

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 9 Ebrill 2018
Tabled on 9 April 2018

Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) Public Health (Minimum Price for Alcohol) (Wales) Bill

Angela Burns

1

Section 1, page 1, line 9, leave out 'whatever price is specified in regulations as being the minimum unit price for the purposes of this Act, expressed in pounds sterling' and insert '£0.50, the minimum unit price for the purposes of this Act'.

Adran 1, tudalen 1, llinell 9, hepgorer 'pa bris bynnag a bennir mewn rheoliadau fel yr isafbris uned at ddibenion y Ddeddf hon, a fynegir mewn punnoedd sterling' a mewnosoder '£0.50, yr isafbris uned at ddibenion y Ddeddf hon'.

Angela Burns

2

Section 1, page 1, after line 12, insert—

'() Regulations may make provision to change the minimum unit price, expressed in pounds sterling.'

Adran 1, tudalen 1, ar ôl llinell 12, mewnosoder—

'() Caiff rheoliadau wneud darpariaeth i newid yr isafbris uned, a fynegir mewn punnoedd sterling.'

Angela Burns

3

Section 1, page 1, line 19, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 1, tudalen 1, llinell 19, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.



Angela Burns

4

Page 1, after line 20, insert a new section –

[] Procedure for regulations under section 1

- (1) Before making regulations under section 1, the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult –
 - (a) such persons as appear to them likely to be affected by the regulations,
 - (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations,
 - (c) the relevant committee of the National Assembly for Wales with remit for the physical and mental health and well-being of the people of Wales, and
 - (d) such other persons as they consider appropriate,on the proposed draft regulations.
- (3) The Welsh Ministers must –
 - (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
 - (b) consider any comments submitted within that period, and
 - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) –
 - (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
 - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 26(2) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.’.

Tudalen 1, ar ôl llinell 20, mewnosoder adran newydd –

[] Y weithdrefn ar gyfer rheoliadau o dan adran 1

- (1) Cyn gwneud rheoliadau o dan adran 1, rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori ar y rheoliadau drafft arfaethedig â'r canlynol –
 - (a) unrhyw bersonau y mae'n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt,



- (b) unrhyw sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae'r rheoliadau yn debygol o effeithio arnynt,
 - (c) y pwyllgor perthnasol yng Nghynulliad Cenedlaethol Cymru y mae ei gylch gorchwyl yn cynnwys iechyd corfforol a meddyliol a llesiant pobl Cymru, a
 - (d) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
- (a) rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
 - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
 - (c) cyhoeddi crynodeb o'r sylwadau hynny.
- (4) Rhaid i Weinidogion cymru osod drafft o'r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) –
- (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a'r rheoliadau drafft a osodir o dan is-adran (4), a
 - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 26(2) tan ar ôl i'r cyfnod o 60 o ddiwrnodau, yn dechrau â'r diwrnod y gosodir y rheoliadau drafft, ddod i ben.'.

Angela Burns

5

Section 5, page 3, line 27, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 5, tudalen 3, llinell 31, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.

Angela Burns

6

Section 6, page 4, line 4, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 6, tudalen 4, llinell 4, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.

Angela Burns

7

Section 6, page 4, line 17, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 6, tudalen 4, llinell 17, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.



Angela Burns

8

Page 9, after line 32, insert a new section –

‘Guidance

[] Guidance

- (1) The Welsh Ministers must publish guidance for alcohol retailers about how to comply with this Act.
- (2) The Welsh Ministers may revise guidance published under subsection (1) and must publish the revised guidance.’

Tudalen 9, ar ôl llinell 35, mewnosoder adran newydd –

‘Canllawiau

[] Canllawiau

- (1) Rhaid i Weinidogion Cymru gyhoeddi canllawiau ar gyfer manwerthwyr alcohol ynghylch sut i gydymffurfio â’r Ddeddf hon.
- (2) Caiff Gweinidogion Cymru ddiwygio canllawiau a gyhoeddir o dan is-adran (1) a rhaid iddynt gyhoeddi’r canllawiau diwygiedig.’

Angela Burns

9

Section 21, page 9, line 35, leave out ‘, as soon as practicable after the end of the 5 year period, lay before the National Assembly for Wales a report on the operation and effect of this Act during that period’ and insert –

‘lay before the National Assembly for Wales a report on the operation and effect of this Act.

- () The first report under this section must be laid in accordance with subsection (1) at the end of the 2 year period after section 2 comes into force.
- () Subsequent reports must be laid before the National Assembly for Wales on an annual basis.
- () A report must provide an evaluation by the Welsh Ministers of the operation and effect of the minimum unit pricing provisions in relation to:
 - (a) persons whose consumption of alcohol is considered to be hazardous and harmful,
 - (b) specific age groups of persons which are considered by the Welsh Ministers to be at higher risk of harm from alcohol,
 - (c) the impact on alcohol consumption by income group, with reference to the Welsh Index of Multiple Deprivation quintiles,
 - (d) reported incidents of domestic abuse, as defined by section 24 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw 3),



- (e) alcohol related hospital admissions, including attendances at hospital and accident emergency departments of persons that are associated with the consumption of alcohol,
- (f) the impact on alcohol support services,
- (g) the impact on alcohol retailers,
- (h) the impact on the cross-border trade of alcohol and internet sales of alcohol,
- (i) the switching from consumption of alcoholic drinks by persons to other forms of legal or illegal substances, and
- (j) such other characteristics or other matters as the Welsh Ministers consider appropriate.

() A report must contain any information on which an evaluation is based'.

