



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol
Cynulliad Cenedlaethol Cymru

2 Ebrill 2019

Ein cyf: EJ/HG

Annwyl Mick

Bil Senedd ac Etholiadau (Cymru)

Yn ystod ein sesiwn dystiolaeth ar y Bil uchod ar 11 Mawrth, addewais roi rhagor o wybodaeth i'r Pwyllgor ynghylch rhai o'r materion a drafodwyd yn ystod y sesiwn. Rwyf wedi tynnu sylw at adrannau perthnasol o Femorandwm Esboniadol y Bil a allai fod o ddiddordeb i'r Pwyllgor wrth iddo ystyried y materion hyn (atodiad 1). Gobeithiaf y bydd hyn o gymorth i'r Pwyllgor wrth iddo lywio ei waith craffu ar y Bil.

Addewais hefyd ddarparu copiâu o ohebiaeth â Gweinidogion Cymru mewn perthynas â'r Bil. Mae'r ohebiaeth honno wedi'i hamgáu (atodiad 2).

Rhowch wybod i mi am unrhyw wybodaeth bellach y mae'r Pwyllgor yn dymuno ei chael am y Bil.

Edrychaf ymlaen at drafod y Bil eto gyda'r Pwyllgor maes o law.

Yn gywir

Elin Jones AC

Llywydd

Croesewir gohebiaeth yn Gymraeg neu'n Saesneg.

We welcome correspondence in Welsh or English

Cynulliad Cenedlaethol Cymru

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assembly.wales

www.assembly.wales

0300 200 7403

Atodiad 1 - Rhagor o wybodaeth

Enw Cynulliad Cenedlaethol Cymru

Yn ystod ein trafodaeth ar newid enw'r Cynulliad, gofynnodd y Pwyllgor a fyddai newid yr enw i 'Senedd', sef enw uniaith, yn "creu problem ynglŷn â'r ddyletswydd sydd ar y Cynulliad i drin y ddwy iaith yn gyfartal?"

Eir i'r afael â'r cwestiwn hwn yn adrannau 906-909 o'r Memorandwm Esboniadol i'r Bil, a ailadroddir isod er hwylustod:

906. Yn unol â gofynion *Deddf Cynulliad Cenedlaethol Cymru (leithoedd Swyddogol) 2012* mae'r Comisiwn yn gweithredu Cynllun leithoedd Swyddogol. Cytunodd y Comisiwn ar y cynllun presennol ddechrau'r Pumed Cynulliad ym mis Gorffennaf 2017.¹ Mae'r cynllun yn nodi sut y bydd Comisiwn y Cynulliad yn darparu gwasanaethau yn Gymraeg ac yn Saesneg i adlewyrchu statws cyfartal ieithoedd swyddogol y Cynulliad. Mae Adran 13.2 o'r cynllun yn nodi'r canlynol:

"Mae ein hunaniaeth gorfforaethol yn un ddwyieithog. Fodd bynnag, adnabyddir rhai termau gan un enw yn y ddwy iaith swyddogol, gan gynnwys y rhai a ganlyn:

- Llywydd
- Senedd, Neuadd, Cwrt, Oriel, Siambr;
- Tŷ Hywel; Siambr Hywel; a
- Pierhead."

907. Byddai mabwysiadu'r enw "Senedd" yn darparu un enw newydd ar gyfer y Cynulliad i'w ddefnyddio yn nwy iaith swyddogol y Cynulliad yn yr un modd â'r enwau uchod.

¹ Comisiwn Cynulliad Cenedlaethol Cymru, **y Cynllun leithoedd Swyddogol ar gyfer y Pumed Cynulliad**, Gorffennaf 2017

908. Caiff y dull hwn ei ddefnyddio mewn deunydd brandio sy'n gysylltiedig â'r newid enw ac ar wybodaeth gyhoeddus megis arwyddion, gan ddangos bod y term "Senedd" yn adlewyrchu rôl y sefydliad fel Senedd Cymru.

909. Gellir dadlau nad yw mabwysiadu term Cymraeg (h.y. Senedd) fel enw newydd i'r Cynulliad yn adlewyrchu statws cyfartal ieithoedd swyddogol y Cynulliad. Fodd bynnag, nid yw'r gofyniad i adlewyrchu statws cyfartal y ddwy iaith yn ei gwneud yn ofynnol i'r ddwy iaith gael eu trin yn union yr un ffordd, fel y dangosir gan y rhestr o enwau uchod sy'n ymwneud â'r Cynulliad. Ystyrir y bydd mabwysiadu term Cymraeg fel enw newydd y Cynulliad, i'w ddefnyddio yn nwy iaith swyddogol y Cynulliad, yn helpu i sicrhau statws mwy cyfartal ar gyfer y ddwy iaith dros amser, o ran y defnydd ohonynt a'u proffil. Mae'r Bil hefyd yn darparu y bydd y Senedd hefyd yn cael ei galw'n Welsh Parliament, sy'n lliniaru effeithiau'r ddadl hon ymhellach.

Etholiadau

Gofynnodd y Pwyllgor pam na allai rhywun sefyll etholiad yn 16 oed os yw'n gallu pleidleisio yn 16 oed. Yn ogystal â'r rhesymeg a ddarparwyd yn ystod y sesiwn dystiolaeth, tynnaf sylw'r Pwyllgor at y rhan berthnasol o'r Memorandwm Esboniadol lle rhoddir ystyriaeth i ostwng oedran isaf yr ymgeiswyr a'r eglurhad dros beidio â mynd i'r afael â hyn yn y Bil (paragraffau 996 - 1000 o'r Memorandwm Esboniadol):

996. Ni fydd newidiadau i'r gyfraith ar anghymhwyso person rhag bod yn Aelod Cynulliad yn effeithio'n uniongyrchol ar blant a phobl ifanc. Yn lle hynny, bydd angen i ddarpar Aelodau'r Cynulliad, fel ar hyn o bryd, fod yn 18 oed ar y diwrnod y cânt eu henwebu er mwyn sefyll etholiad.

997. Felly, yn ddamcaniaethol, gellir cyflwyno dadl bod hyn yn gwahaniaethu yn erbyn plant a phobl ifanc ar sail oedran, ac y dylid gostwng yr oedran ymgeisyddiaeth. Yn wir, yn yr Alban, mae Alex Cole-Hamilton ASA, Aelod o'r Democratiaid Rhyddfrydol, wedi cyflwyno cynnig, a gafodd gefnogaeth drawsbleidiol, yn galw

i'r oedran isaf i ymgeiswyr sy'n sefyll yn etholiadau seneddol yr Alban gael ei ostwng i 16.²

998. Fodd bynnag, ni chodwyd y mater hwn fel pryder yn ymgynghoriad Comisiwn y Cynulliad, ac mae ymchwil wedi nodi nad oes gan yr un wlad yn y byd oedran ymgeisyddiaeth sy'n is na 18 ar hyn o bryd. Byddai angen ystyried hefyd sut y byddai cynnig o'r fath yn rhyngweithio â chyfreithiau amddiffyn plant (er enghraifft, terfynau ar oriau gwaith).
999. Mae'n bosibl hefyd nodi bod yr holl bobl 11 i 17 oed sy'n byw ³neu'n cael addysg yng Nghymru yn gymwys i sefyll fel ymgeisydd mewn etholiadau etholaethol i Senedd Ieuenctid Cymru. Mae cyfleoedd hefyd i sefyll fel ymgeisydd mewn cynghorau ysgol ac ieuenctid.
1000. O ganlyniad, nid ystyrir bod y penderfyniad i beidio â gostwng oedran ymgeisyddiaeth etholiadau i'r Cynulliad yn torri hawl plant i fod yn rhydd rhag gwahaniaethu.

² Senedd yr Alban, Cynnig S5M-11890: Alex Cole-Hamilton, Gorllewin Caeredin, Democratiaid Rhyddfrydol yr Alban, Dyddiad Rhoi: 26/04/2018

³ Yn unol â diffiniad preswlydd yn barhaol neu fel arfer yng Nghymru.

Atodiad 2 - gohebiaeth ar y Bil gyda Gweinidogion Cymru a'r DU

Darperir copïau o'r llythyrau canlynol isod:

- A. Llythyr at y Llywydd gan Brif Weinidog Llywodraeth Cymru ynghylch ei ymateb i ymgynghoriad Comisiwn y Cynulliad ar newid enw'r Cynulliad - 16 Chwefror 2017
- B. Llythyr gan y Llywydd at Ysgrifennydd Cabinet Llywodraeth Cymru dros Lywodraeth Leol a Gwasanaethau Cyhoeddus ynghylch diwygio'r Cynulliad a diwygio etholiadol llywodraeth leol: cydweithio a rhannu gwybodaeth - 2 Chwefror 2018
- C. Llythyr at y Llywydd gan Ysgrifennydd Cabinet Llywodraeth Cymru dros Lywodraeth Leol a Gwasanaethau Cyhoeddus ynghylch cydweithio a rhannu gwybodaeth - 21 Chwefror 2018
- D. Llythyr gan y Llywydd at Ysgrifennydd Cabinet Llywodraeth Cymru dros Lywodraeth Leol a Gwasanaethau Cyhoeddus ynghylch trefniadau ariannu ac atebolrwydd y Comisiwn Etholiadol - 20 Mawrth 2018
- E. Llythyr at y Llywydd gan Brif Weinidog Llywodraeth Cymru ynglŷn â'r trefniadau cydweithio rhwng Comisiwn y Cynulliad a Llywodraeth Cymru - 30 Awst 2018 (mae'r atodiad i'r llythyr hwn ar gael yn Saesneg yn unig)
- F. Llythyr at y Llywydd gan Ysgrifennydd Cabinet Llywodraeth Cymru dros Lywodraeth Leol a Gwasanaethau Cyhoeddus ynghylch trefniadau ariannu ac atebolrwydd y Comisiwn Etholiadol - 20 Medi 2018 (derbyniwyd y llythyr hwn yn Saesneg yn unig)
- G. Llythyr gan y Llywydd at Ysgrifennydd Cabinet Llywodraeth Cymru dros Lywodraeth Leol a Gwasanaethau Cyhoeddus ynglŷn â gostwng yr oedran pleidleisio i 16 oed: goblygiadau i'r cwricwlwm addysg - 12 Hydref 2018
- H. Llythyr gan y Llywydd at Ysgrifennydd Cabinet Llywodraeth Cymru dros Addysg ynglŷn â gostwng yr oedran pleidleisio i 16 oed: y goblygiadau i'r cwricwlwm addysg - 12 Hydref 2018
- I. Llythyr at y Llywydd gan Brif Weinidog Llywodraeth Cymru ynghylch newid enw'r Cynulliad - 10 Rhagfyr 2018
- J. Llythyr ar y cyd at y Llywydd gan Weinidog Addysg a Gweinidog Tai a Llywodraeth Leol Llywodraeth Cymru ynglŷn â'r gwaith paratoi i newid yr etholfraint ar gyfer etholiadau'r Cynulliad ac etholiadau llywodraeth leol - 30 Ionawr 2019 (derbyniwyd y llythyr hwn yn Saesneg yn unig)

A.

Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Elin Jones AC
Y Llywydd
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Llywydd@cynulliad.cymru

16 Chwefror 2017

Annwyl Elin

Ysgrifennaf mewn ymateb i ymgynghoriad Comisiwn y Cynulliad sy'n ystyried a ddylid newid enw'r Cynulliad Cenedlaethol.

Ers dechrau datganoli, rydym wedi gweld y Cynulliad yn newid yn raddol a datblygu o fod yn sefydliad â phwerau cyfyngedig yn gorff seneddol aeddfed â phwerau deddfu llawn a chyfrifoldebau newydd dros godi trethi. Mae Deddf Cymru 2017 yn caniatáu inni ailenwi'r sefydliad i adlewyrchu ei statws fel senedd genedlaethol, ar yr un lefel â deddfwrfeydd eraill yn y DU. Dylem ddefnyddio'r pŵer newydd hwn yn fy marn i. Rwy'n meddwl mai'r dewis gorau ar gyfer yr enw newydd yw Senedd Cymru/Welsh Parliament, a byddai'r Aelodau yn cael eu hadnabod fel Aelod o Senedd Cymru (ASC)/Member of the Welsh Parliament (MWP). Byddai hyn yn rhoi cysondeb cyfansoddiadol ac yn gwella dealltwriaeth y cyhoedd o rôl y sefydliad.

Fel y dywedais yn ein cyfarfod yn ddiweddar, trwy Fil annibynnol y dylid mynd ati i ailenwi'r Cynulliad yn fy marn i. Nid yw'n fater y dylid ymdrin ag ef ar yr un pryd ag unrhyw ddiwygiadau deddfwriaethol i drefniadau etholiadau'r Cynulliad.

Yn gywir

CARWYN JONES


Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Cenolfaen Cyswilt Cymraeg / First Point of Contact Centre:
0300 0604400
YP.PrifWeinidog@llyw.cymru • ps.firstminister@gov.wales

Rydym yn croesawu derbyn goheblaeth yn Gymraeg. Byddwn yn ateb goheblaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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B.

 **Elin Jones AC, Llywydd**
Cynulliad Cenedlaethol Cymru
Elin Jones AM, Presiding Officer
National Assembly for Wales

Alun Davies AC
Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus
Cynulliad Cenedlaethol Cymru
Tŷ Hywel
CF99 1NA

Ein cyf: EJ/HG

02 Chwefror 2018

Annwyl Alun,

Diwygio'r Cynulliad a diwygio etholiadol llywodraeth leol: cydweithio a rhannu gwybodaeth

Fel y cytunwyd yn ystod ein trafodaeth ar 17 Ionawr 2018, rwy'n ysgrifennu atoch i gynnig dull o rannu gwybodaeth a chydweithio mewn perthynas â rhaglen Comisiwn y Cynulliad o ddiwygio'r Cynulliad, a gwaith Llywodraeth Cymru o ddiwygio etholiadol llywodraeth leol. Rwy'n ddiolchgar ichi am eich parodrwydd i weithio ar y cyd yn hyn o beth, er mwyn sicrhau bod ein cynigion diwygio perthnasol yn cael eu datblygu i ffurfio fframwaith cydlynol, ymarferol ac effeithiol ar gyfer etholiadau yng Nghymru.

I gyflawni hyn, cytunwyd y dylai ein swyddogion barhau i weithio ar y cyd i wneud defnydd da o arbenigedd ac adnodd cyhoeddus, rhannu gwybodaeth a dogfennaeth berthnasol trwy gydol y broses o ddatblygu ein cynigion deddfwriaethol perthnasol. Bydd hyn yn arbennig o bwysig o ystyried yr ansicrwydd ar hyn o bryd ynghylch y drefn y cyflwynir y Biliau a'r drefn y byddant yn cael Cydsyniad Brenhinol.

Byddwn yn parhau i gynnal deialog agored drwy gyfarfodydd rheolaidd â'ch swyddogion a chydabod, hyd yn oed os oes unrhyw wahaniaeth o ran

Cynulliad Cenedlaethol Cymru
Bae Caerdydd, Caerdydd, CF99 1NA
Llywydd@cynulliad.cymru
www.cynulliad.cymru
0300 200 7403

National Assembly for Wales
Cardiff Bay, Cardiff, CF99 1NA
Llywydd@assembly.wales
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0300 200 7403



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penderfyniadau polisi, bod angen i'r fframwaith cyffredinol fod yn gydgysylltiedig ac ystyrlon.

Bydd rhannu gwybodaeth yn rhagweithiol a thryloyw yn helpu i osgoi dyblygu gwaith, yn enwedig o ran y rhanddeiliaid y bydd y cynigion yn y ddau ddarn o ddeddfwriaeth yn effeithio arnynt. Gallai gwybodaeth neu ddogfennau o'r fath gynnwys, er enghraifft:

- Polisi neu gyfarwyddiadau drafftio yn ymwneud â meysydd polisi perthnasol;
- Gwybodaeth yn ymwneud ag asesiadau effaith yr opsiynau polisi a ystyrir, fel y costau posibl, arbedion a buddion cynigion polisi, neu wybodaeth am gwblhau asesiadau effaith, neu wybodaeth i lywio'r gwaith o'u cwblhau, er enghraifft asesiadau effaith cydraddoldeb, iaith a chyfiawnder;
- Dogfennau eraill yn ymwneud â Biliau a pholisi cyn eu cyhoeddi, er enghraifft dogfennau ymgynghori, adroddiadau ymgynghori, datganiadau llafar neu ysgrifenedig, Memoranda Esboniadol neu Filiau.

Cytunwyd yn ein cyfarfod y byddai'n ddefnyddiol nodi'n eglur ar ba sail y caiff gwybodaeth ei rhannu. Yn hynny o beth, hoffwn awgrymu'r canlynol:

Gwybodaeth a rennir gan Lywodraeth Cymru:

- Caiff gwybodaeth a dogfennau a rennir gan Lywodraeth Cymru â Chomisiwn y Cynulliad ei chyfyngu i'w defnyddio gan swyddogion Comisiwn y Cynulliad sy'n gweithio'n uniongyrchol ar raglen ddiwygio'r Cynulliad. Gellir eu defnyddio rhannu gyda'r Llywydd, yn ei swydd fel yr Aelod sy'n gyfrifol am waith Diwygio'r Cynulliad, neu gyda Daniel Greenberg, sydd wedi'i gadw gan Gomisiwn y Cynulliad i wneud gwaith drafftio cyfreithiol arbenigol.
- Caiff gwybodaeth a dogfennau o'r fath eu defnyddio gan swyddogion i lywio'r gwaith o lunio cynigion deddfwriaethol a dogfennau ategol Comisiwn y Cynulliad. Er enghraifft, gellir cynnwys gwybodaeth a ddarperir mewn dogfennau a gaiff eu cynhyrchu gan swyddogion Comisiwn y Cynulliad at ddibenion cynghori'r Aelod Cyfrifol. Os defnyddir y fath wybodaeth o fewn dogfennau y gellir eu cyhoeddi, caiff ei chyfeirio, lle y mae'n bosibl, at ei ffynhonnell wreiddiol, yn hytrach na Llywodraeth Cymru.

Cynulliad Cenedlaethol Cymru

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assemblywales

www.assemblywales

0300 200 7403

- Ni chaiff unrhyw wybodaeth na dogfennau a rennir gyda ni eu defnyddio at unrhyw ddiben heblaw llunio a chyflwyno rhaglen ddiwygio'r Cynulliad.

Gwybodaeth a rennir gan Gomisiwn y Cynulliad:

- Disgwylwn i'r dogfennau neu'r wybodaeth a rennir gan Gomisiwn y Cynulliad â Llywodraeth Cymru gael eu gweld gan dîm y Bil a chyfreithwyr eraill sy'n gweithio ar ddiwygio etholiadau llywodraeth leol yn unig, at ddibenion llywio datblygiad y gwaith hwnnw yn unig, ac heb eu gwneud yn gyhoeddus mewn unrhyw ffordd neu eu datgelu i randdeiliaid allanol.

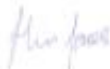
Gwybodaeth a rennir gan y naill barti neu'r llall:

- Caiff unrhyw ddogfennau neu wybodaeth eu rhannu rhwng Llywodraeth Cymru a Chomisiwn y Cynulliad yn unol â deddfwriaeth diogelu data. Er enghraifft, caiff data personol a gwybodaeth a fydd yn datgelu unigolion eu hailolygu, oni bai bod perchnogion y wybodaeth wedi rhoi eu caniatâd i'w rhannu.

