

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 25 Ebrill 2018
Tabled on 25 April 2018

Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) Public Health (Minimum Price for Alcohol) (Wales) Bill

Rhun ap Iorwerth

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Section 1, page 1, after line 20, insert –

- ‘(4) Before making regulations under subsection (1) the Welsh Ministers must –
- (a) commission independent research and a modelling assessment in relation to the price;
 - (b) report to the National Assembly for Wales on the independent research and modelling assessment.’

Adran 1, tudalen 1, ar ôl llinell 20, mewnosoder –

- ‘(4) Cyn gwneud rheoliadau o dan is-adran (1) rhaid i Weinidogion Cymru –
- (a) comisiynu gwaith ymchwil annibynnol ac asesiad modelu mewn perthynas â’r pris;
 - (b) cyflwyno adroddiad i Gynulliad Cenedlaethol Cymru ar y gwaith ymchwil annibynnol a’r asesiad modelu.’

Rhun ap Iorwerth

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Page 1, after line 20, insert a new section –

[] Procedure for regulations under section 1

- (1) Before making regulations under section 1, the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult –
 - (a) alcohol retailers,



- (b) local authorities,
 - (c) such organisations as appear to them to represent the pub industry,
 - (d) organisations who appear to them to represent the interests of persons affected by the harms caused by substance misuse, and
 - (e) such other persons and organisations as they consider appropriate,
- on the proposed draft regulations.
- (3) The Welsh Ministers must –
- (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
 - (b) consider any comments submitted within that period, and
 - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) –
- (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
 - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 26(2) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.’

Tudalen 1, ar ôl llinell 20, mewnosoder adran newydd –

[] Y weithdrefn ar gyfer rheoliadau o dan adran 1

- (1) Cyn gwneud rheoliadau o dan adran 1, rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori ar y rheoliadau drafft arfaethedig â'r canlynol –
 - (a) manwerthwyr alcohol,
 - (b) awdurdodau lleol,
 - (c) unrhyw sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli'r diwydiant tafarndai,
 - (d) sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli buddiannau personau yr effeithir arnynt gan y niwed a achosir gan gamddefnyddio sylweddau, a
 - (e) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
 - (a) rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
 - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac



- (c) cyhoeddi crynodeb o'r sylwadau hynny.
- (4) Rhaid i Weinidogion cymru osod drafft o'r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) –
 - (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a'r rheoliadau drafft a osodir o dan is-adran (4), a
 - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 26(2) tan ar ôl i'r cyfnod o 60 o ddiwrnodau, yn dechrau â'r diwrnod y gosodir y rheoliadau drafft, ddod i ben.''. .

Rhun ap Iorwerth

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Page 4, after line 33, insert a new section –

[] Alcohol sales: charitable contribution by alcohol retailers

- (1) The Welsh Ministers must make provision by regulations that require alcohol retailers to pay a proportion of the applicable minimum unit price (as specified in regulations made under section 1) for the supply of alcohol, to an independent body.
- (2) Regulations must make further provision under subsection (1) for the –
 - (a) appointment of an independent body;
 - (b) setting of the proportion;
 - (c) arrangements in relation to the collection of sums by an independent body (this includes making provision to the effect that such sums are not paid to the Welsh Consolidated Fund);
 - (d) application and distribution of the sums collected by an independent body to specified charitable purposes;
 - (e) requirement for records of alcohol sales to be kept by alcohol retailers.
- (3) Regulations may, among other things, make provision –
 - (a) for enforcement;
 - (b) that require the Welsh Ministers to issue guidance to alcohol retailers about compliance with the regulations.
- (4) The purposes that may be specified under subsection (2)(d) are limited to charitable purposes relating to –
 - (a) tackling alcohol related harm;
 - (b) alcohol misuse support, treatment and preventative services.
- (5) Before making regulations under this section, the Welsh Ministers must consult –
 - (a) such persons as appear to them likely to be affected by the regulations,
 - (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations, and



- (c) such other persons as they consider appropriate.’.

Tudalen 4, ar ôl llinell 32, mewnosoder adran newydd –

[] Gwerthiannau alcohol: cyfraniad elusennol gan fanwerthwyr alcohol

- (1) Rhaid i Weinidogion Cymru wneud darpariaeth drwy reoliadau sy’n ei gwneud yn ofynnol i fanwerthwyr alcohol dalu cyfran o’r isafbris uned cymwys (fel y’i pennir mewn rheoliadau a wneir o dan adran 1) ar gyfer cyflenwi alcohol i gorff annibynnol.
- (2) Rhaid i reoliadau wneud darpariaeth bellach o dan is-adran (1) ar gyfer y canlynol –
 - (a) penodi corff annibynnol;
 - (b) pennu’r gyfran;
 - (c) trefniadau mewn perthynas â chasglu symiau gan gorff annibynnol (mae hyn yn cynnwys gwneud darpariaeth i’r perwyl nad yw’r cyfryw symiau yn cael eu talu i Gronfa Gyfunol Cymru);
 - (d) cymhwyso a dosbarthu’r symiau a gesglir gan gorff annibynnol at ddibenion elusennol penodedig;
 - (e) ei gwneud yn ofynnol i fanwerthwyr alcohol gadw cofnodion o werthiannau alcohol.
- (3) Caiff rheoliadau, ymhlith pethau eraill, wneud darpariaeth –
 - (a) ar gyfer gorfodi;
 - (b) sy’n ei gwneud yn ofynnol i Weinidogion Cymru ddyroddi canllawiau i fanwerthwyr alcohol ynghylch cydymffurfio â’r rheoliadau.
- (4) Mae’r dibenion y caniateir eu pennu o dan is-adran (2)(d) yn gyfyngedig i ddibenion elusennol sy’n ymwneud â’r canlynol –
 - (a) mynd i’r afael â niwed sy’n gysylltiedig ag alcohol;
 - (b) gwasanaethau cymorth, triniaeth ac ataliol ar gyfer camddefnyddio alcohol.
- (5) Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
 - (a) unrhyw bersonau y mae’n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt;
 - (b) unrhyw sefydliadau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae’r rheoliadau yn debygol o effeithio arnynt; ac
 - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.’.

