



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Llywodraeth Leol (Democratiaeth) (Cymru) Local Government (Democracy) (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

Caiff y Bil ei ystyried yn y drefn a ganlyn—
The Bill will be considered in the following order—

| | |
|-----------------|-----------------|
| Sections 1 - 74 | Adrannau 1 - 74 |
| Schedules 1 - 3 | Atodlenni 1 - 3 |

Lesley Griffiths

18

Section 1, page 1, after line 30, insert—

'() about the electronic publication of certain public bodies' (including local authorities) registers of members' interests;'

Adran 1, tudalen 1, ar ôl llinell 31, mewnosoder—

'() ynghylch cyhoeddi cofrestrau o fuddiannau aelodau cyrff cyhoeddus penodol (gan gynnwys awdurdodau lleol) yn electronig;'

Peter Black

1

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

Section 1, page 1, leave out line 31.

Adran 1, tudalen 1, hepgorer llinell 32.

Rhodri Glyn Thomas

10

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 4, page 3, after line 6, insert—

‘(4) At least one member of the Commission must be a person able to speak the Welsh language.’

Adran 4, tudalen 3, ar ôl llinell 6, mewnosoder—

‘(4) Rhaid i o leiaf un aelod o’r Comisiwn fod yn rhywun sy’n gallu siarad Cymraeg.’

Lesley Griffiths

19

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

Adran 28, tudalen 11, llinell 33, hepgorer ‘o ardal y’ a mewnosoder ‘o’r ardal’.

Lesley Griffiths

20

Section 29, page 13, line 2, leave out ‘areas’ and insert ‘wards’.

Adran 29, tudalen 13, llinell 2, hepgorer ‘ardaloedd’ a mewnosoder ‘wardiau’.

Lesley Griffiths

21

Section 29, page 13, line 4, leave out ‘area’ at the first place where it appears and insert ‘ward’.

Adran 29, tudalen 13, llinell 4, hepgorer ‘ardal’ yn y lle cyntaf y mae’n ymddangos a mewnosoder ‘ward’.

Lesley Griffiths

22

Section 29, page 13, line 6, leave out ‘area’ and insert ‘ward’.

Adran 29, tudalen 13, llinell 6, hepgorer ‘ardal’ a mewnosoder ‘ward’.

Lesley Griffiths

23

Section 29, page 13, line 7, leave out 'area' and insert 'ward'.

Adran 29, tudalen 13, llinell 7, hepgorer 'ardal' a mewnosoder 'ward'.

Lesley Griffiths

24

Section 29, page 13, line 8, leave out 'area' at the first place where it appears and insert 'ward'.

Adran 29, tudalen 13, llinell 8, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

25

Section 29, page 13, line 8, leave out 'area' at the second place where it appears and insert 'ward'.

Adran 29, tudalen 13, llinell 8, hepgorer 'ardal' yn yr ail le y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

26

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 29, tudalen 13, llinell 8, hepgorer 'ardal' yn y trydydd lle y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

27

Section 29, page 13, line 10, leave out 'area' at the first place where it appears and insert 'ward'.

Adran 29, tudalen 13, llinell 12, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

28

Section 29, page 13, line 12, leave out 'area' at the first place where it appears and insert 'ward'.

Adran 29, tudalen 13, llinell 10, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

29

Section 29, page 13, line 12, leave out 'area' at the second place where it appears and insert 'ward'.
Adran 29, tudalen 13, llinell 10, hepgorer 'ardal' yn yr ail le y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

30

Section 29, page 13, line 13, leave out 'area' and insert 'ward'.
Adran 29, tudalen 13, llinell 11, hepgorer 'yr ardal' a mewnosoder 'y ward'.