Rwy'n gobeithio bod y dull o gydweithio, cydweithredu a rhannu gwybodaeth a nodir uchod yn dderbyniol i chi. Edrychaf ymlaen at glywed gennych.

Os hoffech gyfeirio at ein hymrwymiad i weithio ar y cyd yn eich datganiad arfaethedig ar Ddiwygio Llywodraeth Leol, credaf y byddai hynny'n arwydd cadarnhaol i Aelodau a rhanddeiliaid ein bod yn datblygu cynigion i lunio fframwaith cydgysylltiedig ystyrion sy'n gweithio i bleidleiswyr Cymru.

Yn gywir,



Elin Jones AC
Llywydd

Croesewir gohebiaeth yn Gymraeg neu yn Saesneg / We welcome correspondence in Welsh or English.

C.

Alun Davies AC/AM
Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public
Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref ARD/00114/18

Elin Jones AC/AM
Aelod Cynulliad dros Geredigion
Llywydd
Cynulliad Cenedlaethol Cymru
Ty Hywel
Bae Caerdydd
CF99 1NA

Y Swyddfa Breifat

22 FEB 2018
PO 385
Private Office

Llywydd@cynulliad.cymru

21st Chwefror 2018

Amyg Elin,

Diolch am eich llythyr ar 2 Chwefror ynglŷn â chydweithio a rhannu gwybodaeth mewn perthynas â'n diwygiadau perthnasol i'r Cynulliad a rhagienni diwygio etholiadol lleol. Rwy'n rhannu eich barn bod llawer i'w gael o weithio ar y cyd er mwyn cadw gwybodaeth at ei gilydd am ddatblygiadau ac i osgoi dyblygu diangen.

Rwyf yn hapus i'm swyddogion barhau i gydgyssylltu'n agos â chi yn ystod y cyfnod hwn pan fydd y ddau ohonom yn ceisio mireinio cynigion ar gyfer cynhwysiad posibl o fewn y Mesurau i'w cyflwyno i'r Cynulliad yn y dyfodol agos. Dylai'r cyfarfodydd ar y cyd sydd wedi bod ar y gweill am amser yn parhau. Yng ngoleuni'r materion cyffredin sy'n codi yn ein rhaglenni diwygio priodol a'r amserienni cau, rwyf hefyd yn barod i gytuno i'r egwyddor gyffredinol o rannu cyfarwyddiadau polisi a chyfreithiol perthnasol, asesiadau effaith drafft a gwybodaeth arall fel yr awgrymwch, yn amodol ar ystyried unrhyw faterion penodol a godwyd gan wasanaethau cyfreithiol am y wybodaeth. Datgelir gwybodaeth yn gyfrinachol ar gyfer rhannu rhwng swyddogion, cynghorwyr cyfreithiol a drafftwy'r deddfwriaethol yn unig, yn ogystal â ni ein hunain. Yng ngoleuni'r buddion canfyddedig, byddwn yn ddiolchgar pe gallai eich swyddogion hefyd rannu eu gwybodaeth berthnasol gyda'n swyddogion, ar delerau tebyg.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Alun.Davies@llyw.cymru
Correspondence.Alun.Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a oderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Fel y gwyddoch, mae anhawster posibl yn cael ei gyflwyno gan y cysylltiad rhwng rhyddfraint y Cynulliad a chofrestr etholwyr llywodraeth leol. Gan y byddai angen cymeradwyaeth gan fwyafrif o ddwy ran o dair o Aelodau'r Cynulliad yn gofyn am unrhyw newid i rhyddfraint y Cynulliad, mae'n hanfodol bod amseriad a geiriad y ddau fesur arfaethedig yn cael eu cydlynu i sicrhau y dylai'r mwyafrif o'r fath ond fod yn berthnasol i Fesur Diwygio'r Cynulliad.

Rwy'n credu y byddai'n fuddiol inni gynnal cyfarfodydd pellach yn ystod y misoedd i ddod er mwyn sicrhau ein bod yn cael gwybodaeth dda am gynnydd ar y ddwy ochr.



Alun Davies AC/AM

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public Services

D.



Elin Jones AC, Llywydd
Cynulliad Cenedlaethol Cymru
Elin Jones AM, Presiding Officer
National Assembly for Wales

Alun Davies AC
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

Ein cyf: PO/EJ/HG

20 Mawrth 2018

Annwyl Alun,

Diolch am ein cyfarfod adeiladol i drafod ein bwriadau diwygio etholiadol perthnasol. Hoffwn eich gwahodd i ystyried mater a godwyd gyda mi gan y Comisiwn Etholiadol o ganlyniad i ddatganoli pwerau newydd yn Neddf Cymru 2017.

Mae Deddf Cymru 2017 yn galluogi'r Cynulliad i ddeddfu i newid y trefniadau ar gyfer atebolrwydd a chyllido'r Comisiwn Etholiadol yng Nghymru. Mae'r Comisiwn Etholiadol wedi cyfarfod â mi i drafod sut i fwrw ymlaen â'r hyn y mae'n ei ystyried fel canlyneb bwysig o ran datganoli pwerau sy'n ymwneud â threfniadau etholiadol yng Nghymru. Mae'r Comisiwn wedi fy ngwahodd i ystyried sut orau i fynd i'r afael â'r mater hwn.

Gweler ynghlwm y cynnig gwreiddiol a rannodd y Comisiwn Etholiadol gyda mi y llynedd. Wrth gwrs, mae angen ystyried sut y byddai cyllid yn cael ei drosglwyddo pe bai'r cynnig hwn yn cael ei weithredu. Ar hyn o bryd Pwyllgor y Llefarydd sy'n cyllido'r Comisiwn Etholiadol. Mae'r Comisiwn Etholiadol wedi cynnig darparu amcangyfrifon ariannol o'r symiau y gofynnir amdanynt gan y Cynulliad yn unol â'r cynnig. Disgwylw'n dderbyn yr amcangyfrifon hyn ddechrau mis Mawrth. Mewn egwyddor, rwy'n gweld budd mewn adlewyrchu'r newidiadau hyn yn y trefniadau llywodraethu ar gyfer y Comisiwn Etholiadol a'i wneud yn atebol i'r Cynulliad. Rwyf wedi ystyried a fyddai'n briodol i Comisiwn y Cynulliad ystyried y materion hyn fel rhan o Fil Diwygio'r Cynulliad. O gofio bod newid atebolrwydd a chyllido y Comisiwn Etholiadol o Bwyllgor y Llefarydd i'r Cynulliad yn newid sylweddol sy'n mynd y tu hwnt i gylch gorchwyl Comisiwn y Cynulliad, a hefyd yr amserlen ar gyfer cyflwyno Bil Diwygio'r Cynulliad, credaf fod yna ffyrdd mwy priodol i fwrw ymlaen â'r cynigion deddfwriaethol hyn.

Cynulliad Cenedlaethol Cymru
Bae Caerdydd, Caerdydd, CF99 1NA
Llywydd@cynulliad.cymru
www.cynulliad.cymru
0300 200 7403

National Assembly for Wales
Cardiff Bay, Cardiff, CF99 1NA
Llywydd@assembly.wales
www.assembly.wales
0300 200 7403



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

O gofio pwysigrwydd sicrhau bod y trefniadau cyllido ac atebolrwydd ar gyfer y Comisiwn Etholiadol yn gadarn ac yn briodol, a'r cymhlethdodau posibl dan sylw, byddaf yn sicrhau bod Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol y Cynulliad yn ymwybodol o'r cynigion hyn a byddaf yn rhannu gyda hwy y wybodaeth bellach y byddaf yn ei derbyn gan y Comisiwn Etholiadol. Rwyf hefyd wedi awgrymu i'r Comisiwn Etholiadol eu bod yn rhannu eu cynnig a'u hamcangyfrifon ariannol gyda Llywodraeth Cymru.

Os ydych o blaid dilyn y cynigion hyn, yna byddai angen barn y Cynulliad ynghylch sut y dylai trefniadau yn y dyfodol gael eu gweithredu er mwyn llywio datblygiad cynigion deddfwriaethol.

Rydym wedi cytuno i gyfarfod yn rheolaidd dros y misoedd nesaf i drafod diwygio etholiadol. Byddwn yn fwy na pharod i drafod cynnig y Comisiwn Etholiadol gyda chi yn ystod ein cyfarfod nesaf.

Yn gywir,

Elin Jones AC
Llywydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

Cynulliad Cenedlaethol Cymru

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assembly.wales

www.assembly.wales

0300 200 7403

Annex – The Electoral Commission’s proposal on funding and accountability



Accountability to the National Assembly for Wales

The Wales Act 2017 provides the National Assembly for Wales with the responsibility for local government elections and a Welsh general election. It also accepted the principle that, as a result of these changes, there would be a single UK-wide Electoral Commission which would report to more than one legislature.

The Act does not include any specific details as to how the Commission would account to the National Assembly for Wales or how we would be funded.

This paper is intended to provide advice as to how the Electoral Commission could be accountable to the National Assembly for Wales following commencement of the Wales Act 2017, which is expected to be in the spring of 2018.

We have, since the establishment of the Commission, reported to the National Assembly for Wales in relation to policy scrutiny matters and have a long history of giving evidence to those legislatures and advice. It is not currently suggested that the way we do this would change significantly.

We have committed to providing options to the National Assembly for Wales on how we should account and submit financial funding estimates in the future. We have therefore sought to develop principles to underpin our discussions in relation to the establishment of financial accountability structures to the legislatures and to inform the submission of financial estimates to them and the consequential impact on the submission of plans and estimates to the Speaker’s Committee of the Westminster Parliament.

