

# RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

## Bil Iechyd y Cyhoedd (Cymru) Public Health (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

Mae gwelliannau a nodir ag 'R' yn dynodi bod yr Aelod wedi datgan buddiant  
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu  
17 wrth gyflwyno'r gwelliant.

Amendments marked 'R' mean that the Member has declared either a registrable interest  
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling  
the amendment.

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

Sections 2 - 31	Adrannau 2 - 31
Schedules 1 and 3	Atodlenni 1 a 3
Sections 32 - 52	Adrannau 32 - 52
Schedule 2	Atodlen 2
Sections 53 - 57	Adrannau 53 - 57
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Schedule 4	Atodlen 4
Section 58	Adran 58
Sections 97 - 117	Adrannau 97 - 117
Schedule 5	Atodlen 5
Sections 118 - 126	Adrannau 118 - 126
Section 1	Adran 1
Long title	Teitl hir



**Kirsty Williams**

3

**Gyda chefnogaeth / Supported by: Darren Millar**

Section 2, page 3, line 1, leave out subsections (2) to (3).

Adran 2, tudalen 3, llinell 1, hepgorer is-adrannau (2) hyd at (3).

**Kirsty Williams**

4

**Gyda chefnogaeth / Supported by: Darren Millar**

Page 3, line 9, leave out section 3.

Tudalen 3, llinell 11, hepgorer adran 3.

**Mark Drakeford**

56

Section 4, page 3, line 29, leave out '10' and insert '[section to be inserted by amendment 62]'

Adran 4, tudalen 3, llinell 32, hepgorer '10' a mewnosoder '[yr adran sy'n cael ei mewnosod gan welliant 62]'

**Kirsty Williams**

5

**Gyda chefnogaeth / Supported by: Darren Millar**

Page 4, line 8, leave out section 5.

Tudalen 4, llinell 10, hepgorer adran 5.

**Mark Drakeford**

57

Section 6, page 4, after line 27, insert—

- (a) premises which are smoke-free by virtue of section [section to be inserted by amendment 60], [section to be inserted by amendment 61] or [section to be inserted by amendment 62],'

Adran 6, tudalen 4, ar ôl llinell 32, mewnosoder—

- (a) â mangreoedd sy'n ddi-fwg yn rhinwedd adran [yr adran sy'n cael ei mewnosod gan welliant 60], [yr adran sy'n cael ei mewnosod gan welliant 61] neu [yr adran sy'n cael ei mewnosod gan welliant 62],'

**Kirsty Williams**

6

**Gyda chefnogaeth / Supported by: Darren Millar**

Page 5, line 8, leave out section 7.

Tudalen 5, llinell 10, hepgorer adran 7.



**Mark Drakeford**

58

Section 7, page 5, line 8, leave out 'NID-free by virtue of section 14' and insert 'specified in regulations'.

Adran 7, tudalen 5, llinell 10, hepgorer 'sy'n ddi-DMN neu sy'n ymwneud â rheoli mangre sy'n ddi-DMN yn rhinwedd adran 14' a mewnosoder 'a bennir mewn rheoliadau, neu sy'n ymwneud â rheoli mangre a bennir mewn rheoliadau,'.

**Mark Drakeford**

59

Section 7, page 5, after line 10, insert –

'( ) Regulations under subsection (1) may only specify premises which are NID-free by virtue of section 14.'

Adran 7, tudalen 5, ar ôl llinell 12, mewnosoder –

'( ) Ni chaiff rheoliadau o dan is-adran (1) ond pennu mangre sy'n ddi-DMN yn rhinwedd adran 14.'

**Mark Drakeford**

60

Page 6, after line 21, insert a new section –

**[ ] School grounds**

- (1) Premises in Wales are smoke-free for the purposes of this Chapter so far as they consist of the grounds of a school.
- (2) In the case of premises consisting of grounds that adjoin the school concerned, the premises are smoke-free only when either or both of –
  - (a) the grounds, or any part of the grounds, or
  - (b) the school, or any part of it,are being used for the purpose of education or childcare.
- (3) In the case of premises consisting of grounds that do not adjoin the school concerned, the premises are smoke-free only when the grounds, or any part of the grounds, are being used for the purpose of education or childcare.
- (4) The grounds of a school, for the purposes of this section, are premises that –
  - (a) are used exclusively or mainly by the school, for purposes that include educational, sporting or recreational purposes, and
  - (b) are not enclosed or substantially enclosed.
- (5) In the case of a school that provides residential accommodation to pupils, the person in charge may designate any area in the grounds as being an area in which smoking is to be permitted, and to that extent the premises are to be treated as not being smoke-free for the purposes of this Chapter.



- (6) Regulations may make provision –
  - (a) specifying conditions to be met before an area may be designated under subsection (5),
  - (b) requiring the keeping of records of designations, and
  - (c) about the circumstances in which a designation is to cease to have effect.
- (7) Premises used as a dwelling are not smoke-free by virtue of this section.’.

Tudalen 6, ar ôl llinell 22, mewnosoder adran newydd –

## [ ] **Tir ysgolion**

- (1) Mae mangre yng Nghymru yn ddi-fwg at ddibenion y Bennod hon i’r graddau y mae’n dir ysgol.
- (2) Yn achos mangre sy’n dir sy’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r naill neu’r llall neu’r ddau o’r canlynol yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-fwg –
  - (a) y tir, neu unrhyw ran o’r tir, neu
  - (b) yr ysgol, neu unrhyw ran ohoni.
- (3) Yn achos mangre sy’n dir nad yw’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r tir, neu unrhyw ran o’r tir, yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-fwg.
- (4) Mae tir ysgol, at ddibenion yr adran hon, yn fangre –
  - (a) a ddefnyddir yn gyfan gwbl neu’n bennaf gan yr ysgol, at ddibenion sy’n cynnwys dibenion addysgol, dibenion chwaraeon neu ddibenion hamdden, a
  - (b) nad yw’n gaeedig nac yn sylweddol gaeedig.
- (5) Yn achos ysgol sy’n darparu llety preswyl i ddisgyblion, caiff y person a chanddo ofal ddynodi unrhyw ardal yn y tir yn ardal lle y mae ysmygu i gael ei ganiatáu, ac i’r graddau hynny mae’r fangre i gael ei thrin fel pe na bai’n ddi-fwg at ddibenion y Bennod hon.
- (6) Caiff rheoliadau wneud darpariaeth –
  - (a) sy’n pennu amodau sydd i gael eu bodloni cyn y caniateir i ardal gael ei dynodi o dan is-adran (5),
  - (b) sy’n ei gwneud yn ofynnol cadw cofnodion o ddynodiadau, ac
  - (c) ynghylch yr amgylchiadau y mae dynodiad i beidio â chael effaith odanynt.
- (7) Nid yw mangre a ddefnyddir fel annedd yn ddi-fwg yn rhinwedd yr adran hon.’.



**Mark Drakeford**

61

Page 6, after line 21, insert a new section –

**[ ] Hospital grounds**

- (1) Premises are smoke-free premises for the purposes of this Chapter so far as they consist of hospital grounds.
- (2) The premises are smoke-free at all times.
- (3) The grounds of a hospital, for the purposes of this section, are premises that –
  - (a) adjoin the hospital, and
  - (b) are used or occupied by it, but
  - (c) are not enclosed or substantially enclosed.
- (4) The person in charge may designate any area in the grounds as being an area in which smoking is to be permitted, and to that extent the premises are to be treated as not being smoke-free for the purposes of this Chapter.
- (5) Regulations may make provision –
  - (a) specifying conditions to be met before an area may be designated under subsection (4),
  - (b) requiring the keeping of records of designations, and
  - (c) about the circumstances in which a designation is to cease to have effect.
- (6) Premises consisting of an adult care home or of an adult hospice or premises used as a dwelling are not smoke-free by virtue of this section.’

Tudalen 6, ar ôl llinell 22, mewnosoder adran newydd –

**[ ] Tir ysbytai**

- (1) Mae mangre yn fangre ddi-fwg at ddibenion y Bennod hon i’r graddau y mae’n dir ysbyty.
- (2) Mae’r fangre yn ddi-fwg drwy’r amser.
- (3) Mae tir ysbyty, at ddibenion yr adran hon, yn fangre –
  - (a) sy’n cydffinio â’r ysbyty, a
  - (b) a ddefnyddir ganddo neu sydd wedi ei meddiannu ganddo, ond
  - (c) nad yw’n gaeedig nac yn sylweddol gaeedig.
- (4) Caiff y person a chanddo ofal ddynodi unrhyw ardal yn y tir yn ardal lle y mae ysmygu i gael ei ganiatáu, ac i’r graddau hynny mae’r fangre i gael ei thrin fel pe na bai’n ddi-fwg at ddibenion y Bennod hon.
- (5) Caiff rheoliadau wneud darpariaeth –
  - (a) sy’n pennu amodau sydd i gael eu bodloni cyn y caniateir i ardal gael ei dynodi o dan is-adran (4),
  - (b) sy’n ei gwneud yn ofynnol cadw cofnodion o ddynodiadau, ac



- (c) ynghylch yr amgylchiadau y mae dynodiad i beidio â chael effaith odanynt.
- (6) Nid yw mangre sy'n gartref gofal i oedolion neu'n hosbis i oedolion na mangre a ddefnyddir fel annedd yn ddi-fwg yn rhinwedd yr adran hon.'

**Mark Drakeford**

62

Page 6, after line 21, insert a new section –

**{ [ ] Public playgrounds**

- (1) Premises are smoke-free premises for the purposes of this Chapter so far as they consist of a public playground.
- (2) The premises are smoke-free –
- (a) if the premises are within clearly marked boundaries, in the whole of the area within those boundaries;
- (b) otherwise, only so far as within five metres of any item of playground equipment.
- (3) The premises are smoke-free at all times.
- (4) Premises used as a dwelling are not smoke-free by virtue of this section.
- (5) Premises consist of a public playground for the purposes of this section if –
- (a) they are designed or adapted for the use, by children, of one or more items of playground equipment,
- (b) a local authority or community council, or a person acting by virtue of arrangements made with a local authority or community council, controls them or is to any extent engaged in their management or maintenance, or makes arrangements in respect of their control or management or maintenance, and
- (c) they are open to the public, for the purpose (or the primary purpose) of the provision of play facilities for children.'

Tudalen 6, ar ôl llinell 22, mewnosoder adran newydd –

**{ [ ] Meysydd chwarae cyhoeddus**

- (1) Mae mangre yn fangre ddi-fwg at ddibenion y Bennod hon i'r graddau y mae'n faes chwarae cyhoeddus.
- (2) O ran y fangre –
- (a) os yw o fewn ffiniau sydd wedi eu marcio'n glir, mae'n ddi-fwg yn yr ardal gyfan o fewn y ffiniau hynny;
- (b) fel arall, nid yw'n ddi-fwg ond i'r graddau y mae o fewn pum metr i unrhyw eitem o gyfarpar maes chwarae.
- (3) Mae'r fangre yn ddi-fwg drwy'r amser.
- (4) Nid yw mangre a ddefnyddir fel annedd yn ddi-fwg yn rhinwedd yr adran hon.



- (5) Mae mangre yn faes chwarae cyhoeddus at ddibenion yr adran hon—
- (a) os yw wedi ei dylunio neu ei haddasu ar gyfer defnyddio un neu ragor o eitemau o gyfarpar maes chwarae gan blant,
  - (b) os oes gan awdurdod lleol neu gyngor cymuned, neu berson sy'n gweithredu yn rhinwedd trefniadau a wneir gydag awdurdod lleol neu gyngor cymuned, reolaeth drosti neu os yw i unrhyw raddau yn ymwneud â'i rheoli neu ei chynnal a'i chadw, neu'n gwneud trefniadau mewn cysylltiad â rheolaeth drosti, neu ei rheoli neu ei chynnal a'i chadw, ac
  - (c) os yw ar agor i'r cyhoedd, at ddiben (neu at brif ddiben) darparu cyfleusterau chwarae i blant.'

### Mark Drakeford

63

Section 10, page 6, line 24, leave out '(workplaces) or 9 (premises that are open to the public)' and insert ', 9, [section to be inserted by amendment 60], [section to be inserted by amendment 61] or [section to be inserted by amendment 62]'

Adran 10, tudalen 6, llinell 25, hepgorer '(gweithleoedd) neu 9 (mangreoedd sydd ar agor i'r cyhoedd)' a mewnosoder ', 9, [yr adran sy'n cael ei mewnosod gan welliant 60], [yr adran sy'n cael ei mewnosod gan welliant 61] neu [yr adran sy'n cael ei mewnosod gan welliant 62]'

### Mark Drakeford

64

Section 13, page 8, line 7, after 'public)', insert—  
, and

- (a) that are not smoke-free premises by virtue of any other provision of this Chapter,'.

Adran 13, tudalen 8, llinell 8, ar ôl 'cyhoedd)', mewnosoder—  
, a

- (a) nad ydynt yn fangreoedd di-fwg yn rhinwedd unrhyw ddarpariaeth arall yn y Bennod hon,'.

### Kirsty Williams

7

#### Gyda chefnogaeth / Supported by: Darren Millar

Page 8, line 23, leave out section 14.

Tudalen 8, llinell 24, hepgorer adran 14.



**Mark Drakeford**

65

Section 14, page 8, after line 34, insert –

- '(d) varying the description of the circumstances in which premises in Part 1, Part 2 or Part 3 of the Schedule are NID-free or are not NID-free (whether by reference to particular times, or conditions, or areas, or any combination of these, or otherwise);
- (e) making consequential provision in connection with provision made under paragraph (a), (b), (c) or (*the first paragraph to be inserted by this amendment*)).'

