

# HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 30 Medi 2019  
Tabled on 30 September 2019

## Bil Senedd ac Etholiadau (Cymru) Senedd and Elections (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** 34  
Section 1, page 1, line 16, leave out 'requires the Senedd to consider' and insert 'makes provision about'.  
Adran 1, tudalen 1, llinell 16, hepgorer 'ei gwneud yn ofynnol i'r Senedd ystyried' a mewnosoder 'gwneud darpariaeth ynghylch'.
- Jeremy Miles** 35  
Section 1, page 1, line 16, after '17', insert 'and qualifying foreign citizens'.  
Adran 1, tudalen 1, llinell 16, ar ôl 'oed', mewnosoder 'a dinasyddion tramor cymhwysol'.
- Jeremy Miles** 36  
Section 1, page 1, line 29, leave out 'its extent'.  
Adran 1, tudalen 1, llinell 31, hepgorer 'ei rhychwant'.
- Jeremy Miles** 37  
Section 10, page 3, line 5, leave out subsection (1) and insert –  
( ) Section 12 (entitlement to vote) of the 2006 Act is amended as follows.  
( ) In subsection (1)(a), after "constituency" insert "or fall within the extended franchise for Senedd elections as described in this section".



( ) After subsection (1), insert –

“(1A) A person falls within the extended franchise for Senedd elections if the person –

- (a) has attained the age of 16, but not the age of 18, and
- (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”.

Adran 10, tudalen 3, llinell 5, hepgorer is-adran (1) a mewnosoder –

‘( ) Mae adran 12 (yr hawl i bleidleisio) o Ddeddf 2006 wedi ei diwygio fel a ganlyn.

( ) Yn is-adran (1)(a), ar ôl “constituency” mewnosoder “or fall within the extended franchise for Senedd elections as described in this section”.

( ) Ar ôl is-adran (1), mewnosoder –

“(1A) A person falls within the extended franchise for Senedd elections if the person –

- (a) has attained the age of 16, but not the age of 18, and
- (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”.

**Jeremy Miles**

38

Page 3, after line 8, insert a new section –

**[ ] Extension of right to vote to qualifying foreign citizens in Senedd elections**

(1) After section 12(1A) of the 2006 Act, insert –

“(1B) A person falls within the extended franchise for Senedd elections if the person –

- (a) is a qualifying foreign citizen (within the meaning given by section 203(1) of the Representation of the People Act 1983 (c. 2)), and
- (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”

(2) The amendments made by this section have effect for the purposes of an election for membership of the Senedd at which a poll is held on or after 5 April 2021.’.



Tudalen 3, ar ôl llinell 8, mewnosoder adran newydd –

**[ ] Estyn yr hawl i bleidleisio i ddinasyddion tramor cymhwysol yn etholiadau'r Senedd**

(1) Ar ôl adran 12(1A) o Ddeddf 2006, mewnosoder –

“(1B) A person falls within the extended franchise for Senedd elections if the person –

(a) is a qualifying foreign citizen (within the meaning given by section 203(1) of the Representation of the People Act 1983 (c. 2)), and

(b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”

(2) Mae'r diwygiadau a wneir gan yr adran hon yn cael effaith at ddibenion etholiad i fod yn Aelod o'r Senedd pan gynhelir y bleidlais ar 5 Ebrill 2021 neu wedi hynny.’.

**Jeremy Miles**

39

Section 11, page 3, after line 14, insert –

‘() after subsection (3) insert –

“(3A) A person is also entitled to be registered in the register of local government electors for any electoral area in Wales if on the relevant date the person –

(a) is resident in that area,

(b) is not subject to any legal incapacity to vote (age apart) in an election of members (or of a member) of Senedd Cymru,

(c) is a qualifying foreign citizen, and

(d) is 16 years of age or over.”;’.

Adran 11, tudalen 3, ar ôl llinell 14, mewnosoder –

‘() ar ôl is-adran (3) mewnosoder –

“(3A) A person is also entitled to be registered in the register of local government electors for any electoral area in Wales if on the relevant date the person –

(a) is resident in that area,

(b) is not subject to any legal incapacity to vote (age apart) in an election of members (or of a member) of Senedd Cymru,

(c) is a qualifying foreign citizen, and

(d) is 16 years of age or over.”;’.



**Jeremy Miles**

**40**

Section 11, page 3, after line 18, insert –

‘( ) In section 203(1) of the 1983 Act (local government provisions as to England and Wales) after the definition of “London member” insert –

““qualifying foreign citizen” means a person who –

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

(b) either –

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

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave.”’.

Adran 11, tudalen 3, ar ôl llinell 18, mewnosoder –

‘( ) Yn adran 203(1) o Ddeddf 1983 (darpariaethau llywodraeth leol o ran Cymru a Lloegr) ar ôl y diffiniad o “London member” mewnosoder –

““qualifying foreign citizen” means a person who –

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

(b) either –

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

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave.”’.

**Jeremy Miles**

**41**

Section 15, page 5, after line 8, insert –

‘( ) In regulation 24 (evidence as to age and nationality), after “Union” insert “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.

Adran 15, tudalen 5, ar ôl llinell 8, mewnosoder –

‘( ) Yn rheoliad 24 (tystiolaeth o ran oedran a chenedligrwydd), ar ôl “Union” mewnosoder “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.



**Jeremy Miles** 42

Section 15, page 5, after line 18, insert—

‘() in paragraph (3)(ba), after “Union” insert “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.

Adran 15, tudalen 5, ar ôl llinell 18, mewnosoder—

‘() ym mharagraff (3)(ba), ar ôl “Union” mewnosoder “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.

**Jeremy Miles** 43

Section 18, page 7, after line 19, insert—

‘() In subsection (3)(e), after “Union” insert “or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.

Adran 18, tudalen 7, ar ôl llinell 19, mewnosoder—

‘() Yn is-adran (3)(e), ar ôl “Union” mewnosoder “or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”’.

**Jeremy Miles** 44

Section 18, page 7, after line 34, insert—

‘() a declaration of local connection made by a qualifying foreign citizen;’.

Adran 18, tudalen 7, ar ôl llinell 34, mewnosoder—

‘() a declaration of local connection made by a qualifying foreign citizen;’.

**Jeremy Miles** 45

Section 19, page 8, after line 34, insert—

‘() a service declaration made by a qualifying foreign citizen;’.

Adran 19, tudalen 8, ar ôl llinell 34, mewnosoder—

‘() a service declaration made by a qualifying foreign citizen;’.

**Jeremy Miles** 46

Section 19, page 9, after line 6, insert—



- '( ) in that subsection, in paragraph (e), after "Union" insert "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.

Adran 19, tudalen 9, ar ôl llinell 6, mewnosoder –

- '( ) yn yr is-adran honno, ym mharagraff (e), ar ôl "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.

**Jeremy Miles**

47

Section 19, page 9, line 11, after 'declaration)', insert –

- '( ) in subsection (1)(c), after "Union" insert "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.

Adran 19, tudalen 9, llinell 11, ar ôl 'wasanaeth)', mewnosoder –

- '( ) yn is-adran (1)(c), ar ôl "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.

**\*Jeremy Miles**

48

Section 22, page 11, after line 24, insert –

- '( ) the entry in the combined registers of any person who is registered only as a local government elector by virtue of section 4(3A) of this Act must give an indication of that fact.'

Adran 22, tudalen 11, ar ôl llinell 24, mewnosoder –

- '( ) the entry in the combined registers of any person who is registered only as a local government elector by virtue of section 4(3A) of this Act must give an indication of that fact.'

**Jeremy Miles**

49

Section 26, page 14, after line 12, insert –

- '( ) after the definition of "qualifying Commonwealth citizen" insert –
- ""qualifying foreign citizen" means a person who –
- (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and
- (b) either –
- (i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or



- (ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave;”.

Adran 26, tudalen 14, ar ôl llinell 11, mewnosoder –

‘( ) ar ôl y diffiniad o “qualifying Commonwealth citizen” mewnosoder –

““qualifying foreign citizen” means a person who –

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

(b) either –

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

- (ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave;”.

### **Jeremy Miles**

50

Section 26, page 14, line 14, after ‘Act’’, insert ‘to the end’.

Adran 26, tudalen 14, llinell 13, ar ôl ‘Act’’, mewnosoder ‘hyd at y diwedd’.

### **Jeremy Miles**

51

Section 26, page 14, line 17, leave out ‘11(4) (proxies at Assembly elections)’ and insert –

‘11 (proxies at Assembly elections) –

- (a) in paragraph (3)(b), after “Union” insert “nor a qualifying foreign citizen”;

(b) in paragraph (4)’.

Adran 26, tudalen 14, llinell 17, hepgorer ‘11(4) (dirprwyon yn etholiadau’r Cynulliad)’ a mewnosoder –

‘11 (dirprwyon yn etholiadau’r Cynulliad) –

- (a) ym mharagraff (3)(b), ar ôl “Union” mewnosoder “nor a qualifying foreign citizen”;

(b) ym mharagraff (4)’.

### **Jeremy Miles**

52

Section 26, page 14, after line 17, insert –

‘(4) In article 26(3)(b) (effect of registers), after sub-paragraph (i) insert –

“(ia) a qualifying foreign citizen;”.



- (5) The following amendments have effect for the purposes of an election for membership of the Senedd at which the poll is held on or after 5 April 2021 –
- (a) the amendment made by subsection (2)(c) so far as it defines “voting age” in article 26(3)(a) of the 2007 Order;
  - (b) the amendments made by subsections (3) and [(*first subsection to be inserted by this amendment*)].’.

Adran 26, tudalen 14, ar ôl llinell 17, mewnosoder –

‘(4) Yn erthygl 26(3)(b) (effaith cofrestrau), ar ôl is-baragraff (i) mewnosoder –

“(ia) a qualifying foreign citizen;”.

- (5) Mae’r diwygiadau a ganlyn yn cael effaith at ddibenion etholiad i fod yn Aelod o’r Senedd pan gynhelir y bleidlais ar 5 Ebrill 2021 neu wedi hynny –
- (a) y diwygiad a wneir gan is-adran (2)(c) i’r graddau y mae’n diffinio “voting age” yn erthygl 26(3)(a) o Orchymyn 2007;
  - (b) y diwygiadau a wneir gan is-adrannau (3) a [(*yr is-adran cyntaf a fewnosodir gan y gwelliant hwn*)].’.

**Jeremy Miles**

**53**

Page 14, line 19, leave out section 27 and insert –

**[ ] Financial and oversight arrangements of Electoral Commission**

- (1) Schedule 1 to the Political Parties, Elections and Referendums Act 2000 (c. 41) is amended as follows.
- (2) After paragraph 16 insert –

*“Financing of Commission: devolved Welsh elections and referendums*

- 16A (1) The expenditure of the Commission that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums is (so far as it cannot be met out of income received by the Commission) to be met by the Senedd Commission.
- (2) For each financial year, the Commission must prepare an estimate of the Commission’s income and expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums.
  - (3) At least six months before the start of the financial year to which an estimate relates, the Commission must submit the estimate to the relevant Senedd body.
  - (4) During the financial year to which an estimate relates, the Commission may prepare a revised estimate and submit it to the relevant Senedd body; and references in the rest of this paragraph to





- an estimate include a revised estimate.
- (5) The standing orders of Senedd Cymru must designate one of the following as the relevant Senedd body –
    - (a) a committee of Senedd Cymru chaired by the Presiding Officer or Deputy Presiding Officer, or
    - (b) the Senedd Commission.
  - (6) The relevant Senedd body must –
    - (a) examine each estimate submitted to it,
    - (b) decide whether it is satisfied that the estimated level of income and expenditure is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and
    - (c) if it is not so satisfied, make such modifications to the estimate as it considers appropriate for the purpose of achieving such consistency.
  - (7) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must –
    - (a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2), to any later report made under paragraph 16C(4), and to any recommendations contained in the reports;
    - (b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.
  - (8) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the estimate, lay the estimate before Senedd Cymru.
  - (9) If the relevant Senedd body, in the discharge of its functions under this paragraph –
    - (a) does not follow any recommendation contained in a report of the Comptroller and Auditor General,
    - (b) does not follow any advice given to it by the Welsh Ministers, or
    - (c) makes any modification to the estimate,it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.
  - (10) This paragraph applies in relation to the income and expenditure of the Commission in financial years that begin on or after 1 April 2021.



