

Cynulliad Cenedlaethol Cymru

Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol

Hydref 2010

Mae'r papur hwn yn darparu gwybodaeth gefndir am y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol a gyflwynwyd i Senedd y DU gan y Gwir Anrhydeddus Nick Clegg AS, Dirprwy Brif Weinidog y DU, ar 22 Gorffennaf 2010.

Bwriad y Mesur Seneddol yw cyflwyno seneddau cyfnod penodol o bum mlynedd, gydag Etholiad Cyffredinol nesaf y DU i'w gynnal ar 7 Mai 2015, yr un diwrnod ag etholiad Cynulliad Cenedlaethol Cymru. Mae'r Mesur Seneddol hefyd yn ymgorffori mewn deddfwriaeth y prosesau y gall Senedd y DU eu dilyn i orfodi etholiad cynnar drwy ffurfiol i'r trefniadau ar gyfer pleidleisiau o ddiffyg hyder a chynigion ar gyfer diddymu Senedd y DU yn gynnar.

Gwasanaeth
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Cynulliad Cenedlaethol Cymru

Y Mesur Seneddol ynghylch Seneddau
Cyfnod Penodol

Hydref 2010

Owain Roberts

Rhif dogfen: 10 / 066

Gwasanaeth
Ymchwil yr
Aelodau



Crynodeb

Mae'r papur hwn yn darparu gwybodaeth gefndir ar y [Mesur Seneddol ynghylch Seneddau Cyfnod Penodol](#) a gyflwynwyd i Senedd y DU gan y Gwir Anrhydeddus Nick Clegg AS, y Dirprwy Brif Weinidog, ar 22 Gorffennaf 2010. Cafodd y Mesur Seneddol ei drafod yn yr Ail Ddarlleniad ar 13 Medi 2010 a phleidleisiodd Tŷ'r Cyffredin o blaid cynnig bod y Mesur Seneddol yn cael ei ystyried gan Bwyllgor y Tŷ Cyfan.

Bwriad y Mesur Seneddol yw cyflwyno seneddau cyfnod penodol o bum mlynedd, gydag Etholiad Cyffredinol nesaf y DU i'w gynnal ar 7 Mai 2015, yr un diwrnod ag etholiad Cynulliad Cenedlaethol Cymru. Mae'r Mesur Seneddol hefyd yn ymgorffori mewn deddfwriaeth y prosesau y gall y Senedd eu dilyn i orfodi etholiad cynnar drwy ffurfioli'r trefniadau ar gyfer pleidleisiau o ddiffyg hyder a chynigion ar gyfer diddymu Senedd y DU yn gynnar.

Mae'r Mesur Seneddol yn uniongyrchol gymwys i Gymru ond i gyfnodau Senedd y DU yn unig y mae'n berthnasol, ynghyd ag amseru'r etholiadau i'r corff hwnnw. Nid yw'n gwneud unrhyw ddarpariaethau sy'n effeithio ar gyfnodau Cynulliad Cenedlaethol Cymru neu ddyddiadau ei etholiadau.

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Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol

1. Cyflwyniad

Ar 5 Gorffennaf 2010, gwnaeth y Gwir Anrhydeddus Nick Clegg AS, Dirprwy Brif Weinidog y DU, ddatganiad i Dŷ'r Cyffredin ar ddiwygio gwleidyddol a chyfansoddiadol. Yn ei ddatganiad, cyhoeddodd fwriad Llywodraeth y DU i gyhoeddi Mesur Seneddol ynghylch Seneddau Cyfnod Penodol.¹ Cafodd y Mesur Seneddol ei ddarlleniad cyntaf ar 22 Gorffennaf 2010 a chynhaliwyd y ddadl yr ail ddarlleniad ar 13 Medi 2010.

Mae'r Mesur Seneddol hwn yn deillio o gytundeb clymblaid y Blaid Geidwadol a'r Democratiaid Rhyddfrydol a gyhoeddwyd yn dilyn Etholiad Cyffredinol y DU ym mis Mai 2010. Mae'n elfen allweddol o gynlluniau diwygio seneddol Llywodraeth y DU.

Mae'r Democratiaid Rhyddfrydol wedi bod o blaid seneddau cyfnod penodol ers cryn amser, ac er na wnaeth y Blaid Geidwadol sôn am seneddau cyfnod penodol yn uniongyrchol yn ei maniffesto ar gyfer etholiad 2010, roedd y maniffesto'n cynnwys addewid i 'sicrhau bod y ddefnydd a wneir o Uchelfraint y Goron'² yn destun rheolaeth ddemocrataidd gryfach fel bod y Senedd yn cymryd rhan briodol'.³

Mewn araith a roddwyd yn Senedd yr Alban ar 14 Mai 2010, ar ôl cytuno ar amodau'r glymblaid, dywedodd y Gwir Anrhydeddus David Cameron AS, Prif Weinidog newydd y DU:

I'm the first Prime Minister in British history to give up the right unilaterally to ask the Queen for a dissolution of Parliament. This is a huge change in our system, it is a big giving up of power. Others have talked about it, people have written pamphlets and made speeches about fixed term parliaments, I have made that change. It's a big and a good change.⁴

Yn y cytundeb clymblaid rhwng y Ceidwadwyr a'r Democratiaid Rhyddfrydol a gyhoeddwyd yn ddiweddarach, dywedodd y ddwy blaid:

We will establish five-year fixed-term Parliaments. We will put a binding motion before the House of Commons stating that the next general election will be held on the first Thursday of May 2015. Following this motion, we will legislate to make provision for fixed-term Parliaments of five years. This legislation will also provide for dissolution if 55% or more of the House votes in favour.⁵

Dyma'r tro cyntaf i gyfnodau seneddol y DU gael eu pennu mewn deddfwriaeth; er y gwneir darpariaeth ar gyfer etholiadau cyfnod penodol i **Gynulliad**

¹ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c23-25](#)

² Mae'r Uchelfraint y Goron yn cyfeirio at yr hawliau, pwerau ac imiwnyddau y mae'r Goron, a'r Goron yn unig, â'r hawl iddynt o dan gyfraith gwlad (ee diddymu Senedd y DU)

³ [Maniffesto'r Blaid Geidwadol ar gyfer 2010, Gwahoddiad i ymuno â Llywodraeth Prydain](#)

⁴ [Cameron defends change over election vote rules, BBC News, 14 Mai 2010](#)

⁵ [Llywodraeth y DU, The Coalition: Our programme for government, Mehefin 2010](#)

Cenedlaethol Cymru yn *Neddf Llywodraeth Cymru 2006*⁶ ('Deddf 2006') a Senedd yr Alban yn *Neddf yr Alban 1998*⁷.

