subsection (1A) are each to be known as Deputy Presiding Officer~~ or by such other title as the standing orders may provide.

(3) The Presiding Officer holds office until the conclusion of the next election of a Presiding Officer under subsection (1).

~~(4) The Deputy Presiding Officer holds office until the [Senedd] is dissolved.~~ (4) A Deputy Presiding Officer holds office until the Senedd is dissolved; but the standing orders may make provision for a Deputy Presiding Officer elected under subsection (1A) to hold office for a shorter time.

(5) ~~But the Presiding Officer or Deputy Presiding Officer a Deputy Presiding Officer—~~

(a) may at any time resign,

(b) ceases to hold office on ceasing to be [a Member of the Senedd] otherwise than by reason of a dissolution, and

(c) may be removed from office by the [Senedd].

(6) If the Presiding Officer or the Deputy Presiding Officer elected under paragraph (b) of subsection (1) ceases to hold office under subsection (5) (or dies), the [Senedd] must elect a replacement from among the [Members of the Senedd] (and references in this section to a person elected under paragraph (a) or (b) of subsection (1) include a reference to a person elected under this subsection).

(7) Subject to subsection (9), the Presiding Officer and the Deputy Presiding Officer elected under paragraph (b) of subsection (1) must not belong to—

(a) the same political group, or

(b) different political groups both of which are political groups with an executive role.

(7A) Subject to subsection (9), a Deputy Presiding Officer elected under subsection (1A) must not belong to—

(a) the same political group as either the Presiding Officer or Deputy Presiding Officer elected under paragraph (b) of subsection (1), or

(b) where the Presiding Officer and the Deputy Presiding Officer elected under paragraph (b) of subsection (1) both belong to political groups without an executive role, a political group without an executive role.

(8) For the purposes of this Act a political group is a political group with an executive role if the First Minister or one or more of the Welsh Ministers appointed under section 48 belong to it.

(9) ~~The [Senedd] may resolve that subsection (7) is not to apply~~ one or both of subsections (7) and (7A) are not to apply for so long as the resolution so provides; but if the motion for the resolution is passed on a vote it is of no effect unless at least two-thirds of the [Members of the Senedd] voting support it.

<p>(10) The Presiding Officer's functions may be exercised by <del>the Deputy Presiding Officer</del> <u>a Deputy Presiding Officer</u> if—</p> <p>(a) the office of Presiding Officer is vacant, or</p> <p>(b) the Presiding Officer is for any reason unable to act.</p> <p>(11) The Presiding Officer may (subject to the standing orders) authorise <del>the Deputy Presiding Officer</del> <u>a Deputy Presiding Officer</u> to exercise functions of the Presiding Officer.</p> <p>(12) The standing orders may include provision for the Presiding Officer's functions to be exercisable by any person specified in, or determined in accordance with, the standing orders if—</p> <p>(a) the office of Presiding Officer is vacant or the Presiding Officer is for any reason unable to act, and</p> <p><del>(b) the office of Deputy Presiding Officer is vacant or the Deputy Presiding Officer is for any reason unable to act.</del> <u>(b) the office of Deputy Presiding Officer is vacant or, for any reason, no Deputy Presiding Officer is able to act.</u></p> <p>(13) The standing orders may include provision as to the participation (including voting) in [Senedd] proceedings of the Presiding Officer and <del>Deputy Presiding Officer</del> <u>a Deputy Presiding Officer</u> and any person acting by virtue of subsection (12).</p> <p>(14) The validity of any act of a person as Presiding Officer or Deputy Presiding Officer, or of any person acting by virtue of subsection (12), is not affected by any defect in the person's appointment by the [Senedd].</p> <p>(15) Subsections (10) to (12) are subject to paragraph 11 of Schedule 2.</p>	
<p><b>36 Integrity</b></p> <p>(1) The standing orders must include provision—</p> <p>(a) for a register of interests of Members of the Senedd, and</p> <p>(b) for the register to be published and made available for public inspection.</p> <p>(2) The standing orders must require Members of the Senedd to register in the register of interests registrable interests, as defined for the purposes of this subsection.</p> <p>(3) The standing orders must require any Member of the Senedd who has—</p> <p>(a) a financial interest, as defined for the purposes of this subsection, or</p> <p>(b) any other interest, or an interest of any other kind, as so defined,</p> <p>in any matter to declare that interest before taking part in Senedd proceedings relating to that matter.</p> <p>(4) The standing orders may include provision for preventing or restricting the participation in any Senedd proceedings of a Member of the Senedd who</p>	<p>Bil SC(AE) Rhan 2 Adran 10(6)</p>

<p>has an interest within subsection (2) or (3) in any matter to which the proceedings relate.</p> <p>(5) The standing orders must include provision prohibiting a Member of the Senedd from—</p> <p>(a) advocating or initiating any cause or matter on behalf of any person, by any means specified in the standing orders, in consideration of any payment or benefit in kind of a description so specified, or</p> <p>(b) urging, in consideration of any such payment or benefit in kind, any other Member of the Senedd to advocate or initiate any cause or matter on behalf of any person by any such means.</p> <p><del>(6) The standing orders must include provision about (or for the making of a code or protocol about) the different roles and responsibilities of Senedd constituency members and Senedd regional members; and—</del></p> <p><del>(a) Senedd constituency members must not describe themselves in a manner which suggests that they are Senedd regional members, and</del></p> <p><del>(b) Senedd regional members must not describe themselves in a manner which suggests that they are Senedd constituency members.</del></p> <p>(7) a Member of the Senedd who—</p> <p>(a) takes part in Senedd proceedings without having complied with, or in contravention of, any provision included in the standing orders in pursuance of subsections (2) to (4), or</p> <p>(b) contravenes any provision included in the standing orders in pursuance of subsection (5), commits an offence.</p> <p>(8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.</p> <p>(9) A prosecution for an offence under subsection (7) cannot be instituted except by or with the consent of the Director of Public Prosecutions.</p> <p>(10) The validity of any Senedd proceedings is not affected by any contravention or failure to comply with any provision included in the standing orders in pursuance of this section.</p> <p>(11) In this section—</p> <p>(a) references to a Member of the Senedd <del>(apart from those in subsection (6))</del> include the Counsel General, if not a Member of the Senedd, and</p> <p>(b) “financial interest” includes a benefit in kind.</p>	
<p><b>41 Proceedings by or against [Senedd] etc</b></p> <p>(1) Proceedings by or against the [Senedd] are to be instituted by or against the [Senedd] Commission on behalf of the [Senedd].</p> <p>(2) Proceedings by or against—</p>	<p>Bil SC(AE) Rhan 1 Adran 4(3)</p>

<p>(a) the Presiding Officer or <del>Deputy Presiding Officer a Deputy Presiding Officer</del>, or</p> <p>(b) a member of the staff of the [Senedd], are (unless instituted against or by the [Senedd] Commission) to be instituted by or against the [Senedd] Commission on behalf of the Presiding Officer, Deputy Presiding Officer or member of staff.</p> <p>(3) In any proceedings against the [Senedd] the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings but may instead make a declaration.</p> <p>(4) In any proceedings against—</p> <p>(a) any [Member of the Senedd],</p> <p>(b) the Presiding Officer or <del>Deputy Presiding Officer a Deputy Presiding Officer</del>,</p> <p>(c) any member of the staff of the [Senedd], or</p> <p>(d) the [Senedd] Commission,</p> <p>the court must not grant a mandatory, prohibiting or quashing order or an injunction, make an order for specific performance or stay the proceedings if the effect of doing so would be to give any relief against the [Senedd] which could not have been given in proceedings against the [Senedd].</p> <p>(5) References in this section to an order include an order which is not final.</p>	
<p><b>51 Limit on number of Ministers</b></p> <p>(1) No more than <del>twelve</del> <u>17</u> persons are to hold a relevant Welsh Ministerial office at any time.</p> <p>(2) A relevant Welsh Ministerial office means the office of Welsh Minister appointed under section 48 or the office of Deputy Welsh Minister.</p> <p><u>(3) The Welsh Ministers may by regulations amend subsection (1) to increase the maximum number of holders of a relevant Welsh Ministerial office—</u></p> <p><u>(a) from 17 to 18 or 19;</u></p> <p><u>(b) from 18 to 19.</u></p> <p><u>(4) The power in subsection (3) may not be used to lower the maximum number (including by revoking regulations made under that subsection).</u></p> <p><u>(5) A statutory instrument containing regulations under subsection (3) may not be made unless a draft of the instrument has been laid before and approved by a resolution of the Senedd.</u></p>	<p>Bil SC(AE) Rhan 1 Adran 5</p>
<p><b>159 Index of defined expressions</b></p> <p>In this Act the following expressions are defined or otherwise explained by the provisions indicated—</p> <p>...</p> <p><del>constituency vote</del> <u>section 6(2)</u></p>	<p>Bil SC(AE) Rhan 1 Adran 4(4)</p> <p>Rhan 2</p>

<p>...  <del>the Deputy Presiding Officer</del> <del>section 25(1)(b)</del></p> <p>...  <del>electoral region figure</del> <del>section 8(5)</del>  <del>electoral region vote</del> <del>section 6(3)</del></p> <p>...  <del>regional returning officer</del> <del>section 7(7)</del></p> <p>...  <del>Senedd constituency member</del> <del>section 1(2)(a)</del>  <del>Senedd electoral region</del> <del>section 2(2) and (3)</del></p> <p>...  <del>Senedd regional member</del> <del>section 1(2)(b)</del></p>	<p>Adran 10(7)</p>
<p><b>SCHEDULE 1A</b></p> <p><b>DISQUALIFICATION FROM BEING A MEMBER OF THE SENEDD OR A CANDIDATE IN AN ELECTION TO BE A MEMBER OF THE SENEDD</b></p> <p><b>PART 1 CATEGORIES OF PERSONS DISQUALIFIED</b></p> <p><i>Persons under 18 years of age</i></p> <p><b>1</b> A person who has not attained the age of 18 before the day on which the person is nominated as a candidate for election as a Member of the Senedd.</p> <p><i>Citizenship</i></p> <p><b>2.</b>-(1) A person who is not—</p> <p>(a) a British citizen,</p> <p>(b) a qualifying Commonwealth citizen,</p> <p>(c) a qualifying foreign citizen,</p> <p>(d) a citizen of the Republic of Ireland, or</p> <p>(e) a citizen of the European Union who is resident in the United Kingdom.</p> <p>(2) For the purposes of sub-paragraph (1), a person is a qualifying Commonwealth citizen if that person is a Commonwealth citizen who either—</p> <p>(a) is not a person who requires leave under the Immigration Act 1971 (c. 77) to enter or remain in the United Kingdom, or</p> <p>(b) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.</p>	<p>Bil ECE  Rhan 2,  Pennod 3,  adran 63</p> <p>Atodlen 1,  Rhan 4, 12</p> <p>Bil SC(AE)  Rhan 1  adran 6</p> <p>Rhan 2  adran 10(8)</p>

(3) For the purposes of sub-paragraph (1), a qualifying foreign citizen is a person resident in the United Kingdom who—

(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of the European Union, and

(b) either—

(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(4) But a person is not a qualifying Commonwealth citizen by virtue of sub-paragraph (2)(a) or a qualifying foreign citizen by virtue of sub-paragraph (3)(b)(i) if that person does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).

#### *Bankruptcy*

**3** A person in respect of whom one or more of the following orders has effect—

(a) a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 (c. 45) or Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19));

(b) a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986, Part 13 of the Bankruptcy (Scotland) Act 2016 (asp 21) or Schedule 2A to the Insolvency (Northern Ireland) Order 1989.

**4** A person who is disqualified from being a member of the House of Commons under section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland.

#### *Persons guilty of corrupt or illegal practices at elections*

**5** A person who is incapable of being elected to the House of Commons having been reported personally guilty or convicted of a corrupt or illegal practice under the Representation of the People Act 1983 (c. 2).

**5A** A person who is incapable of being elected to or holding

elective office in a district council in Northern Ireland under Part 10 of the Electoral Law Act (Northern Ireland) 1962 (c. 14) having been reported guilty or convicted of a corrupt or illegal practice.

*Persons imprisoned or detained following conviction etc.*

**6.**-(1) A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year.

(2) A person is disqualified under this paragraph only while the person is—

(a) detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man, or elsewhere in the European Union, in pursuance of the sentence or order, or

(b) unlawfully at large at a time when the person would otherwise be so detained.

*Sex offenders*

**7** A person subject to—

(a) the notification requirements of, or an order under, Part 2 of the Sexual Offences Act 2003 (c. 42) or

(b) an order under Chapter 2 of Part 11 of the Sentencing Code.

[Persons not registered in electoral register at an address in Wales](#)

[8 A person who is not registered in the register of local government electors at an address within a Senedd constituency.](#)

## **PART 2 OFFICES THAT DISQUALIFY THE HOLDER**

### *TABLE*

*Offices and bodies in respect of which there are disqualifying offices*

*The disqualifying offices*

Armed forces

Members of the Royal Navy, the Royal Marines, the regular army (as defined by section 374 of the Armed Forces Act



<p>Auditor General for Wales or Archwilydd Cyffredinol Cymru</p> <p>Children's Commissioner for Wales or Comisiynydd Plant Cymru</p> <p>Civil service</p>	<p>2006 (c. 52)) or the Royal Air Force, not including—</p> <p>(a) an officer on the retired or emergency list of any of the regular armed forces of the Crown,</p> <p>(b) a person who holds an emergency commission in any of those forces,</p> <p>(c) a person who belongs to any reserve of officers of any of those forces,</p> <p>(d) a naval, army, marine or air force pensioner, or former soldier who is liable to be recalled for service, or</p> <p>(e) a person who is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown</p> <p>The Auditor General</p> <p>The Commissioner and deputy Commissioner</p> <p>Members of the civil service of the State, including the civil service of Northern Ireland, the Northern Ireland Court Service, Her Majesty's Diplomatic Service and Her Majesty's Overseas Civil Service</p>	
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Civil Service Commission	The First Civil Service Commissioner and Civil Service Commissioners	
Commission for Equality and Human Rights	The Commissioners	
Commissioner for Older People in Wales or Comisiynydd Pobl Hŷn Cymru	The Commissioner and deputy Commissioner	
Commissioner for Public Appointments	The Commissioner	
Comptroller and Auditor General or Rheolwr ac Archwilydd Cyffredinol	The Comptroller and Auditor General	
Electoral Commission or Comisiwn Etholiadol	The Electoral Commissioners and members of the staff of the Commission	
Electoral Registration Officers	Electoral registration officer for any area in Wales	
Future Generations Commissioner for Wales or Comisiynydd Cenedlaethau'r Dyfodol Cymru	The Commissioner	
Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru	The Chief Inspector	
Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd	The members of the Board	
Independent Remuneration Panel for Wales or Panel Annibynnol Cymru ar	<del>The members of the Panel</del>	

Gydnabyddiaeth  
Ariannol

Judicial offices

The following judicial offices—

- (a)  
Judge of the Supreme Court;
- (b)  
Judge of the High Court or  
Court of Appeal in England  
and Wales;
- (c)  
Judge of the Court of Session  
or Temporary Judge in  
Scotland;
- (d)  
Judge of the High Court or  
Court of Appeal in Northern  
Ireland;
- (e)  
Judge of the Court Martial  
Appeal Court;
- (f)  
Chairman of the Scottish  
Land Court;
- (g)  
Circuit Judge in England and  
Wales;
- (h)  
Sheriff principal, sheriff,  
summary sheriff, temporary  
sheriff principal, part-time  
sheriff or part-time summary  
sheriff in Scotland;
- (i)  
County Court Judge or  
deputy County Court Judge in  
Northern Ireland;
- (j)  
District Judge (Magistrates'  
Courts) (but not Deputy  
District Judge (Magistrates'  
Courts)) in England and  
Wales;
- (k)

	<p>District judge (magistrates' courts) or deputy district judge (magistrates' courts) in Northern Ireland;</p> <p>(l) President of Welsh Tribunals or Llywydd Tribiwnlysoedd Cymru;</p> <p>(m) Judge of the Upper Tribunal;</p> <p>(n) legal member of the Upper Tribunal for Scotland;</p> <p>(o) Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;</p> <p>(p) Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland</p>	
Legislatures	Members of the legislature of any country or territory outside the United Kingdom	
Lieutenancies	Lord-lieutenant or lieutenant of any area in Wales	
Local Democracy and Boundary Commission for Wales or Comisiwn Ffiniau a Democratiaeth Leol Cymru	The members and chief executive of the Commission	
Parliamentary Commissioner for Administration	The Commissioner	
Police forces	Members of any police force maintained by—	
	(a)	

	<p>a local policing body (within the meaning given by section 101 of the Police Act 1996 (c. 16)),</p> <p>(b) the Scottish Police Authority, or</p> <p>(c) the Northern Ireland Policing Board,</p> <p>and “member” in relation to a police force means a person holding office as a constable of that force</p>	
Public Services Ombudsman for Wales or Ombwdsmon Gwasanaethau Cyhoeddus Cymru	The Ombudsman	
Returning officers for Senedd elections	The returning officer for any Senedd constituency <del>or</del> <a href="#">Senedd electoral region</a>	
Senedd Commission	Members of the staff of the Senedd	
Senedd Commissioner for Standards or Comisiynydd Safonau y Senedd	The Commissioner	
Sheriffs	The high sheriff of any area in Wales	
Welsh Language Commissioner or Comisiynydd y Gymraeg	The Commissioner, the Deputy Commissioner and the members of the Advisory Panel to the Welsh Language Commissioner	

**Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013**

Adran	Diwygiwyd gan
<p><b>1 Trosolwg</b></p> <p>(1) Mae'r Rhan hon yn rhoi trosolwg o ddarpariaethau'r Ddeddf hon.</p> <p>(2) Mae Rhan 2 yn ailenwi'r Comisiwn Ffiniau Llywodraeth Leol i Gymru yn Gomisiwn Ffiniau a Democratiaeth Leol Cymru ac yn diwygio ei gyfansoddiad a'i swyddogaethau.</p> <p><u>(2A) Mae Rhan 2A yn rhoi swyddogaethau gweinyddu etholiadol i'r Comisiwn ac yn ei gwneud yn ofynnol i'r swyddogaethau gael eu harfer gan fwrdd a sefydlir gan y Comisiwn o'r enw y Bwrdd Rheoli Etholiadol.</u></p> <p>(3) Mae Rhan 3 yn gwneud darpariaeth ynghylch—</p> <p>(a) dyletswyddau'r Comisiwn i fonitro'r trefniadau ar gyfer llywodraeth leol a, lle y bo'n briodol, i gynnal adolygiadau, a dyletswyddau prif gynghorau i fonitro'r trefniadau ar gyfer y cymunedau yn eu hardal a, lle y bo'n briodol, i gynnal adolygiadau (gweler adrannau 21 a 22),</p> <p>(b) y mathau o adolygiadau y gellir eu cynnal, yr ystyriaethau i'r corff adolygu eu hystyried a'r newidiadau y gellir eu hargymhell mewn perthynas â phob math o adolygiad (gweler adrannau 23 i 33),</p> <p>(c) y weithdrefn ar gyfer cynnal adolygiadau (gweler adrannau 34 i 36),</p> <p>(d) gweithredu argymhellion yn dilyn adolygiad a materion cysylltiedig (megis trosglwyddo staff neu eiddo rhwng prif gynghorau a chyrrff cyhoeddus eraill) (gweler adrannau 37 i 44).</p> <p><u>(3A) Mae Rhan 3A yn gwneud darpariaeth ynghylch adolygiadau o ffiniau etholaethau'r Senedd a gynhelir gan y Comisiwn.</u></p> <p>(4) Mae Rhan 4 yn gwneud darpariaeth ynghylch adolygu aelodaeth cyrrff cyhoeddus penodol.</p> <p>(5) Mae Rhan 5 yn gwneud darpariaeth—</p> <p>(a) ynghylch penodi aelod llywyddol prif gyngor;</p> <p>(b) sy'n ailddatgan ac yn ymestyn pwerau awdurdodau lleol mewn perthynas â hyrwyddo a gwrthwynebu Biliau preifat;</p> <p>(c) sy'n ei gwneud yn ofynnol i wybodaeth cynghorau cymuned fod ar gael ar ffurf electronig;</p>	<p>Bil ECE Atodlen 1, Pennod 1, 1 (1) Atodlen 1, Pennod 4, 13 (2)</p> <p><a href="#">Bil SC(AE) Atodlen 2 Paragraff 2(2)</a></p>

<p>(d) ynghylch cyhoeddi cofrestrau o fuddiannau aelodau cyrff cyhoeddus penodol (gan gynnwys awdurdodau lleol) yn electronig;</p> <p>(e) yn ymwneud â mynychu cyfarfodydd prif gynghorau o bell;</p> <p>(f) yn ymwneud â rôl pwyllgorau gwasanaethau democrataidd;</p> <p>(g) sy'n cymhwyso gofynion o ran cydbwysedd gwleidyddol i bwyllgorau archwilio prif bwyllgorau;</p> <p><del>(h) yn ymwneud â swyddogaethau Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol a sut y mae'n paratoi adroddiadau;</del></p> <p>(i) ynghylch sefydlu cyd-bwyllgorau safonau;</p> <p>(j) sy'n galluogi'r pwyllgor safonau neu swyddog monitro awdurdod perthnasol i gyfeirio achosion sy'n ymwneud ag ymddygiad at bwyllgor safonau neu swyddog monitro awdurdod perthnasol arall.</p> <p><u>(5A) Mae Rhan 5A yn gwneud darpariaeth sy'n ymwneud â swyddogaethau'r Comisiwn wrth benderfynu ar y taliadau a'r pensiynau sy'n daladwy i aelodau a chyn-aelodau awdurdodau penodol (gan gynnwys awdurdodau lleol).</u></p> <p>(6) Mae Rhan 6 yn gwneud darpariaeth gyffredinol ynghylch y Ddeddf hon.</p>	
<p><b><u>2 Comisiwn Ffiniau a Democratiaeth Leol Cymru Comisiwn Democratiaeth a Ffiniau Cymru</u></b></p> <p>(1) Mae'r corff corfforaethol a enwir yn Gomisiwn Ffiniau Llywodraeth Leol i Gymru (a sefydlwyd o dan adran 53 o Ddeddf 1972) i barhau mewn bodolaeth.</p> <p><del>(2) Ond mae wedi ei ailenwi, ac mae i'w alw'n Gomisiwn Ffiniau a Democratiaeth Leol Cymru (y cyfeirir ato yn y Ddeddf hon fel "y Comisiwn")</del></p> <p><u>(3) Mae'r corff corfforedig hwnnw (a ailenwyd gyntaf gan is-adran (2)) wedi ei ailenwi yn Gomisiwn Democratiaeth a Ffiniau Cymru (y cyfeirir ato yn y Ddeddf hon fel "y Comisiwn")</u></p>	<p>Bil SC(AE) Rhan 3 Adran 12(1)</p>
<p><b>4 Aelodaeth</b></p> <p>(1) Yr aelodau a ganlyn fydd aelodau'r Comisiwn—</p> <p>(a) aelod i gadeirio'r Comisiwn (yr "aelod cadeirio"),</p> <p>(b) aelod i weithredu fel dirprwy i'r aelod cadeirio, ac</p> <p><del>(c) dim mwy na 3 aelod arall. (c) o leiaf 1 aelod arall ond dim mwy na 7 o aelodau eraill.</del></p>	<p>BIL ECE Atodlen 1, Pennod 1, 1 (3)</p> <p>Bil SC(AE) Rhan 3</p>