Adran 14, tudalen 8, ar ôl llinell 35, mewnosoder –

- '(d) amrywio'r disgrifiad o'r amgylchiadau y mae mangre yn Rhan 1, Rhan 2 neu Ran 3 o'r Atodlen yn ddi-DMN odanynt neu nad yw mangre o'r fath yn ddi-DMN odanynt (pa un ai drwy gyfeirio at adegau penodol, neu amodau, neu ardaloedd, neu unrhyw gyfuniad o'r rhain, neu fel arall);
- (e) gwneud darpariaeth ganlyniadol mewn cysylltiad â darpariaeth sydd wedi ei gwneud o dan baragraff (a), (b), (c) neu (*y paragraff cyntaf sy'n cael ei fewnosod gan y gwelliant hwn*)).'

**Mark Drakeford**

66

Section 14, page 9, line 3, leave out 'smoke-free premises by virtue of section 8 (workplaces) or 9 (premises that are open to the public), or are treated as smoke-free premises by virtue of section 10' and insert ', or are treated as, smoke-free premises by virtue of this Chapter'.

Adran 14, tudalen 9, llinell 3, hepgorer 'yn rhinwedd adran 8 (gweithleoedd) neu 9 (mangreoedd sydd ar agor i'r cyhoedd), neu i gael ei thrin fel mangre ddi-fwg yn rhinwedd adran 10' a mewnosoder ', neu'n cael ei thrin fel mangre ddi-fwg, yn rhinwedd y Bennod hon'.

**Kirsty Williams**

8

**Gyda chefnogaeth / Supported by: Darren Millar**

Page 9, line 10, leave out section 15.

Tudalen 9, llinell 9, hepgorer adran 15.

**Mark Drakeford**

67

Section 15, page 9, after line 13, insert –

- '( ) But a room or area may not be designated under subsection (1) if it is NID-free by virtue of section 14(2).'

Adran 15, tudalen 9, ar ôl llinell 12, mewnosoder –

- '( ) Ond ni chaniateir i ystafell nac ardal gael ei dynodi o dan is-adran (1) os yw'n ddi-DMN yn rhinwedd adran 14(2).'





**Kirsty Williams**

9

**Gyda chefnogaeth/ Supported by: Darren Millar**

Page 9, line 21, leave out section 16.

Tudalen 9, llinell 20, hepgorer adran 16.

**Kirsty Williams**

10

**Gyda chefnogaeth/ Supported by: Darren Millar**

Page 10, line 20, leave out section 17.

Tudalen 10, llinell 21, hepgorer adran 17.

**Kirsty Williams**

11

**Gyda chefnogaeth/ Supported by: Darren Millar**

Page 12, line 2, leave out section 19.

Tudalen 12, llinell 2, hepgorer adran 19.

**Kirsty Williams**

12

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 21, page 13, line 19, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 21, tudalen 13, llinell 20, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams**

13

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 22, page 13, line 31, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 22, tudalen 13, llinell 34, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams**

14

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 23, page 14, line 8, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 23, tudalen 14, llinell 8, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.



**Kirsty Williams** 15

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 25, page 15, line 4, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 25, tudalen 15, llinell 5, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams** 16

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 25, page 15, line 14, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 25, tudalen 15, llinell 15, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams** 17

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 27, page 16, line 18, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 27, tudalen 16, llinell 18, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams** 18

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 28, page 16, line 37, leave out '5, 6, 7, 18 or 19' and insert '6 or 18'.

Adran 28, tudalen 16, llinell 39, hepgorer '5, 6, 7, 18 neu 19' a mewnosoder '6 neu 18'.

**Kirsty Williams** 19

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 29, page 17, line 7, leave out 'or 5(1)'.

Adran 29, tudalen 17, llinell 7, hepgorer 'neu 5(1)'.

**Kirsty Williams** 20

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 29, page 17, line 8, leave out 'or 19(5)'.

Adran 29, tudalen 17, llinell 8, hepgorer 'neu 19(5)'.



**Kirsty Williams**

21

**Gyda chefnogaeth / Supported by: Darren Millar**

Section 29, page 17, line 11, leave out 'or 7(3)'.

Adran 29, tudalen 17, llinell 12, hepgorer 'neu 7(3)'.

**Darren Millar**

27

Page 17, after line 29, insert a new section –

*'Review and report: nicotine inhaling devices*

**[ ] Review and report on operation of provisions relating to nicotine inhaling devices**

- (1) The Welsh Ministers must carry out a review of the operation of the provisions of this Chapter in so far as they apply to the use of nicotine inhaling devices, with a view to seeking to assess their impact on the health of the people of Wales and in particular their effect on the use of nicotine inhaling devices by children and on smoking by children.
- (2) The Welsh Ministers must prepare and publish a report of the review no later than the end of the four year period.
- (3) The Welsh Ministers must lay the report before the National Assembly for Wales.
- (4) If, having complied with subsection (2), the Welsh Ministers carry out a further review of the operation of the provisions of this Chapter in so far as they apply to the use of nicotine inhaling devices, they must prepare and publish a report of the review and lay the report before the National Assembly for Wales.
- (5) The "four year period" means the period of four years beginning with the day on which section 14 comes into force.'

Tudalen 17, ar ôl llinell 33, mewnosoder adran newydd –

*'Adolygu ac adrodd: dyfeisiau mewnanadlu nicotin*

**[ ] Adolygu gweithrediad darpariaethau sy'n ymwneud â dyfeisiau mewnanadlu nicotin ac adrodd arno**

- (1) Rhaid i Weinidogion Cymru gynnal adolygiad o weithrediad darpariaethau'r Bennod hon i'r graddau y maent yn gymwys i'r defnydd o ddyfeisiau mewnanadlu nicotin, gyda golwg ar geisio asesu eu heffaith ar iechyd pobl Cymru ac yn benodol eu heffaith ar y defnydd o ddyfeisiau mewnanadlu nicotin gan blant ac ar ysmegu gan blant.
- (2) Rhaid i Weinidogion Cymru lunio a chyhoeddi adroddiad ar yr adolygiad erbyn diwedd y cyfnod o bedair blynedd fan bellaf.
- (3) Rhaid i Weinidogion Cymru osod yr adroddiad gerbron Cynulliad Cenedlaethol Cymru.



- (4) Os yw Gweinidogion Cymru, ar ôl cydymffurfio ag is-adran (2), yn cynnal adolygiad pellach o weithrediad darpariaethau'r Bennod hon i'r graddau y maent yn gymwys i'r defnydd o ddyfeisiau mewnanadlu nicotin, rhaid iddynt lunio a chyhoeddi adroddiad ar yr adolygiad a gosod yr adroddiad gerbron Cynulliad Cenedlaethol Cymru.
- (5) Ystyr y "cyfnod o bedair blynedd" yw'r cyfnod o bedair blynedd sy'n dechrau â'r diwrnod y daw adran 14 i rym.'

**Mark Drakeford**

68

Section 30, page 17, after line 32, insert—

“adult care home” (“*cartref gofal i oedolion*”) means premises at which a care home service within the meaning given by paragraph 1 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) is provided to persons aged 18 or over;’.

Adran 30, tudalen 17, ar ôl llinell 38, mewnosoder—

‘ystyr “*cartref gofal i oedolion*” (“*adult care home*”) yw mangre lle y darperir gwasanaeth cartref gofal o fewn yr ystyr a roddir gan baragraff 1 o Atodlen 1 i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) 2016 (dccc 2) i bersonau sy’n 18 oed neu’n hŷn;’.

**Mark Drakeford**

69

Section 30, page 17, after line 32, insert—

“adult hospice” (“*hosbis i oedolion*”) means premises wholly or mainly used for the provision of palliative care to persons aged 18 or over, who are suffering from a progressive disease in its final stages, by or behalf of an establishment the primary function of which is the provision of such care;’.

Adran 30, tudalen 18, ar ôl llinell 7, mewnosoder—

‘ystyr “*hosbis i oedolion*” (“*adult hospice*”) yw mangre a ddefnyddir yn gyfan gwbl neu’n bennaf ar gyfer darparu gofal lliniarol i bersonau sy’n 18 oed neu’n hŷn, sy’n dioddef o glefyd sy’n gwaethygu ac sydd yn ei gyfnodau olaf, gan neu ar ran sefydliad â’i brif swyddogaeth yw darparu gofal o’r fath;’.

**Kirsty Williams**

22

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 30, page 18, line 1, leave out “child” (“*plentyn*”) means a person aged under 18;’.

Adran 30, tudalen 18, llinell 16, hepgorer ‘ystyr “*plentyn*” (“*child*”) yw person o dan 18 oed;’.



**Mark Drakeford**

70

Section 30, page 18, after line 1, insert—

“childcare” (“*gofal plant*”) means (subject to sub-section ([*the first subsection to be inserted by amendment 76*])) any form of care for a child, other than care provided for a child by a parent, relative or foster parent of the child; and includes—

- (a) education for a child, and
- (b) any other supervised activity for a child;’.

Adran 30, tudalen 18, ar ôl llinell 7, mewnosoder—

‘ystyr “*gofal plant*” (“*childcare*”) yw (yn ddarostyngedig i is-adran ([*yr is-adran cyntaf sy’n cael ei mewnosod gan welliant 76*])) unrhyw ffurf ar ofal ar gyfer plentyn, ac eithrio gofal a ddarperir ar gyfer plentyn gan riant, perthynas neu riant maeth i’r plentyn; ac mae’n cynnwys—

- (a) addysg ar gyfer plentyn, a
- (b) unrhyw weithgaredd arall o dan oruchwyliaeth ar gyfer plentyn;’.

**Mark Drakeford**

71

Section 30, page 18, after line 3, insert—

“hospital” (“*ysbyty*”) has the meaning given by section 206 of the National Health Service (Wales) Act 2006 (c.42);’.

Adran 30, tudalen 18, ar ôl llinell 18, mewnosoder—

‘mae i “*ysbyty*” yr ystyr a roddir i “hospital” gan adran 206 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42);’.

**Kirsty Williams**

23

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 30, page 18, leave out lines 4 to 6.

Adran 30, tudalen 18, hepgorer llinellau 5 hyd at 7.

**Mark Drakeford**

72

Section 30, page 18, after line 6, insert—

“parent” (“*rhiant*”) includes any person who has parental responsibility (within the meaning of section 3 of the Children Act 1989 (c.41)) for a child;’.

Adran 30, tudalen 18, ar ôl llinell 16, mewnosoder—

‘mae “*rhiant*” (“*parent*”) yn cynnwys unrhyw berson a chanddo gyfrifoldeb rhiant (o fewn yr ystyr a roddir i “parental responsibility” yn adran 3 o Ddeddf Plant 1989 (p.41)) dros blentyn;’.



**Mark Drakeford**

73

Section 30, page 18, after line 6, insert –

“playground equipment” (“*cyfarpar maes chwarae*”) includes (for example) a swing, slide, sand-pit, or ramp, but does not include powered equipment (such as for example equipment powered by electric motor);’.

Adran 30, tudalen 18, ar ôl llinell 2, mewnosoder –

‘mae “*cyfarpar maes chwarae*” (“*playground equipment*”) yn cynnwys (er enghraifft) siglen, llithren, pwll tywod, neu ramp, ond nid yw’n cynnwys cyfarpar â modur (megis er enghraifft cyfarpar sy’n rhedeg ar fodur trydanol);’.

**Mark Drakeford**

74

Section 30, page 18, after line 13, insert –

“registered pupil” (“*disgybl cofrestredig*”) has the meaning given by section 434(5) of the Education Act 1996 (c.56);’.

Adran 30, tudalen 18, ar ôl llinell 4, mewnosoder –

‘mae i “*disgybl cofrestredig*” yr ystyr a roddir i “registered pupil” gan adran 434(5) o Ddeddf Addysg 1996 (p.56);’.

**Mark Drakeford**

75

Section 30, page 18, after line 13, insert –

“relative” (“*perthynas*”), in relation to a child, means a step-parent, grandparent, aunt, uncle, brother or sister (including any person who is in that relationship by virtue of a marriage or civil partnership or an enduring family relationship);’.

Adran 30, tudalen 18, ar ôl llinell 15, mewnosoder –

‘ystyr “*perthynas*” (“*relative*”), mewn perthynas â phlentyn, yw llys-riant, mam-gu/nain, tad-cu/taid, modryb, ewythr, brawd neu chwaer (gan gynnwys unrhyw berson sydd yn y berthynas honno yn rhinwedd priodas neu bartneriaeth sifil neu berthynas deuluol barhaus);’.

**Kirsty Williams**

24

**Gyda chefnogaeth / Supported by: Darren Millar**

Section 30, page 18, leave out lines 14 to 15.

Adran 30, tudalen 18, hepgorer llinellau 19 hyd at 20.



**Mark Drakeford**

76

Section 30, page 18, after line 19, insert –

- '( ) References in this Chapter to “childcare” do not include –
  - (a) education (or any other supervised activity) provided by a school during school hours for a registered pupil, or
  - (b) any form of health care for a child.
- ( ) For the purposes of subsection (1) a person is a foster parent in relation to a child if the person –
  - (a) is a local authority foster parent (within the meaning given by section 197 of the Social Services and Well-being (Wales) Act 2014 (anaw 4)), or
  - (b) fosters the child privately.
- ( ) References in this Chapter to a “dwelling” include land enjoyed with premises where the premises themselves constitute a dwelling, unless the land is agricultural land (within the meaning given by section 246 of the Renting Homes (Wales) Act 2016 (anaw 1)) exceeding 0.809 hectares.’.