Ar hyn o bryd, ni all Senedd y DU barhau yn hwy na phum mlynedd, yn unol â'r hyn a bennwyd gan *Ddeddf Saith Mlynedd 1715*⁸ (fel y'i diwygiwyd gan *Ddeddf y Senedd 1911*⁹). O dan y Ddeddf honno, os na chaiff Senedd ei ddiddymu yn ystod y cyfnod o bum mlynedd ar ôl y diwrnod y cafodd ei galw i gwrdd, bydd yn dod i ben yn awtomatig.

Dros y blynyddoedd diwethaf, fodd bynnag, cafwyd pwysau cynyddol i sicrhau seneddau cyfnod penodol ar gyfer Tŷ'r Cyffredin. Roedd y Blaid Lafur¹⁰ a'r Democratiaid Rhyddfrydol¹¹ wedi ymrwymo i'r syniad yn eu maniffestos ar gyfer Etholiad Cyffredinol 2010.

⁶ [Deddf Llywodraeth Cymru 2006, c32](#)

⁷ [Deddf yr Alban 1998, c46](#)

⁸ [Deddf Saith Mlynedd 1715, c38](#)

⁹ [Deddf y Senedd 1911, c13](#)

¹⁰ [Maniffesto'r Blaid Lafur ar gyfer 2010, A Future Fair For All](#)

¹¹ [Maniffesto'r Democratiaid Rhyddfrydol ar gyfer 2010](#)

2. Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol: y prif darpariaethau

2.1. *Cymal 1: Diwrnodau pleidleisio ar gyfer etholiadau seneddol*

Mae'r cymal hwn yn darparu ar gyfer diwrnodau pleidleisio penodol ar gyfer etholiadau seneddol. O dan y darpariaethau a nodir, yn gyffredinol, cynhelir Etholiadau Cyffredinol y DU ar ddydd lau cyntaf mis Mai bob pum mlynedd, a chaiff Etholiad Cyffredinol nesaf y DU ei gynnal ar 7 Mai 2015:

Clause 1 states that the polling day for the next parliamentary general election is to be 7 May 2015. Subsection (3) sets out that the polling day for each subsequent parliamentary election is to be the first Thursday in May in the fifth year after the year of the preceding general election.¹²

Fodd bynnag, o dan y cynigion a gaiff eu cynnwys yn y Mesur, bydd gan Brif Weinidog y DU bŵer cyfyngedig i amrywio dyddiad Etholiadau Cyffredinol y DU i fod dau fis yn gynharach neu'n hwyrach na'r dyddiad a bennwyd ar gyfer yr etholiad. Yn ôl y Nodiadau Esboniadol, caiff y pŵer hwn ei gynnwys er mwyn gwneud y canlynol:

... accommodate short term crises or other conditions which might make it inappropriate to hold the election on the scheduled date, for example, a repeat of the foot and mouth crises which led to the postponement of the local elections in 2001.¹³

Mae'r Mesur Seneddol hefyd yn nodi os caiff etholiad cynnar ei gynnal cyn dydd lau cyntaf mis Mai 2015, cynhelir yr Etholiad Cyffredinol nesaf ar y dydd lau cyntaf ym mis Mai bedair blynedd yn ddiweddarach.

2.2. *Cymal 2: Etholiadau seneddol cynnar*

Mae'r cymal hwn yn darparu ar gyfer yr amgylchiadau pan ganiateir cynnal Etholiad Cyffredinol cynnar ac yn amlinellu'r prosesau y gall Senedd y DU eu dilyn i gynnal etholiad cynnar. Mae'r Mesur Seneddol yn nodi dau fecanwaith y gall Senedd y DU eu defnyddio i 'sbarduno' etholiadau o'r fath.

Yn gyntaf, mae'r Mesur Seneddol yn datgan:

If the House of Commons passes a motion of no confidence in the Government, an election must be held unless within the period of 14 days the House passes a motion expressing confidence in a Government.¹⁴

Mae hyn yn darparu cyfle ar gyfer ffurfio llywodraeth amgen heb etholiad.¹⁵

Yn ail, gellir 'sbarduno' etholiad cynnar drwy bleidlais pan fydd o leiaf dwy ran o dair o Aelodau Seneddol o blaid diddymu'r Senedd:

¹² [Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol, Nodiadau Esboniadol, paragraff 13](#)

¹³ [Ibid, paragraff 14](#)

¹⁴ [Ibid, paragraff 16](#)

¹⁵ [ibid](#)

Subsection (1) provides for an early election if the House of Commons passes a motion that there should be such an election. Where such a motion has been passed on a division, the number of members who voted in favour of the motion must be a number equal to or greater than two-thirds of the number of seats in the House, including vacant seats.¹⁶

Mae'r darpariaethau hyn yn rhoi rhywfaint o sicrwydd, gan eu bod yn ei gwneud yn bosibl i Lywodraeth aneffeithiol syrthio yng nghanol tymor, neu i ddiddymu Senedd sy'n methu'n lân â chydweld.

Mae'r gofyniad i gael mwyafrif o ddwy ran o dair sydd o blaid diddymu cynnar yn symud i ffwrdd o'r cytundeb clymblaid gwreiddiol a oedd yn datgan y byddai diddymu cynnar yn digwydd drwy fwyafrif seneddol o 55%. Mewn datganiad i Dŷ'r Cyffredin ar 5 Gorffennaf, eglurodd Dirprwy Brif Weinidog y DU y newidiwyd y polisi i ymateb i'r canlynol,

'the objections raised on both sides of the House to our 55% threshold'.¹⁷

2.3. Cymal 3: Diddymu'r Senedd

Mae'r adran hon yn gwneud y newidiadau angenrheidiol i gyfraith etholiadau a'r gyfraith ynghylch y ffordd y mae'r Senedd yn cyfarfod o ganlyniad i'r ffaith y pennwyd diwrnodau penodol ar gyfer cynnal etholiadau. Hynny yw:

it provides that Parliament dissolves automatically 17 working days before the polling day which has been fixed for the general election under Section 1 of the Bill.¹⁸

Mae isadran (2) yn datgan na ellir diddymu'r Senedd o dan unrhyw amgylchiadau eraill, ac felly'n cael gwared ar Uchelfraint y Goron sy'n rhoi'r pŵer i ddiddymu Senedd y DU.