Wherever practicable we should be funded by the relevant legislature rather than government and we actively welcome scrutiny and accountability for how we spend public funds to the legislature which provided them.

It is proposed that the body to which we account to at the National Assembly for Wales should have the following characteristics and functions:

- Be independent of any Welsh Government department;
- Report directly to the Assembly;
- Be chaired by a non-party representative (a Presiding Officer or Deputy Presiding Officer).



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Y Comisiwn Etholiadol The Electoral Commission

Functions to include:

- General oversight of how the Electoral Commission exercises its functions derived from that legislature;
- Review of the Commission's annual estimate of resources required for delivery of functions carried out under its legislative responsibility;
- Require the Commission to provide an annual report to facilitate scrutiny of the Commission's activities;
- Receive reports from the Wales Audit Office.

Previous discussions have indicated that there are some current arrangements in place that might be utilised for the Electoral Commission to report to the National Assembly for Wales in the future. These include:

- A committee of the National Assembly for Wales
- The current panel of Assembly Commissioners

Another option would be for the National Assembly for Wales to consider establishing a 'Presiding Officer's Committee' – a model similar to the Speaker's Committee on the Electoral Commission in the UK Parliament.

Resource planning in the Commission

In July and August resource planning options will be modelled and reviewed to establish a preferred methodology for preparing estimates each year for approval by the UK Parliament, the Scottish Parliament and the National Assembly for Wales.

The type of issues that will be considered when constructing and reviewing options and models include:

- To seek funding from the legislatures for only marginal costs (i.e. 'additional costs only' (e.g. public awareness, election specific research, any new staff hired just for that poll) as we have in the past;
- To seek to include 'core' costs (e.g. all Wales office staff, a percentage of staff time outside Wales working on matters derived from legislative competencies held by the National Assembly for Wales, facilities at least in part in Wales or across the UK, ongoing work in non-election years and work relating to by-elections etc.).

Cynulliad Cenedlaethol Cymru

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assembly.wales

www.assembly.wales

0300 200 7403

Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Y **The**
Comisiwn **Electoral**
Etholiadol **Commission**

- The Commission recognises that staff in Wales also work on matters which derive their legislative basis from the UK Parliament and that staff based across the UK contribute to Wales specific work;
- Is this calculation possible/desirable to provide an exact estimate for all costs derived from National Assembly for Wales legislative responsibilities or do we need to develop a formula whereby we calculate an annual 'Wales activity estimate' which can be agreed by the National Assembly for Wales? Such a formula be accepted by HM Treasury (the Speaker's Committee is required to seek advice from HM Treasury before agreeing the Electoral Commission's Estimate) and the Wales Audit Office (as advisers to the National Assembly for Wales)?
- The funding assumptions (e.g. marginal or full cost funding; costing of all, or some, activity by country) and the basis for annual calculations (i.e. cost allocation methodologies, use of 'high-level' formula or 'exact cost' calculations) will inform how plans and budgets are presented and would have a consequential impact on the funding of the Commission in the future should there be any move away from the model of a single UK-wide Electoral Commission.

The Commission will make a recommendation relating to proposed financial modelling, potentially including a preferred model in Wales, in or around September 2017 and we will put these proposals to the Assembly Commission at that time.

The Electoral Commission
June 2017

Cynulliad Cenedlaethol Cymru

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assembly.wales

www.assembly.wales

0300 200 7403

E.

Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Elin Jones AC/AM
Y Llywydd
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

30 Awst 2018

Annwyl Elin,

Yn dilyn ein trafodaethau diweddar ar ehangu'r etholfraint i gynnwys pobl ifanc 16 ac 17 mlwydd oed ar gyfer etholiadau Cynulliad Cenedlaethol Cymru yn 2021, mae'n bleser gennyf atodi'r Memorandwm Cyd-ddealltwriaeth a fydd yn llywodraethu sut y byddwn yn bwrw ymlaen â'r gwaith hwn, er mwyn i chi gael nodi'ch cytundeb.

Rwyf i'n fodlon â'r trefniadau a amlinellir ynddo ac yn gobeithio y byddwch chi hefyd yn fodlon. Credaf y bydd cyflwyno'r newid hwn a rhoi llais i bobl ifanc yn ein democratiaeth yn dangos bod Cymru'n arwain y ffordd ar ddiwygio democrataidd.

Yn gywir,

CARWYN JONES

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswilt Cyntaf / First Point of Contact Centre:
0300 0604400
YP.PrifWeinidog@llyw.cymru • ps.firstminister@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Memorandum of Understanding

National Assembly for Wales Elections 2021

Provision of Welsh Government staff resource and Assembly Commission resources for the delivery of the extension of the National Assembly for Wales franchise to include 16 and 17 year olds to form part of an Assembly Commission Bill

1. Introduction

1.1 This Memorandum of Understanding (MoU) sets out the scope, principles, governance, working arrangements and delivery tasks in relation to the Welsh Government and Assembly Commission's agreement for the Welsh Government to deliver primary and secondary legislation to give effect to agreed changes in relation to extending the franchise for the National Assembly for Wales for the 2021 elections to include 16 and 17 year olds.

1.2 This MoU does not preclude either formal or informal discussion on other matters of mutual interest in relation to electoral or Assembly reform.

2. Scope

2.1 The Welsh Government will deliver the primary legislation required to give effect to the agreed franchise changes in relation to 16 and 17 year olds. The primary legislation will be taken forward as part of a Commission Bill, of which the Commission has agreed that the Llywydd will be Member in Charge.

2.2 To facilitate this the Welsh Government will deliver policy and legal instructions, draft provisions to be included in the Bill, extracts for the explanatory memorandum and explanatory notes, regulatory impact assessment, justice impact assessment, equality impact assessment, Welsh Language Impact assessment and children's rights assessment relevant extracts, briefing material for the lead member in respect of the franchise change and any necessary amendments and updates on any of these documents as the Bill proceeds through the National Assembly for Wales.

2.3 Welsh Government officials will not be required to attend Committee or other proceedings with the Member in Charge for the Assembly Commission Bill. Translation of all documents provided will be the responsibility of the Assembly Commission, but the Office of the Legislative Counsel will ensure that the English and Welsh texts of the franchise provisions are legally equivalent. It will be the Welsh Government's responsibility to ensure that documents are received within agreed timescales to ensure that there is sufficient time for translation to be completed.

2.4 Secondary legislation will be taken forward by Welsh Government where Ministers have been delegated the power.

3. Principles

3.1 All policy decisions in relation to the franchise for the National Assembly for Wales elections required to be made in relation to primary legislation will be made by the Llywydd.

3.2 In making these policy decisions the Llywydd may seek advice from Welsh Government officials and may meet with officials in this context. These meetings will include Assembly Commission officials.

3.3 Welsh Government officials will not make this advice or contents of discussions available to Welsh Ministers without the prior agreement of the Llywydd.

3.4 Welsh Government officials will not make the content of advice given to Welsh Ministers on franchise matters available to the Llywydd without the prior agreement of Welsh Ministers.

3.5 Welsh Government officials will not make Assembly Commission advice, documents or content available to Welsh Ministers without the prior agreement of the Llywydd.

3.6 All of the delivery tasks will be subject to Welsh Government's internal quality assurance processes in respect of the production of legislation. This relates to processes set out in the Welsh Government's Legislation Handbook as well as Legal Services and OLC's internal checking processes. However, the aim is to work on a 'no surprises' basis and all drafts will be routinely discussed and considered as part of the fortnightly liaison meeting between Assembly Commission and Welsh Government officials (see below).

3.7 Political sign off of the franchise changes will rest with the Llywydd.

3.8 Welsh Government officials will keep Assembly Commission officials informed of progress and any risks or issues which may impact on the delivery of the franchise changes to be included in the Assembly Commission Bill and the related secondary legislation. This will include, subject to the agreement of Welsh Ministers, any inter-related risks or issues in respect of proposed changes to the local government franchise.

3.9 Assembly Commission officials will keep Welsh Government officials informed of any relevant progress issues or wider risks or issues in relation to the Commission's Bill as a whole which may impact upon its delivery or implementation.

3.10 Assembly Commission and Welsh Government officials will work together to ensure stakeholders in the electoral community and those impacted by the change in the franchise are well informed of and engaged with the change.

3.11 Assembly Commission officials and Welsh Government officials will exchange in confidence legislative timetables relating to both primary and secondary legislation

in respect of any changes to be made to the National Assembly and local government franchises so that relevant handling issues can be considered collectively.

4. Governance

4.1 There will be both political and official governance arrangements to oversee the delivery of the primary and secondary legislation.

Political – the First Minister and the Cabinet Secretary for Local Government and Public Services will have regular meetings (both individually and collectively) with the Llywydd as Member in Charge to consider progress and handling issues. This may form part of the agenda of any regular meetings already scheduled. The aim will be to ensure there is transparency and 'no surprises' in relation to matters in respect of extending the franchise for both the National Assembly for Wales and local government to include 16 and 17 year olds and other policy issues relating to the Bill, recognising that the overall framework for elections needs to be joined up and coherent.

The Llywydd and officials will be responsible for briefing the Assembly Commission ("the Commission") and securing the decisions required from the Commission on the Bill, reflecting the delegation of responsibilities between the Llywydd as Member in Charge and the Commission.

Key Commission decision points are:

- 24 September 2018: Commission meeting to make final decision on scope and timing of the Bill.
- October 2018 (date tbc): Assembly debate on a motion to endorse the Commission's decision to introduce the Bill.

Commission meetings will also take place on the dates listed below. As a minimum, it is anticipated that the Llywydd will provide verbal updates to Commissioners on progress at these meetings.