Adran 30, tudalen 18, ar ôl llinell 21, mewnosoder –

- '( ) Nid yw cyfeiriadau yn y Bennod hon at “gofal plant” yn cynnwys –
  - (a) addysg (neu unrhyw weithgaredd arall o dan oruchwyliaeth) a ddarperir gan ysgol yn ystod oriau ysgol ar gyfer disgybl cofrestredig, neu
  - (b) unrhyw ffurf ar ofal iechyd ar gyfer plentyn.
- ( ) At ddibenion is-adran (1) mae person yn rhiant maeth mewn perthynas â phlentyn os yw'r person –
  - (a) yn rhiant maeth awdurdod lleol (o fewn yr ystyr a roddir gan adran 197 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)), neu
  - (b) yn maethu'r plentyn yn breifat.
- ( ) Mae cyfeiriadau yn y Bennod hon at “annedd” yn cynnwys tir a fwynheir gyda mangre pan fo'r fangre ei hun yn annedd, oni bai bod y tir yn dir amaethyddol (o fewn yr ystyr a roddir gan adran 246 o Ddeddf Rhentu Cartrefi (Cymru) 2016 (dccc 1)) sy'n fwy na 0.809 hectar.’.

**Mark Drakeford**

77

Section 30, page 18, after line 22, insert –

- '( ) Premises may be smoke-free by virtue of more than one section in this Chapter.’.

Adran 30, tudalen 18, ar ôl llinell 26, mewnosoder –

- '( ) Gall mangreoedd fod yn ddi-fwg yn rhinwedd mwy nag un adran yn y Bennod hon.’.



- Kirsty Williams** 25
- Gyda chefnogaeth / Supported by: Darren Millar**  
Section 30, page 18, line 23, leave out subsection (3).  
Adran 30, tudalen 18, llinell 27, hepgorer is-adran (3).
- Mark Drakeford** 99  
Schedule 1, page 74, line 15, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 74, llinell 15, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 100  
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 74, llinell 16, hepgorer 'yw mangre' a mewnosoder 'yw'r fangre'.
- Mark Drakeford** 101  
Schedule 1, page 74, line 16, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 74, llinell 18, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 102  
Schedule 1, page 74, line 19, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 74, llinell 20, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 103  
Schedule 1, page 74, line 22, leave out 'only when' and insert 'by virtue of this paragraph only when the premises, or any part of the premises, are'.  
Atodlen 1, tudalen 74, llinell 23, hepgorer 'yw mangre yn cael ei defnyddio at ddiben darparu addysg y mae'r fangre yn ddi-DMN' a mewnosoder 'yw'r fangre, neu unrhyw ran o'r fangre, yn cael ei defnyddio at ddiben darparu addysg y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 104  
Schedule 1, page 74, line 23, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 74, llinell 26, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.





**Mark Drakeford**

105

Schedule 1, page 74, after line 23, insert –

*‘School grounds: non-residential establishments*

- [ ] Premises consisting of the grounds of a school within paragraph [*the final paragraph to be inserted by this amendment*].
- [ ] In the case of premises consisting of grounds that adjoin the school concerned, the premises are NID-free by virtue of this paragraph only when either or both of –
  - (a) the grounds, or any part of the grounds, or
  - (b) the school, or any part of it,are being used for the purpose of education or childcare.
- [ ] In the case of premises consisting of grounds that do not adjoin the school concerned, the premises are NID-free by virtue of this paragraph only when the grounds, or any part of the grounds, are being used for the purpose of education or childcare.
- [ ] References in this Schedule to the grounds of a school are to premises that –
  - (a) are used exclusively or mainly by the school, for purposes that include educational, sporting or recreational purposes, and
  - (b) are not enclosed or substantially enclosed.
- [ ] A school is within this paragraph if it does not provide residential accommodation to pupils.’.

Atodlen 1, tudalen 74, ar ôl llinell 26, mewnosoder –

*‘Tir ysgolion: sefydliadau dibreswyl*

- [ ] Mangre sy’n dir ysgol o fewn paragraff [*y paragraff olaf sy’n cael ei fewnosod gan y gwelliant hwn*].
- [ ] Yn achos mangre sy’n dir sy’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r naill neu’r llall neu’r ddau o’r canlynol yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn –
  - (a) y tir, neu unrhyw ran o’r tir, neu
  - (b) yr ysgol, neu unrhyw ran ohoni.
- [ ] Yn achos mangre sy’n dir nad yw’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r tir, neu unrhyw ran o’r tir, yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- [ ] Mae cyfeiriadau yn yr Atodlen hon at dir ysgol yn gyfeiriadau at fangre –
  - (a) a ddefnyddir yn gyfan gwbl neu’n bennaf gan yr ysgol, at ddibenion sy’n cynnwys dibenion addysgol, dibenion chwaraeon neu ddibenion hamdden, a
  - (b) nad yw’n gaeedig nac yn sylweddol gaeedig.
- [ ] Mae ysgol o fewn y paragraff hwn os nad yw’n darparu llety preswyl i ddisgyblion.’.



- Mark Drakeford** 106  
Schedule 1, page 74, leave out lines 28 to 31.  
Atodlen 1, tudalen 74, hepgorer llinellau 32 hyd at 35.
- Mark Drakeford** 107  
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 75, llinell 1, hepgorer 'yw mangre' a mewnosoder 'yw'r mangreoedd'.
- Mark Drakeford** 108  
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 75, llinell 2, hepgorer 'fangre' a mewnosoder 'mangreoedd'.
- Mark Drakeford** 109  
Schedule 1, page 75, line 1, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 75, llinell 2, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 110  
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 75, llinell 3, hepgorer 'fangre' a mewnosoder 'mangreoedd'.
- Mark Drakeford** 111  
Schedule 1, page 75, line 3, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 75, llinell 4, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.
- Mark Drakeford** 112  
Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 75, llinell 12, hepgorer 'yw' a mewnosoder 'yw'r'.
- Mark Drakeford** 113  
Schedule 1, page 75, line 11, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 75, llinell 13, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.



**Mark Drakeford**

114

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.  
Atodlen 1, tudalen 75, llinell 14, hepgorer 'fangre' a mewnosoder 'mangreodd'.

**Mark Drakeford**

115

Schedule 1, page 75, line 13, after 'NID-free', insert 'by virtue of this paragraph'.  
Atodlen 1, tudalen 75, llinell 15, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.

**Mark Drakeford**

116

Schedule 1, page 75, after line 13, insert –

*'Retail premises*

- [ ] (1) Premises consisting of a shop, except in so far as consisting of a specialist tobacconist.
- (2) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (3) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.
- [ ] (1) Premises consisting of any common areas of a shopping centre, or stalls within the centre, to which those using the centre have or are allowed access in connection with their use of the centre.
- (2) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (3) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.
- [ ] (1) Premises consisting of a market containing retail stalls (whether or not it also contains shops, food business establishments within paragraph 5(1) or other premises).
- (2) A "retail stall" is a stall from which is carried on a trade or business consisting wholly or mainly of the sale of goods by retail.
- (3) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (4) For the purpose of sub-paragraph (3) every part of a stall in a market is to be treated as an area that is open to the public.
- (5) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.
- [ ] (1) Premises consisting of car parking facilities where –
  - (a) the facilities are provided for persons present at a shop, shopping centre or market within paragraph [*the third paragraph to be inserted by this amendment*](1), and
  - (b) the premises are contiguous or adjacent to the shop, shopping centre or market.



- (2) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (3) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.

*Healthcare premises*

- [ ] (1) Premises, other than a hospital, consisting of healthcare premises.
- (2) Healthcare premises, for the purpose of this paragraph, are premises –
    - (a) at which a person who is a member of a health care profession within paragraph (3) provides services in that person's capacity as such a member, and
    - (b) which have been constructed or adapted wholly or mainly for the purpose of providing those services.
  - (3) A health care profession within this sub-paragraph is –
    - (a) one that is regulated by a body mentioned in paragraphs (a) to (ga) of section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 (c.17), or
    - (b) a relevant profession within the meaning of Schedule 3 to the Health and Social Work Professions Order 2001 (SI 2002/254) other than biomedical scientists, clinical scientists, paramedics, radiographers, social workers and operating department practitioners.
- [ ] (1) The premises are NID-free by virtue of this paragraph –
  - (a) only in those parts that are either or both –
    - (i) open to the public;
    - (ii) used for the purpose of providing the services concerned, and
  - (b) only when either or both –
    - (i) open to the public;
    - (ii) used for the purpose of providing the services concerned.
- (2) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.

*General entertainment venues*

- [ ] Premises consisting of –
- (a) performing arts centres;
  - (b) cinemas;
  - (c) amusement parks;
  - (d) zoos;
  - (e) family entertainment centres;
  - (f) museums;



(g) public libraries and the National Library of Wales.

- [ ] (1) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (2) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.

*Children's entertainment venues*

- [ ] (1) Premises which are –
- (a) used wholly or mainly for the purpose of providing children with entertainment or occupation or for the purpose of enabling children to entertain or occupy themselves, and
  - (b) open to the public,
- other than premises within sub-paragraph (2).
- (2) Premises within this sub-paragraph are –
- (a) premises used for the provision of childcare by a person in return for payment of money in those parts in which, and at those times at which, the premises are so used;
  - (b) premises consisting of a school or a further education institution.
- (3) “Entertainment or occupation” includes access to livestock or other domestic animals, agriculture, horticulture, educational activities and to play facilities.
- (4) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (5) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.

*Public playgrounds*

- [ ] Premises that consist of a public playground.
- [ ] (1) The premises are NID-free by virtue of this paragraph –
- (a) if the premises are within clearly marked boundaries, in the whole of the area within those boundaries;
  - (b) otherwise, only so far as within five metres of any item of playground equipment.
- (2) The premises are NID-free by virtue of this paragraph at all times.
- (3) Premises consist of a public playground for the purposes of paragraph [*the tenth paragraph to be inserted by this amendment*] –
- (a) if they are designed or adapted for the use, by children, of one or more items of playground equipment,



- (b) if a local authority or community council, or a person acting by virtue of arrangements made with a local authority or community council, controls them or is to any extent engaged in their management or maintenance, or makes arrangements in respect of their control or management or maintenance,
- (c) if they are open to the public, for the purpose (or the primary purpose) of the provision of play facilities for children, and
- (d) whether or not they are enclosed or substantially enclosed.

*Sports grounds and centres*

- [ ] Premises consisting of –
  - (a) sports grounds;
  - (b) sports centres.
- [ ] (1) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.
- (2) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.’.

Atodlen 1, tudalen 75, ar ôl llinell 15, mewnosoder –

*‘Mangreoedd manwerthu*

- [ ] (1) Mangre sy’n siop, ac eithrio i’r graddau y mae’n werthwr tybaco arbenigol.
- (2) Dim ond pan yw’r fangre ar agor i’r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i’r cyhoedd y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- (3) Dim ond yn yr ardaloedd hynny sy’n gaeedig neu’n sylweddol gaeedig y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- [ ] (1) Mangre sy’n cynnwys unrhyw ardaloedd cyffredin mewn canolfan siopa, neu stondinau yn y ganolfan, y mae gan y rheini sy’n defnyddio’r ganolfan fynediad iddynt mewn cysylltiad â’u defnydd o’r ganolfan neu y caniateir iddynt gael mynediad iddynt mewn cysylltiad â’u defnydd o’r ganolfan.
- (2) Dim ond pan yw’r fangre ar agor i’r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i’r cyhoedd y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- (3) Dim ond yn yr ardaloedd hynny sy’n gaeedig neu’n sylweddol gaeedig y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- [ ] (1) Mangre sy’n farchnad sy’n cynnwys stondinau manwerthu (pa un a yw hefyd yn cynnwys siopau, sefydliadau busnes bwyd o fewn paragraff 5(1) neu fangreoedd eraill ai peidio).
- (2) Mae “stondin fanwerthu” yn stondin y cynhelir ohoni fasnach neu fusnes nad yw ond yn gwerthu drwy fanwerthu nwyddau neu sy’n gwneud hynny’n bennaf.
- (3) Dim ond pan yw’r fangre ar agor i’r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i’r cyhoedd y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.



- (4) At ddiben is-baragraff (3) mae pob rhan o stondin mewn marchnad i gael ei thrin fel ardal sydd ar agor i'r cyhoedd.
- (5) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- [ ] (1) Mangre sy'n gyfleusterau parcio ceir pan fo –
  - (a) y cyfleusterau yn cael eu darparu ar gyfer personau sy'n bresennol mewn siop, canolfan siopa neu farchnad o fewn paragraff [y trydydd paragraff sy'n cael ei fewnosod gan y gwelliant hwn](1), a
  - (b) y fangre yn gyffiniol â'r siop, y ganolfan siopa neu'r farchnad neu'n gyfagos iddi.
- (2) Dim ond pan yw'r fangre ar agor i'r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i'r cyhoedd y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.
- (3) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.

#### *Mangreodd gofal iechyd*

- [ ] (1) Mangre, ac eithrio ysbyty, sy'n fangre gofal iechyd.
- (2) Mangre gofal iechyd, at ddiben y paragraff hwn, yw mangre –
  - (a) lle y mae person sy'n aelod o broffesiwn gofal iechyd o fewn paragraff (3) yn darparu gwasanaethau yn rhinwedd swydd y person hwnnw fel aelod o'r fath, a
  - (b) sydd wedi ei hadeiladu neu ei haddasu yn gyfan gwbl neu'n bennaf at ddiben darparu'r gwasanaethau hynny.
- (3) Mae proffesiwn gofal iechyd o fewn yr is-baragraff hwn yn –
  - (a) un sy'n cael ei reoleiddio gan gorff a grybwyllir ym mharagraffau (a) i (ga) o adran 25(3) o Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002 (p.17), neu
  - (b) proffesiwn perthnasol o fewn ystyr "relevant professions" yn Atodlen 3 i Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001 (OS 2002/254) ac eithrio gwyddonwyr biomeddygol, gwyddonwyr clinigol, parafeddygon, radiograffwyr, gweithwyr cymdeithasol ac ymarferwyr adrannau llawdriniaeth.
- [ ] (1) Nid yw'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn –
  - (a) ond yn y rhannau hynny y mae naill ai is-baragraff (i) neu is-baragraff (ii), neu'r ddau is-baragraff yn gymwys iddynt –
    - (i) maent ar agor i'r cyhoedd;
    - (ii) maent yn cael eu defnyddio at ddiben darparu'r gwasanaethau o dan sylw, a
  - (b) ond pan fo naill ai is-baragraff (i) neu is-baragraff (ii) yn gymwys, neu pan fo'r ddau is-baragraff yn gymwys –
    - (i) mae ar agor i'r cyhoedd;
    - (ii) mae'n cael ei defnyddio at ddiben darparu'r gwasanaethau o dan sylw.