Lesley Griffiths

31

Section 29, page 13, line 14, leave out 'area' at the first place where it appears and insert 'ward'.
Adran 29, tudalen 13, llinell 14, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

32

Section 29, page 13, line 14, leave out 'area' at the second place where it appears and insert 'ward'.
Adran 29, tudalen 13, llinell 14, hepgorer 'ardal' yn yr ail le y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

33

Section 30, page 13, line 21, leave out 'area' at the first place where it appears and insert 'ward'.
Adran 30, tudalen 13, llinell 20, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.

Lesley Griffiths

34

Section 30, page 13, line 23, leave out 'areas' and insert 'wards'.
Adran 30, tudalen 13, llinell 23, hepgorer 'ardaloedd' a mewnosoder 'wardiau'.

- Lesley Griffiths** 35
Section 30, page 13, line 26, leave out 'areas' and insert 'wards'.
Adran 30, tudalen 13, llinell 26, hepgorer 'ardaloedd' a mewnosoder 'wardiau'.
- Lesley Griffiths** 36
Section 40, page 21, line 9, after 'area', insert 'or electoral ward'.
Adran 40, tudalen 21, llinell 8, ar ôl 'ardal', mewnosoder 'neu ward etholiadol'.
- Lesley Griffiths** 37
Section 40, page 21, line 11, leave out 'areas' at the first place where it appears and insert 'wards'.
Adran 40, tudalen 21, llinell 9, hepgorer 'ardaloedd' a mewnosoder 'wardiau'.
- Lesley Griffiths** 38
Section 40, page 21, line 11, leave out 'areas' at the second place where it appears and insert 'wards'.
Adran 40, tudalen 21, llinell 10, hepgorer 'ardaloedd' a mewnosoder 'wardiau'.
- Lesley Griffiths** 39
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 40, tudalen 21, llinell 11, hepgorer 'ardaloedd' a mewnosoder 'wardiau'.
- Lesley Griffiths** 40
Section 40, page 21, line 12, leave out 'area' and insert 'ward'.
Adran 40, tudalen 21, llinell 12, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.
- Lesley Griffiths** 41
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 40, tudalen 21, llinell 12, hepgorer 'ardal' yn yr ail le y mae'n ymddangos a mewnosoder 'ward'.

- Lesley Griffiths** 42
Section 40, page 21, line 13, leave out 'areas' and insert 'wards'.
Adran 40, tudalen 21, llinell 14, hepgorer 'ardal' yn y lle cyntaf y mae'n ymddangos a mewnosoder 'ward'.
- Lesley Griffiths** 43
Section 40, page 21, line 15, leave out 'area' and insert 'ward'.
Adran 40, tudalen 21, llinell 16, hepgorer 'ardal' a mewnosoder 'ward'.
- Lesley Griffiths** 44
Section 40, page 21, line 16, after 'area', insert 'or electoral ward'.
Adran 40, tudalen 21, llinell 17, ar ôl 'ardal', mewnosoder 'neu ward etholiadol'.
- Lesley Griffiths** 45
Section 41, page 22, line 8, after 'area', insert '(or electoral ward)'.
Adran 41, tudalen 22, llinell 8, ar ôl 'ardal', mewnosoder '(neu ward etholiadol)'.
- Lesley Griffiths** 46
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 43, tudalen 23, llinell 14, hepgorer 'Ysgrifennydd Cymru' a mewnosoder 'yr Ysgrifennydd Gwladol'.
- Lesley Griffiths** 47
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 43, tudalen 23, llinell 23, hepgorer 'neu'r' a mewnosoder 'neu, yn ôl y digwydd, y'.
- Lesley Griffiths** 48
Section 44, page 24, line 9, after 'area', insert 'or electoral ward'.
Adran 44, tudalen 24, llinell 9, ar ôl 'ardal', yn yr ail le y mae'n ymddangos mewnosoder 'neu ward etholiadol'.

Lesley Griffiths 49

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version
Adran 47, tudalen 26, llinell 26, ar ôl 'at' yn yr ail le y mae'n ymddangos, mewnosoder 'ardal'.