¹⁶ [Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol, Nodiadau Esboniadol, paragraff 15](#)

¹⁷ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c27](#)

¹⁸ [Y Mesur Seneddol ynghylch Seneddau Cyfnod Penodol, Nodiadau Esboniadol, paragraff 20](#)

3. Yr ymateb i'r cynigion

3.1. *Egwyddor y Mesur Seneddol*

Mewn datganiad i Dŷ'r Cyffredin ynghylch diwygio gwleidyddol a chyfansoddiadol ar 5 Gorffennaf 2010, mynegodd y Gwir Anrhydeddus Nick Clegg AS, Dirprwy Brif Weinidog y DU, fwriad Llywodraeth y DU i gyflwyno tymhorau seneddol penodol a chyhoeddodd y cynhelir yr etholiad cyffredinol nesaf ar 7 Mai 2015.¹⁹

Roedd y Dirprwy Brif Weinidog hefyd yn beirniadu'r trefniadau ar gyfer etholiadau seneddol yn y DU am eu bod yn rhoi mantais anheg i'r Llywodraeth ar y pryd o ran penderfynu ar ddyddiad yr etholiad nesaf. Dywedodd wrth Dŷ'r Cyffredin:

It is simply not right that general elections can be called according to a Prime Minister's whims, so this Prime Minister will be the first Prime Minister to give up that right.²⁰

Yn ei adroddiad ar y Mesur Seneddol a gyhoeddwyd ar 10 Medi 2010, dywedodd Pwyllgor Diwygio Gwleidyddol a Seneddol Tŷ'r Cyffredin:

It is questionable whether a Prime Minister should be able to use his position in government to give him and his party an electoral advantage by choosing to hold the next general election to a schedule that best suits him. We therefore acknowledge the principle behind the Fixed-term Parliaments Bill.²¹

Mae Pwyllgor Cyfansoddiad Tŷ'r Arglwyddi hefyd yn cynnal ymchwiliad ar wahân i seneddau cyfnod penodol. Y dyddiad olaf ar gyfer cyflwyno tystiolaeth yw 30 Medi.²²

3.2. *Dyddiad yr Etholiad Cyffredinol nesaf*

Wrth ymateb ar ran Plaid Cymru, mynegodd Elfyn Llwyd AS bryder y bydd dyddiad Etholiad Cyffredinol nesaf y DU yn cyd-daro â dyddiadau'r etholiadau i Gynulliad Cenedlaethol Cymru a Senedd yr Alban:

Making this announcement and fixing, to use the right hon. Gentleman's word, the date of the next general election for the same day as the Scottish and Welsh elections totally ignores the strong recommendations of both the Gould and Arbuthnott reports. It sounds to me not like the respect agenda, but actually like the contempt agenda.²³

Ymatebodd y Dirprwy Brif Weinidog drwy ddweud bod gwrthwynebu cynnal pleidleisiau ar yr un diwrnod yn bychanu gallu pobl Cymru a'r Alban i benderfynu ar fwy nag un peth ar yr un diwrnod.²⁴

¹⁹ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c23](#)

²⁰ [Ibid](#)

²¹ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraff 1](#)

²² [Pwyllgor Cyfansoddiad Tŷ'r Arglwyddi, *Lords Constitution Committee investigates proposals for fixed term parliaments*, 15 Gorffennaf 2008](#)

²³ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c30](#)

²⁴ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c30](#)

3.3. *Hyd tymhorau seneddol*

Mewn papur briffio ar agenda'r glymblaid mewn perthynas â diwygio cyfansoddiadol a gwleidyddol a baratowyd gan Uned Gyfansoddiadol Coleg Prifysgol Llundain, dadleuodd yr Athro Robert Hazell bod tymor seneddol o bum mlynedd yn hir o'i gymharu â threfniadau mewn gwledydd eraill:

Australia and New Zealand both have three-year maximum terms. The legislatures of Canada and many of its provinces have four-year fixed terms, as do most Australian states ... Ireland's lower house has a five-year maximum, as in the UK. In continental Europe most countries have four year fixed terms, and only three (France, Italy, and Luxembourg) have five years. So a five year term is long by comparison with most other parliamentary systems.

²⁵

Hefyd, dywedodd yr Athro Hazell bod tymhorau seneddol o bum mlynedd yn hir o'u cymharu â phrofiad seneddol San Steffan ers 1945:

An analysis of those post war parliaments which ran for a full term records seven parliaments which lasted four years (1951, 1966, 1970, 1979, 1983, 1997, 2001), three which lasted four and a half years (1945, 1955, 1974), and four parliaments which ran for five (1959, 1987, 1992, 2005); so the balance is more even than people suppose. ²⁶

Yn ei adroddiad ar y Mesur Seneddol, dywedodd y Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol,

precedent gives no clear answer as to whether parliaments should last four years or five. ²⁷

Mae'r adroddiad hefyd yn argymhell y byddai'n well cynnal etholiadau cyffredinol bob pedair blynedd, yn hytrach na phob pum mlynedd ²⁸ ac mae'r Pwyllgor yn credu y dylai'r Llywodraeth wneud yr hyn a ganlyn:

... explain more fully to the House the advantages and disadvantages of four and five-year terms, and how it weighed these up in reaching its decision on the length of the fixed term. ²⁹

3.4. *Diddymu'r Senedd ac etholiadau seneddol cynnar*

Dywedodd Dirprwy Brif Weinidog y DU wrth Aelodau Seneddol mai amcanion y Mesur Seneddol oedd gosod mewn deddfwriaeth bŵer Senedd y DU i alw etholiad cynnar ac, o ganlyniad, byddai hynny'n cryfhau rôl Senedd y DU mewn perthynas â'r Llywodraeth:

First, traditional powers of no confidence will be put into law, and a vote of no confidence will still require only a simple majority. Secondly, if after a vote of no confidence a Government cannot be formed within 14 days, Parliament will be dissolved and a general

²⁵ [Hazell, Robert \(2010\) *The Conservative-Liberal Democrat Agenda for Constitutional and Political Reform*, The Constitution Unit: University College London, Mehefin 2010](#)

²⁶ [Ibid](#)

²⁷ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraff 13](#)

²⁸ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraff 20](#)

²⁹ [Ibid](#)

election will be held Thirdly, there will be an additional power for Parliament to vote for an early and immediate Dissolution³⁰.