- (2) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.

*Lleoliadau adloniant cyffredinol*

[ ] Mangreoedd sy'n—

- (a) canolfannau celfyddydau perfformio;
- (b) sinemâu;
- (c) parciau difyrion;
- (d) sŵau;
- (e) canolfannau adloniant i deuluoedd;
- (f) amgueddfeydd;
- (g) llyfrgelloedd cyhoeddus a Llyfrgell Genedlaethol Cymru.

- [ ] (1) Dim ond pan yw'r mangreoedd ar agor i'r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i'r cyhoedd y mae'r mangreoedd yn ddi-DMN yn rhinwedd y paragraff hwn.
- (2) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r mangreoedd yn ddi-DMN yn rhinwedd y paragraff hwn.

*Lleoliadau adloniant i blant*

[ ] (1) Mangre sydd—

- (a) yn cael ei defnyddio'n gyfan gwbl neu'n bennaf at ddiben darparu adloniant neu ddifyrrwch i blant neu at ddiben galluogi plant i'w hadlonni eu hunain neu i'w difyrru eu hunain, a

- (b) ar agor i'r cyhoedd,

ac eithrio mangre o fewn is-baragraff (2).

(2) Mae mangre o fewn yr is-baragraff hwn yn—

- (a) mangre sy'n cael ei defnyddio i ddarparu gofal plant gan berson yn gyfnewid am daliad o arian yn y rhannau hynny, ac ar yr adegau hynny, y caiff y fangre ei defnyddio felly;

- (b) mangre sy'n ysgol neu'n sefydliad addysg bellach.

(3) Mae "adloniant neu ddifyrrwch" yn cynnwys mynediad at dda byw neu anifeiliaid dof eraill, amaethyddiaeth, garddwriaeth, gweithgareddau addysgol ac at gyfleusterau chwarae.

(4) Dim ond pan yw'r fangre ar agor i'r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i'r cyhoedd y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.

(5) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.





*Meysydd chwarae cyhoeddus*

- [ ] Mangre sy'n faes chwarae cyhoeddus.
- [ ] (1) O ran y fangre –
- (a) os yw o fewn ffiniau sydd wedi eu marcio'n glir, mae'n ddi-DMN yn rhinwedd y paragraff hwn yn yr ardal gyfan o fewn y ffiniau hynny;
  - (b) fel arall, nid yw'n ddi-DMN yn rhinwedd y paragraff hwn ond i'r graddau y mae o fewn pum metr i unrhyw eitem o gyfarpar maes chwarae.
- (2) Mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn drwy'r amser.
- (3) Mae mangre yn faes chwarae cyhoeddus at ddibenion paragraff [*y degfed paragraff sy'n cael ei fewnosod gan y gwelliant hwn*] –
- (a) os yw wedi ei dylunio neu ei haddasu ar gyfer defnyddio un neu ragor o eitemau o gyfarpar maes chwarae gan blant,
  - (b) os oes gan awdurdod lleol neu gyngor cymuned, neu berson sy'n gweithredu yn rhinwedd trefniadau a wneir gydag awdurdod lleol neu gyngor cymuned, reolaeth drosti neu os yw i unrhyw raddau yn ymwneud â'i rheoli neu ei chynnal a'i chadw, neu'n gwneud trefniadau mewn cysylltiad â rheolaeth drosti, neu ei rheoli neu ei chynnal a'u chadw,
  - (c) os yw ar agor i'r cyhoedd, at ddiben (neu at brif ddiben) darparu cyfleusterau chwarae i blant, a
  - (d) pa un a yw'n gaeedig neu'n sylweddol gaeedig ai peidio.

*Meysydd a chanolfannau chwaraeon*

- [ ] Mangreoedd sy'n –
- (a) meysydd chwaraeon;
  - (b) canolfannau chwaraeon.
- [ ] (1) Dim ond pan yw'r mangreoedd ar agor i'r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i'r cyhoedd y mae'r mangreoedd yn ddi-DMN yn rhinwedd y paragraff hwn.
- (2) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r mangreoedd yn ddi-DMN yn rhinwedd y paragraff hwn.'

**Mark Drakeford**

117

Schedule 1, page 75, after line 15, insert –

*'School grounds: residential establishments*

- [ ] Premises consisting of the grounds of a school within paragraph [*the final paragraph to be inserted by this amendment*].
- [ ] In the case of premises consisting of grounds that adjoin the school concerned, the premises are NID-free by virtue of this paragraph only when either or both of –



- (a) the grounds, or any part of the grounds, or
- (b) the school, or any part of it,

are being used for the purpose of education or childcare.

[ ] In the case of premises consisting of grounds that do not adjoin the school concerned, the premises are NID-free by virtue of this paragraph only when the grounds, or any part of the grounds, are being used for the purpose of education or childcare.

[ ] A school is within this paragraph if it provides residential accommodation to pupils.’

Atodlen 1, tudalen 75, ar ôl llinell 17, mewnosoder –

*‘Tir ysgolion: sefydliadau preswyl*

[ ] Mangre sy’n dir ysgol o fewn paragraff [*y paragraff olaf sy’n cael ei fewnosod gan y gwelliant hwn*].

[ ] Yn achos mangre sy’n dir sy’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r naill neu’r llall neu’r ddau o’r canlynol yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn –

- (a) y tir, neu unrhyw ran o’r tir, neu
- (b) yr ysgol, neu unrhyw ran ohoni.

[ ] Yn achos mangre sy’n dir nad yw’n cydffinio â’r ysgol o dan sylw, dim ond pan yw’r tir, neu unrhyw ran o’r tir, yn cael ei ddefnyddio at ddiben addysg neu ofal plant y mae’r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.

[ ] Mae ysgol o fewn y paragraff hwn os yw’n darparu llety preswyl i ddisgyblion.’

### **Mark Drakeford**

**118**

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

Atodlen 1, tudalen 75, llinell 20, ar ôl ‘ond’, mewnosoder ‘yn y rhannau hynny’.

### **Mark Drakeford**

**119**

Schedule 1, page 75, line 18, after ‘NID-free’, insert ‘by virtue of this paragraph’.

Atodlen 1, tudalen 75, llinell 21, ar ôl ‘ddi-DMN’, mewnosoder ‘yn rhinwedd y paragraff hwn’.

### **Mark Drakeford**

**120**

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

Atodlen 1, tudalen 75, llinell 24, hepgorer ‘fangre’ a mewnosoder ‘mangreoedd’.



**Mark Drakeford**

**121**

Schedule 1, page 75, line 21, after 'NID-free', insert 'by virtue of this paragraph'.

Atodlen 1, tudalen 75, llinell 25, ar ôl 'ddi-DMN', mewnosoder 'yn rhinwedd y paragraff hwn'.

**Mark Drakeford**

**122**

Schedule 1, page 75, after line 21, insert –

*'Hospital grounds*

[ ] Premises consisting of hospital grounds.

[ ] The grounds of a hospital, for the purposes of this paragraph and paragraph [*the fourth paragraph to be inserted by this amendment*], are premises that –

(a) adjoin the hospital, and

(b) are used or occupied by it.

[ ] (1) The premises are NID-free by virtue of this paragraph at all times.

(2) The premises are NID-free by virtue of this paragraph only in those areas that are not enclosed or substantially enclosed.

*Hospital car parks*

[ ] Premises consisting of car parking facilities provided for persons present at a hospital, where the premises are –

(a) in the grounds of the hospital, or

(b) contiguous or adjacent to the hospital.

[ ] (1) The premises are NID-free by virtue of this paragraph only when open to the public and only in those areas that are open to the public.

(2) The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.

*Youth detention accommodation*

[ ] Premises consisting of youth detention accommodation.

[ ] The premises are NID-free by virtue of this paragraph only in those areas that are enclosed or substantially enclosed.'

Atodlen 1, tudalen 75, ar ôl llinell 25, mewnosoder –

*'Tir ysbytai*

[ ] Mangre sy'n dir ysbyty.

[ ] Mae tir ysbyty, at ddibenion y paragraff hwn a pharagraff [*y pedwerydd paragraff sy'n cael ei fewnosod gan y gwelliant hwn*], yn fangre –



- (a) sy'n cydffinio â'r ysbyty, a
- (b) a ddefnyddir ganddo neu sydd wedi ei meddiannu ganddo.

- [ ] (1) Mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn drwy'r amser.
- (2) Dim ond yn yr ardaloedd hynny nad ydynt yn gaeedig nac yn sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.

*Meysydd parcio ysbytai*

- [ ] Mangreoddd sy'n gyfleusterau parcio ceir a ddarperir ar gyfer personau sy'n bresennol mewn ysbyty, pan fo'r mangreoddd –
  - (a) yn nhir ysbyty, neu
  - (b) yn gyffiniol ag ysbyty neu'n gyfagos i ysbyty.
- [ ] (1) Dim ond pan yw'r mangreoddd ar agor i'r cyhoedd a dim ond yn yr ardaloedd hynny sydd ar agor i'r cyhoedd y mae'r mangreoddd yn ddi-DMN yn rhinwedd y paragraff hwn.
- (2) Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r mangreoddd yn ddi-DMN yn rhinwedd y paragraff hwn.

*Llety cadw ieuenctid*

- [ ] Mangre sy'n llety cadw ieuenctid.
- [ ] Dim ond yn yr ardaloedd hynny sy'n gaeedig neu'n sylweddol gaeedig y mae'r fangre yn ddi-DMN yn rhinwedd y paragraff hwn.'.

**Mark Drakeford**

**123**

Schedule 1, page 75, line 29, leave out 'or at those times' and insert 'in which, or at those times at which,'.

Atodlen 1, tudalen 75, llinell 32, ar ôl 'hynny', mewnosoder 'y'i defnyddir ynddynt felly'.

**Mark Drakeford**

**124**

Schedule 1, page 75, after line 29, insert –

- ' [ ] (1) Premises where a performance within sub-paragraph (2) is taking place in the presence of an audience or in connection with making a film or a television programme.
- (2) A performance is within this sub-paragraph if artistic integrity makes it appropriate for a person participating in the performance ("the performer") to use a nicotine inhaling device.
- (3) But only that part of the premises where the performer is performing comes within this paragraph, and that part does so only during the performance in question and in relation to the performer in question.



- [ ] Premises within the meaning of “relevant premises” in section 145(4) of the Licensing Act 2003 (c.17) (premises from which unaccompanied children are prohibited).
- [ ] Premises used as a sex establishment (and for this purpose “sex establishment” has the same meaning as in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (c.30)).
- [ ] Premises in respect of which any of the following premises licences under Part 8 of the Gambling Act 2005 (c.19) has effect –
  - (a) a casino premises licence, including a converted casino premises licence (for which see section 150 of the Gambling Act 2005 as modified by paragraph 65 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 (SI 2006/3272));
  - (b) a betting premises licence;
  - (c) an adult gaming centre premises licence;
  - (d) a bingo premises licence.
- [ ] (1) Premises in respect of which the conditions in sub-paragraph (2) are satisfied.
  - (2) The conditions are that the premises are premises –
    - (a) at which nicotine inhaling devices are sold by retail (whether or not other things are also sold),
    - (b) in respect of which the sales condition in sub-paragraph (3) is met, and
    - (c) that satisfy any requirements that may be specified in regulations.
  - (3) The sales condition is that more than half of the sales on the premises, when taken together over the relevant period and measured by sale price, derive from the sale of nicotine inhaling devices, components of nicotine inhaling devices, liquids for use in nicotine inhaling devices and accessories for nicotine inhaling devices.
  - (4) In sub-paragraph (3), “the relevant period” means –
    - (a) the most recent period of twelve months for which accounts are available, or
    - (b) the period for which nicotine inhaling devices have been sold at the premises if that period is not long enough for twelve months’ accounts to be available.
- [ ] A consulting room in premises consisting of a registered pharmacy, provided that the room satisfies any requirements that may be specified in regulations.’.

Atodlen 1, tudalen 75, ar ôl llinell 33, mewnosoder –

- ‘[ ] (1) Mangre lle y mae perfformiad o fewn is-baragraff (2) yn digwydd yng ngŵydd cynulleidfa neu mewn cysylltiad â gwneud ffilm neu raglen deledu.
- (2) Mae perfformiad o fewn yr is-baragraff hwn os yw uniondeb artistig yn ei gwneud yn briodol i berson sy’n cymryd rhan yn y perfformiad (“y perfformiwr”) ddefnyddio dyfais mewnanadlu nicotin.
- (3) Ond dim ond y rhan honno o’r fangre lle y mae’r perfformiwr yn perfformio sy’n dod o fewn y paragraff hwn, a dim ond yn ystod y perfformiad o dan sylw ac mewn perthynas â’r perfformiwr o dan sylw y mae’r rhan honno yn gwneud hynny.