<p>(2) Mae'r aelodau i'w penodi gan Weinidogion Cymru ar delerau ac amodau a benderfynir gan Weinidogion Cymru (gan gynnwys amodau o ran tâl, lwfansau a threuliau).</p> <p>(3) Ni chaiff Gweinidogion Cymru benodi person sydd yn—</p> <p>(a) aelod <del>Senedd</del> o <u>Dŷ'r Cyffredin</u>;</p> <p><del>(b) aelod o Gynulliad Cenedlaethol Cymru;</del> <u>(b) Aelod o'r Senedd</u>;</p> <p><u>(ba) aelod o staff Senedd Cymru;</u></p> <p><u>(bb) person (nad yw'n dod o fewn paragraff (ba)) a benodwyd i gynorthwyo Aelod o'r Senedd i gyflawni swyddogaethau'r Aelod;</u></p> <p>(c) aelod o awdurdod lleol yng Nghymru;</p> <p>(d) swyddog i awdurdod lleol yng Nghymru;</p> <p>(e) aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;</p> <p>(f) comisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru; neu</p> <p>(g) aelod o staff y Comisiwn.</p>	<p>Adran 13</p> <p>Rhan 3</p> <p>Adran14(1)</p>
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<p><b>6 Trafodion</b></p> <p>(1) 3 yw'r cworwm ar gyfer cyfarfodydd o'r Comisiwn.  <u>(1A) Caiff Gweinidogion Cymru drwy reoliadau ddiwygio is-adran (1) i newid y cworwm, ond ni chânt newid y cworwm i rif sy'n is na 3.</u></p> <p>(2) Fel arall, caiff y Comisiwn reoleiddio ei weithdrefn ei hun.</p> <p>(3) Nid yw unrhyw ddiffyg ym mhenodiad aelod yn effeithio ar ddilysrwydd unrhyw beth a wneir gan y Comisiwn.</p>	<p>Bil SC(AE)  Rhan 3  Adran 15</p>
<p><b>8 Prif weithredwr</b></p> <p>(1) Rhaid i'r Comisiwn gyflogi prif weithredwr.</p> <p>(2) Mae'r prif weithredwr i'w benodi gan y Comisiwn ar delerau ac amodau a benderfynir ganddo (gan gynnwys amodau o ran tâl, pensiwn, lwfansau a threuliau).  (2A) Ond os yw swydd prif weithredwr wedi bod yn wag am dros chwe mis, caiff Gweinidogion Cymru benodi prif weithredwr o dan unrhyw delerau ac amodau a bennir ganddynt (gan gynnwys amodau o ran cydnabyddiaeth ariannol, pensiwn, lwfansau a threuliau).]</p> <p>(3) Cyn penodi prif weithredwr o dan is-adran (2A), rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn.</p> <p>(4) Ni chaiff y prif weithredwr fod—</p> <p>(a) yn aelod Seneddol;  (b) yn Aelod o'r Senedd;  <u>(ba) aelod o staff Senedd Cymru;</u>  <u>(bb) person (nad yw'n dod o fewn paragraff (ba)) a benodwyd i gynorthwyo Aelod o'r Senedd i gyflawni swyddogaethau'r Aelod;</u>  (c) yn aelod o awdurdod lleol;  (d) yn swyddog awdurdod lleol;  (e) yn aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;  (f) yn gomisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru.]</p> <p>(5) Rhaid i'r Comisiwn, wrth arfer ei swyddogaethau o dan yr adran hon, roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.</p>	<p>Bil SC(AE)  Rhan 3  Adran 14(2)</p>

<p><b>11 Comisiynwyr cynorthwyol</b></p> <p>(1) <u>Caiff y Comisiwn benodi person (“comisiynydd cynorthwyol”) y caiff, at ddibenion adran 13, ddirprwyo swyddogaethau iddo. (1) Caiff y Comisiwn benodi un neu ragor o bersonau (a elwir yn “comisiynydd cynorthwyol”) y caiff y Comisiwn ddirprwyo swyddogaethau iddo yn unol ag adran 13(1).</u></p> <p>(2) Ond ni chaiff y Comisiwn benodi person sydd yn—</p> <p>(a) aelod Seneddol;</p> <p><del>(b) aelod o Gynulliad Cenedlaethol Cymru</del> <u>(b) Aelod o'r Senedd;</u></p> <p><u>(ba) aelod o staff Senedd Cymru;</u></p> <p><u>(bb) person (nad yw'n dod o fewn paragraff (ba)) a benodwyd i gynorthwyo Aelod o'r Senedd i gyflawni swyddogaethau'r Aelod;</u></p> <p>(c) aelod o awdurdod lleol ...;</p> <p>(d) swyddog i awdurdod lleol ...;</p> <p>(e) aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;</p> <p>(f) comisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru; neu</p> <p>(g) aelod o staff y Comisiwn.</p> <p>(3) Cyn penodi comisiynydd cynorthwyol rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru.</p> <p>(4) Caiff y Comisiwn dalu unrhyw dâl, lwfansau neu dreuliau a benderfynir ganddo i gomisiynydd cynorthwyol.</p> <p>(5) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y tâl neu'r lwfansau sy'n daladwy i gomisiynydd cynorthwyol.</p>	<p>Bil SC(AE) Rhan 3 Adran 16</p>
<p><i>Pwerau cyffredinol a chyfarwyddiadau</i></p> <p><b>11A Pŵer i godi tâl</b></p> <p><u>(1) Caiff y Comisiwn godi tâl ar berson am ddarparu nwyddau neu wasanaethau fel a grybwyllir yn is-adran (2) i adennill cost y ddarpariaeth os yw'r person wedi cytuno i'r nwyddau neu'r gwasanaethau gael eu darparu.</u></p> <p><u>(2) Y nwyddau neu'r gwasanaethau yw—</u></p> <p><u>(a) nwyddau y mae'r Comisiwn yn eu darparu neu'n eu sicrhau, neu hyfforddiant y mae'r Comisiwn yn ei ddarparu neu'n ei sicrhau, wrth arfer ei swyddogaethau o dan adran 20A (swyddogaethau gweinyddu etholiadol);</u></p> <p><u>(b) hyfforddiant y mae'r Comisiwn yn ei ddarparu neu'n ei sicrhau ar gyfer prif gyngor mewn cysylltiad â swyddogaethau'r cyngor o dan Ran 3.</u></p>	<p>Bil ECE Rhan 2, Pennod 4, adran 66</p>

<p><b>13 Dirprwyo</b></p> <p>(1) Caiff y Comisiwn ddirprwyo i un neu fwy o'i aelodau neu <del>gomisiynydd cynorthwyol un neu fwy o'i gomisiynwyr cynorthwyol</del> y swyddogaethau hynny o dan</p> <p>(a) Penodau 2 i 4, 6 neu 7 o Ran 3 (swyddogaethau sy'n ymwneud â chynnal adolygiadau o lywodraeth leol neu ymchwiliadau lleol);</p> <p>(b) Rhan 3A (swyddogaethau sy'n ymwneud ag adolygiadau o ffiniau etholaethau'r Senedd);</p> <p>(c) Atodlen 1 i Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (swyddogaethau sy'n ymwneud ag adolygiadau cychwynnol), fel a benderfynir ganddo i'r graddau y mae wedi eu dirprwyo felly.</p> <p><del>Benodau 2 i 4, 6 neu 7 o Ran 3 o'r Ddeddf hon (swyddogaethau ynghylccynnal adolygiadau o lywodraeth leol neu ymchwiliadau lleol), Rhan 3A o'r Ddeddf hon (swyddogaethau sy'n ymwneud ag adolygiadau o ffiniau etholaethau'r Senedd )"</del> neu Atodlen 1 i Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (swyddogaethau sy'n ymwneud ag adolygiadau cychwynnol), a benderfynir ganddo i'r graddau y mae wedi eu dirprwyo felly.</p> <p>(2) Nid yw is-adran (1) yn effeithio ar—</p> <p>(a) cyfrifoldeb y Comisiwn dros arfer swyddogaethau dirprwyedig, na</p> <p>(b) gallu'r Comisiwn i arfer swyddogaethau dirprwyedig.</p>	<p>Bil SC(AE) Atodlen 2 Paragraff 2(3)</p>
<p><b>14 Cyfarwyddiadau</b></p> <p><del>(1) Rhaid i'r Comisiwn gydymffurfio ag unrhyw gyfarwyddyd (boed yn gyffredinol neu'n benodol) a roddir iddo gan Weinidogion Cymru.</del></p> <p><u>(1A) Caiff Gweinidogion Cymru roi cyfarwyddyd i'r Comisiwn mewn perthynas ag arfer swyddogaethau'r Comisiwn o dan unrhyw ddeddfiad, ac eithrio mewn perthynas ag arfer swyddogaethau o dan—</u></p> <p>(a) <u>Rhan 2A (cydlynu gwaith gweinyddu etholiadol);</u></p> <p>(b) <u>Rhan 3A (swyddogaethau sy'n ymwneud ag adolygiadau o ffiniau etholaethau'r Senedd).</u></p>	<p>Bil ECE Atodlen 2 , Rhan 1, 1 (4)</p> <p>Bil SC(AE) Atodlen 2 Paragraff 2(4)</p>

<p>(1B) Rhaid i'r Comisiwn gydymffurfio â chyfarwyddyd a roddir iddo gan Weinidogion Cymru o dan y Ddeddf hon.</p> <p>(1C) Rhaid i Weinidogion Cymru gyhoeddi pob cyfarwyddyd y maent yn ei roi i'r Comisiwn neu i brif gyngor o dan y Ddeddf hon.</p> <p>(2) Caniateir i gyfarwyddyd a roddir gan Weinidogion Cymru o dan y Ddeddf hon gael ei amrywio neu ei ddirymu drwy gyfarwyddyd dilynol.</p> <p><a href="#">(3) Nid yw'r adran hon yn caniatáu i Weinidogion Cymru roi cyfarwyddyd i'r Comisiwn yn ymwneud ag arfer ei swyddogaethau o dan Ran 3A (swyddogaethau sy'n ymwneud ag adolygiadau o ffiniau etholaethau'r Senedd).</a></p>	
<p><b><u>Materion ariannol a llywodraethu</u></b></p> <p><b>15 Cyllido</b></p> <p>(1) Caiff Gweinidogion Cymru dalu grantiau i'r Comisiwn o symiau a benderfynir ganddynt.</p> <p>(2) Gwneir grant yn ddarostyngedig i unrhyw amodau a bennir gan Weinidogion Cymru (gan gynnwys amodau ynghylch ad-dalu).</p>	<p>Bil ECE Rhan 2, Pennod 4, adran 65</p>
<p><b><u>17 Pwyllgor archwilio Pwyllgor llywodraethu ac archwilio</u></b></p> <p>(1) Rhaid i'r Comisiwn sefydlu pwyllgor ("<del>pwyllgor archwilio</del>") ("<u>pwyllgor llywodraethu ac archwilio</u>") i—</p> <p>(a) adolygu materion ariannol y Comisiwn a chraffu arnynt,</p> <p>(b) adolygu ac asesu trefniadau rheoli risg, rheolaeth fewnol a llywodraethu corfforaethol y Comisiwn,</p> <p><u>(ba) adolygu, asesu a rheoli trefniadau archwilio mewnol ac allanol y Comisiwn,</u></p> <p><u>(bb) adolygu ac asesu sut y mae'r Comisiwn yn ymdrin â chwynion,</u></p> <p><u>(bc) adolygu—</u></p> <p><u>(i) datganiadau o gyfrifon ac adroddiadau a lunnir gan y Comisiwn o dan adrannau 19(1) ac 20,</u></p> <p><u>(ii) adroddiadau a lunnir gan Archwilydd Cyffredinol Cymru o dan adran 19(4),</u></p> <p>(c) adolygu ac asesu darbodusrwydd, effeithlonrwydd ac effeithiolrwydd defnydd y Comisiwn o'i adnoddau wrth gyflawni ei swyddogaethau, a</p>	<p>Bil ECE Rhan 2, Pennod 4, adran 65</p>

<p>(d) llunio adroddiadau a gwneud argymhellion i'r Comisiwn mewn perthynas ag adolygiadau a gynhelir o dan baragraffau (a), (b), <u>(ba), (bb), (bc)</u> neu (c).</p> <p>(2) Rhaid i'r pwyllgor <del>archwilio</del> <u>llywodraethu ac archwilio</u> anfon copïau o'i adroddiadau a'i argymhellion at Weinidogion Cymru.</p> <p><u>(2A) Caiff y Comisiwn roi i'r pwyllgor llywodraethu ac archwilio y swyddogaethau y mae'r Comisiwn o'r farn eu bod yn addas i'w harfer gan y pwyllgor.</u></p> <p>(3) Y pwyllgor <del>archwilio</del> <u>llywodraethu ac archwilio</u> sydd i benderfynu sut i arfer ei swyddogaethau o dan yr adran hon.</p>	
<p><b><u>18 Pwyllgor archwilio: aelodaeth Pwyllgor llywodraethu ac archwilio: aelodaeth a chworwm</u></b></p> <p><del>(1) Mae aelodau'r pwyllgor archwilio i fod fel a ganlyn—</del></p> <p><del>(a) o leiaf ddau aelod o'r Comisiwn, a</del></p> <p><del>(b) o leiaf un aelod lleyg.</del></p> <p><del>(2) Ni chaiff aelod cadeirio'r Comisiwn fod yn aelod o'r pwyllgor archwilio.</del></p> <p><u>(1) Mae aelodau'r pwyllgor llywodraethu ac archwilio i fod fel a ganlyn—</u></p> <p><u>(a) o leiaf ddau aelod o'r Comisiwn;</u></p> <p><u>(b) o leiaf ddau aelod lleyg;</u></p> <p><u>(c) dim mwy na phum aelod.</u></p> <p><u>(2) Rhaid penodi aelod lleyg o'r pwyllgor llywodraethu ac archwilio—</u></p> <p><u>(a) i gadeirio'r pwyllgor (y "cadeirydd");</u></p> <p><u>(b) yn ddirprwy i'r cadeirydd.</u></p> <p><u>(2A) Ni chaiff person fod yn aelod o'r pwyllgor llywodraethu ac archwilio os yw'r person yn aelod o'r Comisiwn a'i fod naill ai'n aelod cadeirio'r Comisiwn neu'n gweithredu fel dirprwy i aelod cadeirio'r Comisiwn.</u></p> <p><u>(2B) Tri aelod yw'r chworwm ar gyfer cyfarfodydd o'r pwyllgor llywodraethu ac archwilio, a rhaid i'r chworwm gynnwys o leiaf un aelod lleyg.</u></p> <p>(3) Caiff y Comisiwn dalu unrhyw dâl, lwfansau a threuliau a benderfynir ganddo i aelod lleyg.</p>	<p>Bil ECE Rhan 2, Pennod 4, adran 65</p>

<p>(4) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y tâl neu'r lwfansau sy'n daladwy i aelod lleyg.</p> <p>(5) Yn yr adran hon, ystyr "aelod lleyg" yw unrhyw berson ar wahân i—</p> <p>(a) un o aelodau neu gyflogeion y Comisiwn, neu</p> <p>(b) arbenigwr sydd wedi ei benodi o dan adran 10(1) neu gomisiynydd cynorthwyol sydd wedi ei benodi o dan adran 11(1).</p>	
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**RHAN 2A**

**CYDLYNU GWAITH GWEINYDDU ETHOLIADOL**

**Swyddogaethau cyffredinol**

**20A Swyddogaethau gweinyddu etholiadol**

(1)Swyddogaeth gyffredinol y Comisiwn yw cydlynu'r gwaith o weinyddu etholiadau a refferenda Cymreig.

(2)Mae'r swyddogaeth gyffredinol yn is-adran (1) yn cynnwys—

(a)cynorthwyo swyddogion canlyniadau, awdurdodau lleol a phersonau eraill wrth iddynt gyflawni eu swyddogaethau mewn perthynas ag etholiadau a refferenda Cymreig;

(b)hybu arferion gorau o ran gweinyddu etholiadau a refferenda Cymreig drwy ddarparu gwybodaeth, cyngor neu hyfforddiant (neu fel arall).

(3)Caiff y Comisiwn ddarparu gwybodaeth, cyngor neu gymorth arall i Weinidogion Cymru ynghylch gweinyddu etholiadau a refferenda Cymreig.

(4)Yn y Rhan hon ystyr "etholiadau a refferenda Cymreig" yw—

(a)etholiadau Senedd Cymru;

(b)etholiadau llywodraeth leol yng Nghymru;

(c)refferenda datganoledig.

**Cyfarwyddiadau**

**20B Cyfarwyddiadau i swyddogion canlyniadau**

(1)Caiff y Comisiwn roi cyfarwyddiadau ysgrifenedig i swyddogion canlyniadau ynghylch arfer swyddogaethau'r swyddogion mewn perthynas—

(a)ag etholiadau Senedd Cymru yn gyffredinol,

(b)ag etholiad penodol i Senedd Cymru,

(c)ag etholiadau llywodraeth leol yng Nghymru yn gyffredinol,

(d)ag etholiad llywodraeth leol penodol yng Nghymru,

(e)â refferenda datganoledig yn gyffredinol, neu

(f)â refferendwm datganoledig penodol.

Bil ECE  
Rhan 1,  
Pennod 1,  
adran 1

<p><u>(2)Caiff cyfarwyddyd o dan is-adran (1) ei gwneud yn ofynnol i swyddog canlyniadau ddarparu gwybodaeth i'r Comisiwn.</u></p> <p><u>(3)Caiff cyfarwyddyd o dan is-adran (1) ei gwneud yn ofynnol i swyddog canlyniadau—</u></p> <p><u>(a)arfer unrhyw ddisgresiwn sydd gan y swyddog wrth gyflawni swyddogaethau'r swyddog, neu</u></p> <p><u>(b)arfer y disgresiwn mewn ffordd benodol.</u></p> <p><u>(4)Rhaid i swyddog canlyniadau y rhoddir cyfarwyddyd iddo o dan is-adran (1) gydymffurfio â'r cyfarwyddyd i'r graddau y mae'n cyfarwyddo'r swyddog—</u></p> <p><u>(a)i arfer unrhyw ddisgresiwn a fyddai gan y swyddog fel arall wrth gyflawni swyddogaethau'r swyddog (neu i'w arfer mewn ffordd benodol), neu</u></p> <p><u>(b)i ddarparu gwybodaeth i'r Comisiwn.</u></p> <p><u>(5)Nid yw'n ofynnol i swyddog canlyniadau gydymffurfio â chyfarwyddyd o dan is-adran (1)—</u></p> <p><u>(a)os byddai cydymffurfio â'r cyfarwyddyd yn anghyson ag un o ddyletswyddau'r swyddog o dan unrhyw ddeddfiad,</u></p> <p><u>(b)i'r graddau y mae arfer swyddogaethau'r swyddog yn ddarostyngedig i'r cyfarwyddyd yn ymwneud ag etholiad a gedwir yn ôl mewn pôl sydd wedi ei gyfuno ag etholiad neu refferendwm Cymreig, neu</u></p> <p><u>(c)i'r graddau y mae arfer swyddogaethau'r swyddog yn ddarostyngedig i'r cyfarwyddyd yn ymwneud â'r cyfuniad—</u></p> <p><u>(i)o bôl mewn etholiad a gedwir yn ôl â'r pôl mewn etholiad neu refferendwm Cymreig;</u></p> <p><u>(ii)o bôl mewn etholiad Senedd Cymru â'r pôl mewn etholiad cyffredin llywodraeth leol yng Nghymru.</u></p> <p><u>(6)Rhaid i'r Comisiwn gyhoeddi pob cyfarwyddyd y mae'n ei roi o dan is-adran (1).</u></p> <p><b>20C</b> <b>Cyfarwyddiadau i swyddogion cofrestru etholiadol</b></p>	
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<p><u>(1)Caiff y Comisiwn roi cyfarwyddiadau ysgrifenedig i swyddogion cofrestru etholiadol ynghylch arfer swyddogaethau'r swyddogion mewn perthynas—</u></p> <p><u>(a)ag etholiad penodol i Senedd Cymru,</u></p> <p><u>(b)ag etholiad llywodraeth leol penodol yng Nghymru, neu</u></p> <p><u>(c)â refferendwm datganoledig penodol.</u></p> <p><u>(2)Caiff cyfarwyddyd o dan is-adran (1) ei gwneud yn ofynnol i swyddog cofrestru etholiadol—</u></p> <p><u>(a)arfer unrhyw ddisgresiwn sydd gan y swyddog wrth gyflawni swyddogaethau'r swyddog, neu</u></p> <p><u>(b)arfer y disgresiwn mewn ffordd benodol.</u></p> <p><u>(3)Caiff cyfarwyddyd o dan is-adran (1) ei gwneud yn ofynnol i swyddog cofrestru etholiadol ddarparu gwybodaeth i'r Comisiwn.</u></p> <p><u>(4)Rhaid i swyddog cofrestru etholiadol y rhoddir cyfarwyddyd iddo o dan is-adran (1) gydymffurfio â'r cyfarwyddyd i'r graddau y mae'n cyfarwyddo'r swyddog—</u></p> <p><u>(a)i arfer unrhyw ddisgresiwn a fyddai gan y swyddog fel arall wrth gyflawni swyddogaethau'r swyddog (neu i'w arfer mewn ffordd benodol), neu</u></p> <p><u>(b)i ddarparu gwybodaeth i'r Comisiwn.</u></p> <p><u>(5)Nid yw'n ofynnol i swyddog cofrestru etholiadol gydymffurfio â chyfarwyddyd o dan is-adran (1)—</u></p> <p><u>(a)os yw'n anghyson—</u></p> <p><u>(i)ag un o ddyletswyddau'r swyddog o dan unrhyw ddeddfiad, neu</u></p> <p><u>(ii)â chyfarwyddyd a roddir o dan adran 52 o Ddeddf 1983;</u></p> <p><u>(b)i'r graddau y mae arfer swyddogaethau'r swyddog yn ymwneud â phôl mewn etholiad a gedwir yn ôl sydd wedi ei gyfuno â phôl mewn etholiad neu refferendwm Cymreig.</u></p> <p><u>(6)Rhaid i'r Comisiwn gyhoeddi pob cyfarwyddyd y mae'n ei roi o dan is-adran (1).</u></p>	
<p><b>20D Ymgynghori â'r Comisiwn Etholiadol</b></p>	

(1)Cyn rhoi cyfarwyddyd o dan adran 20B neu 20C, rhaid i'r Comisiwn ymgynghori â'r Comisiwn Etholiadol.

(2)Rhaid i'r Comisiwn Etholiadol roi ymateb ysgrifenedig i'r Comisiwn ar y materion yr ymgynghorwyd ag ef yn eu cylch.

Y Bwrdd

**20E Y Bwrdd Rheoli Etholiadol**

(1)Rhaid i'r Comisiwn sefydlu bwrdd o'r enw y Bwrdd Rheoli Etholiadol ("y Bwrdd").

(2)Mae swyddogaethau'r Comisiwn o dan y darpariaethau a bennir yn is-adran (3) wedi eu dirprwyo i'r Bwrdd ac ni chaniateir iddynt gael eu harfer ond gan y Bwrdd.

(3)Y darpariaethau yw—

(a)adrannau 20A i 20D;

(b)pennod 3 o Ran 1 o Ddeddf Etholiadau a Chyrff Etholiadol (Cymru) 2024 (peilota a diwygio etholiadau Cymreig);

(c)darpariaeth a bennir mewn rheoliadau a wneir gan Weinidogion Cymru.

(4)Caniateir i'r pwerau yn adran 12 gael eu harfer gan y Bwrdd neu'r Comisiwn mewn perthynas â'r swyddogaethau sydd wedi eu dirprwyo gan is-adran (2).

(5)Nid yw is-adran (2) yn effeithio ar gyfrifoldeb y Comisiwn dros arfer y swyddogaethau dirprwyedig.