Rhun ap Iorwerth

18

Page 9, after line 32, insert a new section –

‘Duty to promote

[] Duty to promote awareness of the Act



- (1) The Welsh Ministers must provide information and promote awareness about the effect of provisions of this Act following the commencement of this section to –
 - (a) the public,
 - (b) alcohol retailers, and
 - (c) such other persons and organisations as they consider appropriate.
- (2) The duty under subsection (1) includes an obligation on the Welsh Ministers to provide –
 - (a) an estimate of the financial impact of the Act in relation to –
 - (i) moderate drinkers;
 - (ii) hazardous drinkers;
 - (iii) harmful drinkers;
 - (iv) different categories of alcohol retailers, and
 - (b) information concerning the aim of the Act and the ways that different categories of drinkers can reduce individual alcohol consumption.
- (3) In this section –

“moderate drinkers” (“*yfwyr cymedrol*”) means those who drink within the current guidelines;

“hazardous drinkers” (“*yfwyr peryglus*”) means those exceeding the current guidelines, but who drink no more than 35 units per week in the case of women or 50 units per week for men;

“harmful drinkers” (“*yfwyr niweidiol*”) means women who drink more than 35 units per week or men who drink more than 50 units per week.’.

Tudalen 9, ar ôl llinell 35, mewnosoder adran newydd –

‘Dyletswydd i hyrwyddo

[] Dyletswydd i hyrwyddo ymwybyddiaeth o’r Ddeddf

- (1) Rhaid i Weinidogion Cymru ddarparu gwybodaeth a hyrwyddo ymwybyddiaeth ynghylch effaith darpariaethau’r Ddeddf hon yn dilyn cychwyn yr adran hon i’r canlynol –
 - (a) y cyhoedd;
 - (b) manwerthwyr alcohol; ac
 - (c) unrhyw bersonau a sefydliadau eraill y maent yn ystyried eu bod yn briodol.
- (2) Mae’r ddyletswydd o dan is-adran (1) yn cynnwys rhwymedigaeth ar Weinidogion Cymru i ddarparu –
 - (a) amcangyfrif o effaith ariannol y Ddeddf mewn perthynas â’r canlynol –
 - (i) yfwyr cymedrol;
 - (ii) yfwyr peryglus;
 - (iii) yfwyr niweidiol;
 - (iv) categorïau gwahanol o fanwerthwyr alcohol, a



- (b) gwybodaeth am nod y Ddeddf a'r ffyrdd y gall categorïau gwahanol o yfwyr leihau lefelau yfed alcohol unigol.

(3) Yn yr adran hon—

ystyr “yfwyr cymedrol” (“*moderate drinkers*”) yw pobl sy'n yfed o fewn y canllawiau presennol;

ystyr “yfwyr peryglus” (“*hazardous drinkers*”) yw pobl sy'n yfed mwy na'r hyn a argymhellir yn y canllawiau presennol ond sy'n yfed llai na 35 uned yr wythnos yn achos menywod neu 50 uned yr wythnos i ddynion;

ystyr “yfwyr niweidiol” (“*harmful drinkers*”) yw menywod sy'n yfed mwy na 35 uned yr wythnos neu ddynion sy'n yfed mwy na 50 uned yr wythnos.’

Rhun ap Iorwerth

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Section 21, page 10, after line 4, insert—

- ‘() A responsible committee of the National Assembly for Wales must consider the report in order to inform the Assembly’s consideration of any regulations made under section 22.’

Adran 21, tudalen 10, ar ôl llinell 4, mewnosoder—

- ‘() Rhaid i un o bwyllgorau cyfrifol Cynulliad Cenedlaethol Cymru drafod yr adroddiad er mwyn bod yn sail i ystyriaeth y Cynulliad o unrhyw reoliadau a wneir o dan adran 22.’

Rhun ap Iorwerth

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Section 26, page 12, after line 6, insert—

- ‘() section [*new section to be inserted by amendment 17*];’.

Adran 26, tudalen 12, ar ôl llinell 6, mewnosoder—

- ‘() adran [*adran newydd sy'n cael ei mewnosod gan welliant 17*];’.

Rhun ap Iorwerth

21

Section 26, page 12, after line 9, insert—

- ‘(e) see section [*new section to be inserted by Amendment 16*] for further requirements in relation to the making of regulations under section 1.’

Adran 26, tudalen 12, ar ôl llinell 9, mewnosoder—

- ‘(e) gweler adran [*adran newydd i'w mewnosod gan welliant 16*] am ofynion pellach mewn perthynas â gwneud rheoliadau o dan adran 1.’