- 5 November 2018
- 10 December 2018
- 28 January 2019
- 4 March 2019
- 1 April 2019
- 13 May 2019 (subject to Business Committee decisions on legislative timetable, this meeting may provide an opportunity for Commissioners to consider Stage 1 committee recommendations).
- 10 June 2019
- 15 July 2019

- 23 September 2019
- 4 November 2019
- 9 December 2019

Officials – Assembly Commission and Welsh Government officials will meet fortnightly to discuss progress, risks and issues in respect of the franchise changes. This may form part of the agenda of any regular meetings already scheduled.

The Assembly Commission Bill SRO, the Welsh Government Bill Lead Official and the Welsh Government Lead Official for the franchise changes will meet as needed but no less frequently than quarterly to consider risks and issues in relation to the delivery of the Bill.

Welsh Government Officials will attend for relevant items on the Assembly Reform Project board when requested to provide information and updates on the delivery of the franchise changes.

5. Working Arrangements

5.1 Constitutional Affairs and Inter Governmental Relations Division (CAIGR) will be the overall Welsh Government lead for the Bill. Local Government Democracy Division (LGD) will lead on the delivery of the franchise changes for the Assembly Commission.

5.2 The first point of contact for the Commission on Bill queries and the Government's position on all its included matters will be CAIGR; this will include formal contact on the Government's position on any changes to the Assembly franchise. Discussions between CAIGR and Assembly Commission officials will be the mechanism for exploring any policy disagreements. Where necessary these may be referred to the political governance arrangements set out above.

5.3 CAIGR will be the Welsh Government contact also for the Government's position in respect of any motions the Llywydd may table to seek motions of support from the Assembly to bring forward the Commission Bill, the Stage 1 general principles motion, any amendments the Llywydd intends to bring forward, and the Stage 4 motion, and also in respect of the Government's role in moving the financial resolution for the Bill (the Llywydd will table it).

5.4 The first point of contact for queries relating to the delivery of the franchise changes will be the Head of Diversity, Democracy and Remuneration Team in the Local Government Democracy Division. This includes all queries including those requiring legal input.

5.5 This will be critical to monitoring overall workloads and priorities so that work can be delivered to the standards in the required timeframe.

5.6 The first point of contact for queries relating to the Assembly Commission support for delivery of the franchise changes will be the Bill Manager in Strategic Transformation, Assembly Business Directorate.

5.7 The first point of contact for queries relating to other elements of the Assembly Commission Bill will be the Head of Strategic Transformation.

5.8 However, where matters relate to on-going development or queries on matters relating to issues discussed at the regular liaison meetings relevant officials will liaise with their opposite numbers directly, including legal teams.

5.9 The approach will be collaborative and follow the principles set out in the Civil service statement on collaborative working attached at Annex A. To facilitate this Welsh Government and the Assembly Commission will exchange a list of relevant officials.

6. Delivery Tasks for the Franchise Change up to introduction

6.1 In the period leading up to introduction of the Bill Welsh Government will deliver (in English only):

- First draft of policy and legal issues paper by end w/c 23 July
- Final draft of policy and legal issues paper including headline costs/savings, impact assessments and implementation plans by September 5th, in order to inform the Commission's decisions on 24 September
- Draft Bill provisions by September 14th
- Regulatory Impact Assessment (RIA) extract by September 28th
- Equalities Impact Assessment extract by September 28th
- Official Languages Impact Assessment by September 28th
- Children's Rights Impact Assessment extract by September 28th
- Justice System Impact Identification and Justice Impact Assessment extract by September 28th
- Any other relevant assessments identified as work progresses by September 28th
- Explanatory Memorandum extract by September 28th
- Explanatory Notes Extract by September 28th
- Statement of Policy Intent extract by September 28th
- Table of Derivations extract by September 28th
- Schedule of Amendments as required by SO 26.6C extract by September 28th
- Equivalence check of the Welsh text – allow 1 week after the translation of the text for this.

6.2 All of the above relate to the agreed extension to the National Assembly franchise only.

6.3 The Assembly Commission will be responsible for translation of these outputs and ensuring their coherence with the Commission Bill as a whole, but the Bill provisions on the franchise translated by the Commission will be checked for legal equivalence by the Office of the Legislative Counsel. Assembly Commission and Welsh Government will also agree the approach for each Impact Assessment to ensure overall coherence.

6.4 Amendments to the Bill in relation to the franchise will be provided in English. The Welsh text of the amendments will be translated by the Assembly Commission and legal equivalence checked by OLC.

6.5 The Commission will be responsible for ensuring that the PO determination on proper form for Bills is complied with. The Welsh Government will provide ODT and PDF files of the English text drafted in Legislative Workbench. Welsh Government will share earlier drafts to enable Assembly Commission officials to inform them of any issues which require addressing regarding compliance ahead of the agreed delivery date.

6.6 Should any Minister of the Crown consents be required the approach to taking these forward will be agreed through the political governance arrangements set out above, so that wider considerations in relation to any Welsh Government Bills or other matters in the Assembly Commission Bill can be taken in to account.

6.7 Welsh Government will provide appropriate content related to franchise to inform the production of a paper on the proposed Bill's policy implications, risks and benefits, drafting approach (including subordinate legislation) and initial estimate of costs to the Commission by 5th September. This will support Assembly Commission discussions scheduled for 24th September. Assembly Commission officials will agree the format of this paper with Welsh Government ahead of the 5th September.

Delivery Schedule: Mid-October 2018 all final documents

7. Introduction of the Bill

7.1 Welsh Government officials will provide briefing materials and lines to take for the Plenary session to introduce the Bill. Welsh Government officials will also be available to brief the Member in Charge, with Assembly Commission officials, as part of the preparations for introduction.

8. Post Introduction of the Bill

All legislative stages dates are provisional and subject to Business Committee decision

Stage 1

8.1 For Stage 1 Welsh Government officials will provide briefing and contributions to enable the Member in Charge to attend committee and other proceedings (Welsh

Government officials will not attend Committee or other proceedings in support but will be available to brief the lead member, with Assembly Commission officials, in advance of committee or other proceedings). However, Welsh Government officials will provide private technical briefings to committees if required. Briefing and support in developing a response to Committee will be provided if required.

Delivery Schedule: During stage 1 and contribution to response to Committee report by 20 May

Stage 2

8.2 For Stage 2 Welsh Government officials will lead on the production of any technical amendments or alternative amendments required, including accompanying briefing materials. Technical amendments will be agreed between OLC and Assembly Commission lawyers; any amendments with a policy basis would be put to the Llywydd for agreement. Welsh Government officials will not attend Committee or other proceedings in support of the lead member but will be available to brief the lead member with Assembly Commission officials in advance of committee or other proceedings, including briefings on non Government amendments.

8.3 Amendments to the Bill will be provided in English. The Welsh text will be produced by the Assembly Commission and legal equivalence checked by OLC The Commission will be responsible for putting the amendments into the Legislative Workbench software and ensuring that the PO determination on proper form for amendments is complied with. OLC and Assembly Commission lawyers will also proof read the franchise provisions post Stage 2.

8.4 The Assembly Commission Bill Team will be responsible for coordinating the progress of Stage 2 including the tracking of any required Commission amendments which might arise as a result of technical or other changes arising out of Committee. They will also be responsible for dealing with matters relating to grouping. Welsh Government officials will not provide advice to the Llywydd in relation to any Government amendments which might be laid at this stage. CAIGR will facilitate any discussion in relation to mutually beneficial amendments or other Government amendments.

Delivery Schedule: During Stage 2 w/c 24 June to 15 July 2019

Stages 3 and 4

8.5 Welsh Government officials will lead on the production of any technical amendments or alternative amendments required, including accompanying briefing materials for both stages. Technical amendments will be agreed between OLC

and Assembly Commission lawyers; policy amendments will be agreed by the Llywydd. Welsh Government officials will not attend Committee or other proceedings in support of the lead member but will be available to brief (and input into the provision of briefing materials for) the lead member with Assembly Commission officials in advance of committee and other proceedings, including in relation to non Government amendments. Welsh Government officials will provide updated contributions to supporting materials such as the RIA if required.

8.6 Amendments to the Bill will be provided in English. The Welsh text will be produced by the Assembly Commission and legal equivalence checked by OLC. The Commission will be responsible for putting the amendments into the Legislative Workbench software and ensuring that the PO determination on proper form for amendments is complied with.

8.7 The Assembly Commission Bill Team will be responsible for coordinating the progress of Stage 3 including the tracking of any required Commission amendments which might arise as a result of technical or changes arising out of Committee. They will also be responsible for dealing with matters relating to grouping. Welsh Government officials will not provide advice, in relation to any Government amendments which might be laid at this stage. CAIGR will facilitate any discussion in relation to mutually beneficial amendments or other Government amendments.

Delivery Schedule: During stage 3 w/c 7 October 2019 with any updated documents required delivered by w/c 17 September 2019

Report Stage if needed

8.8 Welsh Government officials will provide amendments and accompanying briefing as required. Welsh Government officials will not attend proceedings in support of the Member in Charge but will be available to brief (and input into the provision of briefing materials for) the Llywydd with Assembly Commission officials in advance these proceedings, including in relation to non Government amendments.

Post Royal Assent

8.9 Welsh Government officials will provide the final version of the explanatory notes in relation to the franchise, taking account of input from Assembly Commission officials as appropriate.

9. Secondary Legislation

9.1 It will be for the Welsh Government to deliver any secondary legislation required.

9.2 The Llywydd will be consulted on the approach and strategy for subordinate legislation and the approach will be agreed as part of the development of the primary legislation. As soon as the approach is developed Welsh Ministers will write to the Llywydd with the Statement of Policy Intent for all delegated powers in

the Bill and an outline timetable for delivery of the subordinate legislation needed to give effect to the franchise changes in relation to 16 and 17 year olds.