Wrth ymateb i gynigion y Llywodraeth ar ran yr Wrthblaid, beirniadodd y Gwir Anrhydeddus Jack Straw QC AS ddiben cyflwyno dull a fyddai'n galluogi Senedd y DU i 'sbarduno' etholiad cynnar drwy gynig sy'n ennill cefnogaeth dwy ran o dair o Aelodau Seneddol:

As to his now subsidiary proposal for a two-thirds majority for any other Dissolution, what is its purpose? Is it not completely superfluous? Either he is in favour of fixed-term Parliaments as long as the Government of the day enjoy the confidence of this House or he is not.³¹

Fel ymateb, dywedodd y Dirprwy Brif Weinidog y byddai cynnwys y trothwy o fwyafrif o ddwy ran o dair mewn gwirionedd yn cryfhau pŵer y Senedd:

The inclusion of the two-thirds threshold gives an additional, new power to Parliament. Let us be clear what we are doing with the fixed-term provisions—provisions that his party used to support. We are taking power away from the Prime Minister and giving Parliament more power over the Executive. Surely that is something that he and other Opposition Members would support.³²

Yn ei dystiolaeth i'r Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol ar 8 Medi 2010, dywedodd Dr Malcolm Jack, y Clerc i Dŷ'r Cyffredin, y gallai cymal 2 o'r Mesur Seneddol (sy'n darparu'r mecanweithiau ar gyfer diddymu cynnar) effeithio ar fraint seneddol. Roedd Dr Malcolm Jack yn teimlo y gallai cynnwys y confensiynau a'r gweithdrefnau hyn mewn deddfwriaeth arwain at wrthdaro rhwng y Senedd a'r farnwriaeth os bydd y Senedd yn cael ei diddymu'n gynnar yn y dyfodol.

Edrychodd y Pwyllgor ar y mater hwn yn fanwl yn ei adroddiad:

The mechanism for triggering an early general election would be a Speaker's certificate, attesting to the fact that the events above have taken place. The use of a Speaker's certificate is not entirely unprecedented. The Parliament Acts provide for the Speaker to certify if a Bill meets the criteria set down in those Acts which would allow for it to become law without the agreement of the House of Lords.

In the case of this Bill, the certificate would be "conclusive for all purposes", and thus, in theory at least, not subject to challenge in court. The Clerk of the House has told us, however, that the courts have a duty to interpret statute, and that the Bill could lead to scrutiny by the courts of any Speaker's certificate and the parliamentary proceedings underlying them:

"embodying these internal proceedings in statute radically changes their status since, by reason of being embodied in statute law, they become questions which are

³⁰ [Dadleuon Tŷ'r Cyffredin, 5 Gorffennaf 2010, c23](#)

³¹ [Ibid, c26](#)

³² [Ibid, c28](#)

ultimately to be determined by the judiciary rather than by members of the legislature accountable to the electorate whom they serve.

The history of the courts' involvement in interpreting the meaning of words in the Bill of Rights and the implications of human rights aspects of European law, provide no basis for concluding that the courts will keep out of this new statutory territory. Indeed, it is the purpose of the courts to interpret and apply the law to individual cases."

One way in which the courts might become involved would be if a case was brought claiming that the provisions in the Bill had not been followed, and that a purported Speaker's certificate was not in fact a properly constituted certificate at all.

The Clerk's concern is thus that the Bill would infringe the House's exclusive cognizance over its own proceedings: the House's right to decide for itself how its business should be done, and the concomitant principle that the courts will not interfere in this business. How valid this theory of 'exclusive cognizance' is in an age when the Executive dominates Parliament is not a debate for this Report. The Clerk reminded us in the context of clause 2 of the Bill of the view of Committees of both Houses in past Parliaments that "piecemeal dabbling with privilege" was to be avoided, and said that it seemed "odd" to him "that a significant privilege matter" was being dealt with before publication of the Government's draft bill on parliamentary privilege, which is scheduled for pre-legislative scrutiny in due course.³³

Awgrymodd Dr Malcolm Jack y gellid goresgyn y problemau hyn drwy gynnwys darpariaeth ar gyfer seneddau cyfnod penodol yn Rheolau Sefydlog Tŷ'r Cyffredin yn hytrach na chynnwys y cynigion mewn deddfwriaeth gynradd.

I would just say in summary that I think that clause 2 raises practical problems also for the Speaker, or challenges to what the Speaker does, that are very easily dealt with within the House if those matters are kept in the Standing Orders. By putting them in statute, you are opening them to challenge in the courts.³⁴

Wrth ymateb i bryderon Clerc Tŷ'r Cyffredin, argymhellodd y Pwyllgor yr hyn a ganlyn:

The purpose of the Bill needs to be achieved without inviting the courts to question aspects of the House's own procedures or the actions of the Speaker, except where this is absolutely unavoidable and clearly justifiable.³⁵

3.5. Amseru

Yn y dystiolaeth a gyflwynodd i'r Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol, beirniadodd yr Athro Robert Hazell y diffyg amser ar gyfer cynnal gwaith craffu deddfwriaethol digonol mewn perthynas â'r Mesur Seneddol:

³³ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraffau 25-28](#)

³⁴ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, 8 Medi](#)

³⁵ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraff 33](#)

The Fixed Term Parliaments Bill was prepared on an extraordinarily rushed timetable. It was introduced with no prior consultation, no Green or White Paper. Nor has time been allowed for pre-legislative scrutiny of a draft bill.³⁶

Wrth gyflwyno tystiolaeth i'r un Pwyllgor, dywedodd yr Athro Anthony Bradley ei fod yn teimlo y dylid cynnal trafodaeth ehangach ar oblygiadau cyfansoddiadol y Mesur Seneddol:

The implications of the change need to be fully explored in public debate, and if this is done it should help to create a broad consensus in favour of the change. The Labour government under Mr Blair was responsible for initiating major reforms affecting the judiciary (eventually incorporated in the Constitutional Reform Act 2005) in a wholly inept way that prejudged informed debate and ran the risk of prejudicing some beneficial reforms. The coalition Government needs to take a more skilful path than this in building a consensus for the long-term constitutional reform that it wishes to see.³⁷

Ategwyd y sylwadau hyn gan Dr Malcolm Jack, a ddywedodd,

'It would have been better for these matters to be dealt with in a draft Bill'.³⁸

Yn ei adroddiad ar y Mesur Seneddol, mynegodd y Pwyllgor ei siom ynghylch y diffyg amser ar gyfer craffu ar gynigion y Mesur Seneddol yn fanwl:

We regret, however, the rushed timetable that the Government has unnecessarily adopted for the Bill, and the incremental and piecemeal approach to constitutional change that the Bill represents.³⁹

³⁶ Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Tystiolaeth ysgrifenedig gan yr Athro Robert Hazell*, FTPB03, paragraff 2.2.