**20F Aelodaeth o'r Bwrdd**

(1)Mae'r Bwrdd i gynnwys—

(a)aelod o'r Comisiwn sy'n gyn-swyddog etholiadau i gadeirio'r Bwrdd,

(b)un aelod arall o'r Comisiwn, ac

(c)aelodau sy'n swyddogion etholiadau neu'n gyn-swyddogion etholiadau (ac mae un ohonynt i fod yn ddirprwy gadeirydd y Bwrdd).

(2)Mae aelodau'r Bwrdd i'w penodi gan y Comisiwn.

(3)Rhaid i'r Comisiwn benodi o leiaf bedwar aelod i'r Bwrdd o'r math a ddisgrifir yn is-adran (1)(c).

(4)Mae'r cadeirydd i'w ddewis gan y Comisiwn ac mae'r dirprwy gadeirydd i'w ddewis gan y Bwrdd.

(5)Mae aelodau o'r Bwrdd sydd hefyd yn aelodau o'r Comisiwn i'w penodi ar delerau ac amodau a benderfynir gan Weinidogion Cymru.

(6)Mae aelodau eraill y Bwrdd i'w penodi ar delerau ac amodau a benderfynir gan y Comisiwn ar ôl ymgynghori â Gweinidogion Cymru.

(7)Mae'r telerau a'r amodau y caniateir iddynt gael eu penderfynu o dan is-adrannau (5) a (6) yn cynnwys amodau o ran tâl, lwfansau a threuliau.

(8)Rhaid i'r Comisiwn beidio â phenodi person o dan is-adran (1)(c) sydd—

(a)yn aelod o Dŷ'r Cyffredin;

(b)yn Aelod o'r Senedd;

(c)yn aelod o staff Senedd Cymru;

(d)yn berson (nad yw'n dod o fewn paragraff (c)) a benodir i gynorthwyo Aelod o Senedd Cymru i gyflawni swyddogaethau'r Aelod;

(e)yn aelod o awdurdod lleol;

(f)yn aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;

(g)yn gomisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru;

(h)yn Gomisiynydd neu'n Gomisiynydd Cynorthwyol;

(i)yn aelod o staff y Comisiwn;

(j)yn berson a gyflogir yng ngwasanaeth sifil y wladwriaeth.

(9)Yn yr adran hon ystyr "swyddog etholiadau" yw—

(a)swyddog canlyniadau, neu

(b)swyddog cofrestru etholiadol.

**20G Deiliadaeth**

Mae aelodau'r Bwrdd yn dal swydd ac yn gadael swydd yn unol â thelerau ac amodau eu penodiad.

**20H Trafodion y Bwrdd**

(1) Rhaid bod gan aelodau'r Bwrdd bleidleisiau sy'n gyfwerth â'i gilydd at ddiben penderfyniadau'r Bwrdd, ond mae gan y cadeirydd (neu'r dirprwy gadeirydd os yw'r cadeirydd yn absennol) bleidlais fwrw os bydd y bleidlais yn gyfartal.

(2) Caiff y Bwrdd fel arall reoleiddio ei weithdrefn ei hun (gan gynnwys cworwm).

(3) Nid yw unrhyw ddiffyg ym mhenodiad aelod yn effeithio ar ddilysrwydd unrhyw beth a wneir gan y Bwrdd wrth arfer swyddogaethau'r Comisiwn.

(4) Caiff y cadeirydd neu'r dirprwy gadeirydd (gyda chytundeb aelodau eraill y Bwrdd) wahodd person i fod yn bresennol mewn cyfarfod o'r Bwrdd at ddiben darparu cyngor neu gynorthwyo'r Bwrdd fel arall.

Cyffredinol

**20l Dehongli'r Rhan hon**

Yn y Rhan hon—

ystyr "Deddf 1983" ("the 1983 Act") yw Deddf Cynrychiolaeth y Bobl 1983 (p. 2);

ystyr "etholiad a gedwir yn ôl" ("reserved election") yw—

(a) etholiad ar gyfer aelodaeth o Dŷ'r Cyffredin;

(b) etholiad ar gyfer swydd comisiynydd heddlu a throsedd;

ystyr "etholiadau llywodraeth leol" ("local government elections") yw ethol—

(a) cynghorwyr i ward etholiadol sir neu fwrdeistref sirol,

(b) cynghorwyr i ward gymunedol neu, yn achos cymuned lle nad oes wardiau, i'r gymuned, neu

(c) maer etholedig neu aelod gweithredol etholedig o dan reoliadau a wneir yn rhinwedd adran 44 o Ddeddf Llywodraeth Leol 2000 (p. 22);

ystyr "refferenda datganoledig" ("devolved referendums") yw refferenda a gynhelir o dan—

(a) adran 27 o Ddeddf Llywodraeth Leol 2000 (p. 22) neu yn rhinwedd rheoliadau neu orchymyn a wneir o dan Ran 2 o'r Ddeddf honno;

(b) adran 40 o Fesur 2011;

<p><u>(c) unrhyw ddeddfiad arall (pryd bynnaq y caiff ei basio neu ei wneud) a fyddai o fewn cymhwysedd deddfwriaethol Senedd Cymru pe bai mewn darpariaeth mewn Deddf gan Senedd Cymru (pa un a fyddai'n ofynnol cael cydsyniad un o Weinidogion y Goron ar gyfer y ddarpariaeth ai peidio);</u></p> <p><u>ystyr "swyddog canlyniadau" ("returning officer") yw—</u></p> <p><u>(a) swyddog canlyniadau (sut bynnaq y'i disgrifir)—</u></p> <p><u>(i) a benodir o dan adran 35(1A) o Ddeddf 1983,</u></p> <p><u>(ii) a ddynodir yn unol â gorchymyn a wneir o dan adran 13 o Ddeddf Llywodraeth Cymru 2006 (p. 32) ("Deddf 2006"), neu</u></p> <p><u>(iii) a benodir o dan reoliadau a wneir yn rhinwedd adran 44 neu 45 o Ddeddf Llywodraeth Leol 2000 (p. 22);</u></p> <p><u>(b) unrhyw berson a gaiff arfer swyddogaethau swyddog canlyniadau sy'n dod o fewn paragraff (a);</u></p> <p><u>ystyr "swyddog cofrestru etholiadol" ("electoral registration officer") yw swyddog a benodir o dan adran 8(2A) o Ddeddf 1983 neu unrhyw berson a gaiff arfer swyddogaethau'r swyddog.</u></p>	
<p><b>22 Dyletswyddau prif gynghorau mewn perthynas ag ardal</b></p> <p>(1) Rhaid i brif gyngor, at ddibenion ystyried a yw'n briodol i wneud neu argymhell newidiadau o dan y Rhan hon, fonitro—</p> <p>(a) y cymunedau yn ei ardal, a</p> <p>(b) trefniadau etholiadol y cymunedau hynny.</p> <p>(2) Yn unol â'r ddyletswydd honno, rhaid i brif gyngor—</p> <p>(a) rhoi sylw i amserlen y Comisiwn ar gyfer cynnal yr adolygiadau o drefniadau etholiadol prif ardaloedd sy'n ofynnol gan adran 29(1), a</p> <p>(b) cynnal y cyfryw adolygiadau o dan y Rhan hon ag a fo'n ofynnol o dan y deddfiad hwn neu unrhyw ddeddfiad arall, y caiff Gweinidogion Cymru eu cyfarwyddo, neu fel y mae fel arall yn ystyried sy'n briodol.</p> <p>(3) Wrth iddo gyflawni ei ddyletswyddau o dan y Rhan hon (ac wrth gynnal unrhyw adolygiad), rhaid i brif gyngor geisio sicrhau llywodraeth leol effeithiol a chyfleus.</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 51</p>

<p>(4) 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.</p> <p><del>(5) Rhaid i brif gyngor, mewn cysylltiad â phob cyfnod adrodd, gyhoeddi adroddiad sy'n disgrifio sut y cyflawnodd ei ddyletswydd o dan is-adran (1) ac anfon copi o'r adroddiad at y Comisiwn.</del></p> <p>(6) Yn yr adran hon, ystyr "cyfnod adrodd" yw—</p> <p>(a) y cyfnod o 10 mlynedd sy'n dechrau gyda—</p> <p>(i) y dyddiad pryd y cyhoeddwyd ddiwethaf adroddiad gan y prif gyngor o dan adran 55(2A) neu, os yw'n gynharach, adran 57(4A) o Ddeddf 1972, neu</p> <p>(ii) yn achos prif gyngor nad yw wedi cyhoeddi adroddiad o'r fath cyn y daw'r adran hon i rym, y dyddiad pryd y daw'r adran hon i rym, a</p> <p>(b) pob cyfnod dilynol o 10 mlynedd.</p> <p>(5) <u>Cyn 1 Gorffennaf ym mhob blwyddyn, rhaid i brif gyngor gyhoeddi adroddiad ar y modd y cyflawnodd ei swyddogaethau o dan y Rhan hon ac adran 76 o Ddeddf 1972 (newid enw cymuned) yn y flwyddyn flaenorol, i'r graddau y mae'r swyddogaethau yn ymwneud â'r canlynol—</u></p> <p><u>(a) enwau cymunedau,</u></p> <p><u>(b) newidiadau i ffiniau cymunedau,</u></p> <p><u>(c) newidiadau i gynghorau cymuned, a</u></p> <p><u>(d) trefniadau etholiadol cymunedau.</u></p> <p>(6) <u>Rhaid i brif gyngor anfon copi o bob adroddiad y mae'n ei gyhoeddi i'r Comisiwn ac at Weinidogion Cymru.</u></p> <p>(7) <u>Yn is-adran (5), ystyr "blwyddyn" yw'r cyfnod o 12 mis sy'n dechrau ar 1 Ebrill.</u></p>	
<p><b>28 Adolygu ffiniau tua'r môr</b></p> <p>(1) Caiff y Comisiwn gynnal adolygiad o gymaint o ffin ardal llywodraeth leol (sy'n cynnwys, at ddibenion yr adran hon, sir wedi ei chadw)—</p> <p>(a) sy'n gorwedd o dan farc penllanw pan fo'r llanw'n ganolig, a</p> <p>(b) nad yw'n ffurfio ffin gyffredin ag ardal llywodraeth leol arall.</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 42</p>

<p>(2)Y newidiadau y caiff y Comisiwn eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw—</p> <p>(a)cynnwys o fewn yr ardal llywodraeth leol unrhyw ardal o'r môr nad yw, ar adeg yr adolygiad, yn ffurfio rhan o ardal llywodraeth leol arall, a</p> <p>(b)allgáu unrhyw ardal o'r môr sydd, ar adeg yr adolygiad, yn ffurfio rhan o'r ardal llywodraeth leol.</p> <p><u>(3)Caiff adolygiad o dan yr adran hon adolygu ffin mwy nag un ardal llywodraeth leol.</u></p>	
<p><b>29 Adolygu trefniadau etholiadol ar gyfer prif ardal</b></p> <p>(1)Rhaid i'r Comisiwn gynnal adolygiad o'r trefniadau etholiadol ar gyfer pob prif ardal o leiaf unwaith ym mhob cyfnod adolygu.</p> <p>(2)Rhaid i'r Comisiwn, mewn perthynas â phob cyfnod adolygu—</p> <p>(a)paratoi a chyhoeddi rhaglen sy'n nodi ei amserlen arfaethedig ar gyfer cynnal yr holl adolygiadau sy'n ofynnol o dan is-adran (1) yn ystod y cyfnod, a</p> <p>(b)anfon copi o'r rhaglen at Weinidogion Cymru.</p> <p>(3)At ddibenion is-adrannau (1) a (2) ystyr "cyfnod adolygu" yw—</p> <p><del>(a)y cyfnod o 10 mlynedd sy'n dechrau gyda'r diwrnod pryd y daw'r adran hon i rym, a</del> <u>(a) y cyfnod o 12 mlynedd sy'n dechrau ar 30 Medi 2023, a</u></p> <p>(b)pob cyfnod dilynol o 10 <u>12</u> mlynedd.</p> <p><u>(3A)Caiff Gweinidogion Cymru drwy reoliadau ddiwygio is-adran (3).</u></p> <p>(4)Rhaid i'r Comisiwn gydymffurfio â'i ddyletswyddau yn is-adran (2)—</p> <p>(a)mewn perthynas â'r cyfnod adolygu cyntaf, cyn gynted ag y bo modd wedi iddo ddechrau, a</p> <p>(b)mewn perthynas â phob cyfnod adolygu dilynol, cyn i'r cyfnod ddechrau.</p> <p>(5)Caiff y Comisiwn hefyd, o'i wirfodd neu ar gais prif gyngor, gynnal adolygiad o'r trefniadau etholiadol ar gyfer prif ardal.</p> <p>(6)Ond rhaid i'r Comisiwn beidio â chynnal adolygiad o dan is-adran (5) ar gais prif gyngor os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 41;</p> <p>Rhan 2, Pennod 1, adran 47</p>

<p>(7)Y newidiadau y caiff y Comisiwn eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw—</p> <p>(a)y newidiadau hynny i'r trefniadau etholiadol ar gyfer y brif ardal sydd dan adolygiad y mae o'r farn eu bod yn briodol, a</p> <p>(b)o ganlyniad i newid o'r fath—</p> <p>(i)y newidiadau hynny i ffiniau cymuned y mae o'r farn eu bod yn briodol mewn perthynas ag unrhyw gymuned yn y brif ardal,</p> <p>(ii)y newidiadau hynny i gyngor cymuned a newidiadau i'r trefniadau etholiadol ar gyfer cymuned o'r fath y mae o'r farn eu bod yn briodol,</p> <p>(iii)y newidiadau hynny i sir wedi ei chadw y mae o'r farn eu bod yn briodol.</p> <p>(8)Rhaid i'r Comisiwn beidio â gwneud neu gyhoeddi, yn unrhyw gyfnod o 9 <u>12</u> mis cyn diwrnod etholiad arferol cyngor o dan adran 26 o Ddeddf 1972 (ethol cyngorwyr), unrhyw argymhellion sy'n ymwneud â threfniadau etholiadol prif ardal.</p> <p>(9)Yn y Rhan hon, mae cyfeiriad at drefniadau etholiadol prif ardal yn gyfeiriad at y canlynol—</p> <p>(a)nifer aelodau'r cyngor ar gyfer y brif ardal,</p> <p>(b)nifer, math a ffiniau'r wardiau etholiadol y rhennir y brif ardal iddynt am y tro at ddibenion ethol aelodau,</p> <p>(c)nifer yr aelodau sydd i'w hethol ar gyfer unrhyw ward etholiadol yn y brif ardal honno, a</p> <p>(d)enw unrhyw ward etholiadol.</p> <p>(10)At ddibenion is-adran (9)(b), mae cyfeiriad at y math o ward etholiadol yn gyfeiriad at a yw'r ward yn ward un aelod neu'n ward amlaelod.</p> <p>(11)Yn y Rhan hon—</p> <ul style="list-style-type: none"> <li>• ystyr "ward amlaelod" yw unrhyw ward etholiadol y mae nifer penodedig (mwy nag un) o aelodau i'w hethol ar gyfer y ward honno,</li> <li>• ystyr "ward etholiadol" yw unrhyw ardal yr etholir aelodau i awdurdod lleol ar ei chyfer, ac</li> <li>• ystyr "ward un aelod" yw ward etholiadol y mae un aelod yn unig i'w ethol ar ei chyfer.</li> </ul>	
<p><b>30 Ystyriaethau ar gyfer adolygiad o drefniadau etholiadol prif ardal</b></p>	<p>Bil ECE</p>



<p>(1) Rhaid i'r Comisiwn, wrth ystyried a fydd yn gwneud argymhellion ynghylch newidiadau i'r trefniadau etholiadol ar gyfer prif ardal—</p> <p>(a) <del>ceisio sicrhau bod yr un gymhareb o etholwyr llywodraeth leol i nifer aelodau'r cyngor sydd i'w hethol ym mhob ward etholiadol o'r brif ardal, neu'n agos at fod felly,</del></p> <p>(b) <del>rhoi sylw i'r canlynol—</del></p> <p>(i) <del>dymunoldeb pennu ffiniau ar gyfer wardiau etholiadol sydd yn hawdd eu hadnabod ac a fyddant yn parhau felly,</del></p> <p>(ii) <del>dymunoldeb peidio â thorri'r cwlwm lleol wrth bennu ffiniau ar gyfer wardiau etholiadol.</del></p> <p><u>(1) Wrth ystyried a fydd yn gwneud argymhellion ynghylch newidiadau i drefniadau etholiadol prif ardal, rhaid i'r Comisiwn roi sylw i'r ffactorau a ganlyn—</u></p> <p><u>(a) dymunoldeb cael cymhareb o etholwyr llywodraeth leol i nifer aelodau'r cyngor sydd i'w hethol sydd yr un fath, neu bron yr un fath, ym mhob ward etholiadol o'r brif ardal;</u></p> <p><u>(b) ystyriaethau daearyddol arbennig, gan gynnwys yn benodol maint, siâp a hygyrchedd ward etholiadol;</u></p> <p><u>(c) unrhyw gwlwm lleol a fyddai'n cael ei dorri gan newidiadau o'r fath.</u></p> <p>(2) At ddibenion is-adran (1)(a), rhaid rhoi sylw i'r canlynol—</p> <p>(a) unrhyw anghysondeb rhwng nifer etholwyr llywodraeth leol a nifer y personau sydd yn gymwys i fod yn etholwyr llywodraeth leol (fel a welir mewn ystadegau swyddogol perthnasol), a</p> <p>(b) unrhyw newid yn nifer neu yn nosbarthiad etholwyr llywodraeth leol yn y brif ardal sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl gwneud unrhyw argymhelliad.</p> <p>(3) Yn yr adran hon, ystyr “ystadegau swyddogol perthnasol” yw'r ystadegau swyddogol hynny o fewn yr ystyr a roddir i “official statistics” yn adran 6 o Ddeddf y Gwasanaeth Ystadegau a Chofrestru 2007 (p. 18) y mae'r Comisiwn o'r farn eu bod yn briodol.</p> <p>(4) Yn y Rhan hon, ystyr “etholwr llywodraeth leol” yw person sydd wedi ei gofrestru'n etholwr llywodraeth leol yn y gofrestr etholwyr yn unol â darpariaethau Deddfau Cynrychiolaeth y Bobl.</p>	<p>Rhan 2, Pennod 1, adran 40</p>
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<p><b>31 Adolygu trefniadau etholiadol i gymuned gan brif gyngor</b></p> <p><u>(A1) Rhaid i brif gyngor gynnal adolygiad o'r trefniadau etholiadol ar gyfer pob cymuned yn ei ardal o leiaf unwaith ym mhob cyfnod adolygu.</u></p> <p><u>(A2)Yn is-adran (A1), ystyr "cyfnod adolygu" yw—</u></p> <p><u>(a)y cyfnod o 12 mlynedd sy'n dechrau gyda'r diwrnod y daw adran 51 o Ddeddf Etholiadau a Chyrff Etholedig (Cymru) 2024 i rym, a</u></p> <p><u>(b)pob cyfnod dilynol o 12 mlynedd.</u></p> <p><u>(A3) Caiff Gweinidogion Cymru drwy reoliadau ddiwygio is-adran (A2).</u></p> <p>(1)Caiff prif gyngor <u>hefyd</u> gynnal adolygiad o'r trefniadau etholiadol ar gyfer cymuned yn ei ardal —</p> <p>(a)o'i wirfodd, neu</p> <p>(b)ar gais—</p> <p>(i)y cyngor cymuned ar gyfer y gymuned, neu</p> <p>(ii)dim llai na 30 o etholwyr llywodraeth leol sydd wedi eu cofrestru yn y gymuned.</p> <p>(2)Ond rhaid i brif gyngor beidio â chynnal adolygiad o dan is-adran (1) ar gais y cyngor cymuned neu etholwyr llywodraeth leol os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.</p> <p>(3)Y newidiadau y caiff prif gyngor eu cynnig a'u gwneud mewn perthynas ag adolygiad o dan yr adran hon—</p> <p>(a)yw'r newidiadau hynny i'r trefniadau etholiadol ar gyfer y gymuned y mae'r prif gyngor o'r farn eu bod yn briodol, a</p> <p>(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.</p> <p>(4)At ddibenion is-adran (3)(b), mae adran 30 yn gymwys i brif gyngor fel y mae'n gymwys i'r Comisiwn.</p> <p>(5)Caiff prif gyngor ymrwymo mewn cytundeb gyda'r Comisiwn er mwyn i'r Comisiwn (o dan adran 32) arfer swyddogaeth y cyngor o gynnal adolygiadau o dan yr adran hon.</p> <p>(6)Caiff y cytundeb fod ar y telerau a'r amodau hynny y mae'r prif gyngor a'r Comisiwn o'r farn eu bod yn briodol.</p> <p>(7)Yn y Rhan hon, mae cyfeiriad at drefniadau etholiadol cymuned yn gyfeiriad at y canlynol—</p> <p>(a)nifer aelodau'r cyngor ar gyfer y gymuned;</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 51</p>
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<p>(b)ei rhaniad yn wardiau (os yw'n briodol) at ddibenion ethol cynghorwyr;</p> <p>(c)nifer a ffiniau unrhyw wardiau;</p> <p>(d)nifer yr aelodau sydd i'w hethol ar gyfer unrhyw ward;</p> <p>(e)enw unrhyw ward.</p>	
<p><b>33 Ystyriaethau ar gyfer adolygiad o drefniadau etholiadol cymuned</b></p> <p>(1)Mae'r adran hon yn gymwys pan fo prif gyngor yn ystyried gwneud neu, yn ôl y digwydd, pan fo'r Comisiwn yn ystyried argymhell, newidiadau i'r trefniadau etholiadol ar gyfer cymuned.</p> <p>(2)Wrth ystyried a ddylid rhannu cymuned yn wardiau cymuned, rhaid rhoi sylw i'r canlynol—</p> <p>(a)a yw nifer neu ddsbarthiad yr etholwyr llywodraeth leol ar gyfer y gymuned yn y fath fodd sy'n gwneud un etholiad o gynghorwyr cyngor cymuned yn anymarferol neu'n anghyfleus, a</p> <p>(b)a yw'n ddymunol y dylai unrhyw ardal o'r gymuned gael cynrychiolaeth ar wahân ar y cyngor cymuned.</p> <p>(3)Pan benderfynir rhannu cymuned yn wardiau cymuned, wrth ystyried maint a ffiniau'r wardiau ac wrth bennu nifer y cynghorwyr cymuned sydd i'w hethol ar gyfer pob ward, dylid rhoi sylw i'r canlynol—</p> <p>(a)unrhyw newid yn nifer neu yn nosbarthiad etholwyr llywodraeth leol yn y gymuned sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl unrhyw argymhelliad,</p> <p><del>(b)dymunoldeb pennu ffiniau sydd yn hawdd eu hadnabod ac a fyddant yn parhau felly, ac</del></p> <p><u>(b) ystyriaethau daearyddol arbennig, gan gynnwys yn benodol faint, siâp a hygyrchedd ward gymunedol, ac</u></p> <p>(c)unrhyw gwllwm lleol a fydd yn cael ei dorri wrth bennu ffiniau penodol.</p> <p>(4)Pan benderfynir peidio â rhannu cymuned yn wardiau cymuned, wrth bennu nifer y cynghorwyr sydd i'w hethol ar gyfer pob cymuned, dylid rhoi sylw i'r canlynol—</p> <p>(a)nifer a dosbarthiad yr etholwyr llywodraeth leol yn y gymuned, a</p> <p>(b)unrhyw newid yn y nifer neu'r dosbarthiad hwnnw sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl pennu nifer y cynghorwyr cymuned.</p> <p>(5)At ddibenion yr adran hon, rhaid rhoi sylw i unrhyw anghysondeb rhwng nifer etholwyr llywodraeth leol a nifer y</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 51</p>