Rhodri Glyn Thomas 11

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 50, page 28, line 20, leave out 'direct' and insert ', by order, require'.

Adran 50, tudalen 28, llinell 21, hepgorer 'gyfarwyddo'r Comisiwn i' a mewnosoder ', drwy orchymyn, ei gwneud yn ofynnol i'r Comisiwn'.

Rhodri Glyn Thomas 12

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 50, page 28, line 25, leave out 'A direction' and insert 'An order'.

Adran 50, tudalen 28, llinell 26, hepgorer 'gyfarwyddyd' a mewnosoder 'orchymyn'.

Rhodri Glyn Thomas 13

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 50, page 28, line 35, leave out 'a direction' and insert 'an order'.

Adran 50, tudalen 28, llinell 37, hepgorer 'cyfarwyddyd' a mewnosoder 'gorchymyn'.

Rhodri Glyn Thomas 14

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 50, page 29, line 10, leave out subsection (6).

Adran 50, tudalen 29, llinell 10, hepgorer is-adran (6).

Lesley Griffiths 50

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version

Adran 51, tudalen 29, llinell 26, hepgorer 'the meetings and proceedings of such council.' a mewnosoder 'its meetings and proceedings.'.

Lesley Griffiths 51

Section 51, page 30, leave out lines 1 to 3.

Adran 51, tudalen 30, hepgorer llinellau 1 hyd at 3.

Lesley Griffiths 52

Section 51, page 30, leave out lines 21 to 23.

Adran 51, tudalen 30, hepgorer llinellau 21 hyd at 23.

Lesley Griffiths 53

Section 53, page 32, line 7, leave out 'principal council' and insert 'local authority'.

Adran 53, tudalen 32, llinell 6, hepgorer 'y prif gyngor' a mewnosoder 'yr awdurdod lleol'.

Peter Black 2

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

Section 55, page 32, after line 32, insert –

'(e) such further information as Welsh Ministers may, by regulations, prescribe.'

Adran 55, tudalen 32, ar ôl llinell 32, mewnosoder –

'(e) unrhyw wybodaeth bellach y caiff Gweinidogion Cymru, drwy reoliadau, ei rhagnodi.'

Peter Black 3

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

To insert a new section –

[] Reporting of meetings

While a meeting (including committee meetings) of a principal council or community council is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report. '

This new section should be inserted immediately after section 57.

I fewnosod adran newydd –

[] Cofnodi cyfarfodydd

Tra bod cyfarfod (gan gynnwys cyfarfodydd pwyllgor) prif gyngor neu gyngor cymuned yn agored i'r cyhoedd, bydd unrhyw berson sy'n dod i'r cyfarfod at ddiben cofnodi'r trafodion yn cael cynnig cyfleusterau rhesymol, i'r graddau y bo hynny'n ymarferol, i gymryd ei gofnodion.'

Dylid mewnosod yr adran newydd hon yn syth ar ol adran 57.

Lesley Griffiths

58

To insert a new section –

'Remote attendance at meetings

[] Remote attendance at meetings of principal councils

- (1) Section 4 of the 2011 Measure (remote attendance at meetings) is amended as follows.
- (2) In subsection (4), for the words from "remote" to the end substitute "actual attendance constitutes less than 30% of the total number of members in attendance at the meeting."
- (3) After subsection (4), insert –
 - "(4A) Subsection (4) does not prevent a local authority from making standing orders which require more than 30% of the total number of members in attendance at a meeting to be in actual attendance for the meeting to be quorate."

Mewnosod adran newydd –

'Mynychu cyfarfodydd o bell

[] Mynychu cyfarfodydd prif gynghorau o bell

- (1) Mae adran 4 o Fesur 2011 (mynychu cyfarfodydd o bell) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (4), yn lle'r geiriau "o bell" hyd at y diwedd, rhodder "mangre'r cyfarfod yn llai na 30% o gyfanswm nifer yr aelodau sy'n bresennol yn y cyfarfod."
- (3) Ar ôl is-adran (4), mewnosoder –
 - "(4A) Nid yw is-adran (4) yn atal awdurdod lleol rhag creu rheolau sefydlog sy'n ei gwneud yn ofynnol fod mwy na 30% o gyfanswm yr aelodau sy'n bresennol mewn cyfarfod yn mynychu mangre'r cyfarfod i sicrhau cworwm."