10. During the passage of the Bill, after Royal Assent and making of the secondary legislation stakeholder Engagement

10.1 Assembly Commission and Welsh Government officials will work together to create an education and awareness raising campaign to encourage 16 and 17 year olds to vote. This may include advertising, written material and face to face promotion in schools and other institutions. Assembly Commission and Welsh Government officials will also work together with the electoral community and the Electoral Commission to ensure the practical implementation of the changes is effective.

11. Translation

11.1 Any documents provided to the Assembly Commission in relation to any of the above delivery tasks will be provided in English. Translation where required will be provided by the Assembly Commission (with the exception of materials relating to the secondary legislation, including the Statement of Policy Intent, which will be the responsibility of the Welsh Government and stakeholder engagement where a shared approach will be adopted) .

12. Provision of Commission policy and legal staff

12.1 Delivery of the franchise changes is a significant undertaking for Welsh Government in terms of staff resourcing and the Llywydd will therefore ensure that Assembly Commission policy and legal officials can be called upon to enable delivery.

12.2 In terms of the provision of policy resources, the tasks and the deadlines for which they need to be delivered will be agreed with the Head of Strategic Transformation.

12.3 For these tasks Assembly Commission staff will be responsible to the lead Welsh Government officials working on the franchise changes. Welsh Government will undertake to ensure that where it is agreed Assembly Commission will provide staff to support delivery there will be an opportunity for an exchange of experience and an opportunity for learning.

12.4 In terms of policy support the likely level of support is anticipated to be equivalent to one member of staff (HEO) over the period of this MoU. The provision of this support can be flexible and may be provided by different individuals depending on the nature and timing of the tasks to be undertaken. The tasks would be mainly in respect of support to deliver specific briefing and contributions to the various policy documents as well as contribution to overall quality control processes such as checking and editing.

12.5 The Assembly Commission will provide legal support equivalent to two full time members of staff up to December 2019 and one member of staff during the remainder of the period covered by this MoU. Lawyers will be seconded to Welsh Government to enable resources to be released to support the delivery of the franchise changes.

13. Dispute Resolution

13.1 As set out above the intention is to work collaboratively and on a 'no surprises' basis. It is hoped that this will result in mutual agreement throughout the duration of this MoU.

13.2 The first stage of the process will be discussion at fortnightly Welsh Government and Assembly Commission meetings.

13.3 The second stage will be discussion between the Deputy Director Local Government Democracy and the Head of Strategic Transformation for any non legal opinion based disputes. Legal opinion based disputes will be discussed by the Deputy Director Local Government Legal Team and OLC and the Head of Assembly Commission Legal services.

13.4 The third stage will be discussions between the Permanent Secretary and the Chief Executive and Clerk of the Assembly.

13.5 Respective political advisors may be engaged in the discussion at any stage in the dispute resolution process if it is deemed to be relevant by the parties concerned.

14. Duration

14.1 This MoU covers the period from the date of signature by Welsh Government and the Llywydd to 31 December 2020.

15. Cessation

15.1 Both parties to this MoU may withdraw from the arrangement following a period of reasonable notice, but no less than four weeks.

16. Information Sharing

16.1 All documents produced by the Welsh Government relating to the development of the franchise changes for the Assembly Bill will be categorised 'Official: Sensitive' and will be shared with the Commission on a confidential basis through secure file transfer. Officials in Welsh Government not within the immediate team working on the franchise changes will not have access to these documents as they will be saved in a caveated file to preclude unauthorised access.

16.2 All information and documents shared by the Welsh Government with the Assembly Commission will be saved in a file with access restricted to those working directly on the Bill and as referred to above. They may also be shared with the Assembly Commission's external legal drafter to ensure coherence with the overall Bill.

16.3 All information and documents relating to the Bill shared by the Assembly Commission with the Welsh Government will be marked "ASSEMBLY RESTRICTED" and will be for use only by the immediate team working on franchise changes, unless with the prior agreement of the Head of Strategic Transformation and as referred to above. They will not be made public in any way or disclosed to external stakeholders.

16.4 Responsibility for dealing with Freedom of Information requests in respect of these documents will be the responsibility of the recipient of the request. Assembly Commission officials and Welsh Government officials will provide any necessary assistance to each other in dealing with such requests. The Assembly Commission will provide Welsh Government with access to all documents which will support the development of the delivery tasks for the franchise change. There will be no requirements for personal information to be exchanged, for example, specific consultation respondents as part of this access.

Guiding principles for collaborative working on government legislation

In developing policy and legislation, all officials must serve Ministers as one team. For this reason all officials should follow these guiding principles for collaborative working on legislation in accordance with the values of integrity, honesty, objectivity and impartiality set out in the Civil Service Code.

All officials will continue to discharge their individual responsibilities while also engaging with and supporting colleagues to deliver theirs. In doing so they should bring the full range of their skills and abilities to bear to the range of tasks in producing effective policy and legislation. This requires:

- a) An understanding of individual and collective roles and responsibilities, including what to expect from particular professionals and specialists;
- b) Mutual respect;
- c) Striking a balance between timely and in-depth communication;
- d) A shared understanding of individual and collective priorities and pressures;
- e) An understanding of the big picture, and how each individual's contribution fits into this. The big picture includes the political and constitutional context; the fit with other parts of the current and prospective legislative framework; and approaches to implementation of legislation.

All officials will seek to establish and build relationships based on trust, with each other and with Ministers. Officials will, in particular, ensure their communication with Ministers, and with each other, is timely, clear, effective and honest, particularly in respect of the following matters:

- a. Potential slippage in the timetable of a Bill – recognising its potential knock-on effect on others involved in the production of the Bill, the effects of delaying the delivery of the policy, and any potential impact on the wider legislative programme;
- b. Dealing with risks, complex and sensitive issues, and problems – this requires both confidence and humility when discussing;
- c. Resolving disputes – this requires a willingness to be pragmatic, openminded and to reflect on the comments of colleagues.

Officials should also work collaboratively with special advisers as part of their approach to developing policy and progressing legislation. Special advisers play a key role in supporting effective communication between officials and Ministers and in supporting Ministers in working with politicians and other stakeholders to ensure the delivery of legislative proposals.

All officials will work to support a learning culture. This includes:

- a) Taking responsibility for their own development – identifying their learning needs and actively pursuing opportunities to meet those needs;
- b) Supporting the development of others and the organisation, including by freely sharing their own learning and experience.

Definitions

Franchise change – extension of the National Assembly franchise within agreed parameters determined by the Llywydd to be the addition of 16 and 17 year olds (this includes all aspects of the policy such as registering attainers).

Delivery of primary legislation – Preparation of policy and legal instructions in relation to the franchise change, preparation of supporting documentation to be included in the Bill documentation (including those required by NAW Standing Orders or other legislative requirements),

Delivery of secondary legislation – preparation of policy instructions and provision of relevant secondary legislation to give effect to the agreed franchise change, including supporting documentation required by NAW Standing Orders or other legislative requirements

Assembly Commission Bill team – Commission staff responsible for the management and delivery of the whole of the Commission's Bill

Local Government Bill team – Welsh Government staff responsible for the management and delivery of the Welsh Government's Local Government Bill

Welsh Government's Assembly Commission Bill Team – Welsh Government staff in CAIGR responsible for the Government's response to the Assembly Commission's Bill

Bill communication and stakeholder engagement – actions need to promote the changes to the franchise with those affected by them and the general public. Working with stakeholders to ensure they are aware of the changes and can facilitate their implementation, in particular the electoral community (Returning officers, registration officers, elections teams, the Electoral Commission).

F.

Alun Davies AC/AM
Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public
Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref ARD/0373/18

Elin Jones AC/AM
Llywydd/Presiding Officer
National Assembly for Wales
Cardiff Bay
CF99 1NA

Y Swyddfa Breifat

20 SEP 2018
PO 529
Private Office

20 September 2018

Dear Elin,

I am writing in further response to your letter of 20th March this year. I appreciate that time has passed since then but we have, of course, discussed the issues raised concerning the governance and funding of the Electoral Commission on a number of occasions since.

Having now had time to consider the matter fully, I agree with you that legislation will be required to govern the relationship between the Electoral Commission and the Assembly. The Commission will continue to provide a service in relation to Welsh elections as they have always done but in the absence of specific provision to report to the National Assembly for Wales, they would be doing so under the regime established with the Speaker's Committee in the UK Parliament, despite electoral functions on Assembly and local elections having now been devolved.

As for the vehicle which should be employed to bring this about, I am not convinced that inclusion in the proposed Local Government Bill is the best option. It is not a local government matter and, given your proposals to introduce possibly two Assembly Bills, one of these would seem the most appropriate legislative option. Given the scope of the upcoming Assembly Reform Bill, I propose that the provisions are included within this Bill. I am fully aware that Commission resources are tight, as are ours, and as such I propose that my officials work closely with your officials and support this work by providing draft provisions for inclusion in your first Bill as Stage 2 amendments. In return, I would ask that your officials take a lead on discussing the financial agreement with the Speakers Committee and provide the supporting material required for the Bill's passage through the Assembly.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA


Canolfan Cyswilt Cyntaf / First Point of Contact Centre:
0300 0604400
Gofebiaeth.Alun.Davies@llyw.cymru
Correspondence.Alun.Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I understand that our officials are working effectively together on the extension of the Assembly franchise to 16 and 17 year olds and I would hope that this arrangement could extend to the necessary provisions around the accountability of the Electoral Commission.


Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alun', with a horizontal line underneath it.

Alun Davies AC/AM

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public Services

G.