<p>personau sydd yn gymwys i fod yn etholwyr llywodraeth leol (fel a welir mewn ystadegau swyddogol perthnasol).</p> <p>(6)Yn yr adran hon, ystyr “ystadegau swyddogol perthnasol” yw’r ystadegau swyddogol hynny (o fewn yr ystyr a roddir i “official statistics” yn adran 6 o Ddeddf y Gwasanaeth Ystadegau a Chofrestru 2007 (p. 18)) y mae’r Comisiwn, neu yn ôl y digwydd, y prif gyngor o’r farn eu bod yn briodol.</p>	
<p><b>34 Y weithdrefn ragadolygu</b></p> <p>(1)Cyn cynnal adolygiad o dan y Rhan hon, rhaid i’r Comisiwn neu, yn ôl y digwydd, brif gyngor gymryd y camau hynny y mae o’r farn eu bod yn briodol er mwyn—</p> <p>(a)dod â’r adolygiad i sylw <u>aelodau o’r cyhoedd yr effeithir arnynt gan yr adolygiad</u>, ymgynghoreion gorfodol ac unrhyw berson arall y mae o’r farn ei bod yn debygol y bydd ganddynt fuddiant yn yr adolygiad, a</p> <p>(b)gwneud yr ymgynghoreion gorfodol a’r personau eraill hynny y mae ganddynt fuddiant yn ymwybodol o unrhyw gyfarwyddiadau a roddir gan Weinidogion Cymru sy’n berthnasol i’r adolygiad.</p> <p>(2)O ran adolygiad sydd i’w gynnal o dan adran 29, cyn cynnal yr adolygiad, rhaid i’r Comisiwn hefyd ymgynghori â’r ymgynghoreion gorfodol ynghylch y weithdrefn a’r fethodoleg a fwriedir ar gyfer yr adolygiad ac, yn benodol, sut y mae’n bwriadu penderfynu nifer priodol yr aelodau ar gyfer unrhyw brif gyngor yn y brif ardal neu’r ardaloedd sydd dan adolygiad.</p> <p>(3)At ddibenion y Rhan hon, yr “ymgynghoreion gorfodol” yw—</p> <p>(a)unrhyw awdurdod lleol y mae’r adolygiad yn effeithio arno,</p> <p>(b)ac eithrio mewn perthynas ag adolygiad o dan adran 28 (adolygu ffiniau tua’r môr), comisiynydd heddlu a throsedd ar gyfer unrhyw ardal heddlu y gall yr adolygiad effeithio arni,</p> <p>(ba)unrhyw awdurdod tân ac achub (a gyfansoddwyd gan gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac Achub 2004 (p. 21), neu gynllun y mae adran 4 o’r Ddeddf honno yn gymwys iddo) ar gyfer ardal yng Nghymru y gallai’r adolygiad effeithio arni,</p> <p>(c)ac eithrio pan fo’r adolygiad yn cael ei gynnal (neu i’w gynnal) ganddo ef, y Comisiwn,</p> <p><u>(ca)yr awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol mewn ardal yr effeithir arni gan yr adolygiad,</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 45</p> <p>Rhan 2, Pennod 1, adran 46</p>

<p><u>(cb)yr awdurdod Iechyd Porthladd a gyfansoddir o dan adran 2 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22) ar gyfer rhanbarth Iechyd Porthladd mewn ardal yr effeithir arni gan yr adolygiad.</u></p> <p><u>(cc)Comisiynydd y Gymraeg.</u></p> <p>(d)unrhyw gorff sy'n cynrychioli'r staff a gyflogir gan awdurdodau lleol sydd wedi gofyn am ymgynghoriad â hwy, a</p> <p>(e)unrhyw bersonau eraill a bennir drwy orchymyn a wneir gan Weinidogion Cymru.</p> <p>(4)Nid yw is-adran (1) yn gymwys i adolygiad a gynhelir gan y Comisiwn yn yr amgylchiadau a ddisgrifir yn adran 26(2)(b)(ii) neu (iii).</p>	
<p><b>35 Ymgynghori ac ymchwilio</b></p> <p>(1)Wrth gynnal adolygiad o dan y Rhan hon, rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor ("y corff adolygu")—</p> <p><u>(za) ymgynghori ag aelodau o'r cyhoedd yn yr ardal yr effeithir arni gan yr adolygiad.</u></p> <p>(a)ymgynghori â'r ymgynghoreion gorfodol a'r personau eraill hynny y mae o'r farn eu bod yn briodol, a</p> <p>(b)cynnal yr ymchwiliadau hynny y mae o'r farn eu bod yn briodol.</p> <p>(2)Ar ôl cynnal yr ymgynghoriad a'r ymchwiliadau o dan is-adran (1), rhaid i'r corff adolygu lunio adroddiad sy'n cynnwys—</p> <p>(a)unrhyw gynigion ar gyfer newid y mae o'r farn eu bod yn briodol neu, os yw o'r farn nad oes unrhyw newid yn briodol, cynnig i'r diben hwnnw,</p> <p>(b)manylion o'r adolygiad y mae wedi ei gynnal.</p> <p>(3)Rhaid i'r corff adolygu—</p> <p>(a)cyhoeddi'r adroddiad yn electronig,</p> <p><u>(aa)rhoi cyhoeddusrwydd i'r ffaith y caniateir cyflwyno sylwadau sy'n ymwneud â'r adolygiad i'r corff adolygu yn ystod y cyfnod ymgynghori cyhoeddus,</u></p> <p><u>(ab) nodi yn y deunydd cyhoeddusrwydd pryd y mae'r cyfnod ymgynghori cyhoeddus yn dechrau ac yn dod i ben.</u></p> <p>(b)sicrhau bod yr adroddiad ar gael i edrych arno (yn ddi-dâl) yn swyddfeydd unrhyw brif gyngor sydd â buddiant yn</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 45</p>

<p>yr adolygiad ar hyd y <del>cyfnod ar gyfer sylwadau</del> <u>cyfnod ymgynghori cyhoeddus</u>,</p> <p>(c)anfon copiâu o'r adroddiad at Weinidogion Cymru a'r ymgynghoreion gorfodol,</p> <p>(d)hysbysu unrhyw berson arall a gyflwynodd dystiolaeth i'r corff adolygu sut i gael copi o'r adroddiad, ac</p> <p><del>(e)gwahodd sylwadau a hysbysu'r personau a grybwyllir yn (c) a (d) am y cyfnod ar gyfer sylwadau.</del></p> <p><u>(e) ystyried unrhyw sylwadau a gyflwynir iddo yn ystod y cyfnod ymgynghori cyhoeddus.</u></p> <p><del>(4)At ddibenion is-adran (3), y "cyfnod ar gyfer sylwadau" yw cyfnod nad yw'n llai na 6 wythnos, nac yn hwy na 12 wythnos (fel a benderfynir gan y corff adolygu) yn dechrau dim cynt nag un wythnos ar ôl rhoi hysbysiad am y cyfnod.</del></p> <p><u>(4) Yn is-adran (3), ystyr "cyfnod ymgynghori cyhoeddus" yw cyfnod o 6 wythnos o leiaf a dim mwy na 12 wythnos a benderfynir gan y corff adolygu, na chaniateir iddo ddechrau cyn diwedd cyfnod o 7 niwrnod sy'n dechrau gyda'r diwrnod y cyhoeddir yr adroddiad.</u></p> <p>(5)At ddibenion yr adran hon, mae gan brif gyngor fuddiant mewn adolygiad—</p> <p>(a)os ef yw'r corff adolygu,</p> <p>(b)os yw ei ardal dan adolygiad,</p> <p>(c)os yw cymuned yn ei ardal (neu os yw'r trefniadau etholiadol ar gyfer y gymuned honno) dan adolygiad.</p> <p>(6)Yn yr adran hon ac yn adran 36 mae cyfeiriad at gynnig newid yn gyfeiriad at unrhyw newid y caiff y corff adolygu ei argymhell neu ei wneud (gan gynnwys newid canlyniadol) mewn perthynas â'r math o adolygiad sy'n cael ei gynnal.</p>	
<p><b>36Adrodd ar yr adolygiad</b></p> <p>(1)Rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor ("y corff adolygu"), ar ôl i'r <del>cyfnod ar gyfer sylwadau</del> <u>cyfnod ymgynghori cyhoeddus</u> o dan adran 35(3) ddod i ben, ystyried ei gynigion i newid gan roi sylw i unrhyw sylwadau a gafwyd ganddo yn ystod y cyfnod.</p> <p>(2)Yna rhaid i'r corff adolygu lunio adroddiad pellach.</p> <p>(3)Ac eithrio mewn perthynas ag adolygiad o dan adran 31, rhaid i'r adroddiad gynnwys—</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 45</p>

(a) unrhyw argymhelliad i newid y mae'r corff adolygu o'r farn ei fod yn briodol, neu os yw o'r farn nad oes unrhyw newid yn briodol, argymhelliad i'r diben hwnnw,

(b) manylion yr adolygiad a'r ymgynghoriad a gynhaliwyd mewn cysylltiad â'r cynigion, ac

(c) manylion unrhyw newidiadau i'r cynigion a wnaed yng ngoleuni'r sylwadau a gafwyd ac esboniad paham y gwnaed y newidiadau hynny.

(4) Pan fo adolygiad o dan adran 31, rhaid i'r adroddiad gynnwys—

(a) y newidiadau y mae'r corff adolygu yn bwriadu eu gwneud i'r trefniadau etholiadol ar gyfer y gymuned dan adolygiad, neu os yw o'r farn nad yw newid o'r fath yn briodol, ddatganiad i'r diben hwnnw,

(b) manylion yr adolygiad a'r ymgynghoriad a gynhaliwyd mewn cysylltiad â'r cynigion, ac

(c) manylion unrhyw newidiadau i'r cynigion a wnaed yng ngoleuni'r sylwadau a gafodd ac esboniad paham y gwnaed y newidiadau hynny.

(5) Rhaid i'r corff adolygu—

(a) cyflwyno'r adroddiad a'i argymhellion i'r awdurdod gweithredu priodol (ac eithrio pan ef yw'r awdurdod gweithredu),

(b) cyhoeddi'r adroddiad yn electronig a sicrhau ei fod ar gael i edrych arno (yn ddi-dâl) yn swyddfeydd unrhyw brif gyngor sydd â buddiant am gyfnod sydd o leiaf yn 6 wythnos yn dechrau ar ddyddiad y cyhoeddi,

(c) anfon copi o'r adroddiad at yr ymgynghoreion gorfodol, yr Arolwg Ordnans ac (onid hwy yw'r awdurdod gweithredu) at Weinidogion Cymru,

(d) hysbysu unrhyw berson arall a gyflwynodd dystiolaeth neu a wnaeth sylwadau mewn perthynas â'r adroddiad a gyhoeddwyd o dan adran 35 sut i gael copi o'r adroddiad.

(6) At ddibenion is-adran (5), yr "awdurdod gweithredu priodol" yw—

(a) mewn perthynas ag adolygiad o dan adran 23, Gweinidogion Cymru ac, mewn achos pan fo'r Comisiwn yn argymhell newid i ardal heddlu, yr Ysgrifennydd Gwladol (i'r graddau y mae'n ymwneud â'r newid hwnnw);

(b) mewn perthynas ag adolygiad o dan adran 25, y Comisiwn;

(c) mewn perthynas ag adolygiad o dan adran 26, 27, 28 neu 29, Gweinidogion Cymru;

<p>(d)mewn perthynas ag adolygiad o dan adran 32, prif gyngor y gymuned a fu'n destun yr adolygiad.</p> <p>(7)Pan fo prif gyngor yn cyflwyno adroddiad i'r Comisiwn mewn perthynas ag adolygiad o dan adran 25, nid yw'r Comisiwn i gael ei drin fel ymgynghorai gorfodol at ddibenion is-adran (5)(c).</p> <p>(8)At ddibenion yr adran hon mae gan brif gyngor fuddiant mewn adolygiad—</p> <p>(a)os ef yw'r corff adolygu;</p> <p>(b)os yw ei ardal dan adolygiad;</p> <p>(c)os yw cymuned yn ei ardal (neu os yw'r trefniadau etholiadol ar gyfer y gymuned honno) dan adolygiad.</p> <p>(9)Yn yr adran hon mae cyfeiriad at argymhelliad i newid yn gyfeiriad at unrhyw newid y caiff y corff adolygu ei argymhell neu ei wneud (gan gynnwys newid canlyniadol) mewn perthynas â'r math o adolygiad sy'n cael ei gynnal.</p>	
<p><b><u>36A Enwau wardiau etholiadol mewn adroddiadau adolygu</u></b></p> <p><u>(1) Mae is-adran (2) yn gymwys i adroddiad adolygu o dan y Rhan hon i'r graddau y mae'n ymwneud ag—</u></p> <p><u>(a)ward etholiadol sydd ag enwau gwahanol (mewn unrhyw gyswllt) at ddibenion nodi'r ward wrth gyfathrebu drwy'r Gymraeg a'r Saesneg;</u></p> <p><u>(b)cynnig i ward etholiadol gael enwau gwahanol mewn unrhyw gyswllt at ddibenion nodi'r ward wrth gyfathrebu drwy'r Gymraeg a'r Saesneg.</u></p> <p><u>(2)Rhaid i'r Comisiwn neu'r prif gyngor (yn ôl y digwydd) bennu'r ddau enw neu'r ddau enw arfaethedig ar gyfer y ward etholiadol yn nwy fersiwn ieithyddol adroddiad o dan adran 35(2), 36(3) neu 36(4).</u></p> <p><u>(3) Yn yr adran hon ystyr "dwy fersiwn ieithyddol" yw'r fersiwn Gymraeg a'r fersiwn Saesneg.</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 44</p>
<p><b><u>36B Y dyddiad cau ar gyfer cwblhau adolygiadau</u></b></p> <p><u>(1)Cyn cynnal adolygiad o dan y Rhan hon, rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor gyhoeddi datganiad sy'n pennu'r diwrnod y mae'r adolygiad yn dechrau.</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 48</p>



<p><u>(2) Rhaid i'r Comisiwn, mewn perthynas ag adolygiad y mae'n ei gynnal o dan adran 23, 27 neu 29, wneud pob ymdrech i gyhoeddi ei adroddiad pellach ar yr adolygiad yn unol ag adran 36(5)(b) cyn diwedd cyfnod o 12 mis sy'n dechrau gyda'r diwrnod a bennir o dan is-adran (1).</u></p> <p><u>(3) Rhaid i'r Comisiwn, mewn perthynas ag adolygiad y mae'n ei gynnal o dan adran 28, wneud pob ymdrech i gyhoeddi ei adroddiad pellach ar yr adolygiad yn unol ag adran 36(5)(b) cyn diwedd cyfnod o 18 mis sy'n dechrau gyda'r diwrnod a bennir o dan is-adran (1).</u></p> <p><u>(4) Rhaid i'r Comisiwn, mewn perthynas ag adolygiad y mae'n ei gynnal o dan adran 26, 31 neu 32, wneud pob ymdrech i gyhoeddi ei adroddiad pellach ar yr adolygiad yn unol ag adran 36(5)(b) cyn diwedd cyfnod o 24 mis sy'n dechrau gyda'r diwrnod a bennir o dan is-adran (1).</u></p> <p><u>(5) Rhaid i brif gyngor, mewn perthynas ag adolygiad y mae'n ei gynnal o dan adran 25 neu 31, wneud pob ymdrech i gyhoeddi ei adroddiad pellach ar yr adolygiad yn unol ag adran 36(5)(b) cyn diwedd cyfnod o 24 mis sy'n dechrau gyda'r diwrnod a bennir o dan is-adran (1).</u></p> <p><u>(6) Os bydd corff adolygu yn methu â chydymffurfio â dyletswydd a osodir gan yr adran hon mewn perthynas ag adolygiad, nid yw methiant y corff i gydymffurfio yn effeithio ar ddilysrwydd yr adolygiad at ddibenion y Ddeddf hon.</u></p>	
<p><b>37 Gweithredu gan Weinidogion Cymru</b></p> <p>(1) Caiff Gweinidogion Cymru, ar ôl iddynt gael adroddiad sy'n cynnwys argymhellion oddi wrth y Comisiwn mewn perthynas ag adolygiad a gynhaliwyd o dan adran 23, 26, 27, 28 neu 29, neu gais am weithredu ei argymhellion o dan adran 39(7)—</p> <p>(a) drwy orchymyn weithredu unrhyw argymhelliad, gydag addasiadau neu hebddynt, neu</p> <p>(b) penderfynu peidio â gweithredu <u>ar unrhyw argymhelliad.</u></p> <p>(2) Er hynny, ni chaiff Gweinidogion Cymru weithredu argymhelliad gydag addasiadau oni bai ei fod—</p> <p>(a) mewn achos sy'n ymwneud ag argymhellion i newid trefniadau etholiadol ar gyfer prif ardal, os ydynt wedi ystyried y materion a ddisgrifir yn adran 30 ac wedi eu bodloni ei bod yn briodol i wneud yr addasiad,</p> <p>(b) mewn achos sy'n ymwneud ag argymhellion i newid trefniadau etholiadol ar gyfer cymuned, os ydynt wedi</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 43</p> <p>Rhan 2, Pennod 1, adran 47</p> <p>Rhan 2, Pennod 1, adran 49</p>

<p>ystyried y materion a ddisgrifir yn adran 33 ac wedi eu bodloni ei bod yn briodol i wneud yr addasiad, ac</p> <p>(c)mewn unrhyw achos, os ydynt wedi eu bodloni bod yr addasiad er lles llywodraeth leol effeithiol a chyfleus.</p> <p><u>(2A) Rhaid i Weinidogion Cymru beidio ag arfer eu swyddogaethau o dan is-adran (1) mewn unrhyw gyfnod o 6 mis cyn diwrnod etholiad cyffredin cyngor o dan adran 26 o Ddeddf 1972 (ethol cynghorwyr).</u></p> <p><del>(3) Ni chaniateir gwneud gorchymyn o dan is-adran (1)(a) nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd Gweinidogion Cymru yr argymhellion wedi dod i ben.</del></p> <p><u>(3A) Rhaid i Weinidogion Cymru beidio ag arfer eu swyddogaethau o dan is-adran (1) cyn diwedd y cyfnod o 6 wythnos sy'n dechrau ar y diwrnod y daw'r argymhellion i law Gweinidogion Cymru.</u></p> <p><u>(3B) Wrth arfer eu swyddogaethau o dan is-adran (1), rhaid i Weinidogion Cymru roi sylw i unrhyw sylwadau a gyflwynir gan unrhyw berson ar yr argymhellion ac a ddaw i law Gweinidogion Cymru yn ystod y cyfnod o 6 wythnos sy'n dechrau ar y diwrnod y daw'r argymhellion i law Gweinidogion Cymru.</u></p> <p>(4) Rhaid i'r Comisiwn roi'r wybodaeth bellach honno i Weinidogion Cymru mewn perthynas â'i argymhellion fel y bo Gweinidogion Cymru yn ei gwneud yn rhesymol ofynnol.</p> <p><u>(5) Rhaid i Weinidogion Cymru wneud pob ymdrech i wneud penderfyniad ar bob argymhelliad a gânt, o'r math a ddisgrifir yn is-adran (1), cyn diwedd cyfnod o 3 mis sy'n dechrau ar ddiwedd y cyfnod a bennir gan is-adran (3A).</u></p> <p><u>(6) Rhaid i Weinidogion Cymru gyhoeddi datganiad sy'n nodi eu penderfyniad mewn cysylltiad â phob argymhelliad; ac mae'r dyddiad y cyhoeddir y datganiad i'w drin fel dyddiad y penderfyniad at ddibenion is-adran (5).</u></p> <p><u>(7) Os bydd Gweinidogion Cymru yn methu â chydymffurfio â'r ddyletswydd yn is-adran (5), nid yw'r methiant i gydymffurfio yn effeithio ar ddilysrwydd unrhyw orchymyn o dan is-adran (1)(a) nac unrhyw benderfyniad i beidio â gweithredu o dan is-adran (1)(b).</u></p>	
<p><b>38 Gweithredu newid i ffin cymuned</b></p>	<p>Bil ECE</p>

<p>(1)Caiff y Comisiwn, ar ôl iddo gael adroddiad yn cynnwys argymhellion i newid oddi wrth brif gyngor mewn perthynas ag adolygiad a gynhaliwyd o dan adran 25—</p> <p>(a)drwy orchymyn weithredu'r argymhellion heb addasiadau,</p> <p>(b)drwy orchymyn weithredu'r argymhellion gyda'r addasiadau hynny y mae'r prif gyngor yn cytuno arnynt, neu</p> <p>(c)yn yr amgylchiadau a ddisgrifir yn adran 26(2)(b)(ii) neu (iii), gynnal ei adolygiad ei hun.</p> <p><del>(2)Ni chaniateir gwneud gorchymyn o dan is-adran (1) nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd y Comisiwn argymhellion y prif gyngor wedi dod i ben.</del></p> <p><u>(2A) Rhaid i'r Comisiwn beidio ag arfer ei swyddogaethau o dan is-adran (1) cyn diwedd y cyfnod o 6 wythnos sy'n dechrau ar y diwrnod y daw'r argymhellion i law'r Comisiwn.</u></p> <p><u>(2B) Wrth arfer ei swyddogaethau o dan is-adran (1), rhaid i'r Comisiwn roi sylw i unrhyw sylwadau a gyflwynir gan unrhyw berson ar yr argymhellion ac a ddaw i law'r Comisiwn yn ystod y cyfnod o 6 wythnos sy'n dechrau ar y diwrnod y daw'r argymhellion i law'r Comisiwn.</u></p> <p>(3)Dim ond gyda chydysyniad Gweinidogion Cymru y caniateir gwneud gorchymyn o dan is-adran (1) sy'n cynnwys newidiadau i drefniadau etholiadol prif ardal.</p> <p>(4)Rhaid i'r prif gyngor a wnaeth yr argymhellion roi i'r Comisiwn yr wybodaeth bellach honno mewn perthynas â'r argymhellion neu'r weithdrefn a ddilynwyd fel y bo Gweinidogion Cymru yn ei gwneud yn rhesymol ofynnol.</p> <p><u>(5) Rhaid i Weinidogion Cymru wneud pob ymdrech i wneud penderfyniad ar bob argymhelliad a gânt, o'r math a ddisgrifir yn is-adran (1), cyn diwedd cyfnod o 3 mis sy'n dechrau ar ddiwedd y cyfnod a bennir gan is-adran (3A).</u></p> <p><u>(6) Rhaid i Weinidogion Cymru gyhoeddi datganiad sy'n nodi eu penderfyniad mewn cysylltiad â phob argymhelliad; ac mae'r dyddiad y cyhoeddir y datganiad i'w drin fel dyddiad y penderfyniad at ddibenion is-adran (5).</u></p> <p><u>(7) Os bydd Gweinidogion Cymru yn methu â chydymffurfio â'r ddyletswydd yn is-adran (5), nid yw'r methiant i gydymffurfio yn effeithio ar ddilysrwydd unrhyw orchymyn o dan is-adran (1)(a) nac unrhyw benderfyniad i beidio â gweithredu o dan is-adran (1)(b).</u></p>	<p>Rhan 2, Pennod 1, adran 43</p> <p>Rhan 2, Pennod 1, adran 49</p>
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**39 Gweithredu newid i drefniadau etholiadol cymuned**

(1)Caiff prif gyngor, drwy orchymyn, weithredu'r newidiadau a ddisgrifir mewn adroddiad a luniwyd gan y cyngor o dan adran 36(4).

(2)Ni chaniateir gwneud gorchymyn o dan is-adran (1) tan ddiwedd cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cyhoeddodd y prif gyngor ei adroddiad.

(3)Caiff prif gyngor, ar ôl cael adroddiad sy'n cynnwys yr argymhellion ar gyfer newid oddi wrth y Comisiwn mewn perthynas ag adolygiad o dan adran 32—

(a)drwy orchymyn weithredu'r argymhellion heb addasiadau,

(b)drwy orchymyn weithredu'r argymhellion gyda'r addasiadau hynny y cytunir arnynt â'r Comisiwn,

(c)penderynu peidio â gweithredu a hysbysu'r Comisiwn yn unol â hynny.