Peter Black

4

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

Section 59, page 34, line 31, after 'of', insert 'one quarter of the membership of'.

Adran 59, tudalen 34, llinell 30, ar ôl 'gais', mewnosoder 'chwarter aelodaeth'.

Lesley Griffiths

54

To insert a new section –

[] Functions relating to salaries of heads of paid service

(1) After section 143 of the 2011 Measure insert –

“143A Functions relating to salaries of heads of paid service

- (1) The Panel may make recommendations to a qualifying relevant authority about –
 - (a) any policy in the authority's pay policy statement which relates to the salary of the authority's head of paid service;
 - (b) any proposed change to the salary of the authority's head of paid service.
- (2) A qualifying relevant authority must have regard to any recommendation received from the Panel when performing its functions under section 38 or 39 of the Localism Act 2011 (c. 20).
- (3) A qualifying relevant authority must, before making a change to the salary of its head of paid service which is not commensurate with a change to the salaries of the authority's other staff –
 - (a) consult the Panel about the proposed change, and
 - (b) have regard to any recommendation received from the Panel when deciding whether or not to proceed with making the change.
- (4) A qualifying relevant authority must provide the Panel with such information as the Panel may reasonably require in connection with the exercise of its functions under this section.
- (5) The Panel may publish any recommendations it makes under this section.
- (6) The Panel must have regard to any guidance issued by the Welsh Ministers when exercising its functions under this section.
- (7) In this section –

“head of paid service” (“*pennaeth gwasanaeth cyflogedig*”) means a head of paid service designated under section 4(1) of the Local Government and Housing Act 1989;

“pay policy statement” (“*datganiad ar bolisiau tâl*”) means a pay policy statement produced by a relevant authority (within the meaning of section 43(1) of the Localism Act 2011) under section 38 of that Act;

“qualifying relevant authority” (“*awdurdod perthnasol cymwys*”) means a relevant authority (within the meaning of this Part) which is required to produce a pay policy statement;

“salary” (“*cyflog*”) includes, in the case of a head of paid service engaged by a qualifying relevant authority under a contract for services, payments by the authority to the head of paid service for those services.”.

- (2) In the Part heading of Part 8 of the 2011 Measure, omit “MEMBERS:”.
- (3) In section 112 of the 1972 Act (appointment of staff), in subsection (2A), after “statement)” insert “and in relation to a local authority in Wales, section 143A of the Local Government (Wales) Measure 2011 (functions of the Independent Remuneration Panel in relation to salaries of heads of paid service).”.

I fewnosod adran newydd –

[] **Swyddogaethau sy’n ymwneud â chyflogau penaethiaid gwasanaethau cyflogedig**

- (1) Ar ôl adran 143 o Fesur 2011 mewnosoder –

“143A Swyddogaethau sy’n ymwneud â chyflogau penaethiaid gwasanaethau cyflogedig

- (1) Caiff y Panel wneud argymhellion i awdurdod perthnasol cymwys am –
 - (a) unrhyw bolisi yn natganiad yr awdurdod ar bolisiau tâl sy’n ymwneud â chyflog pennaeth gwasanaeth cyflogedig yr awdurdod;
 - (b) unrhyw newid arfaethedig i gyflog pennaeth gwasanaeth cyflogedig yr awdurdod.
- (2) Rhaid i awdurdod perthnasol cymwys roi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo gyflawni ei swyddogaethau o dan adran 38 neu 39 o Ddeddf Lleoliaeth 2011 (p.20).
- (3) Rhaid i awdurdod perthnasol cymwys, cyn iddo newid cyflog pennaeth ei wasanaeth cyflogedig mewn modd nad yw’n gymesur â newid i gyflogau staff arall yr awdurdod –
 - (a) ymgynghori â’r Panel am y newid arfaethedig, a
 - (b) rhoi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo benderfynu p’un ai i fynd rhagddo i wneud y newid ai peidio.