 **Elin Jones AC, Llywydd**
Cynulliad Cenedlaethol Cymru
Elin Jones AM, Presiding Officer
National Assembly for Wales

Alun Davies AC
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Llywodraeth Cymru
Ty Hywel
Bae Caerdydd
CF99 1NA

Eich cyf:
Ein cyf: EJ/TJ

12 Hydref 2018

Annwyl Alun

Gostwng yr oedran pleidleisio i 16: goblygiadau ar gyfer y cwricwlwm addysg

Hoffwn eich gwahodd chi a Kirsty Williams AC, Ysgrifennydd y Cabinet dros Addysg, i drafod goblygiadau posibl gostwng yr oedran pleidleisio i 16, ar y cwricwlwm addysg.

Fel y gwyddoch, mae ein swyddogion perthnasol yn llunio deddfwriaeth a fydd yn gostwng yr oedran pleidleisio i 16 yn etholiadau'r Cynulliad ac etholiadau Llywodraeth Leol. Mae'r Comisiwn yn bwriadu cyflwyno'r Bil ym mis Ionawr 2019, yn amodol ar gytundeb y Cynulliad, felly hwn fydd y cyntaf y bydd y Cynulliad yn craffu arno.

Yn ei adroddiad 'Senedd sy'n Gweithio i Gymru', bydd deddfwriaeth Comisiwn y Cynulliad yn cyflwyno argymhelliad allweddol gan y Panel Arbenigol ar Ddiwygio Etholiadol y Cynulliad. Fodd bynnag, fe gofiwch fod y Panel Arbenigol hefyd yn argymhell:

"I sicrhau y caiff pobl ifanc eu hannog a'u cefnogi i arfer eu hawl i bleidleisio, dylai unrhyw ostyngiad yn yr oedran pleidleisio gael ei gyflwyno law yn llaw ag addysg briodol, effeithiol ac amhleidiol ym maes gwleidyddiaeth a dinasyddiaeth. Rhaid i hyn sicrhau bod pobl ifanc yn clywed barn wleidyddol ar draws y sbectrwm, a'u bod yn cael y gallu i

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

Cynulliad Cenedlaethol Cymru
Bae Caerdydd, Caerdydd, CF99 1NA
Llywydd@cynulliad.cymru
www.cynulliad.cymru
0300 200 7403

National Assembly for Wales
Cardiff Bay, Cardiff, CF99 1NA
Llywydd@assembly.wales
www.assembly.wales
0300 200 7403

wneud eu penderfyniadau eu hunain ynghylch sut i arfer eu hawl
ddemocrataidd."

Roedd darparu addysg dinasyddiaeth neu wleidyddol hefyd yn thema yn ein canfyddiadau o'r ymgynghoriad cyhoeddus a gynhaliwyd gennym yn gynharach eleni. Ar ran Comisiwn y Cynulliad, felly, buaswn yn ddiolchgar iawn am y cyfle i siarad â chi ac Ysgrifennydd y Cabinet am sut rydym yn sicrhau bod y bobl ifanc y mae'r newid yn yr oedran pleidleisio yn effeithio arnynt yn cael cyfleoedd priodol i ddysgu am wleidyddiaeth a dinasyddiaeth.

Pe baech yn barod i ymgymryd â chyfarfod o'r fath, bydd fy swyddogion yn cydweithio â chi a swyddogion Ysgrifennydd y Cabinet i drefnu dyddiad addas ym mis Tachwedd.

Edrychaf ymlaen at eich ymateb. Rwy'n anfon copi o'r llythyr hwn at Kirsty Williams AC, Ysgrifennydd y Cabinet dros Addysg.

Yn gywir



Elin Jones AC
Llywydd

H.



Elin Jones AC, Llywydd
Cynulliad Cenedlaethol Cymru
Elin Jones AM, Presiding Officer
National Assembly for Wales

Kirsty Williams AC
Ysgrifennydd y Cabinet dros Addysg
Llywodraeth Cymru
Ty Hywel
Bae Caerdydd
CF99 1NA

Eich cyf:
Ein cyf: EJ/TJ

12 Hydref 2018

Annwyl Kirsty

Gostwng yr oedran pleidleisio i 16: goblygiadau ar gyfer y cwricwlwm addysg

Hoffwn eich gwahodd chi ac Alun Davies AC, Ysgrifennydd y Cabinet dros Wasanaethau Cyhoeddus a Llywodraeth Leol, i drafod goblygiadau posibl gostwng yr oedran pleidleisio i 16, ar y cwricwlwm addysg.

Fel y gwyddoch, mae Comisiwn y Cynulliad yn bwriadu cyflwyno deddfwriaeth a fydd yn gostwng yr oedran pleidleisio i 16 yn etholiadau'r Cynulliad. Yn yr un modd, mae Llywodraeth Cymru'n bwriadu gostwng yr oedran pleidleisio i 16 mewn etholiadau Llywodraeth Leol.

Yn ei adroddiad 'Senedd sy'n Gweithio i Gymru', bydd deddfwriaeth Comisiwn y Cynulliad yn cyflwyno argymhellid allweddol gan y Panel Arbenigol ar Ddiwygio Etholiadol y Cynulliad. Fodd bynnag, fe gofiwch fod y Panel Arbenigol hefyd yn argymhell:

"I sicrhau y caiff pobl ifanc eu hannog a'u cefnogi i arfer eu hawl i bleidleisio, dylai unrhyw ostyngiad yn yr oedran pleidleisio gael ei gyflwyno law yn llaw ag addysg briodol, effeithiol ac amhleidiol ym maes gwleidyddiaeth a dinasyddiaeth. Rhaid i hyn sicrhau bod pobl ifanc yn clywed barn wleidyddol ar draws y sbectrwm, a'u bod yn cael y gallu i wneud eu penderfyniadau eu hunain ynghylch sut i arfer eu hawl ddemocrataidd."

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

Cynulliad Cenedlaethol Cymru
Bae Caerdydd, Caerdydd, CF99 1NA
Llywydd@cynulliad.cymru
www.cynulliad.cymru
0300 200 7403

National Assembly for Wales
Cardiff Bay, Cardiff, CF99 1NA
Llywydd@assembly.wales
www.assembly.wales
0300 200 7403

Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Roedd darparu addysg dinasyddiaeth neu wleidyddol hefyd yn thema yn ein canfyddiadau o'r ymgynghoriad cyhoeddus a gynhaliwyd gennym yn gynharach eleni. Ar ran Comisiwn y Cynulliad, felly, buaswn yn ddiolchgar iawn am y cyfle i siarad â chi am sicrhau bod y bobl ifanc y mae'r newid yn yr oedran pleidleisio yn effeithio arnynt, yn cael cyfleoedd priodol i ddysgu am wleidyddiaeth a dinasyddiaeth.

Pe baech yn barod i ymgymryd â chyfarfod o'r fath, bydd fy swyddogion yn cydweithio â chi a swyddogion Ysgrifennydd y Cabinet i drefnu dyddiad addas ym mis Tachwedd.

Edrychaf ymlaen at eich ymateb. Anfonir copi o'r llythyr hwn at Alun Davies AC, Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus.

Yn gywir



Elin Jones AC
Llywydd

I.

Y Gwir Anrh/Rt Hon Carwyn Jones AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA - L FM 0852 18

Elin Jones AC/AM, Llywydd
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

Llywydd@cynulliad.cymru

10 Rhagfyr 2018

Annwyl Elin

Rwy'n ysgrifennu ynglŷn â'r Bil Senedd Cymru ac Etholiadau (Cymru) drafft, y mae eich swyddogion wedi rhannu fersiwn ohono gyda ni yn ddiweddar. Rwy'n gwybod bod fy swyddogion wedi rhoi nifer o sylwadau manwl ar ddarpariaeth y Bil, a gobeithio bod eich swyddogion wedi gweld hynny'n ddefnyddiol. Hoffwn nodi fy safbwynt cyffredinol ar brif elfennau'r Bil.

O ran newid enw'r Cynulliad, rwy'n nodi eich bod wedi penderfynu ar "Senedd (Welsh Parliament)". Fel pwynt cyffredinol, rwy'n dal wedi ymrwymo i ddefnyddio'r cyfle i newid yr enw er mwyn ehangu a dyfnhau dealltwriaeth yr etholwyr a rhanddeiliaid eraill o'r sefydliadau datganoledig. Fodd bynnag, byddai eich dull arfaethedig chi yn golygu y byddai adran 1(1) o Ddeddf Llywodraeth Cymru 2006 yn darparu fel a ganlyn "There is to be an Assembly for Wales to be known as the Senedd (Welsh Parliament)". Mae'n ymddangos i mi na fydd y geiriad hwnnw ond yn ychwanegu at y dryswch sy'n bodoli'n barod ynghylch enwau ein sefydliadau.

Yn ein barn ni, byddai'n well pe bai adran 1(1) o Ddeddf Llywodraeth Cymru yn darllen fel hyn yn y dyfodol:

"There is to be a parliament for Wales to be known as the Senedd."

Am y tro, mae'r drafft newydd hwn yn derbyn y penderfyniad i ddefnyddio "Senedd" yn unig fel enw yn Gymraeg ac yn Saesneg, ond rydym wrthi'n meddwl ymhellach am hyn.