~~(4)Ni chaniateir gwneud gorchymyn o dan is-adran (3) tan ddiwedd cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y mae'r cyngor yn cael yr adroddiad.~~

(4A) Rhaid i'r Cyngor beidio ag arfer ei swyddogaethau o dan is-adran (3) cyn diwedd y cyfnod o 6 wythnos sy'n dechrau ar y diwrnod y daw'r argymhellion i law'r Cyngor.

(4B) Wrth arfer ei swyddogaethau o dan is-adran (1) neu (3), rhaid i'r Cyngor roi sylw i unrhyw sylwadau a gyflwynir gan unrhyw berson ar yr argymhellion ac a ddaw i law'r Cyngor yn ystod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cyhoeddir yr adroddiad gan y Cyngor (ar gyfer swyddogaethau yn is-adran (1)) neu'r dyddiad y daw'r argymhellion i law'r Cyngor (ar gyfer swyddogaethau o dan is-adran (3)).

(4C) Rhaid i'r prif gyngor wneud pob ymdrech i wneud penderfyniad ar bob argymhelliad a gaiff, o'r math a ddisgrifir yn is-adran (3), cyn diwedd cyfnod o 3 mis sy'n dechrau ar ddiwedd y cyfnod a bennir gan is-adran (4A).

(4D) Rhaid i'r prif gyngor gyhoeddi datganiad sy'n nodi ei benderfyniad mewn cysylltiad â phob argymhelliad; ac mae'r dyddiad y cyhoeddir y datganiad i'w drin fel dyddiad y penderfyniad.

(4E) Os bydd prif gyngor yn methu â chydymffurfio â'r ddyletswydd yn is-adran (4C), nid yw'r methiant i gydymffurfio yn effeithio ar ddilysrwydd unrhyw orchymyn o dan is-adran (3)(a) neu (b) nac unrhyw benderfyniad neu hysbysiad o dan is-adran (3)(c).

Bil ECE  
Rhan 2,  
Pennod 1,  
adran 43

Rhan 2,  
Pennod 1,  
adran 49

<p>(5)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.</p> <p>(6)Mae is-adran (7) yn gymwys—</p> <p>(a)pan fo'r prif gyngor wedi hysbysu'r Comisiwn nad yw'n bwriadu gweithredu mewn cysylltiad â'r argymhellion, neu</p> <p>(b)pan na fo'r prif gyngor wedi gwneud gorchymyn (gydag addasiadau neu hebddynt) o fewn y cyfnod o <del>6 mis sy'n dechrau ar y dyddiad y cafodd y cyngor argymhellion y Comisiwn</del> <u>3 mis sy'n dechrau gyda diwedd y cyfnod a bennir gan is-adran (4C).</u></p> <p>(7)Caiff y Comisiwn ofyn i Weinidogion Cymru weithredu'r argymhellion o dan adran 37.</p>	
<p><b>48 Cyfarwyddiadau a chanllawiau ynghylch Rhan 3</b></p> <p>(1)Caiff Gweinidogion Cymru roi cyfarwyddiadau i'r Comisiwn sy'n ymwneud ag arfer ei swyddogaethau o dan y Rhan hon.</p> <p>(2)Yn benodol, caiff Gweinidogion Cymru gyfarwyddo'r Comisiwn—</p> <p>(a)i gynnal adolygiad o dan y Rhan hon (ni waeth a fyddai gan y Comisiwn y pŵer, neu y byddai'n ddarostyngedig i ddyletswydd, o dan yr amgylchiadau, i gynnal yr adolygiad ai peidio),</p> <p>(aa)pan fo'r Comisiwn wedi gwneud argymhellion neu gynigion i Weinidogion Cymru, i gynnal adolygiad pellach o dan y Rhan hon,</p> <p>(ab)i roi'r gorau i gynnal adolygiad o dan y Rhan hon,</p> <p>(b)i beidio â chynnal adolygiad o dan y Rhan hon yn ystod cyfnod a bennir yn y cyfarwyddyd,</p> <p>(c). . . . .</p> <p>(d)i gynnal yr adolygiadau sy'n ofynnol o dan adran 29(1) mewn trefn wahanol i'r hyn a gynigir gan y Comisiwn mewn unrhyw raglen gyfredol ar gyfer adolygiadau o drefniadau etholiadol a lunnir yn unol â'r adran honno,</p> <p>(e)i roi sylw i unrhyw faterion penodol a bennir yn y cyfarwyddyd wrth gynnal adolygiad.</p> <p><u>(f) i oedi adolygiad y mae'n ei gynnal o dan y Rhan hon am gyfnod a bennir yn y cyfarwyddyd neu hyd oni roddir cyfarwyddyd pellach.</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 50</p>

<p>(3) Nid yw is-adran (1) yn cyfyngu ar y pŵer cyfarwyddo cyffredinol o dan adran 14.</p> <p>(4) Caiff Gweinidogion Cymru roi cyfarwyddiadau i brif gyngor sy'n ymwneud ag arfer ei swyddogaethau o dan y Rhan hon.</p> <p>(5) Yn benodol, caiff Gweinidogion Cymru gyfarwyddo prif gyngor—</p> <p>(a) i gynnal adolygiad o dan adran 25 neu 31,</p> <p>(aa) i roi'r gorau i gynnal adolygiad o dan adran 25 neu 31,</p> <p>(ab) i beidio â chynnal adolygiad o dan adran 25 neu 31 yn ystod cyfnod a bennir yn y cyfarwyddyd,</p> <p>(b) i roi sylw i unrhyw faterion penodol a bennir yn y cyfarwyddyd wrth gynnal adolygiad.</p> <p><u>(c) i oedi adolygiad y mae'n ei gynnal o dan y Rhan hon am gyfnod a bennir yn y cyfarwyddyd neu hyd oni roddir cyfarwyddyd pellach.</u></p> <p>(6) Rhaid i brif gyngor gydymffurfio â chyfarwyddyd a roddir gan Weinidogion Cymru o dan is-adran (4).</p> <p>(7) Caniateir i gyfarwyddiadau o dan yr adran hon ymwneud ag adolygiad penodol, math o adolygiad neu bob adolygiad.</p> <p>(8) Ond cyn rhoi cyfarwyddyd o dan yr adran hon mewn perthynas ag adolygiad o brif ardal neu ei threfniadau etholiadol (neu adolygiadau o brif ardaloedd neu eu trefniadau etholiadol yn gyffredinol), rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn ac unrhyw gymdeithas yr ymddengys iddynt eu bod yn cynrychioli awdurdodau lleol.</p> <p>(9) Wrth arfer unrhyw swyddogaeth o dan y Rhan hon, rhaid i'r Comisiwn neu brif gyngor roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.</p> <p><u>(10) Rhaid i Weinidogion Cymru beidio â defnyddio'r pwerau cyfarwyddo o dan y Ddeddf hon i oedi adolygiad am fwy na 9 mis, pa un a yw'r oedi am un cyfnod o 9 mis neu am fwy nag un cyfnod sy'n dod i gyfanswm o 9 mis.</u></p> <p><u>(11) Nid yw unrhyw gyfnod pan gyfarwyddir y Comisiwn neu brif gyngor o dan y Ddeddf hon i oedi adolygiad i gael ei ystyried at ddiben cyfrifo hyd y cyfnodau a grybwyllir yn is-adrannau (2) i (5) o adran 36B.</u></p>	
<p><b>49ZA Cyhoeddi gorchmynion o dan Ran 3</b></p>	<p>Bil ECE</p>

<p><u>(1) Rhaid i brif gyngor gyhoeddi a chynnal ar ei wefan—</u></p> <p><u>(a) copi o bob gorchymyn y mae'n ei wneud o dan y Rhan hon;</u></p> <p><u>(b) copi o bob gorchymyn sy'n ymwneud â'i ardal a wneir gan y Comisiwn o dan y Rhan hon;</u></p> <p><u>(c) copi o bob offeryn statudol sy'n cynnwys gorchymyn sy'n ymwneud â'i ardal a wneir gan Weinidogion Cymru o dan y Rhan hon, neu ddolen at bob offeryn statudol o'r fath.</u></p> <p><u>(2) Rhaid i'r Comisiwn gyhoeddi a chynnal ar ei wefan—</u></p> <p><u>(a) copi o bob gorchymyn a wneir gan brif gyngor o dan y Rhan hon;</u></p> <p><u>(b) copi o bob gorchymyn y mae'r Comisiwn yn ei wneud o dan y Rhan hon;</u></p> <p><u>(c) copi o bob offeryn statudol sy'n cynnwys gorchymyn a wneir gan Weinidogion Cymru o dan y Rhan hon, neu ddolen at bob offeryn statudol o'r fath;</u></p> <p><u>(d) copi o bob offeryn statudol sy'n cynnwys gorchymyn a wneir gan yr Ysgrifennydd Gwladol o dan y Rhan hon, neu ddolen at bob offeryn statudol o'r fath.</u></p> <p><u>(3) Rhaid i brif gyngor anfon copi o bob gorchymyn y mae'n ei wneud o dan y Rhan hon i'r Comisiwn.</u></p> <p><u>(4) Rhaid i'r Comisiwn anfon i brif gyngor gopi o bob gorchymyn y mae'n ei wneud o dan y Rhan hon sy'n effeithio ar ardal y prif gyngor.</u></p> <p><u>(5) Rhaid i Weinidogion Cymru—</u></p> <p><u>(a) hysbysu prif gyngor am bob gorchymyn y maent yn ei wneud o dan y Rhan hon sy'n effeithio ar ardal y prif gyngor;</u></p> <p><u>(b) hysbysu'r Comisiwn am bob gorchymyn y maent yn ei wneud o dan y Rhan hon.</u></p> <p><u>(6) Mae'r dyletswyddau yn is-adrannau (1) a (2) yn gymwys i orchmynion a wneir ar ôl i'r adran hon ddod i rym.</u></p>	<p>Rhan 2, Pennod 1, adran 53</p>
<p><b><u>49ZB Cyhoeddi rhestrau cyfredol o gymunedau a chynghorau cymuned</u></b></p> <p><u>(1) Rhaid i brif gyngor gyhoeddi a chynnal ar ei wefan restr gyfredol o'r holl gymunedau a chynghorau cymuned yn ei ardal, gyda'u henwau presennol.</u></p> <p><u>(2) Rhaid i'r Comisiwn gyhoeddi a chynnal ar ei wefan restr gyfredol o'r holl gymunedau a chynghorau cymuned yng Nghymru, gyda'u henwau presennol.</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 54</p>

<p><u>(3) Os oes gan gymuned neu gyngor cymuned enwau gwahanol at ddiben cyfathrebu drwy gyfrwng y Gymraeg a'r Saesneg, rhaid cynnwys y ddau enw mewn rhestr y mae'n ofynnol ei chyhoeddi o dan yr adran hon.</u></p>	
<p><b><u>RHAN 3A</u></b>  <b><u>ADOLYGIADAU O FFINIAU ETHOLAETHAU'R SENEDD</u></b>  <b><u>49A Adolygiadau o ffiniau etholaethau'r Senedd</u></b>  <u>(1) Rhaid i'r Comisiwn gynnal adolygiad o ffiniau etholaethau'r Senedd unwaith ym mhob cyfnod adolygu.</u>  <u>(2) Adolygiad o ffiniau etholaethau'r Senedd yw adolygiad o etholaethau'r Senedd at ddiben penderfynu a ddylai'r ffiniau hynny newid er mwyn rhoi effaith i'r rheolau a nodir yn adran 49C.</u>  <u>(3) Os yw'r Comisiwn yn penderfynu yn ystod adolygiad y dylai ffiniau etholaeth Senedd newid, rhaid i'r Comisiwn hefyd benderfynu—</u>  <u>(a) yr hyn ddylai fod yr enwau ar yr etholaethau yr effeithir arnynt;</u>  <u>(b) pa un a yw pob etholaeth yr effeithir arni yn etholaeth sirol neu'n etholaeth fwrdeistrefol.</u>  <u>(4) Ond os yw'r Comisiwn yn penderfynu yn ystod adolygiad, er na ddylai ffiniau etholaeth Senedd newid, y dylai enw'r etholaeth newid neu y dylai ei dynodiad yn etholaeth sirol neu'n etholaeth fwrdeistrefol newid, caiff y Comisiwn benderfynu—</u>  <u>(a) yr hyn ddylai fod yr enw ar yr etholaeth;</u>  <u>(b) pa un a ddylai fod yn etholaeth sirol neu'n etholaeth fwrdeistrefol.</u>  <u>(5) At ddiben is-adran (1), ystyr "cyfnod adolygu" yw—</u>  <u>(a) y cyfnod sy'n dechrau ag 1 Ebrill 2025 ac sy'n dod i ben â 30 Tachwedd 2028,</u>  <u>(b) y cyfnod o 8 mlynedd sy'n dechrau ag 1 Rhagfyr 2028,</u>  <u>ac</u>  <u>(c) pob cyfnod dilynol o 8 mlynedd.</u></p> <p><b><u>49B Hysbysiad cychwyn adolygiad ffiniau etholaethau'r Senedd</u></b>  <u>(1) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cychwyn adolygiad o ffiniau etholaethau'r Senedd, rhaid i'r Comisiwn gyhoeddi hysbysiad—</u>  <u>(a) yn datgan bod y Comisiwn wedi cychwyn adolygiad, a</u>  <u>(b) yn pennu'r dyddiad y cychwynnodd yr adolygiad arno.</u>  <u>(2) Yn y Rhan hon, ystyr "dyddiad yr adolygiad" yw'r dyddiad a bennir yn yr hysbysiad o dan is-adran (1)(b).</u></p> <p><b><u>49C Rheolau ynghylch etholaethau</u></b>  <u>(1) Rhaid i'r etholyddiaeth ar gyfer pob etholaeth Senedd fod yn—</u></p>	<p>Bil SC(AE)  Atodlen 2  Paragraff 1</p>



(a) dim llai na 90% o'r cwota etholiadol, a  
(b) dim mwy na 110% o'r cwota etholiadol.  
(2) Wrth ystyried, yn ystod adolygiad o ffiniau etholaethau'r Senedd, pa un a ddylid gwneud newidiadau i etholaethau'r Senedd, a pha newidiadau y dylid eu gwneud—  
(a) caiff y Comisiwn roi sylw i—  
(i) ffiniau llywodraeth leol sy'n bodoli neu sy'n ddarpar ffiniau ar ddyddiad yr adolygiad;  
(ii) ystyriaethau daearyddol arbennig, gan gynnwys yn benodol faint, siâp a hygyrchedd etholaeth Senedd arfaethedig neu etholaeth Senedd bresennol;  
(iii) unrhyw gwrlwm lleol a fydd yn cael ei dorri gan y newidiadau hynny; ond  
(b) sut bynnag, rhaid i'r Comisiwn—  
(i) ceisio sicrhau y gwneir cyn lleied o newidiadau â phosibl i etholaethau'r Senedd sy'n bodoli ar ddyddiad yr adolygiad, a  
(ii) rhoi sylw i'r anghyfleustra a achosir drwy wneud newidiadau i etholaethau'r Senedd.  
(3) At ddibenion is-adran (1)—  
(a) yr etholyddiaeth yw cyfanswm nifer yr etholwyr llywodraeth leol, a  
(b) y cwota etholiadol yw etholyddiaeth Cymru wedi ei rannu ag 16 (sef nifer etholaethau'r Senedd), ac at ddibenion paragraff (a), etholwr llywodraeth leol yw person sydd wedi ei gofrestru yn y fersiwn berthnasol o'r gofrestr o etholwyr llywodraeth leol mewn cyfeiriad o fewn etholaeth Senedd.  
(4) Y fersiwn berthnasol o'r gofrestr o etholwyr llywodraeth leol, ar ddyddiad yr adolygiad, yw'r fersiwn ddiweddaraf a gyhoeddwyd o dan adran 13(1)(a) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2).  
(5) Yn achos ffin llywodraeth leol sy'n ddarpar ffin ar ddyddiad yr adolygiad, y ffin honno (yn hytrach nag unrhyw ffin sy'n bodoli eisoes a ddisodlir ganddi) yw'r ffin y mae rhaid ei hystyried o dan is-adran (2)(a)(i).  
(6) Mae ffin llywodraeth leol yn "ddarpar ffin" ar ddyddiad yr adolygiad—  
(a) os yw'r ffin, ar y dyddiad hwnnw, wedi ei phennu mewn darpariaeth mewn—  
(i) deddfwriaeth sylfaenol, neu  
(ii) offeryn a wneir o dan ddeddfwriaeth sylfaenol, a  
(b) os nad yw'r ddarpariaeth sy'n pennu'r ffin mewn grym hyd hynny at bob diben ar y dyddiad hwnnw.  
(7) Yn is-adran (6), ystyr "deddfwriaeth sylfaenol" yw—  
(a) Deddf a ddeddfir o dan Ran 4 o Ddeddf Llywodraeth Cymru 2006 (p. 32);  
(b) Mesur a ddeddfwyd o dan Ran 3 o'r Ddeddf honno;  
(c) Deddf gan Senedd y Deyrnas Unedig.

#### **49D Penderfynu ar enwau etholaethau'r Senedd**

(1) Rhaid i bob etholaeth Senedd gael—

(a) enw at ddiben adnabod yr etholaeth mewn cyfathrebiad drwy gyfrwng y Gymraeg, a

(b) enw at ddiben adnabod yr etholaeth mewn cyfathrebiad drwy gyfrwng y Saesneg.

oni bai bod y Comisiwn yn ystyried bod un enw yn dderbyniol ar gyfer cyfathrebu drwy'r naill iaith neu'r llall.

(2) Rhaid i'r Comisiwn, wrth benderfynu ar enw etholaeth—

(a) ymgynghori â Chomisiynydd y Gymraeg ar orgraff yr enw arfaethedig i'w defnyddio mewn cyfathrebiad yn y Gymraeg, a

(b) ystyried ei gynigion gan roi sylw i unrhyw sylwadau a gafwyd gan Gomisiynydd y Gymraeg.

(3) Mae gofyniad o dan y Rhan hon i nodi enwau etholaethau'r Senedd mewn adroddiad yn ofyniad i nodi'r ddau enw—

(a) yn y fersiwn Gymraeg, a

(b) yn y fersiwn Saesneg.

oni bai bod y Comisiwn yn ystyried bod un enw yn dderbyniol ar gyfer cyfathrebiad drwy'r naill iaith neu'r llall.

#### **49E Adroddiad cychwynnol ar yr adolygiad ffiniau a'r cyfnod cyntaf ar gyfer sylwadau**

(1) Ar ôl cymryd y camau yn adrannau 49B(1) a 49D(2), rhaid i'r Comisiwn wneud adroddiad cychwynnol yn nodi—

(a) cynigion y Comisiwn ar gyfer newid i—

(i) ffiniau etholaethau'r Senedd;

(ii) enwau etholaethau'r Senedd, neu

(b) os nad yw'n ystyried bod unrhyw newid yn briodol, datganiad i'r perwyl hwnnw.

(2) Rhaid i'r Comisiwn—

(a) cyhoeddi'r adroddiad cychwynnol,

(b) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch sut i gyrchu'r adroddiad,

(c) gwahodd sylwadau ar yr adroddiad, a

(d) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch y cyfnod cyntaf ar gyfer sylwadau.

(3) Mae'r cyfnod cyntaf ar gyfer sylwadau yn gyfnod o wyth wythnos, gan ddechrau â'r dyddiad y cyhoeddir yr adroddiad cychwynnol.

#### **49F Cyhoeddi sylwadau ac ymgynghori arnynt**

(1) Ar ddiwedd y cyfnod cyntaf ar gyfer sylwadau, rhaid i'r Comisiwn gyhoeddi dogfen yn nodi unrhyw sylwadau a gafwyd yn ystod y cyfnod hwnnw.

(2) Rhaid i'r Comisiwn hefyd—

- (a) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch sut i gyrchu'r ddogfen a gyhoeddir o dan isadran (1).
- (b) gwahodd sylwadau mewn cysylltiad â'r sylwadau a nodir yn y ddogfen a gyhoeddir o dan is-adran (1).
- (c) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch yr ail gyfnod ar gyfer sylwadau, a
- (d) cyhoeddi gwybodaeth ynghylch yr amseroedd a'r lleoedd y cynhelir gwrandawiadau cyhoeddus o dan adran 49G a, phan fo gwrandawiadau i'w cynnal yn rhannol wyneb yn wyneb ac yn rhannol drwy ddefnyddio cyfleusterau o bell, bennu cyfarwyddiadau ynghylch sut i wneud sylwadau drwy ddefnyddio cyfleusterau o bell.
- (3) Mae'r ail gyfnod ar gyfer sylwadau yn gyfnod o chwe wythnos, gan ddechrau â'r dyddiad y cyhoeddir y ddogfen o dan is-adran (1).
- (4) Yn is-adran (2)(d), ystyr "cyfleusterau o bell" yw unrhyw gyfarpar neu gyfleuster arall sy'n galluogi pobl nad ydynt yn y man lle y cynhelir y gwrandawriad i wneud sylwadau yn y gwrandawriad.

#### **49G Gwrandawiadau cyhoeddus**

- (1) Yn ystod yr ail gyfnod ar gyfer sylwadau, rhaid i'r Comisiwn gynnal o leiaf ddau o wrandawiadau cyhoeddus, ond nid mwy na phump o'r gwrandawiadau cyhoeddus hynny, i alluogi gwneud sylwadau ynghylch ei gynigion.
- (2) Rhaid i'r gwrandawiadau cyhoeddus rhyngddynt gwmpasu Cymru gyfan.
- (3) Rhaid i wrandawriad cyhoeddus gael ei gwblhau o fewn dau ddiwrnod.
- (4) Os yw gwrandawriad i'w gynnal yn rhannol drwy ddefnyddio cyfleusterau o bell (o fewn yr ystyr a roddir yn adran 49F(4)), rhaid i'r cyfleusterau o bell alluogi'r bobl sy'n gwneud sylwadau yn y gwrandawriad ond nad ydynt yn y man lle y cynhelir y gwrandawriad i siarad ac i gael eu clywed gan (pa un a yw'n galluogi'r bobl hynny i weld ac i gael eu gweld ai peidio gan)—
- (a) ei gilydd, a
- (b) pobl yn y man lle y cynhelir y gwrandawriad.
- (5) Rhaid i'r Comisiwn benodi person i fod yn gadeirydd ar bob gwrandawriad ("y cadeirydd").
- (6) Rhaid i'r cadeirydd bennu'r weithdrefn sydd i lywodraethu'r gwrandawriad hwnnw.
- (7) Rhaid i'r cadeirydd wneud trefniadau i wrandawriad cyhoeddus ddechrau gydag esboniad o—
- (a) y cynigion y mae'r gwrandawriad yn ymwneud â hwy;
- (b) sut y caniateir gwneud sylwadau ynghylch y cynigion.
- (8) Rhaid i'r cadeirydd ganiatáu i sylwadau gael eu gwneud—

- (a) gan bob plaid wleidyddol sydd wedi ei chofrestru o dan Ran 2 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41) ac sydd naill ai—
- (i) ag o leiaf un Aelod o'r Senedd, neu
- (ii) wedi cael o leiaf 10% o'r pleidleisiau a fwriwyd yn yr etholiad cyffredinol mwyaf diweddar;
- (b) gan unrhyw berson arall y mae'r cadeirydd yn ystyried bod ganddo fuddiant yn unrhyw un neu ragor o'r cynigion y mae'r gwrandawriad yn ymwneud â hwy.
- (9) Caiff y cadeirydd—
- (a) pennu ym mha drefn y gwneir sylwadau;
- (b) cyfyngu ar faint o amser a ganiateir ar gyfer sylwadau, ac nid oes angen iddo ganiatáu'r un faint o amser i bob person;
- (c) os yw'n angenrheidiol oherwydd prinder amser, benderfynu pa rai o'r personau a grybwyllir yn is-adran (8)(b) nas caniateir iddynt wneud sylwadau.
- (10) Caiff y cadeirydd holi cwestiynau i berson sy'n gwneud sylwadau yn y gwrandawriad, neu ganiatáu i gwestiynau cael eu holi i'r person hwnnw.
- (11) Os caniateir holi cwestiynau, caiff y cadeirydd reoleiddio modd y cwestiynu neu gyfyngu ar nifer y cwestiynau y caiff person eu gofyn.