- [ ] Mangre o fewn ystyr “relevant premises” yn adran 145(4) o Ddeddf Trwyddedu 2003 (p.17) (mangreodd y mae plant sydd ar eu pennau eu hunain wedi eu gwahardd rhag mynd iddynt).
- [ ] Mangre sy’n cael ei defnyddio fel sefydliad rhyw (ac at y diben hwn mae i “sefydliad rhyw” yr un ystyr ag sydd i “sex establishment” yn Atodlen 3 i Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p.30)).
- [ ] Mangre y mae unrhyw un neu ragor o’r trwyddedau mangre a ganlyn o dan Ran 8 o Ddeddf Gamblo 2005 (p.19) yn cael effaith mewn cysylltiad â hi—
  - (a) trwydded mangre casino, gan gynnwys trwydded mangre casino wedi ei throsi (gweler adran 150 o Ddeddf Gamblo 2005 fel y’i haddaswyd gan baragraff 65 o Atodlen 4 i Orchymyn Deddf Gamblo 2005 (Cychwyn Rhif 6 a Darpariaethau Trosiannol) 2006 (OS 2006/3272));
  - (b) trwydded mangre fetio;
  - (c) trwydded mangre canolfan hapchwarae i oedolion;
  - (d) trwydded mangre bingo.
- [ ] (1) Mangre y mae’r amodau yn is-baragraff (2) wedi eu bodloni mewn cysylltiad â hi.
  - (2) Yr amodau yw bod y fangre yn fangre—
    - (a) lle y mae dyfeisiau mewnanadlu nicotin yn cael eu gwerthu drwy fanwerthu (pa un a yw pethau eraill yn cael eu gwerthu hefyd ai peidio),
    - (b) y mae’r amod gwerthu yn is-baragraff (3) wedi ei fodloni mewn cysylltiad â hi, ac
    - (c) sy’n bodloni unrhyw ofynion y caniateir iddynt gael eu pennu mewn rheoliadau.
  - (3) Yr amod gwerthu yw bod mwy na hanner y gwerthiannau yn y fangre, pan y’u cymerir gyda’i gilydd dros y cyfnod perthnasol a phan y’u mesurir yn ôl pris gwerthu, yn deillio o werthu dyfeisiau mewnanadlu nicotin, cydrannau dyfeisiau mewnanadlu nicotin, hylifau i’w defnyddio mewn dyfeisiau mewnanadlu nicotin ac ategolion ar gyfer dyfeisiau mewnanadlu nicotin.
  - (4) Yn is-baragraff (3), ystyr “y cyfnod perthnasol” yw—
    - (a) y cyfnod diweddaraf o ddeuddeng mis y mae cyfrifon ar gael ar ei gyfer, neu
    - (b) y cyfnod y mae dyfeisiau mewnanadlu nicotin wedi eu gwerthu ar ei gyfer yn y fangre os nad yw’r cyfnod hwnnw yn ddigon hir i ddeuddeng mis o gyfrifon fod ar gael.
- [ ] Ystafell ymgynghori mewn mangre sy’n fferyllfa gofrestredig, ar yr amod bod yr ystafell yn bodloni unrhyw ofynion y caniateir iddynt gael eu pennu mewn rheoliadau.’.

**Mark Drakeford**

**125**

Schedule 1, page 76, leave out lines 4 to 7.

Atodlen 1, tudalen 76, hepgorer llinellau 4 hyd at 7.



**Mark Drakeford**

127

Schedule 1, page 76, leave out lines 8 to 10.

Atodlen 1, tudalen 76, hepgorer llinellau 15 hyd at 17.

**Mark Drakeford**

126

Schedule 1, page 76, after line 10, insert –

“amusement park” (“*parc difyrion*”) means an area consisting wholly or mainly of funfair facilities (such as, for example, fairground rides, water rides, stalls, games, and other similar entertainments);’.

Atodlen 1, tudalen 76, ar ôl llinell 30, mewnosoder –

‘ystyr “*parc difyrion*” (“*amusement park*”) yw ardal sy’n cynnwys yn gyfan gwbl neu’n bennaf gyfleusterau ffair bleser (megis, er enghraifft, reidiau ffair, reidiau dŵr, stondinau, gemau, a gweithgareddau adloniant tebyg eraill);’.

**Mark Drakeford**

128

Schedule 1, page 76, leave out lines 11 to 15.

Atodlen 1, tudalen 76, hepgorer llinellau 10 hyd at 14.

**Mark Drakeford**

129

Schedule 1, page 76, after line 15, insert –

“cinema” (“*sinema*”) means premises which by virtue of a premises licence under section 11 of the Licensing Act 2003 (c.17) may be used for the exhibition of a film within the meaning of paragraph 15 of Schedule 1 to that Act, where the exhibition amounts to the provision of regulated entertainment for the purpose of that Act;’.

Atodlen 1, tudalen 76, ar ôl llinell 40, mewnosoder –

‘ystyr “*sinema*” (“*cinema*”) yw mangre y caniateir iddi gael ei defnyddio, yn rhinwedd trwydded mangre o dan adran 11 o Ddeddf Trwyddedu 2003 (p.17), i arddangos ffilm o fewn ystyr “film” ym mharagraff 15 o Atodlen 1 i’r Ddeddf honno, pan fo’r arddangosiad yn gyfystyr â darparu adloniant rheoleiddiedig at ddiben y Ddeddf honno;’.



**Mark Drakeford**

130

Schedule 1, page 76, after line 15, insert –

“family entertainment centre” (“*canolfan adloniant i deuluoedd*”) means premises in respect of which a family entertainment centre premises licence under Part 8 of the Gambling Act 2005 (c.19), or a family entertainment centre gaming permit under section 247 of that Act, has effect;’.

Atodlen 1, tudalen 76, ar ôl llinell 3, mewnosoder –

‘ystyr “canolfan adloniant i deuluoedd” (“*family entertainment centre*”) yw mangre y mae trwydded mangre canolfan adloniant i deuluoedd o dan Ran 8 o Ddeddf Gamblo 2005 (p.19), neu hawlen hapchwarae canolfan adloniant i deuluoedd o dan adran 247 o’r Ddeddf honno, yn cael effaith mewn cysylltiad â hi;’.

**Mark Drakeford**

131

Schedule 1, page 76, leave out lines 19 to 20.

Atodlen 1, tudalen 77, hepgorer llinellau 1 hyd at 2.

**Mark Drakeford**

132

Schedule 1, page 76, after line 20, insert –

“museum” (“*amgueddfa*”) includes a gallery and means an institution which has as its purpose, or one of its purposes, the preservation, display and interpretation of material of historical, artistic, cultural or scientific interest;’.

Atodlen 1, tudalen 76, ar ôl llinell 3, mewnosoder –

‘mae “amgueddfa” (“*museum*”) yn cynnwys oriel a’i hystyr yw sefydliad a chanddo’r unig ddiben o ddiogelu, arddangos a dehongli deunydd sydd o ddiddordeb hanesyddol, artistig, diwylliannol neu wyddonol neu a chanddo’r diben hwnnw ymhlith ei ddibenion;’.

**Mark Drakeford**

133

Schedule 1, page 76, after line 20, insert –

“performance” (“*perfformiad*”) means a performance of a literary, dramatic, musical or other work;’.

Atodlen 1, tudalen 76, ar ôl llinell 30, mewnosoder –

‘ystyr “perfformiad” (“*performance*”) yw perfformiad o waith llenyddol, dramatig neu gerddorol neu waith arall;’.





**Mark Drakeford**

**134**

Schedule 1, page 76, leave out lines 21 to 22.

Atodlen 1, tudalen 76, hepgorer llinellau 35 hyd at 37.

**Mark Drakeford**

**135**

Schedule 1, page 76, after line 22, insert –

“performing arts centre” (“*canolfan celfyddydau perfformio*”) means a building, or part of a building, that is constructed or adapted wholly or mainly for the purpose of giving a performance, or playing live or recorded music, in the presence of an audience;’.

Atodlen 1, tudalen 76, ar ôl llinell 3, mewnosoder –

‘ystyr “canolfan celfyddydau perfformio” (“*performing arts centre*”) yw adeilad, neu ran o adeilad, sydd wedi ei adeiladu neu ei addasu yn gyfan gwbl neu’n bennaf at ddiben rhoi perfformiad, neu chwarae cerddoriaeth fyw neu gerddoriaeth wedi ei recordio, yng ngŵydd cynulleidfa;’.

**Mark Drakeford**

**136**

Schedule 1, page 76, after line 22, insert –

“public library” (“*llyfrgell gyhoeddus*”) means a library administered by or on behalf of a library authority within the meaning of the Public Libraries and Museums Act 1964 (c.75);’.

Atodlen 1, tudalen 76, ar ôl llinell 30, mewnosoder –

‘ystyr “llyfrgell gyhoeddus” (“*public library*”) yw llyfrgell a weinyddir gan awdurdod llyfrgell neu ar ran awdurdod llyfrgell o fewn ystyr “library authority” yn Neddf Llyfrgelloedd ac Amgueddfeydd Cyhoeddus 1964 (p.75);’.

**\*Mark Drakeford**

**137**

Schedule 1, page 76, after line 22, insert –

“registered pharmacy” (“*fferyllfa gofrestredig*”) means premises for the time being entered in the register established and maintained under article 19 of the Pharmacy Order 2010 (SI 2010/231);’.

Atodlen 1, tudalen 76, ar ôl llinell 9, mewnosoder –

‘ystyr “fferyllfa gofrestredig” (“*registered pharmacy*”) yw mangre sydd am y tro wedi ei chofnodi yn y gofrestr sydd wedi ei sefydlu ac sy’n cael ei chynnal o dan erthygl 19 o Orchymyn Fferylliaeth 2010 (OS 2010/231);’.



**Mark Drakeford**

138

Schedule 1, page 76, leave out lines 23 to 24.

Atodlen 1, tudalen 76, hepgorer llinellau 8 hyd at 9.

**Mark Drakeford**

139

Schedule 1, page 76, after line 24, insert –

“shop” (“siop”) means any premises where there is carried on a trade or business consisting wholly or mainly of the sale of goods by retail;’.

Atodlen 1, tudalen 76, ar ôl llinell 40, mewnosoder –

‘ystyr “siop” (“shop”) yw unrhyw fangre lle y cynhelir masnach neu fusnes sy’n cynnwys yn gyfan gwbl neu’n bennaf werthu drwy fanwerthu nwyddau;’.

**Mark Drakeford**

140

Schedule 1, page 76, leave out lines 25 to 27.

Atodlen 1, tudalen 76, hepgorer llinellau 31 hyd at 34.

**Mark Drakeford**

141

Schedule 1, page 76, after line 27, insert –

“shopping centre” (“canolfan siopa”) means a building containing a number of shops or food business establishments within paragraph 5(1) or both;’.

Atodlen 1, tudalen 76, ar ôl llinell 3, mewnosoder –

‘ystyr “canolfan siopa” (“shopping centre”) yw adeilad sy’n cynnwys nifer o siopau neu sefydliadau busnes bwyd o fewn paragraff 5(1) neu’r ddau;’.

**Mark Drakeford**

142

Schedule 1, page 76, after line 27, insert –

“specialist tobacconist” (“gwerthwr tybaco arbenigol”) has the meaning given by section 6(2) of the Tobacco Advertising and Promotion Act 2002 (c. 36);’.

Atodlen 1, tudalen 76, ar ôl llinell 14, mewnosoder –

‘mae i “gwerthwr tybaco arbenigol” yr ystyr a roddir i “specialist tobacconist” gan adran 6(2) o Ddeddf Hysbysebu a Hyrwyddo Tybaco 2002 (p.36);’.



**Mark Drakeford**

**143**

Schedule 1, page 76, after line 27, insert –

“sports centre” (“*canolfan chwaraeon*”) means a building containing any one or more of the following –

- (a) swimming pool;
- (b) gymnasium;
- (c) areas for indoor or outdoor sports, athletics or other physical recreation, physical activity or physical exercise, whether for participating or spectating;
- (d) facilities and accommodation for those participating in sports, athletics or other physical recreation, physical activity or physical exercise;’.

Atodlen 1, tudalen 76, ar ôl llinell 3, mewnosoder –

‘ystyr “*canolfan chwaraeon*” (“*sports centre*”) yw adeilad sy’n cynnwys unrhyw un neu ragor o’r canlynol –

- (a) pwll nofio;
- (b) campfa;
- (c) ardaloedd ar gyfer chwaraeon o dan do neu awyr agored, athletau neu weithgareddau hamdden corfforol eraill, gweithgarwch corfforol arall neu ymarfer corff arall, pa un ai i gymryd rhan ynddynt neu eu gwyllo;
- (d) cyfleusterau a llety i’r rheini sy’n cymryd rhan mewn chwaraeon, athletau neu weithgareddau hamdden corfforol eraill, gweithgarwch corfforol arall neu ymarfer corff arall;’.

**Mark Drakeford**

**144**

Schedule 1, page 76, after line 27, insert –

“sports ground” (“*maes chwaraeon*”) has the meaning given by section 17(1) of the Safety of Sports Grounds Act 1975 (c.52);’.

Atodlen 1, tudalen 76, ar ôl llinell 30, mewnosoder –

‘mae i “*maes chwaraeon*” yr ystyr a roddir i “sports ground” gan adran 17(1) o Ddeddf Diogelwch Meysydd Chwaraeon 1975 (p.52);’.



**Mark Drakeford** 145

Schedule 1, page 77, after line 14, insert –

“zoo” (“sw”) has the meaning given by section 1(2) of the Zoo Licensing Act 1981 (c.37).’.

Atodlen 1, tudalen 76, ar ôl llinell 40, mewnosoder –

‘mae i “sw” yr ystyr a roddir i “zoo” gan adran 1(2) o Ddeddf Trwyddedu Sŵau 1981 (p.37).’.

**Mark Drakeford** 146

Schedule 1, page 77, leave out lines 15 to 23.