- (4) Rhaid i awdurdod perthnasol cymwys roi unrhyw wybodaeth i'r Panel y mae'n rhesymol i'r Panel ei gwneud yn ofynnol iddi gael ei rhoi iddo mewn cysylltiad ag arfer ei swyddogaethau o dan yr adran hon.
- (5) Caiff y Panel gyhoeddi unrhyw argymhellion y mae yn eu gwneud o dan yr adran hon.
- (6) Rhaid i'r Panel roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru wrth iddo arfer ei swyddogaethau o dan yr adran hon.
- (7) Yn yr adran hon—

ystyr “awdurdod perthnasol cymwys” (“*qualifying relevant authority*”) yw awdurdod perthnasol (yn ystyr y Rhan hon) y mae'n ofynnol iddo lunio datganiad ar bolisiau tâl;

mae “cyflog” (“*salary*”) yn cynnwys, yn achos pennaeth gwasanaeth cyflogedig y mae awdurdod perthnasol cymwys yn ei gymryd ymlaen o dan gontract am wasanaethau, daliadau gan yr awdurdod i bennaeth y gwasanaeth cyflogedig am y gwasanaethau hynny;

ystyr “datganiad ar bolisiau tâl” (“*pay policy statement*”) yw datganiad ar bolisiau tâl a lunnir gan awdurdod perthnasol (yn ystyr adran 43(1) o Ddeddf Lleoliaeth 2011) o dan adran 38 o'r Ddeddf honno;

ystyr “pennaeth gwasanaeth cyflogedig” (“*head of paid service*”) yw pennaeth gwasanaeth cyflogedig a ddynodir o dan adran 4(1) o Ddeddf Llywodraeth Leol a Thai 1989.”.

- (2) Yn mhennawd Rhan 8 o Fesur 2011, hepgorer “AELODAU:”.
- (3) Yn adran 112 o Ddeddf 1972 (penodi staff), yn is-adran (2A), ar ôl “statement)” mewnosoder “and in relation to a local authority in Wales, section 143A of the Local Government (Wales) Measure 2011 (functions of the Independent Remuneration Panel in relation to salaries of heads of paid service).”.

Janet Finch-Saunders

9

To insert a new section –

[] Salaries of Senior Officers

After section 144 of the 2011 Measure (relevant authorities, members etc.) insert -

“144A Salaries of Senior Officers

- (1) For the financial year beginning 1 April 2014 and for each following year, the Panel must, for each relevant authority, recommend a maximum amount to be paid to any senior officer of that authority by way of salary, pension contribution or other remuneration.
- (2) In entering into any contracts for the employment of senior officers, or determining any pay awards to senior officers, a relevant authority must comply with the recommendation of the Panel.”.

This new section should be inserted immediately after section 62.

I fewnosod adran newydd –

[] Cyflogau uwch-swyddogion

Ar ôl adran 144 o Fesur 2011 (awdurdodau perthnasol, aelodau etc.) mewnosoder –

“144A Cyflogau uwch-swyddogion

- (1) Ar gyfer y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2014 ac ar gyfer pob blwyddyn ariannol ddilynol, rhaid i'r Panel, ar gyfer pob awdurdod perthnasol, argymhell yr uchafswm y caiff unrhyw uwch-swyddog o'r awdurdod hwnnw ei dalu drwy gyflog, cyfraniad pensiwn neu dâl arall.
- (2) Wrth lunio unrhyw gontractau ar gyfer cyflogi uwch-swyddogion, neu ddod i benderfyniad ynghylch unrhyw godiadau cyflog i uwch-swyddogion, rhaid i awdurdod perthnasol gydymffurfio ag argymhellion y Panel.”.