*Five-year plan: devolved Welsh elections and referendums*

- 16B (1) When the Commission submit an estimate to the relevant Senedd body under paragraph 16A(3), the Commission must at the same time submit to the relevant Senedd body a plan setting out –
- (a) the Commission’s aims and objectives for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums during the period of five years beginning with the financial year to which the estimate relates, and
  - (b) the Commission’s estimated requirements for resources for the exercise of those functions during that five-year period.
- (2) The relevant Senedd body must –
- (a) examine each plan submitted to it,
  - (b) decide whether it is satisfied that the plan is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and
  - (c) if it is not so satisfied, make such modifications to the plan as it considers appropriate for the purpose of achieving such consistency.
- (3) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must –
- (a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2) and to any recommendations contained in the report;
  - (b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.
- (4) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the plan, lay the plan before Senedd Cymru.
- (5) If the relevant Senedd body, in the discharge of its functions under this paragraph –
- (a) does not follow any recommendation contained in the report of the Comptroller and Auditor General,
  - (b) does not follow any advice given to it by the Welsh Ministers, or
  - (c) makes any modification to the plan,
- it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.



*Examination of Commission: devolved Welsh elections and referendums*

- 16C (1) Sub-paragraph (2) applies where an estimate and plan are submitted to the relevant Senedd body under paragraphs 16A(3) and 16B(1).
- (2) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraphs 16A and 16B, the Comptroller and Auditor General must, before the relevant Senedd body considers the estimate and plan—
- (a) carry out an examination into the economy, efficiency or effectiveness (or, if the Comptroller and Auditor General so determines, any combination of them) with which the Commission have used their resources in discharging their functions in relation to devolved Welsh elections and devolved Welsh referendums (or, if the Comptroller and Auditor General so determines, any of those functions),
  - (b) report to the relevant Senedd body the results of the examination, and
  - (c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.
- (3) Sub-paragraph (4) applies where a revised estimate is submitted to the relevant Senedd body under paragraph 16A(4).
- (4) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraph 16A, the Comptroller and Auditor General may, before the body considers the revised estimate—
- (a) carry out a further examination into the matters mentioned in sub-paragraph (2)(a),
  - (b) report to the relevant Senedd body the results of the examination, and
  - (c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.
- (5) Section 8 of the National Audit Act 1983 (right to obtain documents and information) applies in relation to any examination under this paragraph as it applies in relation to an examination under section 6 of that Act.
- (6) See also section 19 of the Public Audit (Wales) Act 2013 (which enables the Wales Audit Office to make arrangements for any function of a public authority or office holder to be exercised by the Auditor General for Wales)."
- (3) In paragraph 18 (audit)—
- (a) in sub-paragraph (1)(b), at the end insert "and the relevant Senedd body";
  - (b) in sub-paragraph (2)(b), after "Parliament" insert "and Senedd Cymru";



(c) after sub-paragraph (2) insert –

“(3) The relevant Senedd body may submit to the Auditor General for Wales any accounts that have been certified and laid before Senedd Cymru under sub-paragraph (2).

(4) The Auditor General for Wales must –

(a) carry out a further examination of any accounts submitted under sub-paragraph (3), so far as they relate to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums, and

(b) prepare and lay before Senedd Cymru a report on the accounts so far as they relate to the exercise of those functions.”

(4) In paragraph 19(4) (responsibilities of accounting officer), after “the Speaker’s Committee” insert “, the relevant Senedd body”.

(5) After paragraph 20 insert –

*“Reports by Commission: devolved Welsh elections and referendums*

20A (1) The Commission must, as soon as practicable after the end of each financial year –

(a) prepare a report about the performance of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums during that financial year, and

(b) lay the report before Senedd Cymru.

(2) On laying the report, the Commission must publish it in such manner as the Commission may determine.

*Reports by relevant Senedd body*

20B (1) The relevant Senedd body must, at least once in each year –

(a) prepare a report on the exercise by the body of its functions under this Schedule, and

(b) lay the report before Senedd Cymru.

(2) For the purposes of the law of defamation, the publication of any matter by the relevant Senedd body in such a report is absolutely privileged.”

(6) In paragraph 25 –

(a) the existing provision becomes sub-paragraph (1);

(b) after that sub-paragraph insert –

“(2) In this Schedule –

“devolved Welsh election” means –

(a) a general election of members of Senedd Cymru;



(b) an election held under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);

(c) a local government election in Wales;

“devolved Welsh referendum” means a referendum held under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to local authority executive arrangements);

“relevant Senedd body” means the body designated under paragraph 16A(5).”

(7) Schedule [*new Schedule - amendment 71*] contains further amendments relating to the Electoral Commission.’.

Tudalen 14, llinell 19, hepgorer adran 27 a mewnosoder –

#### **[1] Trefniadau ariannol a goruchwyllo’r Comisiwn Etholiadol**

(1) Mae Atodlen 1 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41) wedi ei diwygio fel a ganlyn.

(2) Ar ôl paragraff 16 mewnosoder –

#### *“Financing of Commission: devolved Welsh elections and referendums*

16A (1) The expenditure of the Commission that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums is (so far as it cannot be met out of income received by the Commission) to be met by the Senedd Commission.

(2) For each financial year, the Commission must prepare an estimate of the Commission’s income and expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums.

(3) At least six months before the start of the financial year to which an estimate relates, the Commission must submit the estimate to the relevant Senedd body.

(4) During the financial year to which an estimate relates, the Commission may prepare a revised estimate and submit it to the relevant Senedd body; and references in the rest of this paragraph to an estimate include a revised estimate.

(5) The standing orders of Senedd Cymru must designate one of the following as the relevant Senedd body –

(a) a committee of Senedd Cymru chaired by the Presiding Officer or Deputy Presiding Officer, or

(b) the Senedd Commission.



- (6) The relevant Senedd body must—
  - (a) examine each estimate submitted to it,
  - (b) decide whether it is satisfied that the estimated level of income and expenditure is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and
  - (c) if it is not so satisfied, make such modifications to the estimate as it considers appropriate for the purpose of achieving such consistency.
- (7) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—
  - (a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2), to any later report made under paragraph 16C(4), and to any recommendations contained in the reports;
  - (b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.
- (8) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the estimate, lay the estimate before Senedd Cymru.
- (9) If the relevant Senedd body, in the discharge of its functions under this paragraph—
  - (a) does not follow any recommendation contained in a report of the Comptroller and Auditor General,
  - (b) does not follow any advice given to it by the Welsh Ministers, or
  - (c) makes any modification to the estimate,it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.
- (10) This paragraph applies in relation to the income and expenditure of the Commission in financial years that begin on or after 1 April 2021.

*Five-year plan: devolved Welsh elections and referendums*

- 16B (1) When the Commission submit an estimate to the relevant Senedd body under paragraph 16A(3), the Commission must at the same time submit to the relevant Senedd body a plan setting out—
- (a) the Commission's aims and objectives for the exercise of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums during the period of five years beginning with the financial year to which the





- estimate relates, and
- (b) the Commission's estimated requirements for resources for the exercise of those functions during that five-year period.
- (2) The relevant Senedd body must—
- (a) examine each plan submitted to it,
  - (b) decide whether it is satisfied that the plan is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and
  - (c) if it is not so satisfied, make such modifications to the plan as it considers appropriate for the purpose of achieving such consistency.
- (3) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—
- (a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2) and to any recommendations contained in the report;
  - (b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.
- (4) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the plan, lay the plan before Senedd Cymru.
- (5) If the relevant Senedd body, in the discharge of its functions under this paragraph—
- (a) does not follow any recommendation contained in the report of the Comptroller and Auditor General,
  - (b) does not follow any advice given to it by the Welsh Ministers, or
  - (c) makes any modification to the plan,
- it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.

*Examination of Commission: devolved Welsh elections and referendums*

- 16C (1) Sub-paragraph (2) applies where an estimate and plan are submitted to the relevant Senedd body under paragraphs 16A(3) and 16B(1).
- (2) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraphs 16A and 16B, the Comptroller and Auditor General must, before the relevant Senedd body considers the estimate and plan—
- (a) carry out an examination into the economy, efficiency or effectiveness (or, if the Comptroller and Auditor General so



- determines, any combination of them) with which the Commission have used their resources in discharging their functions in relation to devolved Welsh elections and devolved Welsh referendums (or, if the Comptroller and Auditor General so determines, any of those functions),
- (b) report to the relevant Senedd body the results of the examination, and
  - (c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.
- (3) Sub-paragraph (4) applies where a revised estimate is submitted to the relevant Senedd body under paragraph 16A(4).
- (4) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraph 16A, the Comptroller and Auditor General may, before the body considers the revised estimate—
- (a) carry out a further examination into the matters mentioned in sub-paragraph (2)(a),
  - (b) report to the relevant Senedd body the results of the examination, and
  - (c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.
- (5) Section 8 of the National Audit Act 1983 (right to obtain documents and information) applies in relation to any examination under this paragraph as it applies in relation to an examination under section 6 of that Act.
- (6) See also section 19 of the Public Audit (Wales) Act 2013 (which enables the Wales Audit Office to make arrangements for any function of a public authority or office holder to be exercised by the Auditor General for Wales)."
- (3) Ym mharagraff 18 (archwilio) —
- (a) yn is-baragraff (1)(b), ar y diwedd mewnosoder "and the relevant Senedd body";
  - (b) yn is-baragraff (2)(b), ar ôl "Parliament" mewnosoder "and Senedd Cymru";
  - (c) ar ôl is-baragraff (2) mewnosoder —
- "(3) The relevant Senedd body may submit to the Auditor General for Wales any accounts that have been certified and laid before Senedd Cymru under sub-paragraph (2).
  - (4) The Auditor General for Wales must —
- (a) carry out a further examination of any accounts submitted under sub-paragraph (3), so far as they relate to the exercise of the Commission's functions in relation to devolved Welsh





elections and devolved Welsh referendums, and

- (b) prepare and lay before Senedd Cymru a report on the accounts so far as they relate to the exercise of those functions.”
- (4) Ym mharagraff 19(4) (cyfrifoldebau’r swyddog cyfrifyddu), ar ôl “the Speaker’s Committee” mewnosoder “, the relevant Senedd body”.
- (5) Ar ôl paragraff 20 mewnosoder –

*“Reports by Commission: devolved Welsh elections and referendums*

- 20A (1) The Commission must, as soon as practicable after the end of each financial year –
  - (a) prepare a report about the performance of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums during that financial year, and
  - (b) lay the report before Senedd Cymru.
- (2) On laying the report, the Commission must publish it in such manner as the Commission may determine.

*Reports by relevant Senedd body*

- 20B (1) The relevant Senedd body must, at least once in each year –
    - (a) prepare a report on the exercise by the body of its functions under this Schedule, and
    - (b) lay the report before Senedd Cymru.
  - (2) For the purposes of the law of defamation, the publication of any matter by the relevant Senedd body in such a report is absolutely privileged.”
- (6) Ym mharagraff 25 –
    - (a) daw’r ddarpariaeth bresennol yn is-baragraff (1);
    - (b) ar ôl yr is-baragraff hwnnw mewnosoder –

“(2) In this Schedule –

“devolved Welsh election” means –

- (a) a general election of members of Senedd Cymru;
- (b) an election held under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
- (c) a local government election in Wales;

“devolved Welsh referendum” means a referendum held under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to local authority executive arrangements);



“relevant Senedd body” means the body designated under paragraph 16A(5).”

- (7) Mae Atodlen [Atodlen newydd - gwellaint 71] yn cynnwys diwygiadau pellach sy'n ymwneud â'r Comisiwn Etholiadol.’.

**Jeremy Miles**

54

Page 15, line 3, leave out section 28.

Tudalen 15, llinell 3, hepgorer adran 28.

**Jeremy Miles**

55

Section 29, page 15, line 24, leave out –

‘In subsection (1) –’

and insert –

‘Before subsection (1) insert –

“(A1) A person is disqualified from being a Member of Senedd Cymru, and from being a candidate to be a Member of Senedd Cymru, if that person –

- (a) falls within any of the categories of person specified in Part 1 of Schedule 1A, or
- (b) holds any of the offices specified in Part 2 of Schedule 1A.”

( ) In subsection (1) –

(a) for the words before paragraph (za) substitute –

“(1) A person is disqualified from being a Member of Senedd Cymru (but not from being a candidate to be a Member of Senedd Cymru) if that person –”’.

Adran 29, tudalen 15, llinell 27, hepgorer –

‘Yn is-adran (1) –’

a mewnosoder –

‘O flaen is-adran (1) mewnosoder –

“(A1) A person is disqualified from being a Member of Senedd Cymru, and from being a candidate to be a Member of Senedd Cymru, if that person –

- (a) falls within any of the categories of person specified in Part 1 of Schedule 1A, or
- (b) holds any of the offices specified in Part 2 of Schedule 1A.”

( ) Yn is-adran (1) –

(a) yn lle’r geiriau o flaen paragraff (za) rhodder –



“(1) A person is disqualified from being a Member of Senedd Cymru (but not from being a candidate to be a Member of Senedd Cymru) if that person—”;

**Jeremy Miles**

56

Section 29, page 15, after line 26, insert—

‘(zc) is a member of the council of a county or county borough in Wales (but see sections 17D, 17E and 17F), or’.

