

Bil Senedd ac Etholiadau (Cymru): Gwelliannau cyfnod 3 yr Aelod sy'n gyfrifol

Senedd and Elections (Wales) Bill: Stage 3 Member in charge amendments

Mae'r tabl hwn yn cynnwys gwybodaeth am y gwelliannau a gyflwynwyd yn enw'r Llywydd, fel yr Aelod sy'n gyfrifol am y Bil Senedd ac Etholiadau (Cymru), ar 4 Tachwedd 2019.

This table provides information about the amendments tabled in the name of the Llywydd, as Member in charge of the Senedd and Elections (Wales) Bill on 4 November 2019.

Rhif / No	Member in charge amendment	Gwelliant yr Aelod sy'n Gyfrifol	Diben ac effaith / Purpose and effect
85	Section 1, page 1, line 20, after 'and', insert 'Senedd'.	Nid oes angen diwygio'r fersiwn Cymraeg.	Gwelliant drafftio i eiriad adran 1(4) o fersiwn Saesneg y Bil i wneud yn glir bod Rhan 5 o'r Bil yn ymwneud ag etholiadau i'r Senedd (sydd eisoes wedi'i fynegi yn fersiwn Gymraeg y Bil). A drafting amendment to the wording of section 1(4) in the English language version

Rhif / No	Member in charge amendment	Gwelliant yr Aelod sy'n Gyfrifol	Diben ac effaith / Purpose and effect
			of the Bill to make clear that Part 5 of the Bill relates to elections to the Senedd (as is already expressed in the Welsh language version of the Bill).
86	There is no need to amend the English version.	Adran 26, tudalen 15, llinell 22, hepgorer 'caiff unrhyw wybodaeth person ifanc a gyflenwyd neu a ddatgelwyd fel arall ei defnyddio' a mewnosoder 'caniateir defnyddio unrhyw wybodaeth person ifanc a gyflenwyd neu a ddatgelwyd fel arall'.	Gwelliant i wella'r modd y drafftwyd adran 26(2)(c) yn fersiwn Gymraeg y Bil. An amendment to improve the drafting of section 26(2)(c) in the Welsh version of the Bill
87	Section 28, page 22, line 5, leave out 'designated under' and insert 'established in accordance with'.	Adran 28, tudalen 22, llinell 5, hepgorer 'designated under' a mewnosoder 'established in accordance with'.	Gwelliant drafftio i adlewyrchu bod y darpariaethau yn adran 28 yn sefydlu 'Pwyllgor y Llywydd' i graffu ar waith y Comisiwn Etholiadol. A drafting amendment to reflect that the provisions in Section 28 establish a

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			'Llywydd's Committee' to scrutinise the work of the Electoral Commission.
88	Section 29, page 22, line 19, after 'in', insert 'the Table in'.	Adran 29, tudalen 22, llinell 19, ar ôl 'in', mewnosoder 'the Table in'.	<p>Gwelliant drafftio i fewnosod cyfeiriad at y tabl newydd o anghymwysiadau rhag sefyll etholiad i'r Senedd, a fewnosodwyd yn Atodlen 3 i ddisodli rhestr o anghymwysiadau rhag sefyll etholiad.</p> <p>Mae hwn yn welliant canlyniadol i welliant 99, sy'n mewnosod tabl o swyddi sy'n anghymhwyso person rhag sefyll etholiad.</p> <p>A drafting amendment to insert a reference to the new table of disqualifications from standing for election to the Senedd, inserted into schedule 3 to replace a list of disqualifications from standing for election.</p> <p>This is a consequential amendment to amendment 99, which inserts a table of disqualified offices.</p>

