

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 13 Mehefin 2019
Tabled on 13 June 2019

Bil Deddfwriaeth (Cymru) Legislation (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

* **Jeremy Miles**

3

Section 4, page 3, line 1, leave out –

‘in relation to –

(a) section 5 (equal status of texts of bilingual legislation);’,

and insert –

‘to section 5 (equal status of texts of bilingual legislation).

(3) Paragraph (b) of that exception does not apply to –’.

Adran 4, tudalen 3, llinell 1, hepgorer –

‘mewn perthynas ag –

(a) adran 5 (statws cyfartal testunau deddfwriaeth ddwyieithog);’,

a mewnosoder –

‘i adran 5 (statws cyfartal testunau deddfwriaeth ddwyieithog).

(3) Nid yw paragraff (b) o’r eithriad hwnnw yn gymwys i –’.

Jeremy Miles

4

Section 10, page 4, line 2, leave out ‘, unless express provision is made to the contrary,’.

Adran 10, tudalen 4, llinell 2, hepgorer ‘, oni wneir darpariaeth ddatganedig i’r gwrthwyneb,’.



Jeremy Miles

5

Page 8, after line 5, insert a new section –

[] References to direct EU legislation retained in domestic law after EU exit

- (1) This section applies where –
 - (a) an Assembly Act receives Royal Assent, or a Welsh subordinate instrument is made, on or after exit day, and
 - (b) the Act or instrument refers to any EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement that forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 (c. 16) (incorporation of direct EU legislation).
- (2) The reference is a reference to the EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement as it forms part of domestic law (and not as it forms part of EU law).
- (3) In this section, the following expressions have the meanings given by section 20(1) of the European Union (Withdrawal) Act 2018 –
 - “domestic law”;
 - “EU decision”;
 - “EU regulation”;
 - “EU tertiary legislation”.

Tudalen 8, ar ôl llinell 6, mewnosoder adran newydd –

[] Cyfeiriadau at ddeddfwriaeth uniongyrchol UE a ddargedwir mewn cyfraith ddomestig ar ôl ymadael â'r UE

- (1) Mae'r adran hon yn gymwys pan fo –
 - (a) Deddf Cynulliad yn cael y Cydsyniad Brenhinol, neu is-offeryn Cymreig yn cael ei wneud, ar neu ar ôl y diwrnod ymadael, a
 - (b) y Ddeddf neu'r offeryn yn cyfeirio at unrhyw reoliad gan yr UE, penderfyniad gan yr UE, deddfwriaeth drydyddol gan yr UE neu ddarpariaeth yng nghytundeb yr AEE sy'n ffurfio rhan o gyfraith ddomestig yn rhinwedd adran 3 o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) (cynnwys deddfwriaeth uniongyrchol UE).
- (2) Mae'r cyfeiriad yn gyfeiriad at reoliad gan yr UE, penderfyniad gan yr UE, deddfwriaeth drydyddol gan yr UE neu ddarpariaeth yng nghytundeb yr AEE fel y mae'n ffurfio rhan o gyfraith ddomestig (ac nid fel y mae'n ffurfio rhan o gyfraith yr UE).
- (3) Yn yr adran hon, mae i'r ymadroddion Cymraeg a ganlyn yr un ystyron ag a roddir i'r ymadroddion Saesneg cyfatebol yn adran 20(1) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 –
 - “cyfraith ddomestig” (“*domestic law*”);
 - “deddfwriaeth drydyddol gan yr UE” (“*EU tertiary legislation*”);



“penderfyniad gan yr UE” (“EU decision”);
“rheoliad gan yr UE” (“EU regulation”).’.

Jeremy Miles

6

Section 24, page 8, after line 13, insert—

‘() Nothing in sections 22 to [new section – References to direct EU legislation retained in domestic law after EU exit] limits the operation of this section.’.

Adran 24, tudalen 8, ar ôl llinell 14, mewnosoder—

‘() Nid oes dim yn adrannau 22 i [adran newydd – Cyfeiriadau at ddeddfwriaeth uniongyrchol UE a ddargedwir mewn cyfraith ddomestig ar ôl ymadael â’r UE] yn cyfyngu ar weithrediad yr adran hon.’.

Jeremy Miles

7

Section 25, page 8, after line 27, insert—

‘(3) See also regulation 2 of the European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (S.I. 2019/628) for provision about the effect on or after exit day of certain references which exist before exit day.’.