Adran 29, tudalen 15, ar ôl llinell 29, mewnosoder—

‘(zc) is a member of the council of a county or county borough in Wales (but see sections 17D, 17E and 17F), or’.

**Jeremy Miles**

57

Section 29, page 15, leave out lines 27 to 29.

Adran 29, tudalen 15, hepgorer llinellau 30 hyd at 32.

**Jeremy Miles**

58

Section 29, page 15, line 31, leave out—

after “members” insert “(but see subsection (1B))”; and

(d) omit paragraphs (c) to (e).

(3) After subsection (1), insert—

“(1A) A person who is disqualified from being a Member of the Senedd by virtue of paragraph (zc) or (zd) of subsection (1) is disqualified from being a candidate for election to the Senedd.

(1B) A person who would have been disqualified from being a Member of the Senedd by virtue of subsection (1)(b) is not disqualified—

(a) from being a candidate for election to the Senedd; and

(b) from being a Member of the Senedd if the person has resigned or otherwise vacated the disqualifying office before taking the oath or affirmation of allegiance’.

and insert—

‘at the end insert “(but see subsection (1A))”;

( ) omit paragraphs (c) to (e).

( ) After subsection (1) insert—



“(1A) A person returned at an election as a Member of Senedd Cymru is not disqualified under subsection (1)(b) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).”.

Adran 29, tudalen 15, llinell 34, hepgorer –

‘ar ôl “members” mewnosoder “(but see subsection (1B))”; a

(d) hepgorer paragraffau (c) i (e).

(3) Ar ôl is-adran (1), mewnosoder –

“(1A) A person who is disqualified from being a Member of the Senedd by virtue of paragraph (zc) or (zd) of subsection (1) is disqualified from being a candidate for election to the Senedd.

(1B) A person who would have been disqualified from being a Member of the Senedd by virtue of subsection (1)(b) is not disqualified –

(a) from being a candidate for election to the Senedd, and

(b) from being a Member of the Senedd if the person has resigned or otherwise vacated the disqualifying office before taking the oath or affirmation of allegiance

a mewnosoder –

‘y diwedd mewnosoder “(but see subsection (1A))”;

( ) hepgorer paragraffau (c) i (e).

( ) Ar ôl is-adran (1) mewnosoder –

“(1A) A person returned at an election as a Member of Senedd Cymru is not disqualified under subsection (1)(b) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).”.

## **Jeremy Miles**

59

Section 30, page 16, line 18, leave out –

‘subsection (1).

(3) In subsection (2), after “Kingdom”, at the first place where it appears, insert “, a citizen of the Republic of Ireland or a qualifying Commonwealth citizen within the meaning of that term in paragraph 2 of Schedule 1A”.

(4) In subsection (3), omit “on a ground within section 16(1) or (4)”,

and insert –

‘subsections (1) and (2).

( ) In subsection (3), omit “or (4)”.

( ) In the section heading, for “Exceptions and relief” substitute “Relief”.



Adran 30, tudalen 16, llinell 18, hepgorer –

‘is-adran (1).

(3) Yn is-adran (2), ar ôl “Kingdom”, yn y lle cyntaf y mae’n ymddangos, mewnosoder “, a citizen of the Republic of Ireland or a qualifying Commonwealth citizen within the meaning of that term in paragraph 2 of Schedule 1A”.

(4) Yn is-adran (3), hepgorer “on a ground within section 16(1) or (4)”,

a mewnosoder –

‘is-adrannau (1) a (2).

( ) Yn is-adran (3), hepgorer “or (4)”.

( ) Ym mhennawd yr adran, yn lle “Exceptions and relief” rhodder “Relief”’.

## **Jeremy Miles**

60

Section 31, page 16, line 27, leave out –

‘the Senedd who obtains leave of absence from the House of Lords is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords).

(2) The exception in subsection (1) applies if, at any time in the period of eight days beginning with the day the person is so returned, the person –

(a) makes an application for leave of absence from the House of Lords, and

(b) provides the Clerk with a copy of that application,

but this exception ceases to apply if the application is subsequently withdrawn or refused.

(3) Subsection (4) applies where a person –

(a) is returned at an election as a Member of the Senedd, and

(b) having been so returned is introduced as a member of the House of Lords.

(4) A person is not disqualified under section 16(1)(zb) if, at any time in the period of eight days beginning with the day on which the person is introduced as a member of the House of Lords, that person –

(a) makes an application for leave of absence from the House of Lords, and

(b) provides the Clerk with a copy of that application,

but this exception ceases to apply if the application is subsequently withdrawn or refused.



- (5) A person who has been granted leave of absence from the House of Lords and is re-elected to the Senedd must provide the Clerk with written confirmation that the leave of absence continues before taking the oath of allegiance or making the corresponding affirmation.
- (6) A person who had leave of absence from the House of Lords during one Parliament is not disqualified under section 16(1)(zb) following the dissolution of that Parliament if, at any time on or before the eighth day following the day of the first meeting of the House of Lords after that dissolution, that person—
  - (a) renews the leave of absence from the House of Lords, and
  - (b) provides the Clerk with written confirmation of that renewal,but this exception ceases to apply if the renewal is subsequently withdrawn.”,

and insert—

‘Senedd Cymru is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords) at any time in the period of eight days beginning with the day the person is so returned.

- ( ) A Member of Senedd Cymru who becomes a member of the House of Lords is not disqualified under section 16(1)(zb) at any time before the end of the period of eight days beginning with the day the person makes and subscribes the oath required by the Parliamentary Oaths Act 1866 (c. 19) (or the corresponding affirmation).
- ( ) A person is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time when the person—
  - (a) has leave of absence from the House of Lords, or
  - (b) has made an application for leave of absence which has not been withdrawn or refused.
- ( ) A person who is on leave of absence from the House of Lords immediately before Parliament is dissolved is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time in the period—
  - (a) beginning with the dissolution of the old Parliament, and
  - (b) ending at the end of the period of eight days beginning with the day of the first meeting of the new Parliament.”.

Adran 31, tudalen 16, llinell 27, hepgorer—

‘the Senedd who obtains leave of absence from the House of Lords is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords).



- (2) The exception in subsection (1) applies if, at any time in the period of eight days beginning with the day the person is so returned, the person—
- (a) makes an application for leave of absence from the House of Lords, and
  - (b) provides the Clerk with a copy of that application,
- but this exception ceases to apply if the application is subsequently withdrawn or refused.
- (3) Subsection (4) applies where a person—
- (a) is returned at an election as a Member of the Senedd, and
  - (b) having been so returned is introduced as a member of the House of Lords.
- (4) A person is not disqualified under section 16(1)(zb) if, at any time in the period of eight days beginning with the day on which the person is introduced as a member of the House of Lords, that person—
- (a) makes an application for leave of absence from the House of Lords, and
  - (b) provides the Clerk with a copy of that application,
- but this exception ceases to apply if the application is subsequently withdrawn or refused.
- (5) A person who has been granted leave of absence from the House of Lords and is re-elected to the Senedd must provide the Clerk with written confirmation that the leave of absence continues before taking the oath of allegiance or making the corresponding affirmation.
- (6) A person who had leave of absence from the House of Lords during one Parliament is not disqualified under section 16(1)(zb) following the dissolution of that Parliament if, at any time on or before the eighth day following the day of the first meeting of the House of Lords after that dissolution, that person—
- (a) renews the leave of absence from the House of Lords, and
  - (b) provides the Clerk with written confirmation of that renewal,
- but this exception ceases to apply if the renewal is subsequently withdrawn.”,

a mewnosoder—

‘Senedd Cymru is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords) at any time in the period of eight days beginning with the day the person is so returned.





- ( ) A Member of Senedd Cymru who becomes a member of the House of Lords is not disqualified under section 16(1)(zb) at any time before the end of the period of eight days beginning with the day the person makes and subscribes the oath required by the Parliamentary Oaths Act 1866 (c. 19) (or the corresponding affirmation).
- ( ) A person is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time when the person –
  - (a) has leave of absence from the House of Lords, or
  - (b) has made an application for leave of absence which has not been withdrawn or refused.
- ( ) A person who is on leave of absence from the House of Lords immediately before Parliament is dissolved is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time in the period –
  - (a) beginning with the dissolution of the old Parliament, and
  - (b) ending at the end of the period of eight days beginning with the day of the first meeting of the new Parliament.”.

**Jeremy Miles**

**61**

Page 17, after line 24, insert a new section –

**[ ] Exceptions from disqualification by virtue of being a member of a county or county borough council**

After section 17C of the 2006 Act (as inserted by section 31) insert –

**“17D Exception from disqualification by virtue of being a councillor: recently elected members**

- (1) A person returned at an election as a Member of Senedd Cymru is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).
- (2) A Member of Senedd Cymru who is returned at an election as a member of the council of a county or county borough in Wales is not disqualified under section 16(1)(zc) at any time before the person makes a declaration of acceptance of office under section 83 of the Local Government Act 1972 (c. 70).

**17E Exception from disqualification by virtue of being a councillor: ordinary election of councillors within 372 days**

- (1) This section applies if –





- (a) a member of the council of a county or county borough in Wales is returned as a Member of Senedd Cymru, and
  - (b) the expected day of the next ordinary election of members of the council is within the period of 372 days beginning with the day the person is so returned (“the return day”).
- (2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period –
  - (a) beginning with the return day, and
  - (b) ending with the fourth day after the day of the next ordinary election of members of the council.
- (3) For the purposes of subsection (1)(b) the expected day of the next ordinary election of members of the council is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).
- (4) For the purpose of determining the expected day, no account is to be taken of the possibility of –
  - (a) an order under section 37ZA(1) of the Representation of the People Act 1983 (c. 2) (power to vary ordinary day of local elections), or
  - (b) an order under section 87 of the Local Government Act 2000 (c. 22) (power to change year in which local election is held),being made after the relevant time.
- (5) References in this section and section 17F to the “day” of an election are to the day on which the poll at the election is held.

**17F Exception from disqualification by virtue of being a councillor: general election of Members of Senedd Cymru within 372 days**

- (1) This section applies if –
  - (a) a Member of Senedd Cymru is returned as a member of the council of a county or county borough in Wales, and
  - (b) the expected day of the next general election of Members of Senedd Cymru is within the period of 372 days beginning with the day the person is so returned (“the return day”).
- (2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period –
  - (a) beginning with the return day, and
  - (b) ending immediately before the day of the next general election of Members of Senedd Cymru.



- (3) For the purposes of subsection (1)(b) the expected day of the next general election of Members of Senedd Cymru is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).
- (4) Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies –
  - (a) if an Order in Council under section 5(4) has been made, the expected day is the day on which the poll is required to be held in accordance with that Order;
  - (b) if no Order in Council under section 5(4) has been made but a day has been proposed under section 5(1), that is the expected day;
  - (c) otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).
- (5) For the purpose of determining the expected day, no account is to be taken of the possibility of –
  - (a) an order under section 4 (power to vary date of ordinary general election) being made after the relevant time, or
  - (b) section 5(2) or (3) (extraordinary general elections) first applying after that time.”.

Tudalen 17, ar ôl llinell 24, mewnosoder adran newydd –

[ ] **Eithriadau rhag anghymhwyso yn rhinwedd bod yn aelod o gyngor sir neu gyngor bwrdeistref sirol**

Ar ôl adran 17C o Ddeddf 2006 (fel y'i mewnosodir gan adran 31) mewnosoder –

**“17D Exception from disqualification by virtue of being a councillor: recently elected members**

- (1) A person returned at an election as a Member of Senedd Cymru is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).
- (2) A Member of Senedd Cymru who is returned at an election as a member of the council of a county or county borough in Wales is not disqualified under section 16(1)(zc) at any time before the person makes a declaration of acceptance of office under section 83 of the Local Government Act 1972 (c. 70).

**17E Exception from disqualification by virtue of being a councillor: ordinary election of councillors within 372 days**

- (1) This section applies if –



- (a) a member of the council of a county or county borough in Wales is returned as a Member of Senedd Cymru, and
  - (b) the expected day of the next ordinary election of members of the council is within the period of 372 days beginning with the day the person is so returned (“the return day”).
- (2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period –
- (a) beginning with the return day, and
  - (b) ending with the fourth day after the day of the next ordinary election of members of the council.
- (3) For the purposes of subsection (1)(b) the expected day of the next ordinary election of members of the council is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).
- (4) For the purpose of determining the expected day, no account is to be taken of the possibility of –
- (a) an order under section 37ZA(1) of the Representation of the People Act 1983 (c. 2) (power to vary ordinary day of local elections), or
  - (b) an order under section 87 of the Local Government Act 2000 (c. 22) (power to change year in which local election is held),
- being made after the relevant time.
- (5) References in this section and section 17F to the “day” of an election are to the day on which the poll at the election is held.