**49H Ail adroddiad ar yr adolygiad ffiniau a'r cyfnod terfynol ar gyfer sylwadau**

- (1) Ar ddiwedd yr ail gyfnod ar gyfer sylwadau—
- (a) rhaid i'r Comisiwn ystyried ei gynigion gan roi sylw i'r sylwadau a wnaed yn ystod y cyfnod cyntaf ar gyfer sylwadau a'r ail gyfnod ar gyfer sylwadau, a
- (b) os yw'r Comisiwn yn ystyried unrhyw newidiadau i enwau etholaethau'r Senedd nas nodwyd hwy yn yr adroddiad cychwynnol, rhaid iddo—
- (i) ymgynghori â Chomisiynydd y Gymraeg ar orgraff yr enwau arfaethedig i'w defnyddio mewn cyfathrebiad yn y Gymraeg, a
- (ii) rhoi sylw i unrhyw sylwadau a wneir gan y Comisiynydd.
- (2) Ar ôl cymryd y camau yn is-adran (1), rhaid i'r Comisiwn wneud ail adroddiad—
- (a) yn nodi unrhyw sylwadau (o'r math a ddisgrifir yn adran 49F(2)(b)) a gafwyd;
- (b) yn cynnwys cofnodion o'r gwrandawriadau cyhoeddus a gynhaliwyd o dan adran 49G;
- (c) yn nodi—
- (i) cynigion y Comisiwn ar gyfer newid ffiniau ac enwau etholaethau'r Senedd, neu
- (ii) os nad yw'r Comisiwn yn ystyried bod unrhyw newid yn briodol, ddatganiad i'r perwyl hwnnw;

- (d) yn pennu manylion unrhyw newidiadau y mae'r Comisiwn wedi eu gwneud i'r cynigion a nodwyd yn yr adroddiad cychwynol, ac esboniad ynghylch pam y gwnaed y newidiadau hynny.
- (3) Rhaid i'r Comisiwn—
- (a) cyhoeddi'r ail adroddiad,
- (b) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch sut i gyrchu'r adroddiad,
- (c) gwahodd sylwadau ar yr adroddiad, gan gynnwys sylwadau mewn cysylltiad â'r sylwadau a wnaed yn ystod y gwrandawiadau cyhoeddus, a
- (d) hysbysu unrhyw berson y mae'r Comisiwn yn ystyried ei fod yn briodol ynghylch y cyfnod terfynol ar gyfer sylwadau.
- (4) Mae'r cyfnod terfynol ar gyfer sylwadau yn gyfnod o bedair wythnos, gan ddechrau â'r dyddiad y cyhoeddir yr ail adroddiad.
- (5) Ar ddiwedd y cyfnod terfynol ar gyfer sylwadau rhaid i'r Comisiwn—
- (a) cyhoeddi unrhyw sylwadau a gafwyd,
- (b) ystyried ei gynigion gan roi sylw i'r sylwadau hynny, ac
- (c) os yw'r Comisiwn yn ystyried unrhyw newidiadau nad oeddent wedi eu nodi yn yr ail adroddiad i enwau etholaethau'r Senedd, rhaid i'r Comisiwn—
- (i) ymgynghori â Chomisiynydd y Gymraeg ar orgraff yr enwau arfaethedig i'w defnyddio mewn cyfathrebiad yn y Gymraeg, a
- (ii) rhoi sylw i unrhyw sylwadau a wnaed gan y Comisiynydd.

#### **49I Adroddiad terfynol ar adolygiad ffiniau**

- (1) Cyn 1 Rhagfyr 2028, a chyn 1 Rhagfyr bob wythfed flynedd ar ôl hynny, rhaid i'r Comisiwn—
- (a) wneud adroddiad terfynol a'i gyhoeddi, a
- (b) anfon yr adroddiad at Weinidogion Cymru.
- (2) Rhaid i'r adroddiad terfynol—
- (a) naill ai—
- (i) nodi manylion unrhyw newidiadau y mae'n ofynnol i'w gwneud i etholaethau'r Senedd, neu
- (ii) datgan nad yw'n ofynnol gwneud unrhyw newid i etholaethau'r Senedd, a
- (b) pennu manylion unrhyw newidiadau y mae'r Comisiwn wedi eu gwneud i'r cynigion a nodir yn yr ail adroddiad, ac esbonio pam y gwnaed y newidiadau hynny.
- (3) Os yw'n ofynnol gwneud newidiadau i ffiniau etholaethau'r Senedd, rhaid i'r adroddiad terfynol nodi—
- (a) ffiniau etholaethau'r Senedd sydd i'w newid,
- (b) enwau etholaethau'r Senedd sydd i'w newid, ac
- (c) pa un a fydd pob etholaeth Senedd sydd i'w newid yn etholaeth sirol neu'n etholaeth fwrdeistrefol.

(4) Os nad oes newid i'w wneud i ffiniau un o etholaethau'r Senedd ond bod angen newid y naill neu'r llall neu'r ddau o'r pethau a ganlyn—

(a) enw'r etholaeth;

(b) ei dynodiad yn etholaeth sirol neu'n etholaeth fwrdeistrefol.

rhaid i'r adroddiad terfynol nodi'r newid.

(5) Nid yw methiant gan y Comisiwn i gydymffurfio â therfyn amser yn is-adran (1) yn annilysu adroddiad terfynol.

(6) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i Weinidogion Cymru gael adroddiad terfynol, rhaid iddynt ei osod gerbron Senedd Cymru.

#### **49J Gweithredu adroddiad terfynol gan Weinidogion Cymru**

(1) Pan fo adroddiad terfynol yn nodi newidiadau y mae'n ofynnol i'w gwneud i etholaethau'r Senedd, rhaid i Weinidogion Cymru wneud rheoliadau yn rhoi effaith i'r penderfyniadau yn adroddiad terfynol y Comisiwn—

(a) cyn gynted ag y bo'n rhesymol ymarferol ar ôl gosod yr adroddiad gerbron Senedd Cymru, a

(b) sut bynnag, oni bai bod amgylchiadau eithriadol, cyn diwedd y cyfnod o chwe mis sy'n dechrau â'r dyddiad y gosodir yr adroddiad gerbron y Senedd.

(2) Pan na fo rheoliadau wedi eu gwneud cyn diwedd y cyfnod a grybwyllir yn is-adran (1)(b), rhaid i Weinidogion Cymru osod datganiad gerbron Senedd Cymru yn nodi'r amgylchiadau eithriadol.

(3) Rhaid i ddatganiad o dan is-adran (2) gael ei osod cyn diwedd y cyfnod o chwe mis sy'n dechrau â'r dyddiad y gosodir yr adroddiad terfynol gerbron Senedd Cymru.

(4) Rhaid i ddatganiadau pellach sy'n nodi'r amgylchiadau eithriadol gael eu gosod gerbron Senedd Cymru cyn diwedd pob cyfnod dilynol o bedair wythnos sy'n dechrau â'r diwrnod y gosodwyd y datganiad blaenorol, hyd nes bo'r rheoliadau wedi eu gwneud.

(5) Caiff rheoliadau o dan yr adran hon wneud darpariaeth ar gyfer unrhyw faterion y mae Gweinidogion Cymru yn ystyried eu bod yn ddeilliadol i'r penderfyniadau yn yr adroddiad terfynol, neu'n ganlyniadol arnynt.

(6) Rhaid i reoliadau o dan yr adran hon gael eu gwneud drwy offeryn statudol.

(7) Rhaid i offeryn statudol sy'n cynnwys rheoliadau o dan yr adran hon gael ei osod gerbron Senedd Cymru cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r rheoliadau gael eu gwneud.

(8) Nid yw dod i rym y rheoliadau hyn yn effeithio ar ddychwelyd Aelod o'r Senedd i Senedd Cymru, na

chyfansoddiad Senedd Cymru, hyd nes y diddymir y Senedd mewn cysylltiad â'r etholiad cyffredinol cyffredin nesaf.

#### **49K Addasu adroddiad terfynol gan y Comisiwn**

(1) Mae'r adran hon yn gymwys—

(a) pan fo Gweinidogion Cymru wedi gosod adroddiad terfynol gerbron Senedd Cymru o dan adran 49I(6),

(b) pan fo'r adroddiad yn nodi newidiadau y mae'n ofynnol i'w gwneud i etholaethau'r Senedd,

(c) pan fo'r Comisiwn yn ystyried bod angen addasu'r adroddiad i gywiro gwall neu wallau mewn cysylltiad ag unrhyw un neu ragor o'r materion a grybwyllir yn adran 49I(3) neu (4), a

(d) pan na fo'r rheoliadau wedi eu gwneud hyd hynny o dan adran 49J.

(2) Caiff y Comisiwn anfon datganiad at Weinidogion Cymru yn pennu—

(a) yr addasiadau i'r adroddiad, a

(b) y rhesymau dros yr addasiadau hynny.

(3) Rhaid i'r Comisiwn gyhoeddi datganiad a anfonir at Weinidogion Cymru o dan is-adran (2).

(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i Weinidogion Cymru gael datganiad, rhaid iddynt ei osod gerbron Senedd Cymru.

(5) Pan fo datganiad wedi ei anfon at Weinidogion Cymru, rhaid i'r rheoliadau a wneir o dan adran 49J roi effaith i'r adroddiad terfynol gyda'r addasiadau a bennir yn y datganiad.

#### **49L Dehongli'r Rhan**

(1) Yn y Rhan hon—

mae i "cyfleusterau o bell" ("remote facilities") yr ystyr a roddir gan adran 49F(4);

mae i "dyddiad yr adolygiad" ("review date") yr ystyr a roddir gan adran 49B(2);

ystyr "etholaeth Senedd" ("Senedd constituency") yw etholaeth y darperir ar ei chyfer mewn rheoliadau a wneir o dan adran 49J;

ystyr "etholiad cyffredinol" ("general election") yw etholiad cyffredinol cyffredin neu etholiad cyffredinol eithriadol a gynhelir o dan Ran 1 o Deddf Llywodraeth Cymru 2006 (p. 32);

ystyr "ffiniau llywodraeth leol" ("local government boundaries") yw ffiniau siroedd, ffiniau bwrdeistrefi sirol, ffiniau wardiau etholiadol, ffiniau cymunedau a ffiniau wardiau cymunedol yng Nghymru.

(2) Pan fo'r Rhan hon yn gosod dyletswydd ar y Comisiwn i gyhoeddi hysbysiad, adroddiad neu ddogfen arall, rhaid i'r

<p><u>hysbysiad, yr adroddiad neu ddogfen arall gael ei gyhoeddi neu ei chyhoeddi—</u></p> <p><u>(a) ar wefan y Comisiwn, a</u></p> <p><u>(b) mewn unrhyw fodd arall y mae'r Comisiwn yn ystyried ei fod yn briodol.</u></p>	
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**Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol**

**62 Swyddogaethau sy'n ymwneud â thaliadau i aelodau**

Yn adran 142 o Fesur 2011 (swyddogaethau sy'n ymwneud â thaliadau i aelodau)—

(a) yn is-adran (4), ar ôl “cyfran benodedig” mewnosoder “neu nifer penodedig”,

(b) ar ôl is-adran (5) mewnosoder—

“(5A) Ni chaiff y nifer a bennir gan y Panel yn unol ag is-adran (4), a fynegir fel cyfran o gyfanswm aelodau awdurdod, fod yn uwch na phum deg y cant oni chafwyd cydsyniad Gweinidogion Cymru.”.

**Gwybodaeth Cychwyn**

11A. 62 mewn grym ar 30.9.2013, gweler [a.75\(2\)\(d\)](#)

**63 Swyddogaethau sy'n ymwneud â chyflogau penaeithiaid gwasanaethau cyflogedig**

(1) Ar ôl adran 143 o Fesur 2011 mewnosoder—

“143A Swyddogaethau sy'n ymwneud â chyflogau penaeithiaid gwasanaethau cyflogedig

(1) Caiff y Panel wneud argymhellion i awdurdod perthnasol cymwys am—

(a) unrhyw bolisi yn natganiad yr awdurdod ar bolisiau tâl sy'n ymwneud â chyflog penaeithiaid gwasanaethau cyflogedig yr awdurdod;

(b) unrhyw newid arfaethedig i gyflog penaeithiaid gwasanaethau cyflogedig yr awdurdod.

(2) Rhaid i awdurdod perthnasol cymwys roi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo gyflawni ei swyddogaethau o dan adran 38 neu 39 o [Ddeddf Lleoliaeth 2011 \(p.20\)](#).

(3) Rhaid i awdurdod perthnasol cymwys, cyn iddo newid cyflog penaeithiaid ei wasanaethau cyflogedig mewn modd nad yw'n gymesur â newid i gyflogau staff arall yr awdurdod—

(a) ymgynghori â'r Panel am y newid arfaethedig, a

(b) rhoi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo benderfynu p'un ai i fynd rhagddo i wneud y newid ai peidio.

(4) Rhaid i awdurdod perthnasol cymwys roi unrhyw wybodaeth i'r Panel y mae'n rhesymol i'r Panel ei gwneud yn ofynnol iddi gael ei rhoi iddo mewn cysylltiad ag arfer ei swyddogaethau o dan yr adran hon.

(5) Caiff y Panel gyhoeddi unrhyw argymhellion y mae yn eu gwneud o dan yr adran hon.

Bil ECE  
Atodlen 1,  
Rhan 4, 13 (3)

~~(6) Rhaid i'r Panel roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru wrth iddo arfer ei swyddogaethau o dan yr adran hon.~~

~~(7) Yn yr adran hon—~~

- ~~• ystyr “awdurdod perthnasol cymwys” (“*qualifying relevant authority*”) yw awdurdod perthnasol (yn ystyr y Rhan hon) y mae'n ofynnol iddo lunio datganiad ar bolisiau tâl;~~
- ~~• mae “cyflog” (“*salary*”) yn cynnwys, yn achos pennaeth gwasanaeth cyflogedig y mae awdurdod perthnasol cymwys yn ei gymryd ymlaen o dan gontract am wasanaethau, daliadau gan yr awdurdod i bennaeth y gwasanaeth cyflogedig am y gwasanaethau hynny;~~
- ~~• ystyr “datganiad ar bolisiau tâl” (“*pay policy statement*”) yw datganiad ar bolisiau tâl a lunnir gan awdurdod perthnasol (yn ystyr adran 43(1) o Ddeddf Lleoliaeth 2011) o dan adran 38 o'r Ddeddf honno;~~
- ~~• ystyr “pennaeth gwasanaeth cyflogedig” (“*head of paid service*”) yw pennaeth gwasanaeth cyflogedig a ddynodir o dan adran 4(1) o Ddeddf Llywodraeth Leol a Thai 1989.”.~~

~~(2) Yn mhennawd Rhan 8 o Fesur 2011, hepgorer “AELODAU:”.~~

~~(3) Yn adran 112 o Ddeddf 1972 (penodi staff), yn is-adran (2A), ar ôl “statement)” mewnosoder “and in relation to a local authority in Wales, section 143A of the Local Government (Wales) Measure 2011 (functions of the Independent Remuneration Panel in relation to salaries of heads of paid service).”.~~

### ~~Gwybodaeth Cychwyn~~

~~12A. 63 ddim mewn grym ar y Cydsyniad Brenhinol, gweler [a. 75\(3\)](#)~~

~~13A. 63 mewn grym ar 1.4.2014 gan [O.S. 2014/380](#), [ergl. 2 64 Awdurdodau perthnasol](#)~~

~~Yn adran 144 o Fesur 2011 (awdurdodau perthnasol, aelodau etc.)—~~

~~(a) yn is-adran (2), ar ôl paragraff (d) mewnosoder—~~

~~“(e) corff a bennir yn awdurdod perthnasol mewn gorchymyn a wnaed gan Weinidogion Cymru.”,~~

~~(b) ar ôl is-adran (5) mewnosoder—~~

~~“(6) Ni chaniateir i gorff gael ei bennu yn awdurdod perthnasol oni bai—~~

~~(a) bod Gweinidogion Cymru yn arfer swyddogaethau mewn cysylltiad ag ef,~~

~~(b) ei fod yn arfer swyddogaethau perthnasol, ac~~

~~(c) bod ei aelodaeth yn cynnwys o leiaf un aelod o awdurdod a ddisgrifir yn is-adran (2)(a) i (d).~~

~~(7) "Swyddogaeth berthnasol" yw —~~

~~(a) swyddogaeth a roddir gan un o Ddeddfau neu Fesurau Cynulliad Cenedlaethol Cymru, neu~~

~~(b) swyddogaeth y gellid ei rhoi gan un o Ddeddfau Cynulliad Cenedlaethol Cymru.~~

~~(8) Nid yw adrannau 142(4), 143, 147(3)(b) a 155 yn gymwys mewn perthynas â'r awdurdod perthnasol a ddisgrifir yn is-adran (2)(e)."~~

#### **Gwybodaeth Cychwyn**

~~14A. 64 mewn grym ar 30.9.2013, gweler [a. 75\(2\)\(d\)](#)~~

~~65 Adroddiadau blynyddol dilynol~~

~~Yn adran 147 o Fesur 2011 (adroddiadau blynyddol dilynol) —~~

~~(a) yn is-adran (2)(a), yn lle "31 Rhagfyr" rhodder "28 Chwefror",~~

~~(b) yn is-adran (4), ar ôl "(e)" mewnosoder "(gan gynnwys drwy bennu nifer o dan adran 142(4))",~~

~~(c) yn lle is-adran (9) rhodder —~~

~~"(9) Mae darpariaethau adroddiad blynyddol neu atodol o dan yr adran hon yn dod i rym ar y dyddiad a bennir at y diben hwnnw yn yr adroddiad.~~

~~(10) Pan fo is-adran (11) yn gymwys, caiff yr adroddiad bennu bod darpariaeth gymwys i gael ei thrin fel petai wedi dod i rym hyd at 3 mis yn gynharach na dyddiad cyhoeddi'r adroddiad.~~

~~(11) Mae'r is-adran hon yn gymwys pan fo adroddiad atodol yn cynnwys darpariaeth gymwys.~~

~~(12) "Darpariaeth gymwys" yw darpariaeth sy'n gwneud amrywiad at ddibenion is-adran (3)(a), (b) neu (c) yn adran 146."~~

#### **Gwybodaeth Cychwyn**

~~15A. 65 mewn grym ar 30.9.2013, gweler [a. 75\(2\)\(d\)](#)~~

~~66 Ymgynghori ar adroddiadau drafft~~

~~Yn adran 148 o Fesur 2011 (ymgynghori ar adroddiadau drafft) —~~

~~(a) yn is-adran (1), mae "neu adroddiad atodol" wedi ei ddiddymu, a~~

~~(b) ar ôl yr is-adran honno mewnosoder—~~

~~“(1A) Rhaid i'r Panel beidio â chyhoeddi adroddiad atodol—~~

~~(a) cyn diwedd y cyfnod o bedair wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 147, neu~~

~~(b) yn hwyrach na diwedd y cyfnod o wyth wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 147.”.~~

**Gwybodaeth Cychwyn**

~~16A. 66 mewn grym ar 30.9.2013, gweler [a. 75\(2\)\(d\)](#)~~

~~67 Gofynion cyhoeddusrwydd mewn adroddiadau~~

~~Yn adran 151 o Fesur 2011 (gofynion cyhoeddusrwydd mewn adroddiadau)—~~

~~(a) yn is-adran (1), ar ôl paragraff (b) mewnosoder—~~

~~“(c) ynghylch taliadau eraill a wneir i aelodau awdurdodau perthnasol gan gyrrff cyhoeddus eraill.”.~~

~~(b) ar ôl is-adran (2) mewnosoder—~~

~~“(3) At ddibenion is-adran (1)(c), “corff cyhoeddus” yw—~~

~~(a) bwrdd iechyd lleol,~~

~~(b) panel heddlu a throsedd,~~

~~(c) awdurdod perthnasol,~~

~~(d) corff wedi ei ddynodi yn gorff cyhoeddus mewn gorchymyn a wnaed gan Weinidogion Cymru.”.~~

**RHAN 5A**

**SWYDDOGAETHAU SY’N YMWNEUD A PHENSIYNAU**

*Tâl ar gyfer aelodau awdurdod*

**69A Swyddogaeth sy’n ymwneud â thaliadau i aelodau**

(1)Ar gyfer y flwyddyn ariannol sy’n dechrau ar 1 Ebrill [2025] ac ar gyfer pob blwyddyn ariannol ddilynol, rhaid i’r Comisiwn benderfynu ar y materion perthnasol—

(a)y mae’n ofynnol i awdurdod perthnasol wneud taliadau i aelodau o’r awdurdod amdanynt;

(b)yr awdurdodir awdurdod perthnasol i wneud taliadau i aelodau o’r awdurdod amdanynt.

(2)Yn y Rhan hon materion perthnasol yw—

(a)materion sy’n ymwneud â busnes swyddogol aelodau awdurdodau perthnasol;

(b)cyfnodau o absenoldeb teuluol o dan Ran 2 o Fesur 2011.

(3)Wrth wneud penderfyniad o dan is-adran (1) rhaid i’r Comisiwn osod un o’r canlynol ar gyfer pob mater perthnasol—

(a)y swm y mae rhaid i awdurdod perthnasol ei dalu i aelod o’r awdurdod;

(b)yr uchafswm y caiff awdurdod perthnasol ei dalu i aelod o’r awdurdod.

(4)Caiff y Comisiwn benderfynu na chaniateir talu taliadau mewn cysylltiad â mater neu faterion perthnasol i fwy na chyfran benodedig neu nifer penodedig o aelodau awdurdod perthnasol.

(5)Ni chaiff y gyfran a bennir gan y Comisiwn o dan is-adran (4) fod yn fwy na 50% oni bai bod Gweinidogion Cymru yn rhoi eu cydsyniad.

(6)Ni chaiff y nifer a bennir gan y Comisiwn o dan is-adran (4), a fynegir fel cyfran o gyfanswm aelodau awdurdod perthnasol, fod yn fwy na 50% oni bai bod Gweinidogion Cymru yn rhoi eu cydsyniad.

(7)Caiff y Comisiwn osod—

(a)canran uchaf neu gyfradd uchaf arall yr addasiad y caniateir i awdurdod perthnasol ei gwneud, ar gyfer blwyddyn ariannol, i’r symiau a oedd ag effaith mewn cysylltiad â materion perthnasol ar gyfer y flwyddyn ariannol cyn y flwyddyn honno;

(b)mynegrif y caniateir i awdurdod perthnasol ei

Bil ECE  
Rhan 2,  
Pennod 2,  
adran 57

ddefnyddio i addasu, ar gyfer blwyddyn ariannol, y symiau a oedd ag effaith mewn cysylltiad â'r materion perthnasol hynny ar gyfer y flwyddyn flaenorol y bydd y Comisiwn yn penderfynu arnynt.

(8)Caniateir arfer y pwerau o dan is-adran (7) er mwyn—

(a)gosod cyfradd a mynegrif mewn perthynas â'r un mater;

(b)gosod cyfraddau neu fynegrifau gwahanol mewn perthynas â materion gwahanol.