³⁷ Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Tystiolaeth ysgrifenedig gan yr Athro Anthony Bradley*, FTPB05, paragraff 5

³⁸ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, Tystiolaeth lafar heb ei chywiro, 7 Medi, cwestiynau 33-34](#)

³⁹ [Pwyllgor Dethol Tŷ'r Cyffredin ar Ddiwygio Gwleidyddol a Chyfansoddiadol, *Second Report: Fixed-term Parliaments Bill*, 10 Medi 2010, paragraff 51](#)

4. Goblygiadau i Gymru

Mae'r Mesur Seneddol yn berthnasol i gyfnodau seneddol Senedd y DU ac amseru'r etholiadau i'r corff hwnnw yn unig. Nid yw'n gwneud unrhyw ddarpariaethau sy'n effeithio ar dymhorau Cynulliad Cenedlaethol Cymru na dyddiadau ei etholiadau.

Darperir ar gyfer hyd tymhorau'r Cynulliad yn Adran 3 o *Ddeddf Llywodraeth Cymru 2006*. Yn unol ag Adran 3 o'r Ddeddf honno, bydd gan y Cynulliad dymhorau penodol o bedair blynedd fel arfer, a chynhelir etholiadau bob pedair blynedd, a hynny ar y dydd lau cyntaf ym mis Mai. Ceir darpariaethau tebyg ar gyfer Senedd yr Alban yn *Neddf yr Alban 1998*.

Drwy bennu dyddiadau Etholiadau Cyffredinol y DU, ac o ganlyniad i'r cylchoedd etholiadol penodol sy'n bodoli ar gyfer etholiadau i gyrff datganoledig a Senedd Ewrop, mae darpariaethau presennol y Mesur Seneddol yn golygu y bydd cyfuniad o etholiadau cyffredinol y DU ac etholiadau datganoledig yn cael eu cynnal ar yr un diwrnod mewn rhai blynyddoedd penodol yn y dyfodol.

Bwriedir cynnal etholiadau i'r Pumed Cynulliad yn 2015 ar yr un diwrnod ag Etholiad Cyffredinol nesaf y DU. Fodd bynnag, ni fydd etholiadau'r Cynulliad ac Etholiadau Cyffredinol y DU yn cyd-daro'n aml (unwaith bob 20 mlynedd). Isod, ceir tabl yn dangos dyddiadau etholiadau'r dyfodol er gwybodaeth⁴⁰:

Amseru Etholiadau Cyffredinol y DU ac etholiadau eraill				
Etholiadau Ewropeaidd	Etholiadau datganoledig	Etholiadau'r DU bob 4 mlynedd	Etholiadau'r DU bob 5 mlynedd	
2014	2015	2014	2015	
2019	2019	2018	2020	
2024	2023	2022	2025	
2029	2027	2026	2030	
2034	2031	2030	2035	
2039	2035	2034	2040	

Fodd bynnag, o dan amgylchiadau pan fyddai Etholiad Cyffredinol y DU yn cyd-daro ag etholiadau'r Cynulliad, gallai Ysgrifennydd Gwladol Cymru, o dan Adran 4 o *Ddeddf Llywodraeth Cymru 2006*, amrywio dyddiad etholiad cyffredinol arferol a'i gynnal heb fod yn fwy na mis yn gynt neu fis yn hwyrach na'r dydd lau cyntaf mis Mai.

Mae Adran 5 o Ddeddf 2006 hefyd yn darparu dull ar gyfer cynnal etholiad cyffredinol anarferol cyn yr etholiad cyffredinol arferol nesaf. Ni ellir cynnal etholiad o'r fath oni bai bod un o'r amgylchiadau a ganlyn yn codi:

⁴⁰ [Hazell, Robert \(2010\) *The Conservative-Liberal Democrat Agenda for Constitutional and Political Reform*, The Constitution Unit: University College London, Mehefin 2010](#)

- Os bydd y Cynulliad yn penderfynu y dylid ei ddiddymu (a bod Aelodau Cynulliad sy'n cynrychioli o leiaf dwy ran o dair o seddau'r Cynulliad o blaid hynny. Hynny yw, bod 40 Aelod Cynulliad yn pleidleisio o blaid y penderfyniad); neu
- Os na fydd y Cynulliad yn llwyddo i enwebu Prif Weinidog yn ystod y cyfnod a bennwyd o dan Adran 47 o'r Ddeddf (28 diwrnod fel arfer).

5. Dadl yr Ail Ddarlleniad

5.1. *Egwyddor y Mesur Seneddol Arfaethedig*

Cynhaliwyd dadl yr ail ddarlleniad ar 13 Medi 2010. Disgrifiodd y Gwir Anrhydeddus Nick Clegg AS, Dirprwy Brif Weinidog y DU, brif amcanion y Mesur Seneddol:

The Bill has a single, clear purpose: to introduce fixed-term Parliaments to the United Kingdom to remove the right of a Prime Minister to seek the Dissolution of Parliament for pure political gain. This simple constitutional innovation will none the less have a profound effect because for the first time in our history the timing of general elections will not be a plaything of Governments. There will be no more feverish speculation over the date of the next election, distracting politicians from getting on with running the country. Instead everyone will know how long a Parliament can be expected to last, bringing much greater stability to our political system. Crucially, if, for some reason, there is a need for Parliament to dissolve early, that will be up to the House of Commons to decide.⁴¹

Wrth ymateb ar ran yr Wrthblaid, dywedodd y Gwir Anrhydeddus Jack Straw QC AS y gallai'r Mesur Seneddol fod yn ddatblygiad positif i'n democratiaeth a bod ei ddarpariaethau'n cynrychioli cam ymlaen yn hytrach na cham yn ôl.⁴² Am y rhesymau hynny, eglurodd Mr Straw y byddai Llafur yn cefnogi cynigion y Llywodraeth yn ystod cyfnod yr ail ddarlleniad⁴³.