**17F Exception from disqualification by virtue of being a councillor: general election of Members of Senedd Cymru within 372 days**

- (1) This section applies if –
- (a) a Member of Senedd Cymru is returned as a member of the council of a county or county borough in Wales, and
  - (b) the expected day of the next general election of Members of Senedd Cymru is within the period of 372 days beginning with the day the person is so returned (“the return day”).
- (2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period –
- (a) beginning with the return day, and
  - (b) ending immediately before the day of the next general election of Members of Senedd Cymru.



- (3) For the purposes of subsection (1)(b) the expected day of the next general election of Members of Senedd Cymru is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).
- (4) Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies –
  - (a) if an Order in Council under section 5(4) has been made, the expected day is the day on which the poll is required to be held in accordance with that Order;
  - (b) if no Order in Council under section 5(4) has been made but a day has been proposed under section 5(1), that is the expected day;
  - (c) otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).
- (5) For the purpose of determining the expected day, no account is to be taken of the possibility of –
  - (a) an order under section 4 (power to vary date of ordinary general election) being made after the relevant time, or
  - (b) section 5(2) or (3) (extraordinary general elections) first applying after that time.”.

## Jeremy Miles

62

Section 32, page 17, line 28, leave out –

‘A person who is disqualified from being a Member of the Senedd by virtue of section 16(1)(zc) or (zd) is also disqualified from being a candidate for election to the Senedd; other disqualifications do not prevent a person from standing for election.

- (A2) Where a person who is elected to the Senedd is disqualified from being a Member of the Senedd by virtue of a disqualifying membership or office under section 16(1)(za), (zb) or (b), the disqualification does not take effect unless and until the person purports to take the oath or affirmation of allegiance as Member of the Senedd while still holding the disqualifying membership or office.”,

and insert –

‘If a person who is disqualified from being a candidate to be a Member of Senedd Cymru (see section 16(A1)) is nominated as a candidate at a general election of Members of Senedd Cymru or an election to fill a vacancy under section 10, the person’s nomination is void.”.



Adran 32, tudalen 17, llinell 28, hepgorer –

‘A person who is disqualified from being a Member of the Senedd by virtue of section 16(1)(zc) or (zd) is also disqualified from being a candidate for election to the Senedd; other disqualifications do not prevent a person from standing for election.

(A2) Where a person who is elected to the Senedd is disqualified from being a Member of the Senedd by virtue of a disqualifying membership or office under section 16(1)(za), (zb) or (b), the disqualification does not take effect unless and until the person purports to take the oath or affirmation of allegiance as Member of the Senedd while still holding the disqualifying membership or office.’’,

a mewnosoder –

‘If a person who is disqualified from being a candidate to be a Member of Senedd Cymru (see section 16(A1)) is nominated as a candidate at a general election of Members of Senedd Cymru or an election to fill a vacancy under section 10, the person’s nomination is void.’’.

## **Jeremy Miles**

63

Section 32, page 17, after line 40, insert –

‘(6) In section 19(1) of the 2006 Act (judicial proceedings as to disqualification), omit paragraph (b) and the “or” before it.’.

Adran 32, tudalen 17, ar ôl llinell 41, mewnosoder –

‘(6) Yn adran 19(1) o Ddeddf 2006 (achosion barnwrol o ran anghymhwysu), hepgorer paragraff (b) a’r “or” o’i flaen.’.

## **Jeremy Miles**

64

Page 18, line 2, leave out section 33.

Tudalen 18, llinell 2, hepgorer adran 33.

## **Jeremy Miles**

65

Section 34, page 18, line 9, leave out –

“ substitute “section 16(1)(a)”.

- (2) In Schedule 5 (Assembly Election Rules) to the 2007 Order, in rule 9(4)(c)(ii) after “disqualified”, at the first place where it appears, insert “from being a candidate”.
- (3) In the Schedule to the National Assembly for Wales (Disqualification) Order 2015 (S.I. 2015/1536) omit the entries relating to the following offices –

Children’s Commissioner for Wales



Civil Service Commission  
Commissioner for Public Appointments  
Comptroller and Auditor General  
Electoral Commission  
Future Generations Commissioner for Wales  
Her Majesty's Chief Inspector of Education and Training in Wales  
Independent Remuneration Panel for Wales  
Local Democracy and Boundary Commission for Wales  
Older People's Commissioner for Wales  
Parliamentary Commission for Administration  
Returning Officer for a constituency or an electoral region of the National Assembly for Wales  
Welsh Language Commissioner.'

and insert –

'of the Government of Wales Act 2006 by virtue of this section" substitute "section 16(A1) (a) of the Government of Wales Act 2006 and paragraph 4 of Schedule 1A to that Act".

( ) In Schedule 10 to the 2006 Act, omit paragraph 18 and the italic heading before it.'

Adran 34, tudalen 18, llinell 9, hepgorer –

"" rhodder "section 16(1)(a)".

(2) Yn Atodlen 5 (Rheolau Etholiadau'r Cynulliad) i Orchymyn 2007, yn rheol 9(4)(c)(ii) ar ôl "disqualified", yn y lle cyntaf y mae'n ymddangos, mewnosoder "from being a candidate".

(3) Yn yr Atodlen i Orchymyn Cynulliad Cenedlaethol Cymru (Anghymhwysu) 2015 (O.S. 2015/1536) hepgorer y cofnodion sy'n ymwneud â'r swyddi a ganlyn –

Y Comisiwn Etholiadol

Comisiwn Ffiniau a Democratiaeth Leol Cymru

Comisiwn y Gwasanaeth Sifil

Comisiynydd Cenedlaethau'r Dyfodol ar gyfer Cymru

Y Comisiynydd Penodiadau Cyhoeddus

Comisiynydd Plant Cymru

Comisiynydd Pobl Hŷn Cymru

Comisiynydd y Gymraeg

Y Comisiynydd Seneddol dros Weinyddiaeth

Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol

Prif Arolygydd ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru

Y Rheolwr ac Archwilydd Cyffredinol



Swyddog canlyniadau ar gyfer un o etholaethau neu un o ranbarthau etholiadol Senedd.’,

a mewnosoder –

‘of the Government of Wales Act 2006 by virtue of this section” rhodder “section 16(A1) (a) of the Government of Wales Act 2006 and paragraph 4 of Schedule 1A to that Act”.

- ( ) Yn Atodlen 10 i Ddeddf 2006, hepgorer paragraff 18 a’r pennawd italig o’i flaen.’.

**Jeremy Miles**

66

Page 19, after line 28, insert a new section –

**[ ] Power to make consequential and transitional provision etc.**

- (1) If the Welsh Ministers consider it appropriate for the purposes of, in consequence of, or for giving full effect to any provision of this Act, they may by regulations make –
- (a) supplemental, incidental or consequential provision;
  - (b) transitional, transitory or saving provision.
- (2) Regulations under subsection (1) may amend, modify, repeal or revoke any enactment (including an enactment contained in this Act).’.

Tudalen 19, ar ôl llinell 28, mewnosoder adran newydd –

**[ ] Pŵer i wneud darpariaeth ganlyniadol a darpariaeth drosiannol etc.**

- (1) Os yw Gweinidogion Cymru yn ystyried ei bod yn briodol at ddibenion unrhyw ddarpariaeth yn y Ddeddf hon, o ganlyniad i unrhyw ddarpariaeth ynddi, neu er mwyn rhoi effaith lawn i unrhyw ddarpariaeth ynddi, cânt drwy reoliadau wneud –
- (a) darpariaeth atodol, darpariaeth gysylltiedig neu ddarpariaeth ganlyniadol;
  - (b) darpariaeth drosiannol, darpariaeth ddarfodol neu ddarpariaeth arbed.
- (2) Caiff rheoliadau o dan is-adran (1) ddiwygio, addasu, diddymu neu ddirymu unrhyw ddeddfiad (gan gynnwys deddfiad sydd wedi ei gynnwys yn y Ddeddf hon).’.

**Jeremy Miles**

67

Page 19, after line 28, insert a new section –

**[ ] Regulations under this Act**

- (1) A power to make regulations under this Act –
- (a) is exercisable by statutory instrument;
  - (b) includes the power to make different provision for different purposes;
  - (c) includes the power to make incidental, supplementary, consequential, transitional, transitory or saving provision.
- (2) A statutory instrument to which this subsection applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Senedd.





- (3) Subsection (2) applies to a statutory instrument containing—
- (a) regulations under section 14(1) (invitations to register: further provision about persons under the age of 16) or section [new section - amendment 66] (power to make consequential and transitional provision etc.) that amend, repeal or modify provision in—
    - (i) an Act of the United Kingdom Parliament;
    - (ii) a Measure passed under Part 3 of the 2006 Act; or
    - (iii) an Act passed under Part 4 of the 2006 Act;
  - (b) regulations under section 25(1).
- (4) A statutory instrument containing regulations under this Act to which subsection (2) does not apply is subject to annulment in pursuance of a resolution of the Senedd.’.

Tudalen 19, ar ôl llinell 28, mewnosoder adran newydd—

#### [ ] Rheoliadau o dan y Ddeddf hon

- (1) Mae pŵer i wneud rheoliadau o dan y Ddeddf hon—
- (a) yn arferadwy drwy offeryn statudol;
  - (b) yn cynnwys y pŵer i wneud darpariaeth wahanol at ddibenion gwahanol;
  - (c) yn cynnwys y pŵer i wneud darpariaeth gysylltiedig, atodol, ganlyniadol, drosiannol, ddarfodol neu arbed.
- (2) Ni chaniateir i offeryn statudol y mae’r is-adran hon yn gymwys iddo gael ei wneud oni bai bod drafft o’r offeryn wedi ei osod gerbron y Senedd ac wedi ei gymeradwyo ganddi drwy benderfyniad.
- (3) Mae is-adran (2) yn gymwys i offeryn statudol sy’n cynnwys—
- (a) rheoliadau o dan adran 14(1) (gwahoddiadau i gofrestru: darpariaeth bellach am bersonau o dan 16 oed) neu adran [adran newydd - gwelliant 66] (pŵer i wneud darpariaeth ganlyniadol a throsiannol etc.) sy’n diwygio, diddymu neu’n addasu darpariaeth mewn—
    - (i) Deddf gan Senedd y Deyrnas Unedig;
    - (ii) Mesur a basiwyd o dan Ran 3 o Ddeddf 2006; neu
    - (iii) Deddf a basiwyd o dan Ran 4 o Ddeddf 2006;
  - (b) rheoliadau o dan adran 25(1).
- (4) Mae offeryn statudol sy’n cynnwys rheoliadau o dan y Ddeddf hon nad yw is-adran (2) yn gymwys iddo yn ddarostyngedig i’w ddiddymu yn unol â phenderfyniad gan y Senedd.’.

Jeremy Miles

68

Page 20, line 13, leave out section 39.

Tudalen 20, llinell 12, hepgorer adran 39.





**Jeremy Miles**

69

Section 40, page 20, leave out lines 18 to 19 and insert—

‘() in Part 3, sections 10 to 26 and 28, but—

- (i) section 10 has effect in accordance with section 10(2);
- (ii) section [*new section - amendment 38*] has effect in accordance with section [*new section - amendment 38*](2);
- (iii) section 26(2)(c), (3) and (*first subsection to be inserted by amendment 52*) have effect in accordance with section 26(*second subsection to be inserted by amendment 52*);’.

Adran 40, tudalen 20, hepgorer llinellau 17 hyd at 18 a mewnosoder—

‘() yn Rhan 3, adrannau 10 i 26 ac 28, ond—

- (i) mae adran 10 yn cael effaith yn unol ag adran 10(2);
- (ii) mae adran [*adran newydd - gwelliant 38*] yn cael effaith yn unol ag adran [*adran newydd - gwelliant 38*](2);
- (iii) mae adran 26(2)(c), (3) a (*yr is-adran cyntaf a fewnosodir gan welliant 52*) yn cael effaith yn unol ag adran 26(*yr ail is-adran a fewnosodir gan welliant 52*);’.

**\*Jeremy Miles**

70

Section 40, page 20, after line 27, insert—

- ‘() In Part 3, section 27 and Schedule [*new Schedule - amendment 71*] come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- ( ) An order under subsection (*first subsection inserted by this amendment*) may include transitional, transitory or saving provision.’.

Adran 40, tudalen 20, ar ôl llinell 28, mewnosoder—

- ‘() Yn Rhan 3, mae adran 27 ac Atodlen [*Atodlen newydd - gwelliant 71*] yn dod i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.
- ( ) Caiff gorchymyn o dan is-adran (*yr is-adran cyntaf a fewnosodir gan y gwelliant hwn*) gynnwys darpariaeth drosiannol, darpariaeth ddarfodol neu ddarpariaeth arbed.’.