(9)Wrth osod swm o dan is-adran (3), gwneud penderfyniad o dan is-adran (4) neu osod cyfradd neu fynegrif o dan is-adran (7), rhaid i'r Comisiwn ystyried beth yn ei farn ef fydd effaith ariannol debygol gwneud hynny ar awdurdodau perthnasol.

(10)Caiff y Comisiwn wneud penderfyniadau gwahanol o dan is-adran (1), gosod symiau gwahanol o dan is-adran (3), gwneud penderfyniadau gwahanol o dan is-adran (4), neu osod cyfraddau neu fynegrifau gwahanol o dan is-adran (7), mewn perthynas ag awdurdodau perthnasol o ddisgrifiadau gwahanol neu ag awdurdodau perthnasol gwahanol o'r un disgrifiad.

(11)At ddibenion is-adran (2) mae mater yn ymwneud â busnes swyddogol aelod o awdurdod perthnasol os yw'n fater y mae aelod yn ymgymryd ag ef—

(a)fel aelod o awdurdod perthnasol, neu

(b)fel aelod o gorff y penodir yr aelod iddo gan yr awdurdod perthnasol neu gan grŵp o gyrff sy'n cynnwys yr awdurdod perthnasol, neu yn sgil cael ei enwebu gan yr awdurdod perthnasol neu gan grŵp o gyrff sy'n cynnwys yr awdurdod perthnasol.

(12)Yn yr adran hon ac yn adran 69E ystyr "blwyddyn ariannol" yw cyfnod o 12 mis sy'n dod i ben ar 31 Mawrth.

### **69B Swyddogaethau sy'n ymwneud â phensiynau aelodau**

(1)Mae'r adran hon yn gymwys mewn perthynas ag aelodau o awdurdodau perthnasol—

(a)nad ydynt yn aelodau cyfetholedig, a

(b)sydd am y tro yn gymwys i fod yn aelodau o gynllun pensiwn yn unol â rheoliadau o dan adran 7 o Ddeddf Blwydd-daliadau 1972 (p. 11) (cynlluniau pensiwn llywodraeth leol).

(2) Rhaid i'r Comisiwn benderfynu ar y disgrifiadau o aelodau y mae'n ofynnol i awdurdod perthnasol dalu pensiwn ("pensiwn perthnasol") mewn cysylltiad â hwy.

(3) Rhaid i'r Comisiwn benderfynu ar y materion perthnasol y mae'n ofynnol i awdurdod perthnasol dalu pensiwn perthnasol mewn cysylltiad â hwy.

(4) Caiff y Comisiwn wneud penderfyniadau gwahanol mewn perthynas ag awdurdodau perthnasol o ddisgrifiadau gwahanol neu ag awdurdodau perthnasol gwahanol o'r un disgrifiad.

### **69C Awdurdodau perthnasol, aelodau etc.**

(1) Mae'r adran hon yn gymwys at ddibenion y Rhan hon.

(2) Mae awdurdod yn awdurdod perthnasol os yw'n—

(a) awdurdod lleol;

(b) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;

(c) awdurdod tân ac achub Cymreig, sef awdurdod yng Nghymru a gyfansoddwyd gan gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac Achub 2004 (p. 21) neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys iddo;

(d) cyd-bwyllgor corfforedig;

(e) corff a bennir yn awdurdod perthnasol mewn rheoliadau a wneir gan Weinidogion Cymru.

(3) Mae cyfeiriad at ddisgrifiad o awdurdod perthnasol i gael ei ddarllen gydag is-adran (2).

(4) Mae "aelod", mewn perthynas ag awdurdod perthnasol, yn cynnwys—

(a) maer etholedig i'r awdurdod (o fewn ystyr 39(1) o Ddeddf Llywodraeth Leol 2000),

(b) aelod gweithredol etholedig o'r awdurdod (o fewn ystyr adran 39(4) o'r Ddeddf honno),

(c) aelod cyfetholedig o'r awdurdod, a

(d) person sy'n aelod o is-bwyllgor i gyd-bwyllgor corfforedig ac a chanddo hawlogaeth i bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu gan yr is-bwyllgor hwnnw.

(5) Ystyr "aelod cyfetholedig", mewn perthynas ag awdurdod perthnasol nad yw'n gyd-bwyllgor corfforedig, yw person nad yw'n aelod o'r awdurdod (ac eithrio yn rhinwedd is-adran (4)) ond—

(a) sy'n aelod o bwyllgor neu is-bwyllgor i'r awdurdod neu sy'n aelod o gyd-bwyllgor neu gyd-is-bwyllgor i'r awdurdod ac sy'n cynrychioli'r awdurdod ar y cyd-bwyllgor neu'r cyd-is-bwyllgor hwnnw, a

(b) y mae ganddo hawlogaeth i bleidleisio ar gwestiynau sydd i'w penderfynu yng nghyfarfodydd y pwyllgor hwnnw neu'r is-bwyllgor hwnnw.

(6) Ni chaniateir pennu corff yn awdurdod perthnasol mewn rheoliadau o dan is-adran (2)(e) ond—

(a) os yw Gweinidogion Cymru yn arfer swyddogaethau mewn cysylltiad ag ef,

(b) os yw'n arfer swyddogaeth a roddir gan Fesur neu Ddeddf gan Senedd Cymru, neu swyddogaeth a allai gael ei rhoi gan Ddeddf gan Senedd Cymru (gan gynnwys swyddogaeth na allai gael ei rhoi ond gyda chydysyniad un o Weinidogion y Goron), ac

(c) os yw ei aelodaeth yn cynnwys o leiaf un aelod o awdurdod a ddisgrifir yn is-adran (2)(a) i (d).

(7) Nid yw adrannau 69A(4), 69B, 69E(4)(d) a 69O yn gymwys mewn perthynas ag awdurdod perthnasol a ddisgrifir yn is-adran (2)(d) neu (e).

(8) Yn yr adran hon ystyr "cyd-bwyllgor corfforedig" yw pwyllgor a sefydlir drwy reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

#### **69D Swyddogaethau sy'n ymwneud â thaliadau ailsefydlu**

(1) Mae taliad ailsefydlu yn daliad i berson—

(a) sy'n peidio â bod yn aelod o awdurdod lleol ar ddiwedd tymor ei swydd,

(b) a oedd, pan oedd yn ei swydd, yn aelod o awdurdod lleol o ddisgrifiad a bennir mewn rheoliadau a wneir gan Weinidogion Cymru,

(c) sy'n sefyll i gael ei ailethol i fod yn aelod o'r un awdurdod yn etholiad cyffredin yr awdurdod lleol ar gyfer y tymor sy'n dilyn ei dymor yn y swydd, a

(d) nad yw'n cael ei ddychwelyd yn aelod yn yr etholiad hwnnw.

(2) Rhaid i'r Comisiwn benderfynu—

(a) o dan ba amgylchiadau y mae'n ofynnol i awdurdod lleol wneud taliad ailsefydlu;

(b) o dan ba amgylchiadau yr awdurdodir awdurdod lleol i wneud taliad ailsefydlu;



(c) y materion y mae taliad ailsefydlu yn daladwy mewn cysylltiad â hwy.

(3) Wrth wneud penderfyniad o dan is-adran (2) rhaid i'r Comisiwn osod—

(a) yr amodau cymhwyso i gael taliad;

(b) y swm y mae'n ofynnol i awdurdod lleol ei dalu;

(c) yr uchafswm y caiff awdurdod lleol ei dalu i aelod;

(d) mecanwaith y caniateir ei ddefnyddio i gynyddu neu i leihau swm y taliadau a osodir o dan baragraff (b) neu (c);

(e) gofynion ynghylch sut y mae taliadau i'w gwneud (a pha mor aml y'u gwneir).

(4) Rhaid i'r Comisiwn wneud trefniadau i adolygu unrhyw benderfyniad y mae'n ei wneud o dan is-adran (2) ac, os yw'n meddwl ei bod yn briodol, caiff ddiwygio ei benderfyniad.

(5) Wrth wneud penderfyniad o dan yr adran hon rhaid i'r Comisiwn ystyried effaith ariannol debygol ei benderfyniad ar awdurdodau lleol.

(6) Wrth wneud penderfyniad o dan is-adran (2) caiff y Comisiwn wneud darpariaeth wahanol mewn perthynas ag aelodau o awdurdodau lleol o ddisgrifiadau gwahanol neu ag aelodau gwahanol o'r un disgrifiad.

(7) Rhaid i'r Comisiwn wneud penderfyniad o dan is-adran (2) cyn pob un o etholiadau cyffredin yr awdurdod lleol, gan ddechrau gyda'r etholiad sydd i'w gynnal ym mis Mai 2027 a rhaid iddo adolygu'r penderfyniad cyn pob etholiad cyffredin dilynol.

(8) Nid yw is-adran (7) ond yn gymwys os yw Gweinidogion Cymru yn gwneud rheoliadau o dan is-adran (1)(b).

#### **69E Adroddiadau blynyddol ar dâl mewn perthynas ag aelodau o awdurdodau perthnasol**

(1) Rhaid i'r Comisiwn lunio a chyhoeddi adroddiad ("adroddiad blynyddol ar dâl") ynghylch arfer ei swyddogaethau o dan y Rhan hon mewn cysylltiad â phob blwyddyn ariannol.

(2) Rhaid i adroddiad blynyddol ar dâl nodi'r gofynion a osodir ar awdurdodau perthnasol gan y Comisiwn o dan adrannau 69A, 69B a 69D.

(3) Rhaid cyhoeddi adroddiad blynyddol ar dâl heb fod yn hwyrach nag—

(a) 28 Chwefror yn y flwyddyn ariannol cyn y flwyddyn ariannol y mae'r adroddiad yn ymwneud â hi, neu

(b) unrhyw ddyddiad diweddarach y mae'r Comisiwn a Gweinidogion Cymru yn cytuno arno.

(4) Rhaid i adroddiad blynyddol ar dâl nodi—

(a) y materion perthnasol,

(b) y symiau a osodir o dan adran 69A(3),

(c) y gyfran neu'r nifer a benderfynir o dan adran 69A(4),

(d) yr aelodau neu'r disgrifiadau o aelodau o awdurdodau perthnasol y bydd yn ofynnol i awdurdodau perthnasol dalu pensiwn perthnasol iddynt neu mewn cysylltiad â hwy,

(e) y materion perthnasol y mae pensiwn perthnasol yn daladwy mewn cysylltiad â hwy,

(f) unrhyw ganran, unrhyw gyfradd neu unrhyw fynegrif a osodir o dan adran 69A(7) a'r mater perthnasol y mae'n ymwneud ag ef, ac

(g) unrhyw benderfyniad ynghylch taliadau ailsefydlu o dan adran 69D.

#### **69F Adroddiadau atodol ar dâl**

(1) Ar ôl cyhoeddi adroddiad blynyddol ar dâl ond cyn cyhoeddi'r adroddiad nesaf, caiff y Comisiwn lunio a chyhoeddi un neu ragor o adroddiadau atodol ar dâl i'r adroddiad blynyddol ar dâl ("adroddiad atodol ar dâl").

(2) Caiff yr adroddiad atodol ar dâl—

(a) amrywio'r ddarpariaeth a wnaed yn yr adroddiad blynyddol ar dâl o dan adran 69E(4);

(b) gwneud unrhyw ddarpariaeth y gallai'r adroddiad blynyddol ar dâl fod wedi ei gwneud o dan adran 69E(4).

#### **69G Darpariaeth bellach ynghylch adroddiadau blynyddol ar dâl ac adroddiadau atodol ar dâl**

(1) Cyn cyhoeddi adroddiad blynyddol ar dâl neu adroddiad atodol ar dâl o dan adran 69E neu 69F, rhaid i'r Comisiwn—

(a) anfon drafft o'r adroddiad y mae'n cynnig ei wneud—

(i) at Weinidogion Cymru,

(ii) i'r awdurdodau perthnasol y mae'r Comisiwn wedi ei gwneud yn ofynnol iddynt wneud taliadau, neu wedi eu hawdurdodi i wneud taliadau, i'w haelodau mewn cysylltiad â materion perthnasol, a

(iii) at unrhyw bersonau eraill y mae'r Comisiwn o'r farn eu bod yn briodol,

(b) cyhoeddi'r adroddiad drafft cyn gynted ag y bo'n ymarferol ar ôl ei anfon.

(2) Wrth lunio adroddiad blynyddol ar dâl neu adroddiad atodol ar dâl o dan adran 69E neu 69F, rhaid i'r Comisiwn ystyried—

(a) yr adroddiad blynyddol diwethaf ar dâl ac unrhyw adroddiadau atodol ar dâl sy'n ymwneud â'r adroddiad blynyddol diwethaf ar dâl;

(b) sylwadau sydd wedi dod i law ynghylch yr adroddiadau y cyfeirir atynt ym mharagraff (a) a'r adroddiadau drafft y cyfeirir atynt yn is-adran (1).

(3) Mae'r darpariaethau mewn adroddiad blynyddol neu atodol ar dâl o dan adran 69E neu 69F yn cael effaith ar y dyddiad a bennir at y diben hwnnw yn yr adroddiad.

(4) Ond pan fo adroddiad atodol ar dâl yn cynnwys darpariaeth a wneir o dan adran 69F(2) sy'n amrywio darpariaeth a wneir o dan adran 69E(4)(a), (b) neu (c), caiff yr adroddiad atodol ar dâl bennu bod y ddarpariaeth i gael ei thrin fel pe bai'n cael effaith hyd at 3 mis yn gynharach na dyddiad cyhoeddi'r adroddiad atodol ar dâl.

#### **69H Cyfarwyddiadau i ailystyried adroddiadau drafft**

(1) Caiff Gweinidogion Cymru gyfarwyddo'r Comisiwn i ailystyried darpariaeth mewn adroddiad drafft blynyddol neu adroddiad drafft atodol ar dâl.

(2) Rhaid i gyfarwyddyd o dan yr adran hon bennu—

(a) y ddarpariaeth,

(b) y rheswm dros roi'r cyfarwyddyd, ac

(c) y dyddiad erbyn pryd y mae Gweinidogion Cymru yn ei gwneud yn ofynnol i'r Comisiwn ymateb.

(3) O ran y Comisiwn—

(a) rhaid iddo ymateb i'r cyfarwyddyd heb fod yn hwyrach na'r dyddiad a bennir yn y cyfarwyddyd;

(b) rhaid iddo beidio â chyhoeddi'r adroddiad cyn ymateb i'r cyfarwyddyd.

(4)Os yw'r Comisiwn yn penderfynu peidio ag amrywio'r adroddiad drafft mewn ymateb i'r cyfarwyddyd, rhaid iddo bennu yn ei ymateb y rheswm dros ei benderfyniad.

**69I Dyletswyddau'r Comisiwn o ran cyhoeddi a hysbysu mewn perthynas ag adroddiadau**

(1)Rhaid i'r Comisiwn beidio â chyhoeddi adroddiad blynyddol ar dâl o dan adran 69E cyn diwedd y cyfnod o 12 wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad o dan adran 69G(1)(a)(i).

(2)Rhaid i'r Comisiwn beidio â chyhoeddi adroddiad atodol ar dâl—

(a)cyn diwedd y cyfnod o 8 wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 69G(1)(a)(i), neu

(b)yn hwyrach na diwedd y cyfnod o 12 wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 69G(1)(a)(i).

(3)Mae is-adrannau (1) a (2) yn ddarostyngedig i adran 69H(3)(b) (ni chaniateir cyhoeddi'r adroddiad ond os yw'r Comisiwn wedi ymateb i'r cyfarwyddyd).

(4)Rhaid i'r Comisiwn gyhoeddi pob adroddiad blynyddol ar dâl, pob adroddiad atodol ar dâl a phob adroddiad drafft a lunnir o dan Ran 5A ar ei wefan, ac mewn unrhyw ffordd arall y mae'r Comisiwn o'r farn ei bod yn briodol.

(5)Caniateir i gopïau o unrhyw beth a gyhoeddir o dan is-adran (4) gael eu cyflenwi yn rhad ac am ddim neu ar ôl talu unrhyw ffi, nad yw'n fwy na chost cyflenwi'r copi, a benderfynir gan y Comisiwn.

(6)Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cyhoeddi adroddiad blynyddol ar dâl neu adroddiad atodol ar dâl, rhaid i'r Comisiwn hysbysu'r personau y mae o'r farn ei fod yn debygol o effeithio arnynt ynghylch sut y gallant gael mynediad at yr adroddiad neu gael copi ohono.

**69J Gofynion gweinyddol ar gyfer awdurdodau perthnasol mewn adroddiadau**

(1)Caiff adroddiad blynyddol ar dâl gynnwys gofynion y Comisiwn er mwyn—

(a) osgoi dyblygu—

(i)taliadau mewn cysylltiad â materion perthnasol, a

<p><u>(ii)ceisiadau am daliad mewn cysylltiad â'r un materion perthnasol o dan adran 69A(2)(a);</u></p> <p><u>(b) cadw cofnodion—</u></p> <p><u>(i)o geisiadau am daliadau mewn cysylltiad â materion perthnasol;</u></p> <p><u>(ii)o daliadau a wneir mewn cysylltiad â materion perthnasol;</u></p> <p><u>(iii)o daliadau a wneir mewn cysylltiad â phensiynau perthnasol;</u></p> <p><u>(iv)o daliadau ailsefydlu a wneir o dan adran 69D.</u></p> <p><u>(2)Rhaid i adroddiad blynyddol ar dâl nodi gofynion y Comisiwn mewn perthynas â sut y mae awdurdod perthnasol yn penderfynu pa awdurdod perthnasol y mae'n ofynnol iddo wneud taliad mewn achos pan fo aelod o awdurdod perthnasol yn gwneud rhywbeth—</u></p> <p><u>(a)y mae rhaid gwneud taliad amdano mewn cysylltiad â mater perthnasol, a</u></p> <p><u>(b)sy'n ymwneud ag awdurdod perthnasol arall (yn ogystal â'r awdurdod y mae'r aelod yn perthyn iddo).</u></p>	
<p><b><u>69K Gofynion cyhoeddi ar gyfer awdurdodau perthnasol mewn adroddiadau</u></b></p> <p><u>(1)Caiff adroddiad blynyddol ar dâl nodi gofynion y Comisiwn i awdurdodau perthnasol gyhoeddi gwybodaeth—</u></p> <p><u>(a)ynghylch taliadau a wneir mewn cysylltiad â materion perthnasol;</u></p> <p><u>(b)ynghylch taliadau a wneir mewn cysylltiad â phensiynau perthnasol;</u></p> <p><u>(c)ynghylch taliadau ailsefydlu a wneir o dan adran 69D;</u></p> <p><u>(d)ynghylch taliadau eraill a wneir i aelodau o awdurdodau perthnasol gan gyrrff cyhoeddus eraill.</u></p> <p><u>(2)At ddibenion is-baragraff (1)(d), ystyr "corff cyhoeddus" yw—</u></p> <p><u>(a) bwrdd iechyd lleol;</u></p> <p><u>(b)panel heddlu a throsedd;</u></p> <p><u>(c) awdurdod perthnasol;</u></p> <p><u>(d)corff sydd wedi ei ddynodi'n gorff cyhoeddus mewn rheoliadau a wneir gan Weinidogion Cymru.</u></p>	

(3)Caiff y Comisiwn ei gwneud yn ofynnol i awdurdodau o ddisgrifiadau gwahanol neu i awdurdodau gwahanol o'r un disgrifiad wneud trefniadau cyhoeddi gwahanol.

#### **69L Monitro cydymffurfedd â gofynion y Comisiwn**

(1)Rhaid i awdurdod perthnasol gydymffurfio ag unrhyw ofyniad a nodir mewn adroddiad blynyddol ar dâl neu adroddiad atodol ar dâl.

(2)Caiff y Comisiwn fonitro sut y gwneir taliadau gan awdurdodau perthnasol mewn cysylltiad â materion perthnasol; a chaiff ei gwneud yn ofynnol i awdurdod perthnasol ddarparu gwybodaeth iddo—

(a)ynghylch y materion sy'n faterion perthnasol mewn perthynas â'r awdurdod;

(b)ynghylch ceisiadau i'r awdurdod am daliadau mewn cysylltiad â materion perthnasol;

(c)ynghylch taliadau a wneir gan yr awdurdod mewn cysylltiad â materion perthnasol.

(3)Caiff y Comisiwn fonitro sut y gwneir taliadau gan awdurdodau perthnasol mewn cysylltiad â phensiynau perthnasol a chaiff ei gwneud yn ofynnol i awdurdod perthnasol ddarparu gwybodaeth iddo—

(a)ynghylch aelodau'r awdurdod y mae'n ofynnol i'r awdurdod dalu pensiynau perthnasol iddynt neu mewn cysylltiad â hwy;

(b)ynghylch taliadau a wneir gan yr awdurdod mewn cysylltiad â phensiynau perthnasol.

(4)Caiff y Comisiwn fonitro sut y gwneir taliadau ailsefydlu gan awdurdodau lleol a chaiff ei gwneud yn ofynnol i awdurdod lleol ddarparu gwybodaeth iddo—

(a)ynghylch cyn-aelodau'r awdurdod lleol y mae'n ofynnol i'r awdurdod dalu taliad ailsefydlu iddynt neu mewn cysylltiad â hwy;

(b)ynghylch taliadau ailsefydlu a wneir gan yr awdurdod lleol.

#### **69M Cyfarwyddiadau i orfodi cydymffurfedd â gofynion y Comisiwn**

(1)Os yw Gweinidogion Cymru wedi eu bodloni bod awdurdod perthnasol wedi methu â chydymffurfio â gofyniad mewn adroddiad blynyddol neu adroddiad atodol ar dâl a wneir o dan y Rhan hon, cânt gyfarwyddo'r awdurdod i gydymffurfio â'r gofyniad.

(2)Rhaid i gyfarwyddyd o dan yr adran hon bennu—

(a) \_\_\_\_\_ y gofyniad;

(b) y rheswm dros roi'r cyfarwyddyd;

(c) y camau y mae Gweinidogion Cymru yn ei gwneud yn ofynnol i'r awdurdod eu cymryd;

(d) y dyddiad erbyn pryd y mae Gweinidogion Cymru yn ei gwneud yn ofynnol i'r awdurdod gymryd y camau.

### **69N Aelodau sy'n dymuno ymwrthod â thaliadau**

(1) Mae'r adran hon yn gymwys os yw person, drwy hysbysiad ysgrifenedig a roddir i swyddog priodol yr awdurdod, yn dewis ymwrthod (naill ai'n gyfan gwbl neu i'r graddau a bennir yn yr hysbysiad) â'r hawlogaeth i gael taliadau mewn cysylltiad â'r materion perthnasol, neu daliad ailsefydlu, a bennir yn yr hysbysiad.

(2) Nid yw'r gofyniad a osodir ar yr awdurdod gan adran 69A a 69D i wneud taliadau a bennir yn yr hysbysiad yn gymwys yn achos yr aelod hwnnw (neu nid yw'n gymwys i'r graddau a bennir yn yr hysbysiad).

(3) Yn yr adran hon mae i "swyddog priodol" yr ystyr a roddir i "proper officer" yn adran 270(3) o Ddeddf 1972.

### **69O Cadw taliadau yn ôl**

(1) Rhaid i awdurdod perthnasol beidio â gwneud taliadau mewn cysylltiad â materion perthnasol na phensiwn perthnasol i berson—

(a) sydd wedi ei atal dros dro neu wedi ei atal dros dro yn rhannol rhag bod yn aelod o'r awdurdod yn rhinwedd Rhan 3 o Ddeddf Llywodraeth Leol 2000 (p. 22) (ymddygiad aelodau llywodraeth leol etc.);

(b) sydd wedi ei rwystro rhag gweithredu yn swydd aelod o awdurdod lleol yng Nghymru o dan adran 80A(6) o Ddeddf 1972 (anghymhwyso).