Dylid mewnosod yr adran newydd hon yn syth ar ol adran 62.

Rhodri Glyn Thomas

15

Supported by/Gyda chefnogaeth: Peter Black

WITHDRAWN/TYNNWYD YN ÔL

To insert a new section –

[] Salaries of senior officers

After section 144 of the 2011 Measure (relevant authorities, members etc.) insert –

“144A Salaries of senior officers

- (1) For the financial year beginning 1 April 2014 and for each following year, the Panel must, for each relevant authority, recommend a maximum amount to be paid to any senior officer of that authority by way of salary, pension contribution or other remuneration.
- (2) In entering into any contracts for the employment of senior officers, or determining any pay awards to senior officers, a relevant authority must have regard to the recommendation of the Panel.”

This new section should be inserted immediately after section 62.

I fewnosod adran newydd –

[] Cyflogau uwch-swyddogion

Ar ôl adran 144 o Fesur 2011 (awdurdodau perthnasol, aelodau etc.) mewnosoder –

“144A Cyflogau uwch-swyddogion

- (1) Ar gyfer y flwyddyn ariannol sy'n dechrau ar 1 Ebrill 2014 ac ar gyfer pob blwyddyn ariannol ddilynol, rhaid i'r Panel, ar gyfer pob awdurdod perthnasol, argymhell yr uchafswm y caiff unrhyw uwch-swyddog o'r awdurdod hwnnw ei dalu drwy gyflog, cyfraniad pensiwn neu dâl arall.
- (2) Wrth lunio unrhyw gontractau ar gyfer cyflogi uwch-swyddogion, neu ddod i benderfyniad ynghylch unrhyw godiadau cyflog i uwch-swyddogion, rhaid i awdurdod perthnasol roi sylw i argymhellion y Panel.”

Dylid mewnosod yr adran newydd hon yn syth ar ol adran 62.

Rhodri Glyn Thomas

16

Section 63, page 36, leave out line 5.

Adran 63, tudalen 36, hepgorer llinell 5.

Peter Black

5

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

To insert a new section –

'Local Authority Elections

[] Single transferable vote

In each electoral division in which there is a contested election, a poll shall be held at which each person entitled to vote as an elector may vote by marking on the ballot paper –

- (a) the voter's first preference from among the candidates to be councillor, and
- (b) if there are three or more candidates and the voter wishes to express a further preference for one or more of those candidates, the voter's second and, if the voter wishes, subsequent preferences from among those candidates.'

This new section should be inserted immediately after section 67.

I fewnosod adran newydd –

'Etholiadau Awdurdod Lleol

[] Pleidlais sengl drosglwyddadwy

Ym mhob adran etholiadol lle bydd etholiad a ymleddir, rhaid cynnal pleidlais lle caiff pob person sydd a'r hawl i bleidleisio fel etholwr bleidleisio drwy nodi ar y papur pleidleisio –

- (a) dewis cyntaf y pleidleisiwr o blith yr ymgeiswyr i fod yn gynghorydd, a
- (b) os oes tri neu fwy o ymgeiswyr a bod y pleidleisiwr am nodi dewis pellach dros un neu fwy o'r ymgeiswyr hynny, ail ddewis y pleidleisiwr ac, os yw'r pleidleisiwr yn dymuno, dewisiadau pellach o blith yr ymgeiswyr hynny.'

Dylid mewnosod yr adran newydd hon yn syth ar ol adran 67.