**\*Jeremy Miles**

71

Page 26, after line 34, insert a new schedule—



‘SCHEDULE 2

*(introduced by section [new section - amendment 53])*

ELECTORAL COMMISSION: FURTHER AMENDMENTS

*Representation of the People Act 1983 (c. 2)*

- 1 (1) Schedule 4A to the 1983 Act is amended as follows.
  - (2) In paragraph 14(1), after “code of practice” insert “for elections other than local government elections in Wales”.
  - (3) After paragraph 14 insert—
    - “14A(1) The Electoral Commission (“the Commission”) may prepare, and from time to time revise, a code of practice for local government elections in Wales giving—
      - (a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;
      - (b) guidance (supplementing the definition in section 90ZA(3)) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate's election.
    - (2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Welsh Ministers for approval.
    - (3) The Welsh Ministers may approve a draft code with or without modifications.
    - (4) Once the Welsh Ministers have approved a draft code they must lay a copy of the draft, in the form in which they have approved it, before Senedd Cymru.
    - (5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of their reasons for making them.
    - (6) If, within the 40-day period, Senedd Cymru resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.
    - (7) If no such resolution is made within the 40-day period—
      - (a) the Welsh Ministers must issue the code in the form of the draft laid before Senedd Cymru,
      - (b) the code comes into force on the date appointed by the Welsh Ministers by order, and
      - (c) the Commission must arrange for the code to be published in such manner as the Commission think appropriate.
    - (8) Sub-paragraph (6) does not prevent a new draft code from being laid before Senedd Cymru.



- (9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before Senedd Cymru, no account being taken of any period during which Senedd Cymru is dissolved or is in recess for more than four days.
- (10) In this paragraph references to a draft code include a revised draft code.”

*Political Parties, Elections and Referendums Act 2000 (c. 41)*

2 The Political Parties, Elections and Referendums Act 2000 is amended as follows.

3 (1) Section 6 is amended as follows.

(2) In subsection (3)(b), after “Scottish Parliament” insert “, Senedd Cymru”.

(3) In subsection (6) –

(a) in paragraph (a) –

(i) in sub-paragraph (i), at the end insert “other than those mentioned in paragraph (d) of that subsection”;

(ii) in sub-paragraph (ii), omit “or Wales”;

(b) in paragraph (b), omit “and those under Part II of the Local Government Act 2000”.

4 After section 6 insert –

**“6ZA Reviews of devolved electoral matters in Wales**

(1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on those matters to the Welsh Ministers.

(2) The matters are such matters as the Commission may from time to time determine relating to –

(a) general elections of Members of Senedd Cymru;

(b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);

(c) local government elections in Wales;

(d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);

(e) the law relating to the elections and referendums mentioned in paragraphs (a) to (d).



- (3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).
- (4) The Commission must, within such time as the Welsh Ministers may specify –
  - (a) review the matters specified in the request, and
  - (b) submit a report on those matters to the Welsh Ministers.
- (5) The Commission must publish each report made under this section in such manner as the Commission may determine.”

5 In section 6C(3), after “6F” insert “or 6G”.

6 In section 6D(4), after “6F” insert “or 6G”.

7 (1) Section 6F is amended as follows.

(2) In subsection (1), after “section 6A” insert “, other than those specified in subsection (2) of section 6G,”.

(3) In subsection (10), after “this section” insert “and section 6G”.

8 After section 6F insert –

**“6G Code of practice on attendance of observers at devolved elections in Wales**

- (1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of –
  - (a) representatives of the Commission,
  - (b) accredited observers, and
  - (c) nominated members of accredited organisations.
- (2) The code must make provision about attendance at –
  - (a) general elections of Members of Senedd Cymru;
  - (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
  - (c) local government elections in Wales.
- (3) The code must in particular –
  - (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission;
  - (b) specify the criteria to be taken into account by the Commission in determining such applications;
  - (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section;



- (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;
  - (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having such permission;
  - (f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.
- (4) The code may make different provision for different purposes.
  - (5) Before preparing the code, the Commission must consult the Welsh Ministers.
  - (6) The Commission must lay the code before Senedd Cymru.
  - (7) The Commission must publish the code (in such manner as the Commission may determine).
  - (8) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E in relation to an election or referendum specified in subsection (2) –
    - (a) the Commission;
    - (b) representatives of the Commission;
    - (c) relevant officers (within the meaning of section 6E).
  - (9) The Commission may at any time revise the code.
  - (10) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code."
- 9 (1) Section 9A is amended as follows.
- (2) In subsection (1)(a), after "relevant officers" insert "mentioned in subsection (2)".
  - (3) After subsection (5) insert –
    - "(5A) In relation to electoral registration officers for areas in Wales, the reference to their functions in subsection (2)(a) is a reference to their functions in relation to registers of parliamentary electors."
  - (4) In subsection (6) –
    - (a) in paragraph (a), at the end insert "other than one mentioned in paragraph (d) of that subsection";
    - (b) omit paragraph (d);
    - (c) in paragraph (e), omit "or Wales".
  - (5) In subsection (7), omit paragraph (b).



- (6) In subsection (8) –
- (a) in the words before paragraph (a), after “sections” insert “9AA,”;
  - (b) in paragraph (b), after “subsection (6)” insert “or section 9AA(6)”;
  - (c) in paragraph (c), after “subsection (7)” insert “or section 9AA(7)”.

10 After section 9A insert –

**“9AA Performance standards for devolved elections and referendums in Wales**

- (1) The Commission may from time to time –
- (a) determine standards of performance for relevant officers mentioned in subsection (2), and
  - (b) publish, in such form and in such manner as they consider appropriate, the standards so determined.
- (2) The standards of performance are such standards as the Commission think ought to be achieved by –
- (a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;
  - (b) returning officers in the administration of the elections specified in subsection (6);
  - (c) counting officers in the administration of the referendums specified in subsection (7).
- (3) Before determining standards under subsection (1), the Commission must consult –
- (a) the Welsh Ministers, and
  - (b) any other person they think appropriate.
- (4) The Commission may determine different standards for different descriptions of relevant officers.
- (5) When the Commission publish standards under subsection (1) they must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.
- (6) The elections specified in this subsection are –
- (a) a general election of Members of Senedd Cymru;
  - (b) an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
  - (c) a local government election in Wales.
- (7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales).”



- 11 In section 9B, in subsections (1) and (4), after “9A(1)” insert “or 9AA(1)”.
- 12 In section 9C(2)–
- (a) in paragraph (b), after “9A(6)” insert “or 9AA(6)”;
  - (b) in paragraph (c), after “9A(7)” insert “or 9AA(7)”.
- 13 In section 13(12), after “met under” insert “paragraph 16A of Schedule 1 to this Act or”.
- 14 (1) Schedule 1 is amended as follows.
- (2) In paragraph 14–
- (a) in sub-paragraph (1)–
    - (i) in paragraph (b), omit “or 20(12)”;
    - (ii) for paragraph (c) substitute–
      - “(c) met by the Senedd Commission under paragraph 16A of this Schedule or paragraph 6 of Schedule 2 to the Government of Wales Act 2006.”;
  - (b) after sub-paragraph (6) insert–
    - “(6A) An estimate prepared under this paragraph for a financial year beginning on or after 1 April 2021 must not include income or expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16A).”
- (3) In paragraph 15, after sub-paragraph (5) insert–
  - “(6) A plan prepared under this paragraph for a period beginning on or after 1 April 2021 must not include aims, objectives or estimated requirements for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16B).”
- (4) In paragraph 20, after sub-paragraph (1) insert–
  - “(1A) The reference in sub-paragraph (1) to the Commission’s functions does not include the Commission’s functions in relation to devolved Welsh elections or devolved Welsh referendums.”.

Tudalen 26, ar ôl llinell 35, mewnosoder atodlen newydd–





'ATODLEN 2

(a gyflwynir gan adran [adran newydd - gwelliant 53])

Y COMISIWN ETHOLIADOL: DIWYGIADAU PELLACH

*Deddf Cynrychiolaeth y Bobl 1983 (p. 2)*

- 1 (1) Mae Atodlen 4A i Ddeddf 1983 wedi ei diwygio fel a ganlyn.
- (2) Ym mharagraff 14(1), ar ôl "code of practice" mewnosoder "for elections other than local government elections in Wales".
- (3) Ar ôl paragraff 14 mewnosoder –
- "14A(1) The Electoral Commission ("the Commission") may prepare, and from time to time revise, a code of practice for local government elections in Wales giving –
- (a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;
- (b) guidance (supplementing the definition in section 90ZA(3)) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate's election.
- (2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Welsh Ministers for approval.
- (3) The Welsh Ministers may approve a draft code with or without modifications.
- (4) Once the Welsh Ministers have approved a draft code they must lay a copy of the draft, in the form in which they have approved it, before Senedd Cymru.
- (5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of their reasons for making them.
- (6) If, within the 40-day period, Senedd Cymru resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.
- (7) If no such resolution is made within the 40-day period –
- (a) the Welsh Ministers must issue the code in the form of the draft laid before Senedd Cymru,
- (b) the code comes into force on the date appointed by the Welsh Ministers by order, and
- (c) the Commission must arrange for the code to be published in such manner as the Commission think appropriate.
- (8) Sub-paragraph (6) does not prevent a new draft code from being laid before Senedd Cymru.





- (9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before Senedd Cymru, no account being taken of any period during which Senedd Cymru is dissolved or is in recess for more than four days.
- (10) In this paragraph references to a draft code include a revised draft code.”

*Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41)*

- 2 Mae Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 wedi ei diwygio fel a ganlyn.
- 3 (1) Mae adran 6 wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (3)(b), ar ôl “Scottish Parliament” mewnosoder “, Senedd Cymru”.
- (3) Yn is-adran (6) –
- (a) ym mharagraff (a) –
- (i) yn is-baragraff (i), ar y diwedd mewnosoder “other than those mentioned in paragraph (d) of that subsection”;
- (ii) yn is-baragraff (ii), hepgorer “or Wales”;
- (b) ym mharagraff (b), hepgorer “and those under Part II of the Local Government Act 2000”.
- 4 Ar ôl adran 6 mewnosoder –

**“6ZA Reviews of devolved electoral matters in Wales**

- (1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on those matters to the Welsh Ministers.
- (2) The matters are such matters as the Commission may from time to time determine relating to –
- (a) general elections of Members of Senedd Cymru;
- (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
- (c) local government elections in Wales;
- (d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);
- (e) the law relating to the elections and referendums mentioned in paragraphs (a) to (d).



- (3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).
- (4) The Commission must, within such time as the Welsh Ministers may specify –
  - (a) review the matters specified in the request, and
  - (b) submit a report on those matters to the Welsh Ministers.
- (5) The Commission must publish each report made under this section in such manner as the Commission may determine.”

5 Yn adran 6C(3), ar ôl “6F” mewnosoder “or 6G”.

6 Yn adran 6D(4), ar ôl “6F” mewnosoder “or 6G”.

7 (1) Mae adran 6F wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1), ar ôl “section 6A” mewnosoder “, other than those specified in subsection (2) of section 6G,”.

(3) Yn is-adran (10), ar ôl “this section” mewnosoder “and section 6G”.

8 Ar ôl adran 6F mewnosoder –

**“6G Code of practice on attendance of observers at devolved elections in Wales**

- (1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of –
  - (a) representatives of the Commission,
  - (b) accredited observers, and
  - (c) nominated members of accredited organisations.
- (2) The code must make provision about attendance at –
  - (a) general elections of Members of Senedd Cymru;
  - (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
  - (c) local government elections in Wales.
- (3) The code must in particular –
  - (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission;
  - (b) specify the criteria to be taken into account by the Commission in determining such applications;
  - (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section;



- (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;
  - (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having such permission;
  - (f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.
- (4) The code may make different provision for different purposes.
  - (5) Before preparing the code, the Commission must consult the Welsh Ministers.
  - (6) The Commission must lay the code before Senedd Cymru.
  - (7) The Commission must publish the code (in such manner as the Commission may determine).
  - (8) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E in relation to an election specified in subsection (2) –
    - (a) the Commission;
    - (b) representatives of the Commission;
    - (c) relevant officers (within the meaning of section 6E).
  - (9) The Commission may at any time revise the code.
  - (10) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.”
- 9
- (1) Mae adran 9A wedi ei diwygio fel a ganlyn.
  - (2) Yn is-adran (1)(a), ar ôl “relevant officers” mewnosoder “mentioned in subsection (2)”.
  - (3) Ar ôl is-adran (5) mewnosoder –
    - “(5A) In relation to electoral registration officers for areas in Wales, the reference to their functions in subsection (2)(a) is a reference to their functions in relation to registers of parliamentary electors.”
  - (4) Yn is-adran (6) –
    - (a) ym mharagraff (a), ar y diwedd mewnosoder “other than one mentioned in paragraph (d) of that subsection”;
    - (b) hepgorer paragraff (d);
    - (c) ym mharagraff (e), hepgorer “or Wales”.
  - (5) Yn is-adran (7), hepgorer paragraff (b).