Atodlen 1, tudalen 77, hepgorer llinellau 3 hyd at 11.

**Mark Drakeford** 147

Schedule 1, page 77, after line 23, insert –

‘(4) Premises listed in this Schedule may be NID-free by virtue of more than one paragraph in Part 1 or by virtue of more than one paragraph in Part 2.’.

Atodlen 1, tudalen 77, ar ôl llinell 11, mewnosoder –

‘(4) Gall mangreoedd a restrir yn yr Atodlen hon fod yn ddi-DMN yn rhinwedd mwy nag un paragraff yn Rhan 1 neu yn rhinwedd mwy nag un paragraff yn Rhan 2.’.

**Mark Drakeford** 78

Section 33, page 21, line 1, leave out ‘(1)(b)’ and insert ‘(1)(b)(i)’.

Adran 33, tudalen 21, llinell 1, hepgorer ‘(1)(b)’ a mewnosoder ‘(1)(b)(i)’.

**Mark Drakeford** 79

Section 33, page 21, line 26, after ‘application’, insert ‘under subsection (1)(a) or (1)(b)(i)’.

Adran 33, tudalen 21, llinell 23, ar ôl ‘chais’, mewnosoder ‘o dan is-adran (1)(a) neu (1)(b)(i)’.

**Mark Drakeford** 80

Section 33, page 21, line 35, leave out ‘or (c)’ and insert ‘, (c) or (d)’.

Adran 33, tudalen 21, llinell 31, hepgorer ‘neu (c)’ a mewnosoder ‘, (c) neu (d)’.



**Mark Drakeford** 81

Section 35, page 22, leave out lines 28 to 29.

Adran 35, tudalen 22, hepgorer llinellau 29 hyd at 30.

**Mark Drakeford** 82

Section 58, page 31, line 32, leave out '75' and insert '76'.

Adran 58, tudalen 31, llinell 36, hepgorer '75' a mewnosoder '76'.

**Mark Drakeford** 83

Section 58, page 31, after line 33, insert –

'() Section 78 enables a local authority to charge fees in relation to special procedure licences and approvals of premises and vehicles.'

Adran 58, tudalen 31, ar ôl llinell 37, mewnosoder –

'() Mae adran 78 yn galluogi awdurdod lleol i godi ffioedd mewn perthynas â thrwyddedau triniaeth arbennig a chymeradwyaethau i fangroedd a cherbydau.'

**Mark Drakeford** 84

Section 58, page 32, line 1, leave out '81' and insert '83'.

Adran 58, tudalen 32, llinell 1, hepgorer '81' a mewnosoder '83'.

**Mark Drakeford** 85

Section 58, page 32, line 2, after 'Part', insert ', about compliance with notices and about appeals'.

Adran 58, tudalen 32, llinell 2, ar ôl 'hon', mewnosoder ', ynghylch cydymffurfio â hysbysiadau ac ynghylch apelau'.

**Mark Drakeford** 86

Section 58, page 32, line 5, after 'Part', insert ', and sections 93 and 94 make provision about property retained under this Part'.

Adran 58, tudalen 32, llinell 5, ar ôl 'hon', mewnosoder ', ac mae adrannau 93 a 94 yn gwneud darpariaeth ynghylch eiddo a gedwir o dan y Rhan hon'.



**Darren Millar**

**28**

Section 59, page 32, after line 10, insert –

‘() branding;’.

Adran 59, tudalen 32, ar ôl llinell 10, mewnosoder –

‘() brandio;’.

**Darren Millar**

**29**

Section 59, page 32, after line 11, insert –

‘() scarification;’.

Adran 59, tudalen 32, ar ôl llinell 11, mewnosoder –

‘() creithio;’.

**Darren Millar**

**30**

Section 59, page 32, after line 11, insert –

‘() stretching;’.

Adran 59, tudalen 32, ar ôl llinell 11, mewnosoder –

‘() ymestyn;’.

**Darren Millar**

**31**

Section 59, page 32, after line 11, insert –

‘() sub-dermal implantation;’.

Adran 59, tudalen 32, ar ôl llinell 11, mewnosoder –

‘() mewnblannu o dan y croen;’.

**Darren Millar**

**32**

Section 59, page 32, after line 12, insert –

‘(e) tongue splitting’.

Adran 59, tudalen 32, ar ôl llinell 12, mewnosoder –

‘(e) hollti’r tafod’.

**Darren Millar**

**33**

Section 65, page 36, line 17, leave out subsection (3).

Adran 65, tudalen 36, llinell 15, hepgorer is-adran (3).



**Darren Millar**

34

Page 49, after line 37, insert a new section –

**[ ] Performing special procedure on intoxicated persons**

- (1) An individual who performs a special procedure on someone else in the course of a business commits an offence if the individual knowingly performs the special procedure on someone whose awareness is impaired by intoxication.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) It is a defence for a person charged with an offence under this section to show that the person took reasonable precautions and exercised due diligence to avoid committing the offence.
- (4) In this section, “intoxication” means any intoxication, whether caused by drink, drugs, psychoactive substances or other means, or by a combination of means.’.

Tudalen 49, ar ôl llinell 37, mewnosoder adran newydd –

**[ ] Rhoi triniaeth arbennig i bersonau meddw**

- (1) Mae unigolyn sy’n rhoi triniaeth arbennig i berson arall yng nghwrs busnes yn cyflawni trosedd os yw’r unigolyn yn rhoi’r driniaeth arbennig, gan wybod ei fod yn gwneud hynny, i rywun y mae meddwdod yn amharu ar ei ymwybyddiaeth.
- (2) Mae person sy’n euog o drosedd o dan yr adran hon yn agored ar gollfarn ddiannod i ddirwy nad yw’n uwch na lefel 3 ar y raddfa safonol.
- (3) Mae’n amddiffyniad i berson sydd wedi ei gyhuddo o drosedd o dan yr adran hon ddangos i’r person gymryd rhagofalon rhesymol ac arfer diwydrwydd dyladwy i osgoi cyflawni’r drosedd.
- (4) Yn yr adran hon, ystyr “meddwdod” yw unrhyw feddwdod, ni waeth ai diodydd, cyffuriau, sylweddau seicoweithredol neu fodd arall neu gyfuniad o foddau sy’n gyfrifol am hyn.’.

**Darren Millar**

35

Section 96, page 56, after line 5, insert –

“branding” (“brandio”) means the semi-permanent or permanent marking, by burning, of the skin of an individual for aesthetic purposes;’.

Adran 96, tudalen 56, ar ôl llinell 5, mewnosoder –

‘ystyr “brandio” (“branding”) yw marcio croen unigolyn yn barhaol neu’n lledbarhaol drwy ei losgi, a hynny at ddibenion esthetig;’.



**Darren Millar**

36

Section 96, page 56, after line 17, insert –

“scarification” (“*creithio*”) means the semi-permanent or permanent scarring, by scratching, of the skin of an individual for aesthetic purposes;’.

Adran 96, tudalen 56, ar ôl llinell 2, mewnosoder –

‘ystyr “*creithio*” (“*scarification*”) yw creithio croen unigolyn yn barhaol neu’n lledbarhaol drwy ei grafu, a hynny at ddibenion esthetig;’.

**Darren Millar**

37

Section 96, page 56, after line 20, insert –

“stretching” (“*ymestyn*”) means the semi-permanent or permanent stretching of an individual’s body piercing, with a view to enabling –

- (a) jewellery, or
  - (b) an object of a description prescribed in or under regulations,
- to be attached to, implanted in, or removed from the individual’s body;’.

Adran 96, tudalen 56, ar ôl llinell 28, mewnosoder –

‘ystyr “*ymestyn*” (“*stretching*”) yw ymestyn trydylliad yng nghroen unigolyn yn barhaol neu’n lled-barhaol, gyda golwg ar alluogi –

- (a) i emwaith, neu
- (b) i wrthrych o ddisgrifiad a ragnodir mewn rheoliadau neu o dan reoliadau, gael ei atodi i gorff yr unigolyn, ei fewnblannu yng nghorff yr unigolyn neu ei dynnu o gorff yr unigolyn.’.

**Darren Millar**

38

Section 96, page 56, after line 20, insert –

“sub-dermal implantation” (“*mewnblannu o dan y croen*”) means the semi-permanent or permanent implantation of material beneath the skin of an individual for aesthetic purposes;’.

Adran 96, tudalen 56, ar ôl llinell 9, mewnosoder –

‘ystyr “*mewnblannu o dan y croen*” (“*sub-dermal implantation*”) yw mewnblannu deunydd o dan groen unigolyn yn barhaol neu’n lled-barhaol, a hynny at ddibenion esthetig;’.





**Darren Millar**

39

Section 96, page 56, after line 24, insert –

“tongue splitting” (“*hollti'r tafod*”) means splitting part of an individual’s tongue into two or more parts for aesthetic purposes;’.

Adran 96, tudalen 56, ar ôl llinell 6, mewnosoder –

‘ystyr “*hollti'r tafod*” (“*tongue splitting*”) yw hollti rhan o dafod unigolyn yn ddwy ran neu ragor at ddibenion estheteg;’.

**Mark Drakeford**

87

Section 101, page 59, line 29, after ‘the’, insert ‘constable or authorised’.

Adran 101, tudalen 59, llinell 34, hepgorer ‘swyddog’ a mewnosoder ‘cwnstabl neu’r swyddog awdurdodedig’.

**Mark Drakeford**

88

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

Adran 101, tudalen 59, llinell 36, hepgorer ‘swyddog’ a mewnosoder ‘cwnstabl neu’r swyddog awdurdodedig’.

**Darren Millar**

40

Section 110, page 64, line 11, after ‘assessment’, insert ‘(which provision may include, among other things, provision about information relating to persons with whom a Local Health Board has entered into a general medical services contract)’.

Adran 110, tudalen 64, llinell 11, ar ôl ‘assessment’, mewnosoder ‘(which provision may include, among other things, provision about information relating to persons with whom a Local Health Board has entered into a general medical services contract)’.



**Mark Drakeford**

89

Section 110, page 64, after line 16, insert—

‘() In section 203 of the National Health Service (Wales) Act 2006 (c.42) (orders, regulations and directions), after subsection (6) insert—

“(6A) A statutory instrument containing the first regulations made by the Welsh Ministers under section 82A (pharmaceutical needs assessments) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.”.

Adran 110, tudalen 64, ar ôl llinell 16, mewnosoder—

‘() Yn adran 203 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42) (gorchmynion, rheoliadau a chyfarwyddydau), ar ôl is-adran (6) mewnosoder—

“(6A) A statutory instrument containing the first regulations made by the Welsh Ministers under section 82A (pharmaceutical needs assessments) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.”.

**Darren Millar**

41

Section 111, page 65, after line 14, insert—

‘() after paragraph (f), insert—

“(fa) about the timescale for dealing with an application,”;’.

Adran 111, tudalen 65, ar ôl llinell 14, mewnosoder—

‘() ar ôl paragraff (f), mewnosoder—

“(fa) about the timescale for dealing with an application,”;’.

**Darren Millar**

42

Section 112, page 67, line 14, after ‘highways’, insert ‘and active travel routes’.

Adran 112, tudalen 67, llinell 14, ar ôl ‘priffyrdd’, mewnosoder ‘a llwybrau teithio llesol’.



**\*Darren Millar**

43

Section 112, page 67, after line 14, insert—

- ( ) for toilets to be available for use by users of other sites and facilities that, having regard to criteria set out in guidance, are facilities of particular significance for transport;
- ( ) for toilets to be available for use in the vicinity of sites and in connection with events that, having regard to criteria set out in the guidance, are of particular significance or of cultural, sporting, historic, popular or national interest;’.

Adran 112, tudalen 67, ar ôl llinell 14, mewnosoder—

- ( ) i doiledau fod ar gael i’w defnyddio gan ddefnyddwyr safleoedd a chyfleusterau eraill sydd, gan roi sylw i feini prawf a nodir mewn canllawiau, yn gyfleusterau o arwyddocâd penodol ar gyfer trafndiaeth;
- ( ) i doiledau fod ar gael i’w defnyddio yng nghyffiniau safleoedd ac mewn cysylltiad â digwyddiadau sydd, gan roi sylw i feini prawf a nodir yn y canllawiau, o arwyddocâd penodol neu o ddiddordeb diwylliannol, o ddiddordeb o ran chwaraeon neu o ddiddordeb hanesyddol, poblogaidd neu genedlaethol;’.

**Darren Millar**

44

Section 112, page 67, after line 19, insert—

- ( ) For the purposes of subsection (9), a route is an active travel route if it is shown as an active travel route on the map most recently prepared by a local authority under section 3 of the Active Travel (Wales) Act 2013 (anaw 7).’.

Adran 112, tudalen 67, ar ôl llinell 20, mewnosoder—

- ( ) At ddibenion is-adran (9), mae llwybr yn llwybr teithio llesol os y’i dangosir fel llwybr teithio llesol ar y map a luniwyd yn fwyaf diweddar gan awdurdod lleol o dan adran 3 o Ddeddf Teithio Llesol (Cymru) 2013 (dccc 7).’.

**Mark Drakeford**

90

Section 114, page 68, line 11, leave out ‘A local authority must make available to each person consulted under subsection (1) the strategy which it is proposing to publish’ and insert ‘As part of the consultation, the local authority must make available to each person consulted under subsection (1) a draft local toilets strategy’.

Adran 114, tudalen 68, llinell 11, hepgorer ‘Rhaid i awdurdod lleol roi ar gael i bob person yr ymgynghorir ag ef o dan is-adran (1) y strategaeth y mae’n bwriadu ei chyhoeddi’ a mewnosoder ‘Fel rhan o’r ymgynghori, rhaid i’r awdurdod lleol roi strategaeth toiledau lleol ddrafft ar gael i bob person yr ymgynghorir ag ef o dan is-adran (1)’.