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89	<p>Section 29, page 22, after line 28, insert—</p> <p>‘(zd) is a member of the Scottish Parliament,</p> <p>(ze) is a member of the Northern Ireland Assembly,</p> <p>(zf) is a member of the European Parliament, or“;’.</p>	<p>Adran 29, tudalen 22, ar ôl llinell 28, mewnosoder—</p> <p>‘(zd) is a member of the Scottish Parliament,</p> <p>(ze) is a member of the Northern Ireland Assembly,</p> <p>(zf) is a member of the European Parliament, or“;’.</p>	<p>Gwelliant i adran 29 o'r Bil er mwyn ychwanegu Aelodau o Senedd yr Alban, Cynulliad Gogledd Iwerddon a Senedd Ewrop at y rhestr o bobl sydd wedi'u hanghymhwyso gan y Bil rhag bod yn Aelod o Senedd Cymru, ond nid eu hanghymhwyso rhag sefyll etholiad i Senedd Cymru.</p> <p>An amendment to section 29 of the Bill in order to add Members of the Scottish Parliament, Northern Ireland Assembly and European Parliament to the list of persons who are disqualified by the Bill from being a Member of Senedd Cymru, but not disqualified from standing for election to Senedd Cymru.</p>
90	<p>In section 29, page 22, leave out line 30.</p>	<p>Adran 29, tudalen 22, hepgorer llinell 30.</p>	<p>Gwelliant drafftio i ddileu cyfeiriad diangen yn adran 29 at adran 16(1A) newydd o Ddeddf Llywodraeth Cymru 2006, fel y'i mewnosodwyd gan y Bil.</p>

Rhif / No	Member in charge amendment	Gwelliant yr Aelod sy'n Gyfrifol	Diben ac effaith / Purpose and effect
			<p>A drafting amendment to remove an unnecessary reference in section 29 to the new section 16(1A) of the Government of Wales Act 2006, as inserted by the Bill.</p>
91	<p>Section 29, page 22, line 34, leave out '(1)(b)' and insert '(1)(zd), (ze), (zf) or (b)'.</p>	<p>Adran 29, tudalen 22, llinell 34, hepgorer '(1)(b)' a mewnosoder '(1)(zd), (ze), (zf) or (b)'.</p>	<p>Gwelliant i ddarparu bod adran 16(1A) newydd o Ddeddf Llywodraeth Cymru 2006 (fel y'i mewnosodwyd gan adran 29(4) o'r Bil) - sy'n darparu bod anghymhwys person rhag bod yn Aelod o Senedd Cymru yn dod i rym wrth dyngu'r llw teyrngarwch - yn berthnasol i Aelodau o Senedd yr Alban, Cynulliad Gogledd Iwerddon a Senedd Ewrop.</p> <p>An amendment to provide that the new section 16(1A) of the Government of Wales Act 2006 (as inserted by section 29(4) of the Bill) - which provides that disqualification from membership of Senedd Cymru takes effect on taking the oath of allegiance - is</p>

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			applicable to Members of the Scottish Parliament, Northern Ireland Assembly and European Parliament.
92	Section 29, page 23, line 3, leave out 'After Schedule 1' and insert 'Before Schedule 2'	Adran 29, tudalen 23, llinell 3, hepgorer 'Ar ôl Atodlen 1' a mewnosoder 'O flaen Atodlen 2'.	<p>Gwelliant drafftio i osgoi cyfeirio yn adran 29 at Atodlen 1 i Ddeddf Llywodraeth Cymru 2006, gan fod yr Atodlen honno wedi'i diddymu gan Ddeddf System Pleidleisio Seneddol ac Etholaethau 2011.</p> <p>A drafting amendment to avoid reference in section 29 to Schedule 1 of the Government of Wales Act 2006, as that Schedule was repealed by the Parliamentary Voting System and Constituencies Act 2011.</p>
94	Section 34, page 26, after line 14, insert— '(3) In section 1(8) of the National Assembly for Wales Commissioner for Standards	Adran 34, tudalen 26, ar ôl llinell 14, mewnosoder— '(3) Yn adran 1(8) o Fesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru	Gwelliant i wneud newidiadau canlyniadol i Fesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 ("y Mesur Safonau") a Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2019 ("y Ddeddf Ombwdsmon").