Adran 21, tudalen 9, llinell 38, hepgorer ', cyn gynted ag y bo'n ymarferol ar ôl diwedd y cyfnod 5 mlynedd, osod gerbron Cynulliad Cenedlaethol Cymru adroddiad ar weithrediad ac effaith y Ddeddf hon yn ystod y cyfnod hwnnw' a mewnosoder –

'osod gerbron Cynulliad Cenedlaethol Cymru adroddiad ar weithrediad ac effaith y Ddeddf hon.

- () Rhaid gosod yr adroddiad cyntaf o dan yr adran hon yn unol ag is-adran (1) ar ddiwedd y cyfnod o 2 flynedd ar ôl i adran 2 ddod i rym.
- () Rhaid gosod adroddiadau dilynol gerbron Cynulliad Cenedlaethol Cymru yn flynyddol.
- () Rhaid i adroddiad ddarparu gwerthusiad gan Weinidogion Cymru o weithrediad ac effaith darpariaethau'r isafbris uned mewn perthynas ag:
 - (a) personau yr ystyrir bod eu lefelau yfed alcohol yn beryglus ac yn niweidiol,
 - (b) grwpiau oedran penodol o bersonau y mae Gweinidogion Cymru yn ystyried eu bod yn wynebu risg uwch o niwed o alcohol,
 - (c) yr effaith ar lefelau yfed alcohol yn ôl grŵp incwm, gan gyfeirio at gwintelau Mynegai Amddifadedd Lluosog Cymru,
 - (d) achosion o gam-drin domestig y rhoddir gwybod amdanynt, fel y'i diffinnir gan adran 24 o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 (dccc 3),
 - (e) derbyniadau i'r ysbyty sy'n gysylltiedig ag alcohol, gan gynnwys derbyn personau i'r ysbyty neu i adrannau damweiniau ac achosion brys, a hynny'n gysylltiedig ag yfed alcohol,
 - (f) yr effaith ar wasanaethau cymorth alcohol,
 - (g) yr effaith ar fanwerthwyr alcohol,
 - (h) yr effaith ar fasnachu trawsffiniol o ran alcohol a gwerthu alcohol dros y we,
 - (i) y newid o yfed diodydd alcoholaid gan bersonau i ddefnyddio mathau eraill o sylweddau cyfreithlon neu anghyfreithlon,
 - (j) unrhyw nodweddion neu faterion eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.



- () Rhaid i adroddiad gynnwys unrhyw wybodaeth y mae'r gwerthusiad yn seiliedig arni'.

Angela Burns

10

Section 21, page 10, line 2, after 'appropriate', insert –

'having functions in relation to public health,

- (b) such persons as appear to them to be representative of the interests of alcohol retailers, producers of alcohol, and
- (c) such other persons as they consider appropriate'.

Adran 21, tudalen 10, llinell 2, ar ôl 'briodol', mewnosoder –

'sydd â swyddogaethau mewn perthynas ag iechyd y cyhoedd,

- (b) unrhyw bersonau yr ymddengys iddynt hwy eu bod yn cynrychioli buddiannau manwerthwyr alcohol, cynhyrchwyr alcohol, a
- (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol'.

Angela Burns

11

Section 21, page 10, line 5, leave out '(1), "the 5 year period" has the meaning given in section 22(4)' and insert '(the first subsection to be inserted by Amendment 9), "the two year period" means the period of 2 years beginning with the day on which section 2 comes into force'.

Adran 21, tudalen 10, llinell 5, hepgorer '(1), mae i "y cyfnod 5 mlynedd" yr ystyr a roddir yn adran 22(4)' a mewnosoder '(yr is-adran gyntaf sy'n cael ei mewnosod gan Welliant 9), ystyr "y cyfnod o 2 flynedd" yw'r cyfnod o 2 flynedd yn dechrau â'r diwrnod y daw adran 2 i rym'.

Angela Burns

12

Section 22, page 10, after line 11, insert –

- () The Welsh Ministers, when making regulations under subsection (2), must have regard to the latest report laid before the National Assembly for Wales in accordance with section 21.'

Adran 22, tudalen 10, ar ôl llinell 10, mewnosoder –

- () Rhaid i Weinidogion Cymru, wrth wneud rheoliadau o dan is-adran (2), roi sylw i'r adroddiad diweddaraf a osodir gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 21.'

Angela Burns

13

Section 26, page 12, after line 9, insert –

- (e) see section [new section to be inserted by Amendment 4] for further requirements in relation to the making of regulations under section 1.'



Adran 26, tudalen 12, ar ôl llinell 9, mewnosoder –

- (e) gweler adran [*adran newydd i'w mewnosod gan Welliant 4*] am ofynion pellach mewn perthynas â gwneud rheoliadau o dan adran 1.’

Angela Burns

14

Section 27, page 13, after line 11, insert –

“harmful drinkers” (“*yfwyr niweidiol*”) means women who drink more than 35 units per week or men who drink more than 50 units per week;

“hazardous drinkers” (“*yfwyr peryglyus*”) means those exceeding the current guidelines, but who drink no more than 35 units per week in the case of women or 50 units per week for men;’.

Adran 27, tudalen 13, ar ôl llinell 39, mewnosoder –

’ystyr “*yfwyr niweidiol*” (“*harmful drinkers*”) yw menywod sy’n yfed mwy na 35 uned yr wythnos neu ddynion sy’n yfed mwy na 50 uned yr wythnos;

ystyr “*yfwyr peryglus*” (“*hazardous drinkers*”) yw pobl sy’n yfed mwy na’r hyn a argymhellir yn y canllawiau presennol ond sy’n yfed llai na 35 uned yr wythnos yn achos menywod neu 50 uned yr wythnos i ddynion.’