**Mark Drakeford**

91

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

Adran 115, tudalen 68, llinell 27, hepgorer 'gyfagos i briffordd' a mewnosoder 'cydffinio â phriffordd'.

**Darren Millar**

45

Page 69, after line 13, insert a new section –

**[ ] National toilets strategy: preparation, publication and review**

- (1) The Welsh Ministers must prepare and publish a national toilets strategy.
- (2) The national toilets strategy must include –
  - (a) a fair and reasonable assessment of the need for toilets on, or in the vicinity of, sites of public interest to be available for use by the public,
  - (b) a statement specifying how the Welsh Ministers will address that need in an effective way, including the timescale for doing so, and
  - (c) any other information which the Welsh Ministers consider appropriate.
- (3) The timescale specified under subsection 2(b) must be a reasonable timescale having regard to the circumstances.
- (4) The Welsh Ministers must publish the national toilets strategy no later than one year after the deadline specified in section 112(3) for local authorities to publish local toilets strategies.
- (5) Subsequently, the Welsh Ministers must review the strategy no later than one year after the deadline specified in section 112(4) for local authorities to review local toilets strategies.
- (6) The Welsh Ministers may also review the strategy at any time.
- (7) When the Welsh Ministers review the strategy they must publish a statement of the steps which they have taken in accordance with the strategy during the period –
  - (a) beginning with the date on which the strategy was last published, and
  - (b) ending with the date on which that review commenced.
- (8) When the Welsh Ministers review the strategy and considers that a change is needed, they must –
  - (a) revise the strategy, and
  - (b) publish the revised strategy.
- (9) When carrying out an assessment for the purpose of subsection (2)(a), the Welsh Ministers must have regard to the need for toilets on, or in vicinity of –
  - (a) sites of particular significance for transport,
  - (b) active travel routes,



- (c) highways,
  - (d) sites and events of particular significance or of cultural, sporting, historic, popular or national interest,
- in Wales (all of which are defined in accordance with the meanings given to them in section 112).'

Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Strategaeth toiledau genedlaethol: llunio, cyhoeddi ac adolygu**

- (1) Rhaid i Weinidogion Cymru lunio a chyhoeddi strategaeth toiledau genedlaethol.
- (2) Rhaid i'r strategaeth toiledau genedlaethol gynnwys –
  - (a) asesiad teg a rhesymol o'r angen i doiledau ar, neu yng nghyffiniau, safleoedd o ddiddordeb cenedlaethol fod ar gael i'r cyhoedd gael eu defnyddio,
  - (b) datganiad sy'n pennu sut y bydd Gweinidogion Cymru yn mynd i'r afael â'r angen hwnnw mewn ffordd effeithiol, gan gynnwys amserlen ar gyfer gwneud hynny, ac
  - (c) unrhyw wybodaeth arall y mae Gweinidogion Cymru yn ystyried ei bod yn briodol.
- (3) Rhaid i'r amserlen a nodir o dan is-adran (2)(b) fod yn amserlen resymol sy'n rhoi sylw i'r amgylchiadau.
- (4) Rhaid i Weinidogion Cymru gyhoeddi'r strategaeth toiledau genedlaethol erbyn un flwyddyn fan bellaf ar ôl y dyddiad a nodir yn adran 112(3) i awdurdodau lleol gyhoeddi strategaethau toiledau lleol.
- (5) Wedi hynny, rhaid i Weinidogion Cymru adolygu'r strategaeth erbyn un flwyddyn fan bellaf ar ôl y dyddiad a nodir yn adran 112(4) i awdurdodau lleol adolygu strategaethau toiledau lleol.
- (6) Caiff Gweinidogion Cymru hefyd adolygu'r strategaeth ar unrhyw adeg.
- (7) Pan yw Gweinidogion Cymru yn adolygu'r strategaeth, rhaid iddynt gyhoeddi datganiad o'r camau y maent wedi eu cymryd yn unol â'r strategaeth yn ystod y cyfnod –
  - (a) sy'n dechrau â'r dyddiad y cyhoeddwyd y strategaeth ddiwethaf, a
  - (b) sy'n dod i ben â'r dyddiad y dechreuodd yr adolygiad hwnnw.
- (8) Pan yw Gweinidogion Cymru yn adolygu'r strategaeth ac yn ystyried bod angen ei newid, rhaid iddynt –
  - (a) adolygu'r strategaeth, a
  - (b) cyhoeddi'r strategaeth ddiwygiedig.
- (9) Wrth gynnal asesiad at ddiben is-adran (2)(a), rhaid i Weinidogion Cymru roi sylw i'r angen am doiledau ar, neu yng nghyffiniau –
  - (a) safleoedd o arwyddocâd penodol ar gyfer trafnidiaeth,
  - (b) llwybrau teithio llesol,



- (c) priffyrdd,
  - (d) safleoedd a digwyddiadau o arwyddocâd penodol neu o ddiddordeb diwylliannol, o ddiddordeb o ran chwaraeon neu o ddiddordeb hanesyddol, poblogaidd neu genedlaethol,
- yng Nghymru (y diffinnir pob un ohonynt yn unol â'r ystyr a roddir iddynt yn adran 112).'

**Darren Millar**

46

Page 69, after line 13, insert a new section –

**[ ] National toilets strategy: implementation**

The Welsh Ministers must implement the strategy in full within the timescale specified in the strategy.'

Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Strategaeth toiledau genedlaethol: gweithredu**

Rhaid i Weinidogion Cymru weithredu'r strategaeth yn llawn o fewn yr amserlen a nodir yn y strategaeth.'

**Darren Millar**

47

Page 69, after line 13, insert a new section –

**[ ] National toilets strategy: interim progress statement**

- (1) Where the Welsh Ministers have published the national toilets strategy under section [section to be inserted by amendment 45] (whether pursuant to a review of the strategy, or otherwise), they must prepare and publish an interim progress statement in accordance with this section.
- (2) Where the Welsh Ministers have reviewed the national toilets strategy under section [section to be inserted by amendment 45](5) but not revised it, they must also prepare and publish an interim progress statement in accordance with this section.
- (3) An interim progress statement is a statement of the steps that the Welsh Ministers have taken in accordance with the strategy during the period (the "statement period") of 2 years beginning with the date on which –
  - (a) in the case of a requirement imposed by subsection (1), the Welsh Ministers last published the strategy;
  - (b) in the case of a requirement imposed by subsection (2), the Welsh Ministers last reviewed the strategy.
- (4) The Welsh Ministers must publish their interim progress statement no later than six months after the last day of the statement period.'



Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Strategaeth toiledau genedlaethol: datganiad cynnydd interim**

- (1) Pan fo Gweinidogion Cymru wedi cyhoeddi'r strategaeth toiledau genedlaethol o dan adran [yr adran sy'n cael ei mewnosod gan welliant 45] (pa un ai yn unol ag adolygiad o'r strategaeth, neu fel arall) rhaid iddynt lunio a chyhoeddi datganiad cynnydd interim yn unol â'r adran hon.
- (2) Pan fo Gweinidogion Cymru wedi adolygu'r strategaeth toiledau genedlaethol o dan adran [yr adran sy'n cael ei mewnosod gan welliant 45](5), ond heb ei diwygio, rhaid iddynt lunio a chyhoeddi datganiad cynnydd interim hefyd yn unol â'r adran hon.
- (3) Mae datganiad cynnydd interim yn ddatganiad o'r camau y mae Gweinidogion Cymru wedi eu cymryd yn unol â'r strategaeth yn ystod y cyfnod ("cyfnod y datganiad") o 2 flynedd sy'n dechrau â'r dyddiad –
  - (a) y cyhoeddwyd y strategaeth honno ddiwethaf gan Weinidogion Cymru, yn achos gofyniad a osodir gan is-adran (1);
  - (b) yr adolygwyd y strategaeth honno ddiwethaf gan Weinidogion Cymru, yn achos gofyniad a osodir gan is-adran (2).
- (4) Rhaid i Weinidogion Cymru gyhoeddi eu datganiad cynnydd interim heb fod yn hwyrach na chwe mis ar ôl diwrnod olaf cyfnod y datganiad.'.

WITHDRAWN/TYNNWYD YN ÔL

Darren Millar

48

Page 69, after line 13, insert a new section –

**[ ] National toilets strategy: consultation**

- (1) The Welsh Ministers must consult any person they consider is likely to be interested in the provision of toilets in Wales for use by the public before they publish the national toilets strategy under –
  - (a) section [section to be inserted by amendment 45](1), or
  - (b) section [section to be inserted by amendment 45](8)(b).
- (2) The Welsh Ministers must make available to each person consulted under subsection (1) the strategy which it is proposing to publish.'.

Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Strategaeth toiledau genedlaethol: ymgynghori**

- (1) Rhaid i Weinidogion Cymru ymgynghori ag unrhyw berson y maent yn ystyried sy'n debygol o fod â buddiant yn y ddarpariaeth o doiledau yng Nghymru sydd ar gael i'r cyhoedd eu defnyddio cyn iddynt gyhoeddi'r strategaeth toiledau genedlaethol o dan –
  - (a) adran [yr adran sy'n cael ei mewnosod gan welliant 45](1), neu
  - (b) adran [yr adran sy'n cael ei mewnosod gan welliant 45](8)(b).



- (2) Rhaid i Weinidogion Cymru roi ar gael i bob person yr ymgynghorir ag ef o dan is-adran (1) y strategaeth y maent yn bwriadu ei chyhoeddi.’.

**Darren Millar**

**149**

Page 69, after line 13, insert a new section –

**[ ] National toilets strategy: consultation**

- (1) The Welsh Ministers must consult any person they consider is likely to be interested in the provision of toilets in Wales for use by the public before they publish the national toilets strategy under –
  - (a) section [section to be inserted by amendment 45](1), or
  - (b) section [section to be inserted by amendment 45](8)(b).
- (2) As part of the consultation, the Welsh Ministers must make available to each person consulted under subsection (1) a draft national toilets strategy.’.

Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Strategaeth toiledau genedlaethol: ymgynghori**

- (1) Rhaid i Weinidogion Cymru ymgynghori ag unrhyw berson y maent yn ystyried sy’n debygol o fod â buddiant yn y ddarpariaeth o doiledau yng Nghymru sydd ar gael i’r cyhoedd eu defnyddio cyn iddynt gyhoeddi’r strategaeth toiledau genedlaethol o dan –
  - (a) adran [yr adran sy’n cael ei mewnosod gan welliant 45](1), neu
  - (b) adran [yr adran sy’n cael ei mewnosod gan welliant 45](8)(b).
- (2) Fel rhan o’r ymghynghori, rhaid i Weinidogion Cymru roi strategaeth toiledau genedlaethol ddrafft ar gael i bob person yr ymgynghorir ag ef o dan is-adran (1).’.

**Darren Millar**

**49**

Page 69, after line 13, insert a new section –

**[ ] Promoting awareness of location and availability of toilets on, or in the vicinity of, sites of public interest**

- (1) The Welsh Ministers must make arrangements to promote public awareness of the location and availability (including opening times and facilities available) of toilets on, or in the vicinity of, sites of public interest for use by the public.
- (2) When making arrangements under subsection (1), the Welsh Ministers must have regard to the need to promote public awareness of the location and availability of toilets on, or in the vicinity of –
  - (a) sites of particular significance for transport,
  - (b) active travel routes,
  - (c) highways,





- (d) sites and events of particular significance or of cultural, sporting, historic, popular or national interest,

in Wales (all of which are defined in accordance with the meanings given to them in section 112).’.

Tudalen 69, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Hybu ymwybyddiaeth o leoliad ac argaeledd toiledau ar, neu yng nghyffiniau, safleoedd o ddiddordeb cyhoeddus**

- (1) Rhaid i Weinidogion Cymru wneud trefniadau i hybu ymwybyddiaeth gyhoeddus o leoliad ac argaeledd toiledau (gan gynnwys oriau agor a’r cyfleusterau sydd ar gael) ar, neu yng nghyffiniau, safleoedd o ddiddordeb cyhoeddus i’r cyhoedd gael eu defnyddio.
- (2) Wrth wneud trefniadau o dan is-adran (1), rhaid i Weinidogion Cymru roi sylw i’r angen i hybu ymwybyddiaeth gyhoeddus o leoliad ac argaeledd toiledau ar, neu yng nghyffiniau –
- (a) safleoedd o arwyddocâd penodol ar gyfer trafndiaeth,
- (b) llwybrau teithio llesol,
- (c) priffyrdd,
- (d) safleoedd a digwyddiadau o arwyddocâd penodol neu o ddiddordeb diwylliannol, o ddiddordeb o ran chwaraeon neu o ddiddordeb hanesyddol, poblogaidd neu genedlaethol,

yng Nghymru (y diffinnir pob un ohonynt yn unol â’r ystyr a roddir iddynt yn adran 112).’.

**Mark Drakeford**

92

Page 69, after line 17, insert a new section –

*‘Health impact assessments*

**[ ] Requirement to carry out health impact assessments**

- (1) Regulations must make provision about the carrying out of health impact assessments by public bodies.
- (2) The regulations must specify –
- (a) the circumstances in which a public body must carry out a health impact assessment;
- (b) the way in which a health impact assessment is to be carried out.
- (3) The regulations may require the Public Health Wales National Health Service Trust to give assistance to another public body carrying out a health impact assessment.
- (4) The regulations may make provision about how the assistance is to be given, including (among other things) about the time at which it is to be given.