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	<p>Measure 2009 (nawm 4), omit paragraph (a).</p> <p>(4) In Schedule 1 to the Public Services Ombudsman (Wales) Act 2019 (anaw 3)—</p> <p>(a) in paragraph 6(1)(d), for “paragraph 7 of this Schedule or section 16(1)(d) of the Government of Wales Act 2006 (c. 32)” substitute “holding office as the Ombudsman or an acting Ombudsman”;</p> <p>(b) in paragraph (7), omit subparagraph (2).’.</p>	<p>2009 (mccc 4), hepgorer paragraff (a).</p> <p>(4) Yn Atodlen 1 i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2019 (dccc 3)—</p> <p>(a) ym mharagraff 6(1)(d), yn lle “paragraff 7 o’r Atodlen hon neu adran 16(1)(d) o Ddeddf Llywodraeth Cymru 2006 (p. 32)” rhodder “dal swydd yr Ombwdsmon neu Ombwdsmon dros dro”;</p> <p>(b) ym mharagraff (7), hepgorer is-baragraff (2).’.</p>	<p>Byddai'r gwelliant yn diddymu adran 1(8)(a) o'r Mesur Safonau. Y rheswm dros hyn yw y bydd adran 18(A1) o Ddeddf Llywodraeth Cymru 2006 fel y'i diwygiwyd gan y Bil yn darparu bod enwebu person sydd wedi'i anghymhwyso rhag ymgeisyddiaeth (y Comisiynydd) yn ddi-rym. Felly, ni fydd person o'r fath bellach yn gallu dod yn ymgeisydd.</p> <p>Byddai'r gwelliant hefyd yn cywiro croesgyfeiriad anghywir ym mharagraff 6(1)(d) o Atodlen 1 i'r Ddeddf Ombwdsmon ac yn dileu darpariaeth ddiangen ym mharagraff 7 o'r Atodlen. Mae paragraff 7(1) o Atodlen 1 yn anghymhwyso'r Ombwdsmon rhag bod yn aelod neu'n gyflogai i awdurdod rhestredig. Mae awdurdodau rhestredig yn cynnwys Comisiwn y Cynulliad, ond nid y Cynulliad ei hun (fe'u rhestrir yn Atodlen 3 i'r Ddeddf). Er hynny, mae paragraff 7(2) yn nodi “Nad yw person wedi'i anghymhwyso o dan is-</p>

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			<p>baragraff (1) rhag bod yn aelod o'r Cynulliad". Mae hyn yn ddiangen, gan nad oes unrhyw beth ym mharagraff 7(1) a fyddai'n anghymhwys person rhag bod yn Aelod Cynulliad.</p> <p>An amendment to make consequential changes to the National Assembly for Wales Commissioner for Standards Measure 2009 ("the Standards Measure") and the Public Services Ombudsman (Wales) Act 2019 ("the PSOW Act").</p> <p>The amendment would repeal section 1(8)(a) of the Standards Measure. This is because section 18(A1) of the Government of Wales Act 2006 as amended by the Bill will provide that the nomination of a person who is disqualified from candidacy (the Commissioner will be) is void. Therefore, such a person will not now be able to become a candidate.</p>