Rwy'n deall nad yw eich cyngorwyr cyfreithiol yn meddwl ei bod yn bosibl newid y geiriau "an Assembly" i "a parliament" ar ddechrau adran 1(1) oherwydd cyfyngiadau'r eithriad ym mharagraff 7(2)(a)(i) o Atodlen 7B i Ddeddf Llywodraeth Cymru 2006. Ein safbwynt ni yw y gallai Ddeddf gan y Cynulliad roi'r geiriau "a parliament" yn lle "an Assembly" yn adran 1(1) o Ddeddf Llywodraeth Cymru er gwaethaf cyfyngiadau'r eithriad ym mharagraff 7(2) o Atodlen B i'r Ddeddf. Mae'r eithriad ym mharagraff 7(4) sy'n caniatáu addasu'r Ddeddf o ganlyniad i

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswilt Cyntaf / First Point of Contact Centre:
0300 0604400
YP.PrifWeinidog@llyw.cymru • ps.firstminister@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

newid yr enw neu mewn cysylltiad â hynny yn ymddangos fel pe bai wedi'i gynllunio'n benodol ar gyfer diben o'r fath. Nid yw'r eithriad ym mharagraff 7(4) yn golygu y gallai Deddf gan y Cynulliad wneud unrhyw newid o sylwedd i adran 1(1), megis ei ddiddymu ei hun, gan na fyddai hynny'n fater canlyniadol na chysylltiedig synhwyrol yn deillio o newid enw'r Cynulliad – byddai'n effaith sylweddol o fath gwahanol y byddai angen delio â hi yn yr eithriadau ym mharagraff 7(2) pe câi hynny ei ganiatáu.

Nid ydym ychwaith wedi'n hargyhoeddi gan y ddadl a gyflwynwyd inni, sef bod newid yr enw yn gwneud newid sylweddol i statws y Cynulliad sy'n mynd y tu hwnt i'r newidiadau a awdurdodwyd gan baragraffau 7(2)(a)(i) a 7(4) o Atodlen 7B. Mae Senedd y DU wedi deddfu'n barod i greu corff sydd â'r swyddogaethau seneddol yng Nghymru o wneud cyfreithiau a dwyn y weithrediaeth sy'n gyfrifol am weinyddu'r cyfreithiau hynny i gyfrif. Dewisodd Senedd y DU ei alw'n Gynulliad Cenedlaethol Cymru pan grëwyd ef a dyna pam y mae'r gair "Assembly" yn ymddangos yng ngeiriau cyntaf adran 1(1), yn hytrach nag am unrhyw reswm o sylwedd. Mae'r Cynulliad wedi cael y pŵer i newid yr enw, ond nid y pŵer i'w ddiddymu ei hun, a dyna'r rheswm dros wahanu'r ffurf a'r swyddogaeth rhwng paragraffau 7(2)(a)(i) a 7(4) o Atodlen 7B.

Yn ôl ein dealltwriaeth ni, ni fwriedir i'r awgrym ynghyich defnyddio "Welsh Parliament" roi enw arall i'r Senedd; yn hytrach mae'n cael ei ddarparu'n unig i hybu dealltwriaeth y rhai nad ydynt yn gyfarwydd â'r Gymraeg. Rydym yn pryderu y gallai'r ffordd yr ydych wedi drafftio'r ddarpariaeth gael yr effaith o awdurdodi'r defnydd o "Welsh Parliament" ar gyfer pob diben, er nad dyna'ch bwriad.

Rwy'n cymryd hefyd eich bod wedi'ch sicrhau eich hun bod defnyddio 'Senedd' yn bodloni rhwymedigaethau cyfreithiol y Cynulliad o ran statws swyddogol y dwy iaith a'r rhwymedigaeth i drin y ddwy iaith yn gyfartal.

Yn gyffredinol, rwy'n gwybod fod fy swyddogion wedi codi nifer o bryderon gyda'ch swyddogion chi ynglŷn â'r ffordd y mae Rhan 2 o'r Bil wedi'i drafftio, ond nid yw'r Bil drafft wedi'i newid hyd yma er mwyn ymdrin â'r pryderon hynny. Mater i'm holonydd fydd ystyried a fyddai Llywodraeth Cymru am fynd i'r afael â'r mater hwn unwaith y bydd y Bil wedi'i gyflwyno, a sut y byddai'n gwneud hynny. Ond, oni bai y gwneir diwygiadau priodol iddo cyn ei gyflwyno, mae'n debygol mai fy nghyngor i fydd bod ein pryderon ynglŷn â'r drafftio yn golygu y byddai Llywodraeth Cymru yn ceisio gwneud gwelliannau i'r Bil er mwyn cywiro'r adrannau perthnasol.

O ran y newidiadau i'r etholfraint, mae Llywodraeth Cymru yn cefnogi estyn etholfraint y Cynulliad i bobl ifanc 16 ac 17 oed, ac fel y gwyddoch rydym yn bwriadu estyn yr etholfraint llywodraeth leol yn yr un modd. Fodd bynnag, mae ein Bil Llywodraeth Leol ni'n debygol hefyd o estyn yr etholfraint i wladolion tramor (yn amodol ar fodloni'r holl feini prawf eraill o ran cymhwysra), ond rwy'n deall nad ydych chi ar hyn o bryd yn bwriadu estyn etholfraint y Cynulliad yn yr un modd. Mae'n bosibl y byddwn yn troi eto at y mater hwn wrth ystyried pa welliannau y bydd Llywodraeth Cymru yn dymuno'u gwneud i'r Bil ar ôl iddo gael ei gyflwyno.

Mae fy swyddogion wedi darparu sylwadau manwl ynglŷn â'r darpariaethau anghymhwysu. Fy mlaenoriaeth i ar gyfer y darpariaethau hyn yw sicrhau bod y gyfraith yn y maes hwn mor glir â phosibl i bob dinesydd, yn ogystal ag i'r rhai y mae'n effeithio'n uniongyrchol arnynt, er fo mod yn cydnabod bod cymhlethdodau ynghlwm wrth hyn. Unwaith y byddwn wedi gweld testun terfynol y Bil i'w gyflwyno, byddwn yn ystyried a ydym yn credu bod angen gwneud gwelliannau i'r darpariaethau anghymhwysu.

Fel y mae fy swyddogion wedi dweud wrth eich rhai chi, barn y Llywodraeth yw bod y pŵer sydd wedi'i gynnwys yn Rhan 5 o'r Bil, i Weinidogion Cymru weithredu argymhellion

Comisiwn y Gyfraith, yn ddiangen ac y gallai fod yn anfuddiol. Unwaith eto, mae'n bosibl y byddwn yn troi at y materion hyn eto pan fydd y Bil wedi'i gyflwyno.

Rwy'n deall bod bwriad i ychwanegu cymal ychwanegol at y Bil a fydd yn ei gwneud yn bosibl rhoi ystyriaeth bellach yng Nghyfnod 2 i ariannu ac atebolrwydd gweithgareddau'r Comisiwn Etholiadol mewn perthynas ag etholiadau datganoledig yng Nghymru. Rydym yn cefnogi hyn.

Hoffwn grybwyll hefyd eich cynlluniau i gyflwyno ail Fil i ddiwygio'r Cynulliad cyn diwedd y Cynulliad hwn. Mae'r newidiadau arfaethedig i faint y Cynulliad ac i'w system etholiadol yn destun ymgynghoriad o fewn y pleidiau gwleidyddol ar hyn o bryd. Unwaith y daw'n gliriach ble mae'r consensws ynghylch newid, mater i'r Prif Weinidog a'r Cabinet nesaf fydd cytuno ar safbwynt Llywodraeth Cymru ynglŷn â sut y gellid bwrw ymlaen ag unrhyw gynigion deddfwriaethol pellach. Fodd bynnag, yn fy marn i, mae'r trefniadau a ddefnyddiwyd i gynhyrchu Bil Senedd Cymru ac Etholiadau (Cymru) wedi creu heriau sylweddol o ran adnoddau a llywodraethiant ac ni ddylai'r rhain gael eu hailadrodd o ystyried maint, pwnc a chymhlethdod ail Fil. Mae'n bosibl, felly, y byddwch am ystyried pa ddulliau gwahanol y gallem eu mabwysiadu pan ddaw'n gliriach beth fydd cynnwys posibl unrhyw ail Fil.

Yn gywir



CARWYN JONES

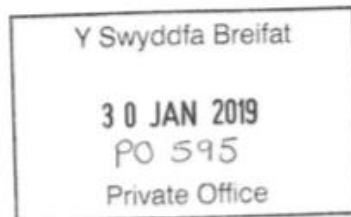
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Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government



30 January 2019

Dear Llywydd,

As you know, our officials have been collaborating to develop the evidence base and a range of resources in support of extending the franchise for both the Assembly and local government elections.

Discussion to date has identified three broad elements to this work as follows:

Conduct research

A two-stage programme of research is required to develop an evidence base for extending the voting franchise. The first stage will include a review of existing international evidence on the methods for promoting effective citizen engagement in local democratic processes. The second will include primary research with proposed newly enfranchised groups of voters as well as those already entitled to vote, but who are politically disengaged. This work will seek to establish how best to inform these groups of their rights and promote democratic participation.

Develop a communication plan

We envisage a four-stage plan, phased as follows:

- (i) support the introduction of the Bills into the Assembly;
- (ii) inform newly enfranchised groups of their right to vote and the process for electoral registration;

- (iii) support and encourage young people's understanding and engagement with democracy in Wales;
- (iv) encourage young people to turn out to vote in the Assembly Elections in 2021 and Local Government elections in 2022.

Produce educational material for delivery in schools and elsewhere

This will involve letting a contract to develop teaching and learning resources for schools and further education colleges, to include a professional learning offer component in support of teachers.


Our officials understand that the Assembly's excellent Educational team will be available to help support the communication work. You are aware that Welsh Government will also be extending the franchise to foreign nationals for local government elections. These represents a larger part of the electorate and we will be highlighting to your officials, the need for careful handling of the messaging in the communication and education campaigns, in order that the present planned divergence in the franchise for Welsh elections, does not result in confusion for the electorate.

We estimate the cost of this work at around £895,000 - £945,000 over three years, commencing in 2019/20 and would be grateful if you take the matter of a financial contribution from the Commission under consideration.

Finally, we anticipate the need to establish a Welsh Government External Board of advisors to help with this work, supported by our respective officials and would welcome any suggestions you may have for its membership.



Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.wales
Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.