Cefnogwyd egwyddor y Mesur Seneddol gan Graham Allen AS, Cadeirydd y Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol. Dadleuodd mai mantais seneddau cyfnod penodol yw eu bod yn rhagweladwy ac yn gyson, gan ychwanegu:

Instead of permanent politics as-entertainment, in which there is speculation about impending general elections and people feed tittle-tattle and gossip to raise or lower the political temperature, we will know that we can get on with serious business while knowing the date of the next general election and putting such considerations aside. That is something of great importance, and would lead to we as parliamentarians being able to seize greater control of what we do in this place on a number of issues, rather than being engaged, even at arm's length, in speculation about when an election will take place.⁴⁴

Fodd bynnag, rhybuddiodd Mr Straw y Llywodraeth bod y Blaid Lafur yn anhapus â rhai agweddau ar y Mesur Seneddol, yn enwedig y pwyntiau a ganlyn:

It provides for a standard Parliament to be too long, at five years. It fails to clarify the procedures for confidence votes, opening up the possibility of a lame-duck Administration and constitutional limbo. It leaves a large loophole enabling Prime Ministers to use the prerogative power to prorogue Parliament, as happened recently in Canada. The mechanism for triggering an early

⁴¹ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c621](#)

⁴² [Ibid, c636](#)

⁴³ [Ibid](#)

⁴⁴ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c660](#)

Dissolution of Parliament may impinge-I put it no more strongly than that-on parliamentary privilege by creating the risk that courts could intervene on parliamentary proceedings.⁴⁵

Yn ôl yr Athro Robert Hazell⁴⁶, mae profiad Canada o gyflwyno seneddau cyfnod penodol yn dangos beth all ddigwydd pan nad yw Mesur Seneddol yn rheoleiddio'r pŵer uchelfraint i ddiddymu'r Senedd. Wrth sôn am gyfraith Canada a gyflwynodd seneddau cyfnod penodol ar y lefel ffederal yn 2007, dywedodd:

[The law] did not alter the Governor General's reserve power to dissolve parliament, which would have required a constitutional amendment. A year later Stephen Harper, the same Prime Minister who had introduced fixed term legislation, sought a dissolution one year before the end of the fixed term, when his party's poll ratings had temporarily increased. The Governor General, relying on her reserve powers, granted Harper's request. In practice, it seems that the Canadian law only fixes the maximum term, leaving the Prime Minister free to call an election at other times. Unless the new law in the UK regulates the prerogative power, it risks being similarly ineffective.⁴⁷

Pwysleisiodd Mr Staw y byddai angen diwygio'r Mesur Seneddol yn sylweddol er mwyn i'r Blaid Lafur ei gefnogi yn ystod y Trydydd Darlleniad.⁴⁸

Pasiwyd y Mesur Seneddol o 311 pleidlais i 23 a bydd Pwyllgor o'r Tŷ Cyfan yn craffu arno.

5.2. *Dyddiad yr Etholiad Cyffredinol nesaf*

Roedd Dirprwy Brif Weinidog y DU yn cydnabod y byddai cynnal Etholiad Cyffredinol nesaf y DU ar yr un pryd ag etholiadau datganoledig yng Ngogledd Iwerddon, yr Alban a Chymru yn anodd:

The date of the next election, Thursday 7 May 2015, has also raised some questions, as Holyrood, the Welsh Assembly and Stormont will all be holding their own elections on the same day. The issue of combining polls came up last week when we were debating the decision to hold a referendum on 5 May next year, as that referendum will coincide with elections in Scotland, Northern Ireland and Wales. Let me be clear. We believe that holding a referendum on the same day as a parliamentary or Assembly election is entirely justifiable. It allows us to avoid asking people to traipse back and forth to the ballot box, it is an uncomplicated event in which people are simply being asked to say yes or no to the referendum question, so it avoids any confusion or overlap with the elections to the devolved Assemblies, and of course it will save money. However, as I said, I accept that holding elections to different Parliaments or Assemblies on the same day is altogether more complex ...

It is not a simple yes or no choice to a referendum question, but raises a host of questions about how people are governed at the UK-wide and devolved level by different parties and different politicians. With elections to the devolved legislatures every four years and to

⁴⁵ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c636](#)

⁴⁶ [Hazell, Robert \(2010\) *The Conservative-Liberal Democrat Agenda for Constitutional and Political Reform*. The Constitution Unit : University College London, Mehefin 2010](#)

⁴⁷ *Ibid*

⁴⁸ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c636](#)

Westminster every five years, such a situation would occur every two decades. With the next occurrence in five years, we have time to plan for it, but we need to give the issue proper further thought. There is already scope in legislation to vary the dates of elections to devolved legislatures, and the Government are now actively considering whether those powers are sufficient. We have not yet reached a conclusion—we will be very interested to hear the views of others—but if we decide that further powers are needed, we will put forward proposals for an alternative.⁴⁹

Wrth ymateb, mynegodd Elfyn Llwyd AS bryderon y byddai problemau yn parhau hyd yn oed os byddai'r etholiadau i'r cyrff datganoledig yn cael eu newid bob tro y bydd etholiadau cyffredinol a datganoledig yn cyd-daro yn y dyfodol:

Surely it is not in the interests of this Government or anybody else to have two major elections within four weeks. That is the point, because there is a leeway of only four weeks within the devolved Administrations.⁵⁰

Ymatebodd y Dirprwy Brif Weinidog drwy ddweud y byddai'r Llywodraeth yn ystyried edrych ar ddarpariaeth y Mesur Seneddol yn fanwl yn hwyrach yn y broses:

That is exactly what we need to look at, and it is exactly why we need to consider whether the existing provisions are sufficient.⁵¹

Croesawodd yr Wrthblaid benderfyniad y Dirprwy Brif Weinidog i edrych ar y dyddiadau etholiad sy'n cyd-daro yn fwy manwl. Dywedodd y Gwir Anrhydeddus Jack Straw QC AS:

I am glad that the Deputy Prime Minister has at long last spotted that coinciding the date of a general election with that of national elections in Scotland and Wales is crazy and he is about to seek to go through hoops by which the people of Scotland and Wales and the political parties that are an essential part of the process ... Those people and parties would be burdened with two successive elections with substantial and understandable arguments about which should come first and which should come second. That could directly affect the outcome.⁵²

Roedd yn teimlo y gellid mynd i'r afael â'r problemau hyn drwy newid y cyfnodau seneddol arfaethedig o bum mlynedd i bedair blynedd:

The answer to all that is to go for four-year Parliaments. Among many others things, if we set a four-year Parliament this one would finish in 2014 and could never clash with the four-year cycle of the Scottish and Welsh Parliaments.⁵³

Codwyd pryderon tebyg gan Mark Williams AS. Roedd yn credu y byddai buddiannau cenhedloedd y DU yn cael eu gwanhau drwy gynnal mwy nag un etholiad ar yr un diwrnod:

⁴⁹ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c626-627](#)

⁵⁰ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c627](#)

⁵¹ [Ibid](#)

⁵² [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c643](#)

⁵³ [Ibid, c644](#)

... there is a genuine fear, articulated by many parties in Wales, Scotland and, no doubt, Northern Ireland as well that Welsh, Scottish and Northern Irish issues—the issues of the Celtic nations—will be drowned out in a national picture ... we are talking about national elections for countries—about two general elections happening simultaneously in the same country. That is the difference. We are talking about the relationship between the media and the campaigns and the ability of the Welsh and other Celtic nations to get their message across in the national media.⁵⁴

Roedd Roger Williams AS hefyd yn pwysleisio y byddai cynnal dau etholiad ar yr un diwrnod yn creu mwy o ddryswch, yn enwedig oherwydd y newidiadau arfaethedig i etholaethau seneddol y DU a nodwyd yn y *Mesur Seneddol ynghylch Pleidleisio ac Etholaethau Seneddol* ⁵⁵.

In future elections to the Welsh Assembly, the constituencies for Westminster might not be the same as those for the Assembly, which could lead to the confusion experienced in Scotland for the same reason.⁵⁶

At hynny, dywedodd Roger Williams AS y dylid newid dyddiadau etholiadau'r sefydliadau datganoledig,

'The Assembly and the other devolved Administrations, rather than Westminster, should be given the power to determine it'.⁵⁷

Wrth ymateb i ddadleuon Mark Williams AS, mynegwyd pryderon ynghylch cynnal etholiadau datganoledig ar yr un diwrnod ag Etholiad Cyffredinol y DU gan Nigel Dodds AS mewn perthynas â Gogledd Iwerddon:

The hon. Member for Ceredigion (Mr Williams) addressed the issue of the dates of the electoral cycle. I join those Members who have raised concerns about the coincidence in 2015 of the general election and elections to the Northern Ireland Assembly, the Welsh Assembly and the Scottish Parliament. I listened carefully to what the Deputy Prime Minister had to say, and it struck me that his comments were perhaps on the hoof—I do not get the impression that a lot of consideration had been given to the point prior to the debate. He said that he will address the matter, think about it and discuss it. Will the Minister reassure the House that consultation with the devolved Administrations will be genuine, and that when the Deputy Prime Minister speaks to the folk in Northern Ireland, Scotland or Wales, he will not simply go away and then come back and impose a solution? The proposal must be agreed with the respective devolved Administrations. It will be totally unacceptable if the assurance given by the Deputy Prime Minister amounts to nothing more than the usual consultation. The consultation must be genuine and must respect the views of the devolved Administrations.⁵⁸

⁵⁴ [Ibid, c665](#)

⁵⁵ [Mesur Seneddol ynghylch Pleidleisio ac Etholaethau Seneddol](#)

⁵⁶ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c666](#)

⁵⁷ [Ibid, c667](#)

⁵⁸ [Ibid, c669](#)

5.3. *Hyd tymhorau Seneddol*

Wrth ymateb i bryderon y Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol, amddiffynnodd Dirprwy Brif Weinidog y DU gynigion ei Lywodraeth ar gyfer tymhorau o bum mlynedd:

Five years is the length of Parliaments in France, Italy, and South Africa, among others, and it is the maximum length of Parliament in India. In the United Kingdom, three of the past five Parliaments have run for five years. Leaving aside the very short Parliaments, half of all Parliaments since the war have run for more than four years, so five years is both in keeping with our current arrangements, and has international precedent.⁵⁹

Mynegodd Chris Bryant AS bryderon bod pennu tymhorau seneddol o bum mlynedd yn rhy hir, yn enwedig o'u cymharu â seneddau eraill yn y DU:

But if the right hon. Gentleman is to give us all the statistics, he must add that since 1832 the average peacetime length of a Parliament has been three years and eight months—nowhere near five years, which has been pretty exceptional across that time. On the international comparisons, none of the other countries that he mentioned has the same structure with the Executive coming out of Parliament, so ours is a very different system. I urge him to look again at four years.⁶⁰

Wrth ymateb, dywedodd y Dirprwy Brif Weinidog:

I am not entirely sure whether that last assertion is correct. The hon. Gentleman wants to give the House a history lesson, so perhaps I may refer him to the Parliament Act 1911, which introduced the current five-year maximum. The then Prime Minister, Herbert Asquith, told the House that five years would

“probably amount in practice to an actual legislative working term of four years”—
[Official Report, 21 February 1911; Vol. 21, c. 1749.]