Adran 25, tudalen 8, ar ôl llinell 28, mewnosoder—

‘(3) Gweler hefyd reoliad 2 o Reoliadau Deddf yr Undeb Ewropeaidd (Ymadael) 2018 (Addasiadau Canlyniadol a Diddymiadau a Dirymiadau) (Ymadael â’r UE) 2019 (O.S. 2019/628) ar gyfer darpariaeth am effaith cyfeiriadau penodol sy’n bodoli cyn y diwrnod ymadael ar y diwrnod ymadael neu ar ôl y diwrnod ymadael.’.

Jeremy Miles

8

Section 27, page 9, line 16, leave out subsection (4).

Adran 27, tudalen 9, llinell 17, hepgorer is-adran (4).

Jeremy Miles

9

Section 32, page 10, line 13, leave out—

‘(1) This section applies where—

- (a) an Assembly Act or a Welsh subordinate instrument repeals or revokes an enactment (“A”), and
- (b) A previously repealed or revoked any other enactment (“B”) or abolished any other rule of law (“C”).

(2) The repeal or revocation of A does not revive B or C, unless the Assembly Act or Welsh subordinate instrument expressly provides for the revival of’.



and insert—

‘Where—

- (a) an Assembly Act or a Welsh subordinate instrument repeals or revokes an enactment (“A”), and
- (b) A previously repealed or revoked any other enactment (“B”) or abolished any other rule of law (“C”),

the repeal or revocation of A does not revive’.

Adran 32, tudalen 10, llinell 15, hepgorer adran 32 a mewnosoder—

‘Pan fo—

- (a) Deddf Cynulliad neu is-offeryn Cymreig yn diddymu neu’n dirymu deddfiad (“A”), a
- (b) A eisoes wedi diddymu neu ddirymu unrhyw ddeddfiad arall (“B”) neu wedi dileu unrhyw rheol gyfreithiol arall (“C”),

nid yw diddymiad neu ddirymiad A yn adfer B neu C.’.

Jeremy Miles

10

Schedule 1, page 16, Table, line 35, column 2, after ‘but’, insert ‘in relation to a time on or after exit day’.

Atodlen 1, tudalen 17, Tabl, llinell 29, colofn 2, ar ôl ‘ond’, mewnosoder ‘mewn perthynas ag amser ar neu ar ôl y diwrnod ymadael’.

Jeremy Miles

11

Schedule 1, page 17, Table, line 22, column 2, after ‘but’, insert ‘in relation to a time on or after exit day’.

Atodlen 1, tudalen 20, Tabl, llinell 21, colofn 2, ar ôl ‘ond’, mewnosoder ‘mewn perthynas ag amser ar neu ar ôl y diwrnod ymadael’.

Jeremy Miles

12

Schedule 1, page 21, Table, line 15, column 2, leave out—

‘means the Treaties or the EU Treaties, within the meaning given by section 1(2) of the European Communities Act 1972 (c. 68) as that Act had effect immediately before its repeal by section 1 of the European Union (Withdrawal) Act 2018 (c. 16),’

and insert—

‘—

- (a) in relation to a time before exit day, has the meaning given by the European Communities Act 1972 (c. 68) (see section 1(2) to (4) of, and Part 1 of Schedule 1 to, that Act);



- (b) in relation to a time on or after exit day, has the meaning given by that Act as it had effect immediately before its repeal by section 1 of the European Union (Withdrawal) Act 2018 (c. 16), and refers to the Treaties or the EU Treaties’.

Atodlen 1, tudalen 17, Tabl, llinell 31, colofn 2, hepgorer –

‘ystyr “y Cytuniadau” neu “Cytuniadau’r UE” yw’r Cytuniadau neu Gytuniadau’r UE, o fewn yr ystyr a roddir i “the Treaties” a “the EU Treaties” gan adran 1(2) o Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68) fel yr oedd gan y Ddeddf honno effaith yn union cyn ei diddymu gan adran 1 o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16);’

a mewnosoder –

‘mae i “y Cytuniadau” neu “Cytuniadau’r UE” –

- (a) mewn perthynas ag amser cyn y diwrnod ymadael, yr ystyr a roddir i “the Treaties” neu “the EU Treaties” gan Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68) (gweler adran 1(2) i (4) o’r Ddeddf honno a Rhan 1 o Atodlen 1 iddi);
- (b) mewn perthynas ag amser ar neu ar ôl y diwrnod ymadael, yr ystyr a roddir i “the Treaties” neu “the EU Treaties” gan y Ddeddf honno fel yr oedd ganddi effaith yn union cyn ei diddymu gan adran 1 o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16), ac mae’n cyfeirio at y Cytuniadau neu Gytuniadau’r UE’.