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			<p>The amendment would also correct an incorrect cross-reference in paragraph 6(1)(d) of Schedule 1 to the PSOW Act and removes an unnecessary provision in paragraph 7 of the same. Paragraph 7(1) of Schedule 1 disqualifies the Ombudsman from being a member or employee of a listed authority. Listed authorities include the Assembly Commission, but not the Assembly itself (they are listed in Schedule 3 to the Act). Nevertheless, paragraph 7(2) states that “A person is not disqualified under sub-paragraph (1) from being a member of the Assembly.” This is unnecessary, as there is nothing in paragraph 7(1) that would disqualify anyone from being an Assembly Member.</p>
95	<p>Section 40, page 28, line 18, leave out— , sections 10 to 27 and 28, but—</p>	<p>Adran 40, tudalen 28, llinell 19, hepgorer— , adrannau 10 i 27 ac 28, ond—</p>	<p>Gwelliant i ddileu dyddiad cychwyn adrannau 12 i 26 fel pe bai'n digwydd ar y Cydsyniad Brenhinol ac i gywiro cyfeiriadau rhifiadol at adrannau eraill o'r Bil.</p>

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	<p>(i) section 10 has effect in accordance with section 10(2);</p> <p>(ii) section 11 has effect in accordance with section 11(2);</p> <p>(iii) section 27(2)(c), (3) and (4)' and insert—</p> <p>'(i) section 10, but that section has effect in accordance with section 10(4);</p> <p>(ii) section 11, but that section has effect in accordance with section 11(2);</p> <p>(iii) section 27, but subsections (2)(d), (3) and (4) of that section'.</p>	<p>(i) mae adran 10 yn cael effaith yn unol ag adran 10(2);</p> <p>(ii) mae adran 11 yn cael effaith yn unol ag adran 11(2);</p> <p>(iii) mae adran 27(2)(c), (3) a (4)' a mewnosoder—</p> <p>'(i) adran 10, ond mae'r adran honno yn cael effaith yn unol ag adran 10(4);</p> <p>(ii) adran 11, ond mae'r adran honno yn cael effaith yn unol ag adran 11(2);</p> <p>(iii) adran 27, ond mae is-adrannau (2)(d), (3) a (4) o'r adran honno'.</p>	<p>An amendment to remove the commencement date of sections 12 to 26 as being on Royal Assent, and correct numerical references to other sections of the Bill.</p>
96	<p>Section 40, page 28, line 27, after '3,', insert—</p> <p>'(a) sections 12 to 26 come into force on 1 June 2020;'</p>	<p>Adran 40, tudalen 28, llinell 30, ar ôl '3,', mewnosoder—</p> <p>'(a) mae adrannau 12 i 26 yn dod i rym ar 1 Mehefin 2020;'</p>	<p>Gwelliant i fewnosod dyddiad cychwyn adrannau 12 i 26, sef 1 Mehefin 2020.</p> <p>Ar y cyd â gwelliant 95, bydd hyn yn sicrhau digon o amser i addasu gwasanaethau a systemau i fod yn barod i dderbyn</p>

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			<p>cofrestriadau gan y bobl hynny y mae'r Bil yn rhoi'r hawl iddynt bleidleisio.</p> <p>An amendment to insert the commencement date of sections 12 to 26 as being on 1 June 2020.</p> <p>In combination with amendment 95, this will ensure sufficient time to adapt services and systems to be ready to accept registrations by those persons enfranchised by the Bill.</p>
97	<p>Schedule 2, page 38, leave out lines 9 to 13 and insert—</p> <p>'(i) after paragraph (a) insert—</p> <p>“(aa) met out of the Welsh Consolidated Fund under paragraph 16A;”;</p> <p>(ii) in paragraph (b), omit “or 20(12)”;</p>	<p>Atodlen 2, tudalen 38, hepgorer llinellau 10 hyd at 14 a mewnosoder—</p> <p>'(i) ar ôl paragraff (a) mewnosoder—</p> <p>“(aa) met out of the Welsh Consolidated Fund under paragraph 16A;”;</p> <p>(ii) ym mharagraff (b), hepgorer “or 20(12)”;</p>	<p>Yn diwygio Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 i gynnwys taliad o Gronfa Gyfunol Cymru fel ffynhonnell ariannu i'r Comisiwn Etholiadol. Mae hwn yn welliant canlyniadol i welliannau y cytunwyd arnynt yn ystod Cyfnod 2 a oedd yn darparu i'r Comisiwn Etholiadol gael ei dalu'n uniongyrchol o Gronfa Gyfunol Cymru.</p>