Peter Black

6

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

To insert a new section –

[] Power to make further provision about local authority elections

- (1) The Welsh Ministers must by order make provision as to –
 - (a) the conduct of elections of councillors,
 - (b) the questioning of such an election and the consequences of irregularities.
- (2) Such an order must, in particular –
 - (a) specify the manner in which the number of votes which will secure the return of a candidate as a councillor is to be calculated,
 - (b) provide for any candidate with a number of votes which equals or exceeds the number so calculated to be deemed to be elected as a councillor,
 - (c) make provision as to circumstances in which one or more of the candidates is to be excluded from the election on the basis of the number of votes then credited to those candidates,
 - (d) make provision as to the transfer of ballot papers from candidates deemed to be elected as councillors or excluded from the election,
 - (e) specify the value, or the method for calculating the value, to be given to a vote on a transferred ballot paper.
- (3) Such an order may, in particular –
 - (a) make provision about the limitation of the election expenses of candidates,
 - (b) apply, with or without modifications or exceptions, any provision made by or under any enactment.
- (4) Provision made by such an order by virtue of subsection (1)(b) must include provision applying Part III of the Representation of the People Act 1983 (c. 2) (“the 1983 Act”) (with such modifications or exceptions as the order may specify).
- (5) The return of a councillor may be questioned only under Part III of the 1983 Act as applied by an order under subsection (1).

This new section should be inserted immediately after new section ‘Single transferable vote’.

I fewnosod adran newydd –

[] Pŵer i wneud darpariaeth bellach ynghylch etholiadau awdurdodau lleol

- (1) Rhaid i Weinidogion Cymru drwy orchymyn wneud darpariaeth ynghylch –
 - (a) trefn etholiadau cynghorwyr,
 - (b) herio etholiad o'r fath a chanlyniadau afreoleidd-dra.
- (2) Rhaid i orchymyn o'r fath, yn benodol –
 - (a) pennu sut y caiff nifer y pleidleisiau a fydd yn sicrhau bod ymgeisydd yn dychwelyd fel cynghorydd eu cyfrifo,
 - (b) darparu y bernir bod unrhyw ymgeisydd sydd â nifer o bleidleisiau sy'n hafal i'r nifer a gyfrifwyd neu'n uwch na hynny wedi cael ei ethol yn gynghorydd,
 - (c) gwneud darpariaeth ynghylch yr amgylchiadau pan fydd un neu fwy o'r ymgeiswyr yn cael eu diystyru o'r etholiad ar sail nifer y pleidleisiau a briodolwyd i'r ymgeiswyr hynny ar y pryd,
 - (d) gwneud darpariaeth am drosglwyddo papurau pleidleisio ymgeiswyr y bernir iddynt gael eu hethol yn gynghorwyr neu eu diystyru o'r etholiad,
 - (e) pennu'r gwerth, neu'r dull ar gyfer cyfrifo'r gwerth, sydd i'w roi i bleidlais ar bapur pleidleisio a drosglwyddwyd.
- (3) Caiff gorchymyn o'r fath, yn benodol –
 - (a) gwneud darpariaeth ynghylch cyfyngiad gwariant etholiadol ymgeiswyr,
 - (b) cymhwyso, gydag addasiadau neu eithriadau neu hebddynt, unrhyw ddarpariaeth a wneir gan neu o dan unrhyw ddeddfiad.
- (4) Rhaid i ddarpariaeth a wnaed drwy orchymyn o'r fath yn rhinwedd is-adran (1)(b) gynnwys darpariaeth sy'n cymhwyso Rhan III o Ddeddf Cynrychiolaeth y Bobl 1983 (p.2) ("Deddf 1983") (gydag addasiadau neu eithriadau o'r fath a bennir gan y gorchymyn).
- (5) Dim ond o dan Ran III o Ddeddf 1983 fel y caiff ei gymhwyso drwy orchymyn o dan isadran (1) y gellir herio bod cynghorydd wedi'i dychwelyd.'.

Dylid mewnosod yr adran newydd hon yn syth ar ôl yr adran newydd 'Pleidlais sengl drosglwyddadwy'.