That is a quote that I picked up from the Committee's report, rightly pointing out that when a Parliament is expected to last for only four years, as is now the case, it very often ends up, in effect, a three-year Parliament. So our view is that by fixing the cycle at five years, we help to mitigate—[Interruption.] The hon. Gentleman says that that is a ridiculous decision. He knows as well as anybody else that for 12 or 18 months before an election is held, work in the House is blighted by all the parties politicking in advance of polling day. Therefore, if we want Governments to govern for the long term, we think five years is the right period of time.⁶¹

5.4. *Diddymu ac etholiadau seneddol cynnar*

Amddiffynnodd y Dirprwy Brif Weinidog y cynigion ar gyfer diddymu cynnar a gafodd eu cynnwys yn y Mesur Seneddol:

⁵⁹ [Ibid. c625](#)

⁶⁰ [Dadleuon Ty'r Cyffredin, 13 Medi 2010, c625](#)

⁶¹ Ibid

... no-confidence votes have until now been a matter of convention. Although it has been widely accepted that a no-confidence vote would require a Prime Minister either to resign or to call an early election, there has been nothing to date to enforce this. So for the first time, the Bill gives legal effect to a motion of no confidence passed by this House.⁶²

Roedd y Dirprwy Brif Weinidog hefyd yn pwysleisio ei fod yn fodlon â'r dulliau yn y Mesur Seneddol sy'n nodi'r prosesau ar gyfer pleidleisiau o ddiffyg hyder yn erbyn y Llywodraeth:

Such motions of no confidence will continue to require only a simple majority. Following the passing of a no-confidence motion, there will be a period of 14 days during which a Government may seek to gain the confidence of the House. If, during the 14-day period, a Government emerge who can command the confidence of the House, then they will be free to govern for the remainder of the five-year term. We believe that a period of 14 days strikes the right balance, allowing enough time for an alternative Government to be formed while ensuring that there is not a prolonged period without an effective Government.⁶³

Wrth ymateb i'r pryderon a fynegwyd gan Glerc Tŷ'r Cyffredin yn ei dystiolaeth lafar i'r Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol, mynnodd y Dirprwy Brif Weinidog na fyddai darpariaethau'r Mesur Arfaethedig yn caniatáu i'r llysoedd herio penderfyniad a gafodd ei wneud gan Dŷ'r Cyffredin mewn perthynas â diddymu cynnar:

I know that the Clerk of the House of Commons has expressed concerns about these arrangements in a memorandum to the Political and Constitutional Reform Committee. The memorandum suggests that the courts may be able to intervene in parliamentary business. The suggestion is that we would therefore be better off implementing the changes through Standing Orders rather than primary legislation. I would like to reassure the House that the Government have looked into the issue in considerable detail. We are satisfied that the provisions in the Bill will not allow the courts to question the House's internal affairs.⁶⁴

Roedd y Dirprwy Brif Weinidog hefyd yn gwrthod y dadleuon y gellid cynnwys y ddarpariaeth ar gyfer seneddau cyfnod penodol yn y Rheolau Sefydlog yn hytrach na mewn deddfwriaeth gynradd:

Given the constitutional significance of the Bill, which has been underlined by many Members during the debate, it would be inappropriate for those significant constitutional provisions to be translated into Standing Orders. They need to find their way into primary legislation, and into law.⁶⁵

5.5. *Gohirio Araith y Frenhines*

Ar 13 Medi 2010, cyhoeddodd y Gwir Anrhydeddus Syr George Young AS, Arweinydd y Tŷ, ddatganiad ysgrifenedig yn nodi bwriad y Llywodraeth i gyflwyno pum sesiwn o 12 mis dros un Senedd o ganlyniad i'r cynigion yn y Mesur

⁶² [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c629](#)

⁶³ *Ibid*

⁶⁴ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c631](#)

⁶⁵ *ibid*

Seneddol ar gyfer seneddau cyfnod penodol o bum mlynedd, gan felly ohirio Araith y Frenhines yr hydref tan gwanwyn 2012:

The Fixed-term Parliaments Bill proposes that Parliamentary General Elections will, ordinarily, take place on the first Thursday in May, every five years. One of the benefits of this proposal is the greater certainty it brings to the parliamentary timetable. As a consequence, the Government believes that it would be appropriate to move towards five, 12-month, sessions over a parliament, beginning and ending in the spring. This has the advantage of avoiding a final fifth session of only a few months, which restricts the ability of Parliament to consider a full legislative programme.⁶⁶

Yn ystod dadl yr ail ddarlleniad, holodd y Gwir Anrhydeddus Jack Straw QC AS y Dirprwy Brif Weinidog ynghylch pam nad oedd y ddarpariaeth ar gyfer pum sesiwn o 12 mis wedi'i gynnwys ar wyneb y Mesur Seneddol:

Will the Deputy Prime Minister explain how those debates on the proposals made by the Leader of the House will arise during the Bill, because there is absolutely nothing in it that relates to them? To facilitate such provision, will the Deputy Prime Minister ensure, if necessary, that the Government move new clauses providing for the dates of Prorogation and the Queen's Speech so that we can have those debates?⁶⁷

Wrth ymateb, ailadroddodd y Dirprwy Brif Weinidog safbwynt y Llywodraeth:

As I am sure he will acknowledge, these matters are linked. If we adopt this legislation on fixed-term Parliaments, which I understand he supports—unless he has changed his mind—it will have a knock-on effect: we need to align the Sessions of this Parliament to the new fixed-term provisions. Instead of hyperventilating about the abolition of a Queen's Speech, I hope the right hon. Gentleman will recognise that all we are doing is introducing a one-off, transitional arrangement so that those two facts are aligned.⁶⁸

5.3. *Amseru*

Ailfynegodd Graham Allen AS, Cadeirydd y Pwyllgor Diwygio Gwleidyddol a Chyfansoddiadol, ei bryder na ddarparwyd digon o amser ar gyfer craffu'n effeithiol ar y Mesur Seneddol:

The Bill flies in the face of effective pre-legislative scrutiny. We will do our best for the two days of Committee on the Floor of the House, but I hope very much that in future the Government will ensure that we all get adequate time to do what we are here for—to make better law.⁶⁹

Roedd y Gwir Anrhydeddus Jack Straw QC AS hefyd yn annog y Dirprwy Brif Weinidog i weithredu mewn ffordd mwy cyson, pwylllog ac ymgynghorol ac roedd yn feirniadol o'r brys y mae'r Llywodraeth yn gwthio'r Mesur Seneddol drwy'r Senedd.⁷⁰

⁶⁶ [Arweinydd Tŷ'r Cyffredin, yr Arglwydd George Young AS, *Parliamentary Sessions*, datganiad ysgrifenedig gan Weinidog, 13 Medi 2010](#)

⁶⁷ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c623](#)

⁶⁸ [Dadleuon Tŷ'r Cyffredin, 13 Medi 2010, c623](#)

⁶⁹ [Ibid, c658](#)

⁷⁰ [Ibid, c645](#)