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	(iii) in paragraph (c), for “National Assembly for Wales” substitute “Senedd”;	(iii) ym mharagraff (c), yn lle “National Assembly for Wales” rhodder “Senedd”;	<p>Yn dileu cyfeiriad darfodedig at adran 20 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda, a ddiddymwyd gan Ddeddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009.</p> <p>Yn cywiro cyfeiriad at “National Assembly for Wales Commission” yn Neddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 i “Senedd Commission”.</p> <p>Amends the Political Parties, Elections and Referendums Act 2000 to include payment from the Welsh Consolidated Fund as a source of funding for the Electoral Commission. This is a consequential amendment to amendments agreed at Stage 2 that provided for payment to the Electoral Commission to be directly from the Welsh Consolidated Fund.</p> <p>Removes an obsolete reference to section 20 of Political Parties, Elections and Referendums Act, which was repealed by</p>

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			<p>the Local Democracy, Economic Development and Construction Act 2009.</p> <p>Corrects a reference to “National Assembly for Wales Commission” in the Political Parties, Elections and Referendums Act 2000 so that it reads “Senedd Commission”.</p>
98	<p>Schedule 3, page 39, line 4, leave out ‘after Schedule 1’ and insert ‘before Schedule 2’.</p>	<p>Atodlen 3, tudalen 39, llinell 4, hepgorer ‘ar ôl Atodlen 1’ a mewnosoder ‘o flaen Atodlen 2’.</p>	<p>Gwelliant i ddileu’r cyfeiriad yn adran 29 o Atodlen 1 i Ddeddf Llywodraeth Cymru 2006, gan fod yr Atodlen honno wedi’i diddymu gan Ddeddf System Pleidleisio Seneddol ac Etholaethau 2011.</p> <p>An amendment to remove the reference in section 29 to Schedule 1 of the Government of Wales Act 2006, as that Schedule was repealed by the Parliamentary Voting System and Constituencies Act 2011.</p>
99	<p>In Schedule 3, leave out all words from “HOLDERS OF OFFICES WHO ARE DISQUALIFIED” on page 41, line</p>	<p>Yn Atodlen 3, hepgorer pob gair o ‘HOLDERS OF OFFICES WHO ARE DISQUALIFIED’ ar dudalen 41, llinell 10, hyd at a</p>	<p>Gwelliant i gael gwared ar y rhestr gyfredol o anghymwysiadau rhag sefyll etholiad i'r Senedd o Atodlen 3 i'r Bil (paragraffau 8-35), ac atgynhyrchu'r wybodaeth ar ffurf tabl,</p>

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	<p>10, up to and including “...service of the Crown.” on page 43, line 24, and insert the table below.</p>	<p>chan gynnwys “...service of the Crown.” ar dudlaen 43, llinell 24, a mewnosoder y tabl isod.</p>	<p>wedi'i threfnu yn nhrefn yr wyddor. Mae'r wybodaeth ym mharagraff 36 hefyd yn cael ei chyfuno'n rhesi perthnasol o'r tabl.</p> <p>Mae'r tabl newydd hefyd yn cynnwys cyfeiriadau penodol at ddirprwyon statudol mewn swyddi sydd wedi'u hanghymhwyso, er mwyn anghymhwyso dirprwyon statudol o'r fath rhag sefyll etholiad i'r Senedd.</p> <p>An amendment to remove the current list of disqualifications from standing for election to the Senedd from schedule 3 of the Bill (paragraphs 8-35), and reproduce the information in tabular form, ordered alphabetically. The information in paragraph 36 is also amalgamated into relevant rows of the table.</p> <p>The new table also includes specific references to statutory deputies of disqualifying offices, in order to disqualify</p>

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			such statutory deputies from standing for election to the Senedd.