Peter Black

7

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

To insert a new section –

[] Payment to returning officers

- (1) No payment may be made to officers of principal councils for acting as returning officers (or other senior officer responsible for the supervision of elections, however described) in relating to elections to principal councils or community councils beyond the remuneration payable in relation to their principal responsibilities as employees of those councils.
- (2) This provision does not apply if there is a contractual obligation on the day this section comes into force to make such payment, but no such obligation may thereafter be entered into by those councils.’.

This new section should be inserted immediately after new section ‘Power to make further provision about local authority elections’.

I fewnosod adran newydd –

[] Taliad i swyddogion canlyniadau

- (1) Ni cheir gwneud taliad i swyddogion prif gynghorau am weithredu fel swyddogion canlyniadau (neu uwch-swyddog arall sy’n gyfrifol am oruchwylio etholiadau, sut bynnag y’i disgrifir) mewn perthynas ag etholiadau i brif gynghorau neu gynghorau cymuned uwchlaw’r tal sy’n daladwy mewn perthynas a’u prif gyfrifoldebau fel cyflogeion y cynghorau hynny.
- (2) Nid yw’r ddarpariaeth hon yn gymwys os oes rhwymedigaeth gytundebol i wneud taliad o’r fath ar y diwrnod y daw’r adran hon i rym, ond ni chaiff y cynghorau hynny gychwyn rhwymedigaeth o’r fath wedi hynny.’.

Dylid mewnosod yr adran newydd hon yn syth ar ol yr adran newydd ‘Pŵer i wneud darpariaeth bellach ynghylch etholiadau awdurdodau lleol’.

Peter Black

8

Supported by/Gyda chefnogaeth: Rhodri Glyn Thomas

Section 69, page 39, line 27, after ‘41(1)’, insert ‘or 55(1)()’.

Adran 69, tudalen 39, llinell 29, ar ôl ‘41(1)’, mewnosoder ‘neu 55(1)()’.

Rhodri Glyn Thomas

17

Supported by/Gyda chefnogaeth: Peter Black and Janet Finch-Saunders

Section 69, page 39, after line 35, insert—

- (5) An order under section 50(1) may not be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the National Assembly for Wales.’

Adran 69, tudalen 39, ar ôl llinell 38, mewnosoder—

- (5) Ni chaniateir i orchymyn o dan adran 50(1) gael ei wneud oni fydd drafft o’r offeryn statudol sy’n ei gynnwys wedi ei roi gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo trwy benderfyniad ganddo.’

Lesley Griffiths

59

Section 73, page 41, line 8, leave out ‘59’ and insert ‘[*new section - remote attendance at meetings*]’.

Adran 73, tudalen 41, llinell 8, hepgorer ‘59’ a mewnosoder ‘[*adran newydd - mynychu cyfarfodydd o bell*]’.

Lesley Griffiths

55

Section 73, page 41, line 8, after ‘to’ at the second place where it appears, insert ‘61, 62 to’.

Adran 73, tudalen 41, llinell 8, ar ôl ‘i’ yn yr ail le y mae’n ymddangos, mewnosoder ‘61, 62 i’.

Lesley Griffiths

56

Schedule 2, page 45, Table 1, column 2, leave out lines 8 to 10 and insert, ‘Section 22(5). Section 24(4). Section 30(1)(b). In section 30(3), the words “under Part IV of this Act”. Section 34(5).’.

Atodlen 2, tudalen 45, Tabl 1, colofn 2, hepgorer llinell 8 hyd at 10, mewnosoder, ‘Adran 22(5). Adran 24(4). Adran 30(1)(b). Yn adran 30(3), y geiriau “under Part IV of this Act”. Adran 34(5).’.

Lesley Griffiths

57

Schedule 3, page 46, Table 2, column 1, line 21, leave out ‘area (Ardal’ and insert ‘ward (Ward’.

Atodlen 3, tudalen 46, Tabl 2, colofn 1, llinell 13, hepgorer ‘Ardal etholiadol (Electoral area)’ a mewnosoder ‘Ward etholiadol (Electoral ward)’.