(6) Yn is-adran (8) –

- (a) yn y geiriau o flaen paragraff (a), ar ôl “sections” mewnosoder “9AA,”;
- (b) ym mharagraff (b), ar ôl “subsection (6)” mewnosoder “or section 9AA(6)”;
- (c) ym mharagraff (c), ar ôl “subsection (7)” mewnosoder “or section 9AA(7)”.

10 Ar ôl adran 9A mewnosoder –

**“9AA Performance standards for devolved elections and referendums in Wales**

- (1) The Commission may from time to time –
  - (a) determine standards of performance for relevant officers mentioned in subsection (2), and
  - (b) publish, in such form and in such manner as they consider appropriate, the standards so determined.
- (2) The standards of performance are such standards as the Commission think ought to be achieved by –
  - (a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;
  - (b) returning officers in the administration of the elections specified in subsection (6);
  - (c) counting officers in the administration of the referendums specified in subsection (7).
- (3) Before determining standards under subsection (1), the Commission must consult –
  - (a) the Welsh Ministers, and
  - (b) any other person they think appropriate.
- (4) The Commission may determine different standards for different descriptions of relevant officers.
- (5) When the Commission publish standards under subsection (1) they must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.
- (6) The elections specified in this subsection are –
  - (a) a general election of Members of Senedd Cymru;
  - (b) an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
  - (c) a local government election in Wales.
- (7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales).”



- 11 Yn adran 9B, yn is-adrannau (1) a (4), ar ôl “9A(1)” mewnosoder “or 9AA(1)”.
- 12 Yn adran 9C(2) –
- (a) ym mharagraff (b), ar ôl “9A(6)” mewnosoder “or 9AA(6)”;
  - (b) ym mharagraff (c), ar ôl “9A(7)” mewnosoder “or 9AA(7)”.
- 13 Yn adran 13(12), ar ôl “met under” mewnosoder “paragraph 16A of Schedule 1 to this Act or”.
- 14 (1) Mae Atodlen 1 wedi ei diwygio fel a ganlyn.
- (2) Ym mharagraff 14 –
- (a) yn is-baragraff (1) –
    - (i) ym mharagraff (b), hepgorer “or 20(12)”;
    - (ii) yn lle paragraff (c) rhodder –
      - “(c) met by the Senedd Commission under paragraph 16A of this Schedule or paragraph 6 of Schedule 2 to the Government of Wales Act 2006.”;
  - (b) ar ôl is-baragraff (6) mewnosoder –
    - “(6A) An estimate prepared under this paragraph for a financial year beginning on or after 1 April 2021 must not include income or expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16A).”
- (3) Ym mharagraff 15, ar ôl is-baragraff (5) mewnosoder –
- “(6) A plan prepared under this paragraph for a period beginning on or after 1 April 2021 must not include aims, objectives or estimated requirements for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16B).”
- (4) Ym mharagraff 20, ar ôl is-baragraff (1) mewnosoder –
- “(1A) The reference in sub-paragraph (1) to the Commission’s functions does not include the Commission’s functions in relation to devolved Welsh elections or devolved Welsh referendums.”.

## Jeremy Miles

72

Schedule 2, page 27, line 7, leave out ‘CATEGORIES OF PERSON AND HOLDERS OF OFFICE DISQUALIFIED’ and insert ‘DISQUALIFICATION’.

Atodlen 2, tudalen 27, llinell 7, hepgorer ‘CATEGORIES OF PERSON AND HOLDERS OF OFFICE DISQUALIFIED’ a mewnosoder ‘DISQUALIFICATION’.



**Jeremy Miles**

73

Schedule 2, page 27, after line 19, insert –

‘() a qualifying foreign citizen,’.

Atodlen 2, tudalen 27, ar ôl llinell 19, mewnosoder –

‘() a qualifying foreign citizen,’.

**Jeremy Miles**

74

Schedule 2, page 27, after line 30, insert –

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

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

(b) either –

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

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

Atodlen 2, tudalen 27, ar ôl llinell 30, mewnosoder –

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

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

(b) either –

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

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

**Jeremy Miles**

75

Schedule 2, page 27, line 32, after ‘(2)(a)’, insert ‘or a qualifying foreign citizen by virtue of sub-paragraph ( ) (b) (i)’.



Atodlen 2, tudalen 27, llinell 32, ar ôl '(2)(a)', mewnosoder 'or a qualifying foreign citizen by virtue of sub-paragraph ( ) (b)(i)'.

**Jeremy Miles**

76

Schedule 2, page 28, line 2, leave out—

'on whom a bankruptcy restrictions order, an interim order or a debt relief restrictions order under the Insolvency Act 1986 has effect is disqualified from being a Member of the Senedd.

- (2) In this schedule, a reference to a bankruptcy restrictions order or an interim order includes a reference to bankruptcy restrictions order or an interim order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989.

4 Section 426B of the Insolvency Act 1986 (c. 45) applies in relation to this disqualification.

5 A person who would be disqualified from being a Member of the House of Commons by virtue of section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland, and that section applies as modified by subsection (6B) of it.

*Treason*

6 A person who has been convicted of treason, in the manner provided for by section 2 of the Forfeiture Act 1870.

*Incapacities on conviction of corrupt or illegal practice*

7 A person convicted of a corrupt or illegal practice under the Representation of the People Act 1983, and section 173 of that Act applies to membership of the Senedd as an elective office to which that section applies.

*Other criminal offences*

8 A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year, is disqualified from membership of the Senedd while detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man or elsewhere in the European Union, in pursuance of the sentence or order or while',

and insert—

'in respect of whom one or more of the following orders has effect—

- (a) a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 (c. 45) or





Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19));

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

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

*Persons guilty of corrupt or illegal practices at elections*

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

*Persons imprisoned or detained following conviction etc.*

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

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

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

(b) ‘.

Atodlen 2, tudalen 28, llinell 2, hepgorer –

‘on whom a bankruptcy restrictions order, an interim order or a debt relief restrictions order under the Insolvency Act 1986 has effect is disqualified from being a Member of the Senedd.

(2) In this schedule, a reference to a bankruptcy restrictions order or an interim order includes a reference to bankruptcy restrictions order or an interim order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989.

4 Section 426B of the Insolvency Act 1986 (c. 45) applies in relation to this disqualification.

5 A person who would be disqualified from being a Member of the House of Commons by virtue of section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland, and that section applies as modified by subsection (6B) of it.



*Treason*

- 6 A person who has been convicted of treason, in the manner provided for by section 2 of the Forfeiture Act 1870.

*Incapacities on conviction of corrupt or illegal practice*

- 7 A person convicted of a corrupt or illegal practice under the Representation of the People Act 1983, and section 173 of that Act applies to membership of the Senedd as an elective office to which that section applies.

*Other criminal offences*

- 8 A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year, is disqualified from membership of the Senedd while detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man or elsewhere in the European Union, in pursuance of the sentence or order or while',

a mewnosoder –

'in respect of whom one or more of the following orders has effect –

- (a) a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 (c. 45) or Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19));
- (b) a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986, Part 13 of the Bankruptcy (Scotland) Act 2016 (asp 21) or Schedule 2A to the Insolvency (Northern Ireland) Order 1989.
- [ ] A person who is disqualified from being a member of the House of Commons under section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland.

*Persons guilty of corrupt or illegal practices at elections*

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

*Persons imprisoned or detained following conviction etc.*

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



- (2) A person is disqualified under this paragraph only while the person is –
- (a) detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man, or elsewhere in the European Union, in pursuance of the sentence or order, or
  - (b) ‘.

**Jeremy Miles**

77

Schedule 2, page 28, after line 32, insert –

*‘Sex offenders*

- [ ] A person subject to the notification requirements of, or an order under, Part 2 of the Sexual Offences Act 2003 (c. 42).’.

Atodlen 2, tudalen 28, ar ôl llinell 32, mewnosoder –

*‘Sex offenders*

- [ ] A person subject to the notification requirements of, or an order under, Part 2 of the Sexual Offences Act 2003 (c. 42).’.

**Jeremy Miles**

78

Schedule 2, page 28, leave out lines 35 to 36.

Atodlen 2, tudalen 28, hepgorer llinellau 35 hyd at 36.

**Jeremy Miles**

79

Schedule 2, page 28, line 37, leave out –

‘any other legislature, with the following exceptions –

- (a) Members of the House of Commons in the circumstances provided for in sections 17A and 17B;
- (b) Members of the House of Lords in the circumstances provided for in section 17C’

and insert –

‘the legislature of any country or territory outside the United Kingdom’.

Atodlen 2, tudalen 28, llinell 37, hepgorer –

‘any other legislature, with the following exceptions –

- (a) Members of the House of Commons in the circumstances provided for in sections 17A and 17B;



- (b) Members of the House of Lords in the circumstances provided for in section 17C'

a mewnosoder –

'the legislature of any country or territory outside the United Kingdom'.

**Jeremy Miles**

80

Schedule 2, page 29, after line 4, insert –

'Civil servants;  
Members of any of the regular armed forces of the Crown;  
Members of any police force in Wales, England, Scotland or Northern Ireland;'

Atodlen 2, tudalen 29, ar ôl llinell 4, mewnosoder –

'Civil servants;  
Members of any of the regular armed forces of the Crown;  
Members of any police force in Wales, England, Scotland or Northern Ireland;'

**Jeremy Miles**

81

Schedule 2, page 29, after line 17, insert –

- (e) Judge of the Court of Session, or Temporary Judge in Scotland;
- (f) Judge of the High Court of Justice or Court of Appeal in Northern Ireland;
- (g) Judge of the Court Martial Appeal Court;
- (h) Judge of the Upper Tribunal or legal member of the Upper Tribunal for Scotland;
- (i) Chairman of the Scottish Land Court;
- (j) Sheriff principal, sheriff, summary sheriff, temporary sheriff principal, part-time sheriff or part-time summary sheriff in Scotland;
- (k) County Court Judge or deputy County Court Judge in Northern Ireland;
- (l) District judge (magistrates' courts), or deputy district judge (magistrates' courts), in Northern Ireland;
- (m) Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;



- (n) Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland;’.

Atodlen 2, tudalen 29, ar ôl llinell 17, mewnosoder –

- ‘(e) Judge of the Court of Session, or Temporary Judge in Scotland;
- (f) Judge of the High Court of Justice or Court of Appeal in Northern Ireland;
- (g) Judge of the Court Martial Appeal Court;
- (h) Judge of the Upper Tribunal or legal member of the Upper Tribunal for Scotland;
- (i) Chairman of the Scottish Land Court;
- (j) Sheriff principal, sheriff, summary sheriff, temporary sheriff principal, part-time sheriff or part-time summary sheriff in Scotland;
- (k) County Court Judge or deputy County Court Judge in Northern Ireland;
- (l) District judge (magistrates’ courts), or deputy district judge (magistrates’ courts), in Northern Ireland;
- (m) Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;
- (n) Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland;’.

**\*Jeremy Miles**

82

Schedule 2, page 30, leave out line 9 and insert –

‘Members of the staff of the Senedd’.

Atodlen 2, tudalen 30, hepgorer llinell 9 a mewnosoder –

‘Members of the staff of the Senedd’.

**Jeremy Miles**

83

Schedule 2, page 30, after line 11, insert –

*‘Interpretation*

In this Part –

“civil servants” means members of the civil service of the State, including the civil service of Northern Ireland, the Northern



Ireland Court Service, Her Majesty's Diplomatic Service and Her Majesty's Overseas Civil Service;

"members of the regular armed forces of the Crown" means members of the Royal Navy, the Royal Marines, the regular army (as defined by section 374 of the Armed Forces Act 2006 (c. 52)) or the Royal Air Force but does not include a person who –

- (a) is an officer on the retired or emergency list of any of the regular armed forces of the Crown,
- (b) holds an emergency commission in any of such forces,
- (c) belongs to any reserve of officers of any of those forces,
- (d) a naval, army, marine or air force pensioner, or former soldier who is liable to be recalled for service, or
- (e) is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown."

Atodlen 2, tudalen 30, ar ôl llinell 11, mewnosoder –

#### *'Interpretation*

In this Part –

"civil servants" means members of the civil service of the State, including the civil service of Northern Ireland, the Northern Ireland Court Service, Her Majesty's Diplomatic Service and Her Majesty's Overseas Civil Service;

"members of the regular armed forces of the Crown" means members of the Royal Navy, the Royal Marines, the regular army (as defined by section 374 of the Armed Forces Act 2006 (c. 52)) or the Royal Air Force but does not include a person who –

- (a) is an officer on the retired or emergency list of any of the regular armed forces of the Crown,
- (b) holds an emergency commission in any of such forces,
- (c) belongs to any reserve of officers of any of those forces,
- (d) a naval, army, marine or air force pensioner, or former soldier who is liable to be recalled for service, or
- (e) is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown."