- (5) The regulations may make provision which applies subject to exceptions specified in the regulations.
- (6) A health impact assessment is an assessment of the likely effect, both in the short term and in the long term, of a proposed action on the physical and mental health of the people of Wales or of some of the people of Wales.
- (7) Before making regulations under this section, the Welsh Ministers must –
  - (a) consider whether there are persons who appear to be representative of the interests of those likely to be affected by the regulations (“representative persons”), and
  - (b) carry out consultation with any representative persons whom the Welsh Ministers consider it appropriate to consult.
- (8) Subsection (7) does not require the Welsh Ministers to consult themselves.’.

Tudalen 69, ar ôl llinell 16, mewnosoder adran newydd –

*‘Asesiadau o’r effaith ar iechyd*

**[ ] Gofyniad i gynnal asesiadau o’r effaith ar iechyd**

- (1) Rhaid i reoliadau wneud darpariaeth ynghylch cynnal asesiadau o’r effaith ar iechyd gan gyrff cyhoeddus.
- (2) Rhaid i’r rheoliadau bennu –
  - (a) yr amgylchiadau y mae rhaid i gorff cyhoeddus gynnal asesiad o’r effaith ar iechyd odanynt;
  - (b) y ffordd y mae asesiad o’r effaith ar iechyd i gael ei gynnal.
- (3) Caiff y rheoliadau ei gwneud yn ofynnol i Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru roi cymorth i gorff cyhoeddus arall sy’n cynnal asesiad o’r effaith ar iechyd.
- (4) Caiff y rheoliadau wneud darpariaeth ynghylch sut y mae’r cymorth i gael ei roi, gan gynnwys (ymhlith pethau eraill) ynghylch yr adeg y mae i gael ei roi.
- (5) Caiff y rheoliadau wneud darpariaeth sy’n gymwys yn ddarostyngedig i eithriadau a bennir yn y rheoliadau.
- (6) Mae asesiad o’r effaith ar iechyd yn asesiad o effaith debygol, yn y tymor byr ac yn y tymor hir, gam arfaethedig ar iechyd corfforol ac iechyd meddwl pobl Cymru neu ar iechyd corfforol ac iechyd meddwl rhai o bobl Cymru.
- (7) Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru –
  - (a) ystyried a oes personau yr ymddengys eu bod yn cynrychioli buddiannau’r rheini y mae’r rheoliadau yn debygol o effeithio arnynt (“personau cynrychiadol”), a
  - (b) cynnal ymgynghoriad ag unrhyw bersonau cynrychiadol y mae Gweinidogion Cymru yn ystyried ei bod yn briodol ymgynghori â hwy.
- (8) Nid yw is-adran (7) yn ei gwneud yn ofynnol i Weinidogion Cymru ymgynghori â hwy eu hunain.’.



**Mark Drakeford**

93

Page 69, after line 17, insert a new section –

**[ ] Health impact assessments: publication and taking into account**

- (1) Where a public body has carried out a health impact assessment in accordance with regulations under section [section to be inserted by amendment 92] it must –
  - (a) publish the assessment, and
  - (b) take the assessment into account when exercising those functions in connection with which the assessment was carried out.
- (2) When taking the assessment into account, the public body must act in accordance with the sustainable development principle.
- (3) For the purpose of subsection (2), the reference to acting in accordance with the sustainable development principle is to be construed in accordance with section 5 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2).
- (4) Regulations may make provision about how the assessment is to be published, including (among other things) about the time at which it is to be published.’.

Tudalen 69, ar ôl llinell 16, mewnosoder adran newydd –

**[ ] Aseidiadau o'r effaith ar iechyd: eu cyhoeddi a'u hystyried**

- (1) Pan fo corff cyhoeddus wedi cynnal asesiad o'r effaith ar iechyd yn unol â rheoliadau o dan adran [yr adran sy'n cael ei mewnosod gan welliant 92] rhaid iddo –
  - (a) cyhoeddi'r asesiad, a
  - (b) ystyried yr asesiad wrth arfer y swyddogaethau hynny y cynhaliwyd yr asesiad mewn cysylltiad â hwy.
- (2) Wrth ystyried yr asesiad, rhaid i'r corff cyhoeddus weithredu yn unol â'r egwyddor datblygu cynaliadwy.
- (3) At ddiben is-adran (2), mae'r cyfeiriad at weithredu yn unol â'r egwyddor datblygu cynaliadwy i gael ei ddehongli yn unol ag adran 5 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2).
- (4) Caiff rheoliadau wneud darpariaeth ynghylch sut y mae'r asesiad i gael ei gyhoeddi, gan gynnwys (ymhlith pethau eraill) ynghylch yr adeg y mae i gael ei gyhoeddi.’.

**Mark Drakeford**

94

Page 69, after line 17, insert a new section –

**[ ] Meaning of “public body”**

- (1) For the purposes of sections [section to be inserted by amendment 92] and [section to be inserted by amendment 93], each of the following persons is a “public body” –
  - (a) the Welsh Ministers;
  - (b) a local authority;



- (c) a Local Health Board;
  - (d) the following National Health Service Trusts –
    - (i) Public Health Wales;
    - (ii) Velindre;
  - (e) a National Park authority for a National Park in Wales;
  - (f) a Welsh fire and rescue authority;
  - (g) the Natural Resources Body for Wales;
  - (h) the Higher Education Funding Council for Wales;
  - (i) the Arts Council of Wales;
  - (j) the Sports Council for Wales;
  - (k) the National Library of Wales;
  - (l) the National Museum of Wales.
- (2) Regulations may amend subsection (1) by –
- (a) adding a person,
  - (b) removing a person, or
  - (c) amending the description of a person.
- (3) But the regulations may not amend subsection (1) by adding a person unless that person exercises functions of a public nature.
- (4) If the regulations amend subsection (1) so as to add a person who has functions of a public nature and other functions, sections [section to be inserted by amendment 92] and [section to be inserted by amendment 93] apply to that person only in relation to those of its functions which are of a public nature.
- (5) In this section –
- “Local Health Board” (“*Bwrdd Iechyd Lleol*”) means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006 (c.42);
- “Welsh fire and rescue authority” (“*awdurdod tân ac achub yng Nghymru*”) means the authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c.21) or a scheme to which section 4 of that Act applies.’.

Tudalen 69, ar ôl llinell 16, mewnosoder adran newydd –

**[ ] Ystyr “corff cyhoeddus”**

- (1) At ddibenion adrannau [yr adran sy'n cael ei mewnosod gan welliant 92] a [yr adran sy'n cael ei mewnosod gan welliant 93], mae pob un o'r personau a ganlyn yn “corff cyhoeddus” –
- (a) Gweinidogion Cymru;
  - (b) awdurdod lleol;
  - (c) Bwrdd Iechyd Lleol;
  - (d) yr Ymddiriedolaethau Gwasanaeth Iechyd Gwladol a ganlyn –
    - (i) Iechyd Cyhoeddus Cymru;



- (ii) Felindre;
  - (e) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
  - (f) awdurdod tân ac achub yng Nghymru;
  - (g) Corff Adnoddau Naturiol Cymru;
  - (h) Cyngor Cyllido Addysg Uwch Cymru;
  - (i) Cyngor Celfyddydau Cymru;
  - (j) Cyngor Chwaraeon Cymru;
  - (k) Llyfrgell Genedlaethol Cymru;
  - (l) Amgueddfa Genedlaethol Cymru.
- (2) Caiff rheoliadau ddiwygio is-adran (1) drwy –
- (a) ychwanegu person,
  - (b) dileu person, neu
  - (c) diwygio'r disgrifiad o berson.
- (3) Ond ni chaiff y rheoliadau ddiwygio is-adran (1) drwy ychwanegu person oni bai bod y person hwnnw yn arfer swyddogaethau o natur gyhoeddus.
- (4) Os yw'r rheoliadau yn diwygio is-adran (1) er mwyn ychwanegu person a chanddo swyddogaethau o natur gyhoeddus a swyddogaethau eraill, dim ond mewn perthynas â'r swyddogaethau hynny sydd o natur gyhoeddus y mae adrannau [*yr adran sy'n cael ei mewnosod gan welliant 92*] a [*yr adran sy'n cael ei mewnosod gan welliant 93*] yn gymwys i'r person hwnnw.
- (5) Yn yr adran hon –
- ystyr "*awdurdod tân ac achub yng Nghymru*" ("*Welsh fire and rescue authority*") yw'r awdurdod yng Nghymru a gyfansoddwyd drwy gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac Achub 2004 (p.21) neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys iddo;
- ystyr "*Bwrdd Iechyd Lleol*" ("*Local Health Board*") yw Bwrdd Iechyd Lleol a sefydlwyd o dan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42).'

**Kirsty Williams**

26

**Gyda chefnogaeth / Supported by: Darren Millar**

Section 122, page 71, line 33, leave out '3, 6(2), 7(2), 10, 12, 13, 14(5), 15(2), 16(7), 17, 18(3), 19(3),' and insert '6(2), 10, 12, 13, 18(3),'.

Adran 122, tudalen 71, llinell 35, hepgorer '3, 6(2), 7(2), 10, 12, 13, 14(5), 15(2), 16(7), 17, 18(3), 19(3),' a mewnosoder '6(2), 10, 12, 13, 18(3),'.



**Mark Drakeford**

95

Section 122, page 71, line 33, leave out '7(2)' and insert '7(1) or (2)'.

Adran 122, tudalen 71, llinell 35, hepgorer '7(2)' a mewnosoder '7(1) neu (2)'.

**Mark Drakeford**

96

Section 122, page 71, line 33, after '7(2)', insert '[section to be inserted by amendment 60](6), [section to be inserted by amendment 61](5)'.

Adran 122, tudalen 71, llinell 35, ar ôl '7(2)', mewnosoder '[yr adran sy'n cael ei mewnosod gan welliant 60](6), [yr adran sy'n cael ei mewnosod gan welliant 61](5)'.

**Mark Drakeford**

97

Section 122, page 71, line 34, after '52(2)', insert 'or paragraph [the fifth paragraph to be inserted by amendment 124](2)(c) or [the sixth paragraph to be inserted by amendment 124] of Schedule 1'.

Adran 122, tudalen 71, llinell 36, ar ôl '52(2)', mewnosoder 'neu baragraff [y pumed paragraff sy'n cael ei fewnosod gan welliant 124](2)(c) neu [y chweched paragraff sy'n cael ei fewnosod gan welliant 124] o Atodlen 1'.

**Mark Drakeford**

98

Section 122, page 71, after line 35, insert—

'( ) regulations made under section [section to be inserted by amendment 92] or [section to be inserted by amendment 94](2);'

Adran 122, tudalen 71, ar ôl llinell 38, mewnosoder—

'( ) rheoliadau a wneir o dan adran [yr adran sy'n cael ei mewnosod gan welliant 92] neu [yr adran sy'n cael ei mewnosod gan welliant 94](2);'

**Mark Drakeford**

148

Schedule 4, page 89, line 25, leave out 'paragraph 16' and insert 'paragraphs 16 and 17'.

Atodlen 4, tudalen 89, llinell 26, hepgorer 'paragraff 16' a mewnosoder 'paragraffau 16 a 17'.

**Mark Drakeford**

51

Section 1, page 1, line 15, leave out 'and public places' and insert ', public places, school grounds, hospital grounds and public playgrounds'.

Adran 1, tudalen 1, llinell 15, hepgorer 'a mannau cyhoeddus' a mewnosoder ', mewn mannau cyhoeddus, yn nhir ysgolion, yn nhir ysbytai ac mewn meysydd chwarae cyhoeddus'.



**Kirsty Williams** 2

**Gyda chefnogaeth/ Supported by: Darren Millar**

Section 1, page 1, leave out lines 18 to 21.

Adran 1, tudalen 1, hepgorer llinellau 18 hyd at 22.

**Mark Drakeford** 52

Section 1, page 1, line 19, leave out 'and' at the first place where it appears and insert—

'(i) restricting the use of nicotine inhaling devices'.

Adran 1, tudalen 1, llinell 19, hepgorer 'ac' a mewnosoder—

'(i) sy'n cyfyngu ar y defnydd o ddyfeisiau mewnanadlu nicotin'.

**Mark Drakeford** 53

Section 1, page 1, line 20, leave out 'confers power on the Welsh Ministers' and insert—

'(ii) enabling the Welsh Ministers to make regulations amending Schedule 1, and'.

Adran 1, tudalen 1, llinell 20, hepgorer 'mae'n rhoi pŵer i Weinidogion Cymru' a mewnosoder—

'(ii) sy'n galluogi Gweinidogion Cymru i wneud rheoliadau sy'n diwygio Atodlen 1, ac'.

**Mark Drakeford** 54

Section 1, page 1, line 21, leave out 'premises and'.

Adran 1, tudalen 1, llinell 22, hepgorer 'mangreoedd a cherbydau' a mewnosoder 'cerbydau'.

**Mark Drakeford** 55

Section 1, page 2, line 18, after '7', insert 'requires the Welsh Ministers to make regulations about the carrying out of health impact assessments by public bodies and'.

Adran 1, tudalen 2, llinell 20, ar ôl '7', mewnosoder 'yn ei gwneud yn ofynnol i Weinidogion Cymru wneud rheoliadau ynghylch cynnal asesiadau o'r effaith ar iechyd gan gyrff cyhoeddus ac'.

**Kirsty Williams** 1

**Gyda chefnogaeth/ Supported by: Darren Millar**

Long title, page 1, line 1, leave out 'and the use of nicotine inhaling devices'.

Teitl hir, tudalen 1, llinell 1, hepgorer 'a'r defnydd o ddyfeisiau mewnanadlu nicotin'.



**Mark Drakeford**

**50**

Long title, page 1, line 6, after 'toilets;', insert 'about health impact assessments;'

Teitl hir, tudalen 1, llinell 6, ar ôl 'cyhoeddus;', mewnosoder 'ynghylch asesiadau o'r effaith ar iechyd;'