(2) Rhaid i awdurdod lleol beidio â gwneud taliad ailsefydlu i berson sydd wedi ei rwystro rhag gweithredu yn swydd aelod o awdurdod lleol yng Nghymru o dan adran 80A(6) o Ddeddf 1972.

(3) Caiff Gweinidogion Cymru, mewn achosion y maent o'r farn eu bod yn briodol, gyfarwyddo awdurdod perthnasol i beidio ag—

(a) gwneud taliadau (gan gynnwys mewn cysylltiad â phensiynau) mewn cysylltiad â'r materion perthnasol a bennir yn y cyfarwyddyd;

(b)gwneud taliad ailsefydlu.

(4)Cyn rhoi cyfarwyddyd o dan is-adran (3), rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn.

(5)Caiff awdurdod perthnasol ei gwneud yn ofynnol i berson ad-dalu taliadau a wneir mewn cysylltiad â materion perthnasol neu bensiw perthnasol i berson mewn cysylltiad â chyfnod pan nad oedd gan y person hawlogaeth i gael y taliad am unrhyw reswm, gan gynnwys (ond heb fod yn gyfyngedig i) y rhesymau a ganlyn—

(a)gwnaed y taliadau yn groes i is-adran (1);

(b)gwnaed y taliadau yn groes i gyfarwyddyd o dan is-adran (3)(a);

(c)yr oedd y person wedi peidio â bod yn aelod o'r awdurdod.

(6)Caiff awdurdod lleol ei gwneud yn ofynnol i berson ad-dalu taliad ailsefydlu a wneir o dan adran 69D pan nad oedd gan y person hawlogaeth i gael y taliad am unrhyw reswm, gan gynnwys (ond heb fod yn gyfyngedig i) y rhesymau a ganlyn—

(a)gwnaed y taliad yn groes i is-adran (2);

(b)gwnaed y taliadau yn groes i gyfarwyddyd o dan is-adran (3)(b).

#### **69P Canllawiau**

(1)Caiff y Comisiwn ddyroddi canllawiau i awdurdodau perthnasol ynghylch sut i gydymffurfio â gofynion a osodir o dan y Rhan hon.

(2)Caiff Gweinidogion Cymru ddyroddi canllawiau i'r Comisiwn ynghylch swyddogaethau'r Comisiwn o dan y Rhan hon.

(3)Mae pwerau'r Comisiwn a Gweinidogion Cymru i ddyroddi canllawiau o dan is-adrannau (1) a (2) yn cynnwys y pŵer i amrywio neu ddirymu canllawiau a roddir.

(4)Rhaid i awdurdod perthnasol, neu'r Comisiwn yn ôl y digwydd, roi sylw i ganllawiau a roddir o dan yr adran hon.

#### **69Q Cyfarwyddiadau o dan y Rhan hon**

(1)Mae cyfarwyddyd a roddir o dan adran 69M a 69O yn orfodadwy drwy orchymyn mandadol ar gais gan Weinidogion Cymru.

(2)Nid yw'r pŵer i roi cyfarwyddiadau o dan y Rhan hon yn cyfyngu ar y pŵer cyfarwyddo cyffredinol o dan adran 14.



<p><b><u>69R Pŵer i addasu darpariaeth</u></b></p> <p><u>Caiff Gweinidogion Cymru drwy reoliadau wneud addasiadau i'r Rhan hon er mwyn ychwanegu, amrywio neu hepgor darpariaeth sy'n rhoi swyddogaeth i'r Comisiwn neu'n gosod swyddogaeth arno.</u></p>	
<p><b>RHAN 6</b> <b>DARPARIAETH AMRYWIOL A CHYFFREDINOL</b></p> <p><b><u>70ZA Cyfarwyddiadau</u></b></p> <p><u>Rhaid i gyfarwyddyd a roddir gan Weinidogion Cymru o dan y Ddeddf hon gael ei roi yn ysgrifenedig.</u></p>	<p>Bil ECE Atodlen1, Rhan 4, 13 (4)</p>
<p><b>71 Gorchymnion a rheoliadau</b></p> <p>(1)Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchymyn neu reoliadau o dan y Ddeddf hon (ac eithrio gorchymyn o dan adran 47) yn arferadwy gan offeryn statudol, ac mae'n cynnwys pŵer i—</p> <p>(a)gwneud darpariaeth gysylltiedig, ganlyniadol, atodol, drosiannol, ddarfodol neu arbedol y mae Gweinidogion Cymru o'r farn ei bod yn angenrheidiol neu'n hwylus at ddibenion y Ddeddf hon neu mewn cysylltiad â hi,</p> <p>(b)addasu unrhyw ddeddfiad (gan gynnwys y Ddeddf hon), ac</p> <p>(c)gwneud darpariaeth wahanol at ddibenion gwahanol ac ardaloedd gwahanol.</p> <p>(2)Bydd offeryn statudol sy'n cynnwys—</p> <p>(a)gorchymyn o dan adran 34(3)(e) neu 70(1),</p> <p>(b)gorchymyn o dan adran 37(1) sy'n cynnwys darpariaeth i newid ardal prif gyngor neu sir wedi ei chadw ..., <del>neu</del></p> <p><u>(ba)rheoliadau o dan adran 20E(3)(c),</u></p> <p><u>(bb)rheoliadau o dan adran 29(3A),</u></p> <p><u>(bc)rheoliadau o dan adran 31(A3),</u></p> <p>(c)rheoliadau o dan adran 41(1),</p> <p><u>(d)rheoliadau o dan adran 69C(2)(e), 69D(1)(b) neu 69K(2)(d),</u></p>	<p>Bil ECE Rhan 2, Pennod 1, adran 41</p> <p>Rhan 2, Pennod 1, adran 51</p> <p>Atodlen1, Rhan 1, 1(5)</p> <p>Atodlen 1, Rhan 4, 13 (5)</p> <p><a href="#">Bil SC(AE)</a> <a href="#">Atodlen 2</a> <a href="#">Paragraff 2(5)</a></p>

<p>yn ddarostyngedig i gael ei ddiddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.</p> <p>(3)Er gwaethaf is-adran (2), ni fydd unrhyw offeryn statudol sy'n cynnwys gorchymyn neu reoliadau a wnaed o dan y Ddeddf hon sy'n cynnwys darpariaeth yn disodli, hepgor neu'n ychwanegu at unrhyw ran o destun Deddf Seneddol neu Fesur neu Ddeddf Cynulliad Cenedlaethol Cymru yn cael ei wneud hyd oni fydd drafft o'r gorchymyn wedi ei roi gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo trwy benderfyniad ganddo.</p> <p>(4) Nid yw'r adran hon yn gymwys i orchymyn a wneir o dan adran 45 neu 75, <a href="#">neu reoliadau a wneir o dan adran 49J</a>.</p>	
<p><b>72 Dehongli</b></p> <p>(1)Yn y Ddeddf hon, oni bai fod y cyd-destun yn gofyn yn wahanol—</p> <ul style="list-style-type: none"> <li>• mae “addasu” mewn perthynas â deddfiad yn cynnwys diwygio neu ddiddymu,</li> <li>• ystyr “ardal llywodraeth leol” yw cymuned neu brif ardal,</li> <li>• ystyr “awdurdod lleol” yw prif gyngor neu gyngor cymuned,</li> <li>• “cyfarfod cymunedol” yw cyfarfod o'r etholwyr llywodraeth leol ar gyfer cymuned a gynullwyd o dan adran 27(1) o Ddeddf 1972,</li> <li>• ystyr “Deddf 1972” yw Deddf Llywodraeth Leol 1972 (p. 70),</li> <li>• <del>mae “deddfiad” yn cynnwys deddfiad sydd mewn is-ddeddfwriaeth,</del></li> <li>• <u>ystyr “deddfiad” yw unrhyw un o'r canlynol neu ddarpariaeth mewn unrhyw un o'r canlynol—</u> <ul style="list-style-type: none"> <li>___(a)Deddf neu Fesur gan Senedd Cymru;</li> <li>___(b)Deddf gan Senedd y Deyrnas Unedig;</li> <li>___(c)unrhyw is-ddeddfwriaeth.</li> </ul> </li> <li>• ystyr “Mesur 2011” yw Mesur Llywodraeth Leol (Cymru) 2011 (mccc 4),</li> <li>• ystyr “prif ardal” yw sir neu fwrdeistref sirol yng Nghymru,</li> </ul>	<p>Bil ECE Atodlen1, Rhan 1, 1 (6)</p>

<ul style="list-style-type: none"> <li>• ystyr “prif gyngor” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru.</li> </ul> <p>(2) Mae Atodlen 3 (mynegai o ymadroddion wedi eu diffinio) yn cael effaith.</p>													
<p><b>76 Teitl byr</b>  Teitl byr y Ddeddf hon yw <del>Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013</del>. <u>Deddf Comisiwn Democratiaeth a Ffiniau Cymru etc. 2013</u></p>	<p>Bil SC(AE)  Rhan 3  Adran 11(3)</p>												
<p><b>ATODLEN 3 MYNEGAI O YMADRODDION WEDI EU DIFFINIO</b></p> <p>Mae'r ymadroddion a restrir yn y golofn gyntaf wedi eu diffinio yn eu trefn gan y darpariaethau hynny neu (yn ôl y digwydd) i'w dehongli yn unol â'r darpariaethau hynny yn y Ddeddf hon a restrir yn yr ail golofn mewn perthynas â'r ymadroddion hynny.</p> <p><b>TABL 2</b></p> <table border="1" data-bbox="293 1070 1070 1935"> <thead> <tr> <th data-bbox="293 1070 724 1160"><i>Ymadrodd</i></th> <th data-bbox="724 1070 1070 1160"><i>Darpariaeth perthnasol</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="293 1160 724 1267">Addasu (<i>Modify</i>)</td> <td data-bbox="724 1160 1070 1267">Adran 72(1)</td> </tr> <tr> <td data-bbox="293 1267 724 1482"><u>Adroddiad atodol ar dâl</u> (<i>Supplementary remuneration report</i>)</td> <td data-bbox="724 1267 1070 1482"><u>Adran 69F</u></td> </tr> <tr> <td data-bbox="293 1482 724 1697"><u>Adroddiad blynyddol ar dâl</u> (<i>Annual remuneration report</i>)</td> <td data-bbox="724 1482 1070 1697"><u>Adran 69E</u></td> </tr> <tr> <td data-bbox="293 1697 724 1839">Aelod cadeirio (<i>Chairing member</i>)</td> <td data-bbox="724 1697 1070 1839">Adran 4(1)(a)</td> </tr> <tr> <td data-bbox="293 1839 724 1935">Arbenigwr (<i>Expert</i>)</td> <td data-bbox="724 1839 1070 1935">Adran 10(1)</td> </tr> </tbody> </table>	<i>Ymadrodd</i>	<i>Darpariaeth perthnasol</i>	Addasu ( <i>Modify</i> )	Adran 72(1)	<u>Adroddiad atodol ar dâl</u> ( <i>Supplementary remuneration report</i> )	<u>Adran 69F</u>	<u>Adroddiad blynyddol ar dâl</u> ( <i>Annual remuneration report</i> )	<u>Adran 69E</u>	Aelod cadeirio ( <i>Chairing member</i> )	Adran 4(1)(a)	Arbenigwr ( <i>Expert</i> )	Adran 10(1)	<p>Bil ECE  Atodlen 1,  Rhan 1, 1 (7)</p> <p>Atodlen 1,  Rhan 4, 13 (6)</p> <p>Bil SC(AE)  Atodlen 2  Paragraff 2(6)</p>
<i>Ymadrodd</i>	<i>Darpariaeth perthnasol</i>												
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Aelod cadeirio ( <i>Chairing member</i> )	Adran 4(1)(a)												
Arbenigwr ( <i>Expert</i> )	Adran 10(1)												

Ardal amlaelod ( <i>Multiple member area</i> )	Adran 29(11)
Ardal llywodraeth leol ( <i>Local government area</i> )	Adran 72(1)
Ardal un aelod ( <i>Single member area</i> )	Adran 29(11)
Awdurdod gweithredu priodol ( <i>Appropriate implementing authority</i> )	Adran 36(6)
Awdurdod lleol ( <i>Local authority</i> )	Adran 72(1)
<u>Awdurdod perthnasol</u> ( <i>Relevant authority</i> )	<u>Adran 69C</u>
Comisiynydd Cynorthwyol ( <i>Assistant Commissioner</i> )	Adran 11(1)
Corff cyhoeddus ( <i>Public body</i> )	Adran 40(6)
Corff cyhoeddus cymwys ( <i>Qualifying public body</i> )	Adran 50(5)
Cyfarfod cymunedol ( <i>Community meeting</i> )	Adran 72(1)

Deddf 1972 (1972 Act)	Adran 72(1)
<u>Deddf 1983</u> (1983 Act)	<u>adran 20I</u>
Deddfiad (Enactment)	Adran 72(1)
<u>Etholiad a</u> <u>gedwir yn ôl</u> (Reserved election)	<u>adran 20I</u>
<u>Etholiadau a</u> <u>refferenda</u> <u>Cymreig</u> (Welsh elections and referendums)	<u>adran 20A(4)</u>
<u>Etholiadau</u> <u>llywodraeth leol</u> (Local government elections)	<u>adran 20I</u>
Etholwr llywodraeth leol (Local government elector)	Adran 30 <a href="#">at ddibenion</a> <a href="#">Rhan 3 ac adran</a> <a href="#">[49C(3)] at ddibenion</a> <a href="#">Rhan 3A</a>
Mesur 2011 (2011 Measure)	Adran 72(1)
Newid i drefniadau etholiadol (Electoral arrangements change)	Adran 23(4)(c)
Newid i ffin cymuned (Community boundary change)	Adran 23(4)(a)
Newid i ffin prif ardal (Principal	Adran 23(4)(e)

<i>area boundary change</i>	
Newid i gyngor cymuned ( <i>Community council change</i> )	Adran 23(4)(b)
Newid i sir wedi ei chadw ( <i>Preserved county change</i> )	Adran 23(4)(d)
<u>Pensiwn perthnasol</u> ( <i>Relevant pension</i> )	<u>Adran 69B</u>
Prif ardal ( <i>Principal area</i> )	Adran 72(1)
Prif gyngor ( <i>Principal council</i> )	Adran 72(1)
<u>Refferenda datganoledig</u> ( <i>Devolved referendums</i> )	<u>adran 20I</u>
Sir wedi ei chadw ( <i>Preserved county</i> )	Adran 27(4)
<u>Swyddog canlyniadau</u> ( <i>Returning officer</i> )	<u>adran 20I</u>
<u>Swyddog cofrestru etholiadol</u> ( <i>Electoral registration officer</i> )	<u>adran 20I</u>
<u>Taliad ailsefydlu</u> ( <i>Resettlement payment</i> )	<u>Adran 69D</u>

Trefniadau etholiadol ar gyfer cymuned ( <i>Electoral arrangements for community</i> )	Adran 31(7)
Trefniadau etholiadol ar gyfer prif ardal ( <i>Electoral arrangements for principal area</i> )	Adran 29(9)
Trefniadau gweithrediaeth ( <i>Executive arrangements</i> )	Adran 52(9)
Ward etholiadol ( <i>Electoral ward</i> )	Adran 29(11)
Y Comisiwn ( <i>The Commission</i> )	Adran 2
Ymgyngoreion gorfodol ( <i>Mandatory consultees</i> )	Adran 34(3)

### Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021

Adran	Diwygiwyd gan
<p><b>18 Cofrestru etholwyr llywodraeth leol heb gais</b></p> <p><del>(1) Mae Deddf 1983 wedi ei diwygio fel a ganlyn.</del>  <del>(2) Yn adran 9 (cofrestrau etholwyr), ar ôl is-adran (2) mewn osodder—</del></p> <p><del>“(2A) In relation to each register of local government electors for an area in Wales, the names of persons the registration officer has decided to register in accordance</del></p>	<p>Bil ECE  Rhan 1, Pennod  2, Adran 3</p>

with section 9ZA must also be contained in the register, along with the information mentioned in paragraphs (b) and (c) of subsection (2) relating to those persons.”

~~(3)Ar ôl adran 9, mewnosoder—~~

**“9ZARegistration of local government electors in Wales without application**

~~(1)This section applies to the registration of local government electors in Wales.~~

~~(2)If the registration officer is satisfied that a person not in the register of local government electors is entitled to be registered, the officer may decide to register the person without an application, subject to the provisions of this section.~~

~~(3)Before deciding to register a person, the registration officer must notify the person in writing of—~~

~~(a)the officer’s intention to register the person without an application after the end of the notice period required by subsection (5);~~

~~(b)the person’s right to request exclusion from the edited register;~~

~~(c)the person’s right to apply for anonymous registration;~~

~~(d)the type of elections in which the person will be entitled to vote following registration under this section; and~~

~~(e)the type of elections in which the person will not be entitled to vote following registration under this section, unless an application for registration is made.~~

~~(4)The notice under subsection (3) must be in a form specified in regulations made by the Welsh Ministers; and the regulations may make further provision about giving notice for the purposes of this section.~~

~~(5)The registration officer must not register the person under this section—~~

~~(a)before the end of a period of 28 days beginning with the day on which the notice is issued;~~

~~(b)at any time when there is an undetermined application by the person for an anonymous entry in the local government register under section 9B.~~

~~(6)The registration officer must keep a separate list of the persons registered under this section.~~



~~(7)The power to make regulations under this section is exercisable by statutory instrument.~~

~~(8)A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of Senedd Cymru, unless it also contains provisions subject to an affirmative procedure in Senedd Cymru.”~~

~~(4)Yn adran 9E (cadw cofrestrau: gwahoddiadau i gofrestru ym Mhrydain Fawr), ar ôl is-adran (1) mewnosoder—~~

~~“(1A)The duty in subsection (1) does not apply if the registration officer intends to register the person without an application under section 9ZA and gives notice to the person in accordance with that section.”~~

~~(5)Yn adran 10ZE (tynnu etholwyr ym Mhrydain Fawr o gofrestr)—~~

~~(a)ar ôl is-adran (2) mewnosoder—~~

~~“(2A)Where a person is entered in a register of local government electors in Wales by virtue of section 9ZA, the registration officer must also remove the person’s entry from the register if the officer determines that the person is not entitled to be registered in the register of local government electors for reasons other than those mentioned in subsection (1).”;~~

~~(b)yn is-adran (3), ar ôl “(1)”, mewnosoder “or (2A)”;~~

~~(c)ar ôl is-adran (4), mewnosoder—~~

~~“(4A)The Welsh Ministers may by regulations make provision about the procedure for making determinations under subsection (2A), which may include provision requiring an officer to take prescribed steps before making a determination.”;~~

~~(d)ar ôl is-adran (5), mewnosoder—~~

~~“(5A)In relation to a person registered under section 9ZA, a registration officer for a local government area in Wales must consider whether to make a determination under subsection (2A) if the officer—~~

~~(a)receives an objection to the person’s registration in the register, or~~

<p><del>(b) otherwise becomes aware of information that causes the officer to suspect that the person is not entitled to be registered in the register of local government electors.</del></p> <p><del>(5B) The Welsh Ministers' power to make regulations under subsection (4A) is exercisable by statutory instrument.</del></p> <p><del>(5C) A statutory instrument containing regulations under subsection (4A) is subject to annulment in pursuance of a resolution of Senedd Cymru, unless it also contains provisions subject to an affirmative procedure in Senedd Cymru."</del></p> <p><del>(6) Yn adran 13A(1) (gwneud newidiadau i gofrestrau), ar ôl paragraff (zb) mewnosoder—</del></p> <p><del>"(zc) in the case of a registration officer for a local government area in Wales, decides to register a person under section 9ZA;"</del></p> <p><del>(7) Yn adran 13AB(1) (gwneud newidiadau i gofrestrau: dyddiadau cyhoeddi interim), ym mharagraff (a), ar ôl "(zb)," mewnosoder "(zc),".</del></p> <p><del>(8) Yn adran 13B(2) (gwneud newidiadau i gofrestrau: etholiadau sydd yn yr arfaeth), ym mharagraff (a), ar ôl "(zb)," mewnosoder "(zc),".</del></p> <p><del>(9) Yn adran 56(1) (apelau cofrestru: Cymru a Lloegr), ar ôl paragraff (aa) mewnosoder—</del></p> <p><del>"(azaa) from any decision of a registration officer for a local government area in Wales to register a person under section 9ZA;"</del></p>	
<p><b>138 Adolygiadau o drefniadau etholiadol</b></p> <p>(1) Caiff Gweinidogion Cymru gyfarwyddo Comisiwn Ffiniau a Democratiaeth Leol Cymru i gynnal adolygiad cychwynnol o'r trefniadau etholiadol ar ôl i Weinidogion Cymru—</p> <p>(a) cael cais i uno, neu</p> <p>(b) rhoi hysbysiad fel a ddisgrifir yn adran 129(6).</p> <p>(2) Cyn rhoi cyfarwyddyd o dan is-adran (1) rhaid i Weinidogion Cymru ymgynghori ag—</p> <p>(a) Comisiwn Ffiniau a Democratiaeth Leol Cymru, a</p>	<p>Bil ECE Rhan 2, Pennod 1, adran 41</p>

<p>(b) unrhyw bersonau sy'n cynrychioli prif gynghorau y mae Gweinidogion Cymru yn ystyried ei bod yn briodol ymgynghori â hwy.</p> <p>(3) Mewn perthynas â chyfarwyddyd o dan is-adran (1) i gynnal adolygiad cychwynnol mewn perthynas â chynnig i drosglwyddo rhan o brif ardal sydd i'w diddymu i brif ardal arall, neu mewn perthynas â rheoliadau ailstrwythuro sy'n darparu ar gyfer trosglwyddiad o'r fath—</p> <p>(a) rhaid iddo bennu'r ardal (a gaiff fod yn brif ardal gyfan neu'n rhan ohoni) sydd i fod yn destun yr adolygiad cychwynnol, a</p> <p>(b) caiff bennu nad yw un neu ragor o'r materion o fath a ddisgrifir yn is-baragraff (i) neu (ii) yn faterion i'w hystyried yn yr adolygiad cychwynnol; a'r materion hynny yw—</p> <p>(i) y materion a nodir yn y diffiniad o "trefniadau etholiadol" ym mharagraff 3(1) o Atodlen 1;</p> <p>(ii) y materion a nodir yn y diffiniad o "newidiadau canlyniadol perthnasol" yn y paragraff hwnnw.</p> <p>(4) Rhaid i gyfarwyddyd o dan is-adran (1) bennu'r system bleidleisio y mae'r trefniadau etholiadol i'w hadolygu mewn perthynas â hi.</p> <p>(5) Mae Atodlen 1 yn gwneud darpariaeth mewn perthynas ag adolygiadau cychwynnol a gynhelir yn rhinwedd yr adran hon.</p> <p><del>(6) Caiff Gweinidogion Cymru ddiwygio is-adran (3) o adran 29 o Ddeddf 2013 (adolygiadau cyfnodol o drefniadau etholiadol ar gyfer prif ardaloedd) drwy reoliadau.</del></p>	
<p><b>ATODLEN 1</b>  <b>ADOLYGIADAU CYCHWYNNOL O DREFNIADAU ETHOLIADOL ETC.</b></p> <p><i><del>Dirprwyo swyddogaethau gan y Comisiwn o dan yr Atodlen hon</del></i></p> <p><del>13 Yn adran 13(1) o Ddeddf 2013—</del></p> <p><del>(a) ar ôl "Ran 3" mewnosoder "o'r Ddeddf hon";</del></p> <p><del>(b) ar ôl "neu ymchwiliadau lleol" mewnosoder ", neu Atodlen 1 i Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (swyddogaethau sy'n ymwneud ag adolygiadau cychwynnol),"</del></p> <p>...</p>	<p>Bil SC(AE)  Atodlen 2  Paragraff 2(7)</p>