**Carwyn Jones**

84

Section 1, page 1, line 12, leave out 'the "Senedd", states that the Senedd may also be known as Welsh Parliament and makes connected changes to the titles of its Members, the legislation, and Commission, together with its Remuneration Board and Commissioner for Standards' and insert "'Senedd Cymru" or "the Welsh Parliament" and makes connected changes'.

Adran 1, tudalen 1, llinell 12, hepgorer "", yn datgan y caniateir galw'r Senedd hefyd yn Welsh Parliament ac yn gwneud newidiadau cysylltiedig i deitlau ei Haelodau, ei deddfwriaeth a'i Chomisiwn, ynghyd â'i Bwrdd Taliadau a'i Chomisiynydd Safonau' a mewnosoder 'Cymru" neu "the Welsh Parliament" ac yn gwneud newidiadau cysylltiedig'.

**Carwyn Jones**

85

Page 2, line 3, leave out section 2 and insert –

**[ ] National Assembly for Wales renamed Senedd Cymru or Welsh Parliament**

In Section 1(1) of the Government of Wales Act 2006 (c. 32) ("the 2006 Act") for "the National Assembly for Wales" to the end substitute "Senedd Cymru or the Welsh Parliament (referred to in this Act as "the Senedd")".

Tudalen 2, llinell 3, hepgorer adran 2 a mewnosoder –

**[ ] Ailenwi Cynulliad Cenedlaethol Cymru yn Senedd Cymru neu Welsh Parliament**

Yn adran 1(1) o Ddeddf Llywodraeth Cymru 2006 (p. 32) ("Deddf 2006"), yn lle "the National Assembly for Wales" hyd at y diwedd rhodder "Senedd Cymru or the Welsh Parliament (referred to in this Act as "the Senedd")".

**Carwyn Jones**

86

Page 2, line 6, leave out section 3 and insert –

**[ ] Acts of the National Assembly for Wales renamed Acts of Senedd Cymru**

In section 107(1) of the 2006 Act, for "the National Assembly for Wales" to the end substitute "Senedd Cymru or Deddfau Senedd Cymru (referred to in this Act as "Acts of the Senedd")".

Tudalen 2, llinell 6, hepgorer adran 3 a mewnosoder –

**[ ] Ailenwi Deddfau Cynulliad Cenedlaethol Cymru yn Ddeddfau Senedd Cymru**

Yn adran 107(1) o Ddeddf 2006, yn lle "the National Assembly for Wales" hyd at y diwedd rhodder "Senedd Cymru or Deddfau Senedd Cymru (referred to in this Act as "Acts of the Senedd")".

**Carwyn Jones**

87

Page 2, line 9, leave out section 4 and insert –





**[ ] Members to be known as Members of Senedd Cymru**

In section 1 of the 2006 Act, after subsection (2) insert –

“(2A) Members of Senedd Cymru are to be known by that name or as Aelodau o Senedd Cymru.”.

Tudalen 2, llinell 8, hepgorer adran 4 a mewnosoder –

**[ ] Galw Aelodau yn Aelodau o Senedd Cymru**

Yn adran 1 o Ddeddf 2006, ar ôl is-adran (2) mewnosoder –

“(2A) Members of Senedd Cymru are to be known by that name or as Aelodau o Senedd Cymru.”.

**Carwyn Jones**

88

Page 2, line 12, leave out section 5 and insert –

**[ ] Clerk of the Assembly renamed Clerk of the Senedd**

In section 26(2) of the 2006 Act, for “Assembly” substitute “Senedd, Clerc y Senedd”.

Tudalen 2, llinell 11, hepgorer adran 5 a mewnosoder –

**[ ] Ailenwi Clerc y Cynulliad yn Glerc y Senedd**

Yn adran 26(2) o Ddeddf 2006, yn lle “Assembly” rhodder “Senedd, Clerc y Senedd”.

**Carwyn Jones**

89

Page 2, line 14, leave out section 6 and insert –

**[ ] National Assembly for Wales Commission renamed Senedd Commission**

In section 27(1) of the 2006 Act, for “National Assembly for Wales Commission or Comisiwn Cynulliad Cenedlaethol Cymru” substitute “Senedd Commission or Comisiwn y Senedd”.

Tudalen 2, llinell 13, hepgorer adran 6 a mewnosoder –

**[ ] Ailenwi Comisiwn Cynulliad Cenedlaethol Cymru yn Gomisiwn y Senedd**

Yn adran 27(1) o Ddeddf 2006, yn lle “National Assembly for Wales Commission or Comisiwn Cynulliad Cenedlaethol Cymru” rhodder “Senedd Commission or Comisiwn y Senedd”.

**Carwyn Jones**

90

Page 2, line 17, leave out section 7 and insert –



**[ ] National Assembly for Wales Remuneration Board renamed the Independent Remuneration Board of the Senedd**

In section 1(1) of the National Assembly for Wales (Remuneration) Measure 2010 (nawm 4), for “National Assembly for Wales Remuneration Board” substitute “board to be known as the Independent Remuneration Board of the Senedd”.

Tudalen 2, llinell 16, hepgorer adran 7 a mewnosoder –

**[ ] Ailenwi Bwrdd Taliadau Cynulliad Cenedlaethol Cymru yn Fwrdd Taliadau Annibynnol y Senedd**

Yn adran 1(1) o Fesur Cynulliad Cenedlaethol Cymru (Taliadau) 2010 (mccc 4), yn lle “Bwrdd Taliadau Cynulliad Cenedlaethol Cymru” rhodder “bwrdd i’w alw’n Fwrdd Taliadau Annibynnol y Senedd”.

**Carwyn Jones**

**91**

Page 2, line 21, leave out section 8 and insert –

**[ ] National Assembly for Wales Commissioner for Standards renamed Senedd Commissioner for Standards**

In section 1(1) of the National Assembly for Wales Commissioner for Standards Measure 2009 (nawm 4), for “National Assembly for Wales” substitute “Senedd”.

Tudalen 2, llinell 19, hepgorer adran 8 a mewnosoder –

**[ ] Ailenwi Comisiynydd Safonau Cynulliad Cenedlaethol Cymru yn Gomisiynydd Safonau y Senedd**

Yn adran 1(1) o Fesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 (mccc 4), yn lle “Cynulliad Cenedlaethol Cymru” rhodder “y Senedd”.

**Carwyn Jones**

**92**

Page 2, line 24, leave out section 9 and insert –

**[ ] Minor and consequential amendments**

Schedule 1 contains minor and consequential amendments relating to this Part.

Tudalen 2, llinell 22, hepgorer adran 9 a mewnosoder –

**[ ] Mân ddiwygiadau a diwygiadau canlyniadol**

Mae Atodlen 1 yn cynnwys mân ddiwygiadau a diwygiadau canlyniadol sy’n ymwneud â’r Rhan hon.



**Carwyn Jones**

93

Section 38, page 20, after line 11, insert—

“Senedd” means Senedd Cymru.’.

Adran 38, tudalen 20, ar ôl llinell 8, mewnosoder—

‘ystyr “Senedd” yw Senedd Cymru;’.

**\*Carwyn Jones**

94

Page 21, line 1, leave out schedule 1 and insert—



'SCHEDULE 1  
(introduced by section [new section - amendment 92])

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 2

*Freedom of Information Act 2000 (c. 36)*

- 1 Part 6 of Schedule 1 to the Freedom of Information Act 2000 is amended as follows—
- (a) omit “The National Assembly for Wales Remuneration Board”;
  - (b) in the appropriate place insert “The Independent Remuneration Board of the Senedd”.

*Government of Wales Act 2006 (c. 32)*

- 2 (1) The 2006 Act is amended as follows.
- (2) In the title of Part 1, for “National Assembly for Wales” substitute “Senedd Cymru”.
  - (3) In section 1—
    - (a) in subsection (1), for “an Assembly” substitute “a parliament”;
    - (b) in subsection (3), for “Members of the Assembly (referred to in this Act as “Assembly members”)” substitute “Members of Senedd Cymru”.
  - (4) In section 20(8), for “National Assembly for Wales Remuneration Board” substitute “Independent Remuneration Board of the Senedd”.
  - (5) In section 126A—
    - (a) in subsection (9), for “National Assembly for Wales” substitute “Senedd”;
    - (b) in subsection (10), for “National Assembly for Wales” substitute “Senedd”.
  - (6) In Schedule 7B, in paragraph 7(2)—
    - (a) in paragraph (a)—
      - (i) in sub-paragraph (i), for “the National Assembly for Wales” substitute “Senedd Cymru”;
      - (ii) in sub-paragraph (xi), for “the National Assembly for Wales Commission” substitute “the Senedd Commission”;
    - (b) in paragraph (c)(i), for “Acts of the National Assembly for Wales” substitute “Acts of Senedd Cymru”.
  - (7) In Schedule 9A—
    - (a) omit the entry for “The National Assembly for Wales Commissioner for Standards or Comisiynydd Safonau ar gyfer Cynulliad Cenedlaethol Cymru.”;
    - (b) omit the entry for “The National Assembly for Wales Remuneration Board or Bwrdd Taliadau Cynulliad Cenedlaethol Cymru.”;
    - (c) in the appropriate place insert “The Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd.”;



- (d) in the appropriate place insert “The Senedd Commissioner for Standards or Comisiynydd Safonau y Senedd.”
- (8) Sub-paragraphs (12) to (16) apply to every provision containing the words to be substituted by those sub-paragraphs after the amendments in Part 2 and sub-paragraphs (3) to (7) have been made, subject to sub-paragraphs (9) and (10).
- (9) Sub-paragraphs (12) to (16) do not apply to—
  - (a) citations of enactments;
  - (b) repealed provisions of the 2006 Act that are saved;
  - (c) section 150A;
  - (d) paragraph 3(8) of Schedule 2;
  - (e) Schedule 10;
  - (f) Schedule 11;
  - (g) Schedule 12.
- (10) Sub-paragraphs (15) and (16) do not apply to references to “Assembly Measure” or “Assembly Measures”.
- (11) In this paragraph, “provision” includes a title, cross-heading or heading.
- (12) For “an Assembly member”, in each place where it appears, substitute “a Member of Senedd Cymru”.
- (13) For “Assembly member” in each place where it appears, after the amendments in sub-paragraph (12) have been made, substitute “Member of Senedd Cymru”.
- (14) For “Assembly members”, in each place where it appears, substitute “Members of Senedd Cymru”.
- (15) For “an Assembly” in each place where it appears, after the amendments in sub-paragraphs (12), (13) and (14) have been made, substitute “a Senedd”.
- (16) For “Assembly” and “Assembly’s” in each place where they appear, after the amendments in sub-paragraphs (12), (13), (14) and (15) have been made, substitute “Senedd” and “Senedd’s”, as appropriate.

*National Assembly for Wales Commissioner for Standards Measure 2009 (nawm 4)*

- 3 (1) The National Assembly for Wales Commissioner for Standards Measure 2009 is amended as follows.
- (2) In the cross-heading, before section 1 for “National Assembly for Wales” substitute “Senedd”.
  - (3) In section 1—
    - (a) in subsections (3)(e) and (f) omit “Assembly”;
    - (b) in subsection (8)(c), omit “Assembly” in the second place where it appears.
  - (4) In section 20—
    - (a) in subsection (1)—



- (i) for ““ Assembly Member” (“Aelod Cynulliad”)” substitute ““Member of Senedd Cymru” (“Aelod o Senedd Cymru”)”;
    - (ii) in the definition of “the Commission”, for “National Assembly for Wales” substitute “Senedd”;
    - (iii) in the definition of “Counsel General” omit “Assembly”;
  - (b) in subsection (2)(a), for “the National Assembly for Wales” substitute “Senedd Cymru.”
- (5) In the Schedule –
- (a) in the heading, for “NATIONAL ASSEMBLY FOR WALES” substitute “SENEDD”;
  - (b) in paragraph 3, for “National Assembly for Wales” substitute “Senedd”.
- (6) Sub-paragraphs (9) to (13) apply to every provision containing the words to be substituted by those sub-paragraphs after the amendments in Part 2 and sub-paragraphs (2) to (5) have been made, subject to sub-paragraph (7).
- (7) Sub-paragraphs (9) to (13) do not apply to –
- (a) citations of enactments;
  - (b) section 21(1).
- (8) In this paragraph “provision” includes a title, cross-heading or heading.
- (9) For “an Assembly Member”, in each place where it appears, substitute “a Member of Senedd Cymru”.
- (10) For “Assembly member”, in each place where it appears after the amendment in sub-paragraph (9) has been made, substitute “Member of Senedd Cymru.”
- (11) For “Assembly Members”, in each place where it appears, substitute “Members of Senedd Cymru”.
- (12) For “an Assembly”, in each place where it appears after the amendments in sub-paragraphs (9) to (11) have been made, substitute “a Senedd”.
- (13) For “Assembly”, in each place where it appears after the amendments in sub-paragraphs (9) to (12) have been made, substitute “Senedd”.