<i>Offices and bodies in respect of which there are disqualifying offices</i>	<i>The disqualifying offices</i>
Armed forces	<p>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, not including—</p> <ol style="list-style-type: none"> a. an officer on the retired or emergency list of any of the regular armed forces of the Crown, b. a person who holds an emergency commission in any of those forces, c. a person who 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 a person who is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown
Auditor General for Wales or Archwilydd Cyffredinol Cymru	The Auditor General

Children’s Commissioner for Wales or Comisiynydd Plant Cymru	The Commissioner and deputy Commissioner
Civil service	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
Civil Service Commission	The First Civil Service Commissioner and Civil Service Commissioners
Commission for Equality and Human Rights	The Commissioners
Commissioner for Older People in Wales or Comisiynydd Pobl Hŷn Cymru	The Commissioner and deputy Commissioner
Commissioner for Public Appointments	The Commissioner
Comptroller and Auditor General or Rheolwr ac Archwilydd Cyffredinol	The Comptroller and Auditor General
Electoral Commission or Comisiwn Etholiadol	The Electoral Commissioners and members of the staff of the Commission
Electoral Registration Officers	Electoral registration officer for any area in Wales
Future Generations Commissioner for Wales or Comisiynydd Cenedlaethau’r Dyfodol Cymru	The Commissioner

<p>Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru</p>	<p>The Chief Inspector</p>
<p>Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd</p>	<p>The members of the Board</p>
<p>Independent Remuneration Panel for Wales or Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol</p>	<p>The members of the Panel</p>
<p>Judicial offices</p>	<p>The following judicial offices—</p> <ul style="list-style-type: none"> a. Judge of the Supreme Court; b. Judge of the High Court or Court of Appeal in England and Wales; c. Judge of the Court of Session or Temporary Judge in Scotland; d. Judge of the High Court or Court of Appeal in Northern Ireland; e. Judge of the Court Martial Appeal Court; f. Chairman of the Scottish Land Court; g. Circuit Judge in England and Wales; h. Sheriff principal, sheriff, summary sheriff, temporary sheriff principal, part-time sheriff or part-time summary sheriff in Scotland; i. County Court Judge or deputy County Court Judge in Northern Ireland; j. District Judge (Magistrates’ Courts) (but not Deputy District Judge (Magistrates’ Courts)) in England and Wales; k. District judge (magistrates’ courts) or deputy district judge (magistrates’ courts) in Northern Ireland; l. President of Welsh Tribunals or Llywydd Tribiwnlysoedd Cymru; m. Judge of the Upper Tribunal; n. legal member of the Upper Tribunal for Scotland; o. Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;

	p. Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland
Legislatures	Members of the legislature of any country or territory outside the United Kingdom
Lieutenancies	Lord-lieutenant or lieutenant of any area in Wales
Local Democracy and Boundary Commission for Wales or Comisiwn Ffiniau a Democratiaeth Leol Cymru	The members and chief executive of the Commission
Parliamentary Commissioner for Administration	The Commissioner
Police forces	Members of any police force maintained by— a. a local policing body (within the meaning given by section 101 of the Police Act 1996 (c. 16)), b. the Scottish Police Authority, or c. the Northern Ireland Policing Board, and “member” in relation to a police force means a person holding office as a constable of that force
Public Services Ombudsman for Wales or Ombwdsmon Gwasanaethau Cyhoeddus Cymru	The Ombudsman
Returning officers for Senedd elections	The returning officer for any Senedd constituency or Senedd electoral region
Senedd Commission	Members of the staff of the Senedd

Senedd Commissioner for Standards or Comisiynydd Safonau y Senedd	The Commissioner
Sheriffs	The high sheriff of any area in Wales
Welsh Language Commissioner or Comisiynydd y Gymraeg	The Commissioner, the Deputy Commissioner and the members of the Advisory Panel to the Welsh Language Commissioner”