*National Assembly for Wales (Remuneration) Measure 2010 (nawm 4)*

- 4 (1) The National Assembly for Wales (Remuneration) Measure 2010 is amended as follows.
- (2) In the heading of section 1, for “National Assembly for Wales Remuneration Board” substitute “Independent Remuneration Board of the Senedd”.
  - (3) In section 2(2)(b) and in paragraph 4 of Schedule 2, for “Assembly’s”, substitute “Senedd’s”.
  - (4) In section 2(4)(b) and section 14(1), for “groups of Assembly members” substitute “groups of Members”.
  - (5) Omit section 17.
  - (6) In Schedule 1, in paragraph 1 –



- (a) in sub-paragraph (d), for “regional Assembly member” substitute “regional Member of Senedd Cymru”;
  - (b) in sub-paragraph (g) omit “Assembly”;
  - (c) in sub-paragraph (h), for “group of Assembly members” substitute “group of Members”;
  - (d) in sub-paragraph (j), for “National Assembly for Wales” substitute “Senedd”;
  - (e) in sub-paragraph (n) omit “Assembly”.
- (7) Sub-paragraphs (10) to (13) apply to every provision containing the words to be substituted by those sub-paragraphs after the amendments in Part 2 and sub-paragraphs (3) to (6) have been made, subject to sub-paragraph (8).
- (8) Sub-paragraphs (10) to (13) do not apply to—
- (a) citations of enactments;
  - (b) sections 15, 19 and 20;
  - (c) paragraph 1(e) of Schedule 1;
  - (d) Schedule 3.
- (9) In this paragraph “provision” includes a title, cross-heading or heading.
- (10) For “an Assembly member”, in each place where it appears, substitute “a Member of Senedd Cymru”.
- (11) For “Assembly members”, in each place where it appears, substitute “Members of Senedd Cymru”.
- (12) For “an Assembly”, in each place where it appears after the amendments in sub-paragraphs (10) and (11) have been made, substitute “a Senedd”.
- (13) For “Assembly”, in each place where it appears after the amendments in sub-paragraphs (10), (11) and (12) have been made, substitute “Senedd”.

Tudalen 21, llinell 1, hepgorer atodlen 1 a mewnosoder —





'ATODLEN 1

(a gyflwynir gan adran [adran newydd - gwelliant 92])

MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL SY'N YMWNEUD Â RHAN

2

*Deddf Rhyddid Gwybodaeth 2000 (p. 36)*

- 1 Mae Rhan 6 o Atodlen 1 i Ddeddf Rhyddid Gwybodaeth 2000 wedi ei diwygio fel a ganlyn—
- (a) hepgorer "The National Assembly for Wales Remuneration Board";
  - (b) yn y lle priodol mewnosoder "The Independent Remuneration Board of the Senedd".

*Deddf Llywodraeth Cymru 2006 (p. 32)*

- 2 (1) Mae Deddf 2006 wedi ei diwygio fel a ganlyn.
- (2) Yn enw Rhan 1, yn lle "National Assembly for Wales" rhodder "Senedd Cymru".
- (3) Yn adran 1—
- (a) yn is-adran (1), yn lle "an Assembly" rhodder "a parliament";
  - (b) yn is-adran (3), yn lle "Members of the Assembly (referred to in this Act as "Assembly members")" rhodder "Members of Senedd Cymru".
- (4) Yn adran 20(8), yn lle "National Assembly for Wales Remuneration Board" rhodder "Independent Remuneration Board of the Senedd".
- (5) Yn adran 126A—
- (a) yn is-adran (9), yn lle "National Assembly for Wales" rhodder "Senedd";
  - (b) yn is-adran (10), yn lle "National Assembly for Wales" rhodder "Senedd".
- (6) Yn Atodlen 7B, ym mharagraff 7(2)—
- (a) ym mharagraff (a)—
    - (i) yn is-baragraff (i), yn lle ""the National Assembly for Wales"" rhodder ""Senedd Cymru"";
    - (ii) yn is-baragraff (xi), yn lle ""the National Assembly for Wales Commission"" rhodder ""the Senedd Commission"";
  - (b) ym mharagraff (c)(i), yn lle ""Acts of the National Assembly for Wales"" rhodder ""Acts of Senedd Cymru"".
- (7) Yn Atodlen 9A—
- (a) hepgorer y cofnod ar gyfer "The National Assembly for Wales Commissioner for Standards or Comisiynydd Safonau ar gyfer Cynulliad Cenedlaethol Cymru.";
  - (b) hepgorer y cofnod ar gyfer "The National Assembly for Wales Remuneration Board or Bwrdd Taliadau Cynulliad Cenedlaethol Cymru.";



- (c) yn y lle priodol mewnosoder “The Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd.”;
  - (d) yn y lle priodol mewnosoder “The Senedd Commissioner for Standards or Comisiynydd Safonau y Senedd.”
- (8) Mae is-baragraffau (12) i (16) yn gymwys i bob darpariaeth sy’n cynnwys y geiriau sydd i’w hamnewid gan yr is-baragraffau hynny ar ôl i’r diwygiadau yn Rhan 2 ac is-baragraffau (3) i (7) gael eu gwneud, yn ddarostyngedig i is-baragraffau (9) a (10).
- (9) Nid yw is-baragraffau (12) i (16) yn gymwys i—
- (a) enwau deddfiadau a chyfeiriadau at enwau deddfiadau;
  - (b) darpariaethau a ddiddymwyd yn Neddf 2006 sydd wedi eu harbed;
  - (c) adran 150A;
  - (d) paragraff 3(8) o Atodlen 2;
  - (e) Atodlen 10;
  - (f) Atodlen 11;
  - (g) Atodlen 12.
- (10) Nid yw is-baragraffau (15) ac (16) yn gymwys i gyfeiriadau at “Assembly Measure” neu “Assembly Measures”.
- (11) Yn y paragraff hwn, mae “darpariaeth” yn cynnwys enw, croesbennawd neu bennawd.
- (12) Yn lle “an Assembly member”, ym mhob lle y mae’n ymddangos, rhodder “a Member of Senedd Cymru”.
- (13) Yn lle “Assembly member” ym mhob lle y mae’n ymddangos, ar ôl i’r diwygiadau yn is-baragraff (12) gael eu gwneud, rhodder “Member of Senedd Cymru”.
- (14) Yn lle “Assembly members”, ym mhob lle y mae’n ymddangos, rhodder “Members of Senedd Cymru”.
- (15) Yn lle “an Assembly” ym mhob lle y mae’n ymddangos, ar ôl i’r diwygiadau yn is-baragraffau (12), (13) a (14) gael eu gwneud, rhodder “a Senedd”.
- (16) Yn lle “Assembly” ac “Assembly’s” ym mhob lle y maent yn ymddangos, ar ôl i’r diwygiadau yn is-baragraffau (12), (13), (14) a (15) gael eu gwneud, rhodder “Senedd” a “Senedd’s”, fel y bo’n briodol.

*Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 (mccc 4)*

- 3 (1) Mae Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 wedi ei ddiwygio fel a ganlyn.
- (2) Yn y croesbennawd o flaen adran 1, yn lle “Cynulliad Cenedlaethol Cymru” rhodder “y Senedd”.
- (3) Yn adran 1
- (a) yn is-adrannau (3)(e) ac (f) hepgorer “Cynulliad”;
  - (b) yn is-adran 8(c), hepgorer “Cynulliad” yn yr ail le y mae’n ymddangos.
- (4) Yn adran 20—



- (a) yn is-adran (1) –
    - (i) yn lle ““Aelod Cynulliad” (“Assembly Member”)” rhodder ““Aelod o Senedd Cymru” (“Member of Senedd Cymru”)”;
    - (ii) yn y diffiniad o “y Comisiwn”, yn lle “Cynulliad Cenedlaethol Cymru” rhodder “y Senedd”;
    - (iii) yn y diffiniad o “Cwnsler Cyffredinol” hepgorer “Cynulliad”;
  - (b) yn is-adran (2)(a), yn lle “Gynulliad Cenedlaethol Cymru” rhodder “Senedd Cymru.”
- (5) Yn yr Atodlen –
- (a) yn y pennawd, yn lle “CYNULLIAD CENEDLAETHOL CYMRU” rhodder “Y SENEDD”;
  - (b) ym mharagraff 3, yn lle “Cynulliad Cenedlaethol Cymru” rhodder “y Senedd”.
- (6) Mae is-baragraffau (9) i (13) yn gymwys i bob darpariaeth sy’n cynnwys y geiriau sydd i’w hamnewid gan yr is-baragraffau hynny ar ôl i’r diwygiadau yn Rhan 2 ac is-baragraffau (2) i (5) gael eu gwneud, yn ddarostyngedig i is-baragraff (7).
- (7) Nid yw is-baragraffau (9) i (13) yn gymwys i –
- (a) enwau deddfiadau a chyfeiriadau at enwau deddfiadau;
  - (b) adran 21(1).
- (8) Yn y paragraff hwn, mae “darpariaeth” yn cynnwys enw, croesbennawd neu bennawd.
- (9) Yn lle “Aelod Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelod o Senedd Cymru”.
- (10) Yn lle “Aelod o’r Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelod o Senedd Cymru.”
- (11) Yn lle “Aelodau Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelodau o Senedd Cymru”.
- (12) Yn adran 8(2)(a)(iv), yn lle “Aelodau’r Cynulliad” rhodder “Aelodau o Senedd Cymru”.
- (13) Yn lle “Cynulliad”, ym mhob lle y mae’n ymddangos ar ôl i’r diwygiadau yn is-baragraffau (9) i (12) gael eu gwneud, rhodder “Senedd”.

*Mesur Cynulliad Cenedlaethol Cymru (Taliadau) 2010 (mccc 4)*

- 4 (1) Mae Mesur Cynulliad Cenedlaethol Cymru (Taliadau) 2010 wedi ei ddiwygio fel a ganlyn.
- (2) Ym mhennawd adran 1, yn lle “Bwrdd Taliadau Cynulliad Cenedlaethol Cymru” rhodder “Bwrdd Taliadau Annibynnol y Senedd”.
  - (3) Yn adran 2(2)(b) ac ym mharagraff 4 o Atodlen 2, yn lle “Cynulliad” rhodder “Senedd”.
  - (4) Yn adran 2(4)(b) ac adran 14(1), yn lle “grwpiau o aelodau’r Cynulliad” rhodder “grwpiau o Aelodau”.
  - (5) Hefgorer adran 17.
  - (6) Yn Atodlen 1, ym mharagraff 1 –



- (a) yn is-baragraff (d), yn lle “aelod Cynulliad rhanbarthol” rhodder “Aelod rhanbarthol o Senedd Cymru”;
  - (b) yn is-baragraff (g) hepgorer “Cynulliad”;
  - (c) yn is-baragraff (h), yn lle “grŵp o aelodau’r Cynulliad” rhodder “grŵp o Aelodau”;
  - (d) yn is-baragraff (j), yn lle “Cynulliad Cenedlaethol Cymru” rhodder “y Senedd”;
  - (e) yn is-baragraff (n) hepgorer “Cynulliad”.
- (7) Mae is-baragraffau (10) i (13) yn gymwys i bob darpariaeth sy’n cynnwys y geiriau sydd i’w hamnewid gan yr is-baragraffau hynny ar ôl i’r diwygiadau yn Rhan 2 ac is-baragraffau (3) i (6) gael eu gwneud, yn ddarostyngedig i is-baragraff (8).
- (8) Nid yw is-baragraffau (10) i (13) yn gymwys i—
- (a) enwau deddfiadau a chyfeiriadau at enwau deddfiadau;
  - (b) adrannau 15, 19 ac 20;
  - (c) paragraff 1(e) o Atodlen 1;
  - (d) Atodlen 3.
- (9) Yn y paragraff hwn, mae “darpariaeth” yn cynnwys enw, croesbennawd neu bennawd.
- (10) Yn lle “aelod o’r Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelod o Senedd Cymru”.
- (11) Yn lle “aelodau’r Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelodau o Senedd Cymru”.
- (12) Yn lle “aelodau o’r Cynulliad”, ym mhob lle y mae’n ymddangos, rhodder “Aelodau o Senedd Cymru”.
- (13) Yn lle “Cynulliad”, ym mhob lle y mae’n ymddangos ar ôl i’r diwygiadau yn is-baragraffau (10), (11) a (12) gael eu gwneud, rhodder “Senedd”.

**Elin Jones**

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Section 28, page 15, line 17, after ‘regulations’, insert ‘under’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version.

